



DISABILITY AND COMMUNICATION ACCESS BOARD

1010 Richards Street, Rm. 118 • Honolulu, Hawaii 96813
Ph. (808) 586-8121 (V) • Fax (808) 586-8129 • (808) 586-8129 TTY

NOTICE OF MEETING

Disability and Communication Access Board

General Board Meeting

November 17, 2022

11:00 a.m. – 1:00 p.m.

AGENDA

The Disability and Communication Access Board will be meeting remotely using interactive conference technology. The public is welcome to participate as follows.

Public In-Person Meeting Location

Kamamalu Building
1010 Richards Street, Room 118
Honolulu, HI 96813

Participate Virtually via Zoom

Click on the link below or copy and paste it into your browser window:
<https://zoom.us/j/99980575883> and enter Meeting ID: 999 8057 5883

To join by phone

Dial 1 669 900 6833 and enter Meeting ID: 999 8057 5883

Public Testimony

Testimony or comments presented by members of the public during Board meetings shall be limited to three minutes per agenda item. In compliance with the Americans with Disabilities Act, a reasonable amount of additional time shall be afforded to persons with a communication disability to present testimony or comments, if needed. Any person who needs additional time to present testimony or comments is encouraged to contact the DCAB office in advance of the meeting. This rule shall be placed at the beginning of all Board meeting agendas.

Members of the public may present comment or testimony during Board meetings on each agenda item. Public comment or testimony, if any, shall be presented on each agenda item before the Board deliberates on the item. After all public comment or testimony is presented, the Board shall deliberate on the agenda item without further comment or testimony from the public unless further public comment or testimony is requested by the Board.

Written Testimony -To ensure the public as well as its board members receive such testimony in a timely manner, written testimony should be submitted 24 hours prior to the scheduled meeting date and time. Any written testimony submitted after such time cannot be guaranteed to be distributed in time for the meeting. Written testimony may be submitted by one of the methods listed below:

- By email to: dcab@doh.hawaii.gov
- By U.S. Postal Mail:
Kirby Shaw, Disability and Communication Access Board, 1010 Richards Street,
Room 118, Honolulu, HI 96813
- By facsimile to: (808) 586-8129

AGENDA

- I. Call to Order
Review Remote Meeting Procedures
 - This meeting is being recorded.
 - A quorum of Committee members is required to be visible on screen.
 - Raise hand to speak unless called upon.
 - Identify yourself before speaking.
- II. Introductions
- III. Statement from Public and Written Testimonies Submitted
- IV. Approval of General Board Meeting Minutes of September 30, 2022
- V. Executive Director's Report
 - DCAB Annual Report for Fiscal Year 2021-2022
 - Act 172 Working Group Activities Regarding the "Hawaii Electronic Information Technology Disability Access Standards"
 - Personnel
Update on Communication Access Specialist Position
- VI. Committee Reports
 - A. Executive Committee
No meeting held. No report.
 - B. Legislative Committee
The Legislative Committee will hold a meeting in December, date to be announced.
 - C. Standing Committee on Communication Access
Report on the Standing Committee on Communication Access activities.
 - D. Standing Committee on Facility Access
Report on the Standing Committee on Facility Access activities.

- E. Standing Committee on Parking
Report on the Standing Committee on Parking activities.
- F. Special Parent Information Network
Report on the Special Parent Information Network activities.
- VII. Old Business
 - A. ADA Coordination
Review statistics of ADA technical assistance program. Update.
 - B. Guidance on the Provision of Auxiliary Aids/Services or Accommodations Due to a Disability at Public Meetings or Events. Review and update the guidance language on the provision of auxiliary aids/services or accommodations due to a disability at public meetings or events. Update.
 - C. Disability and Communication Access Board Programs and Services Manual - Update.
- VIII. New Business
 - A. U.S. Department of Transportation – Notice of Proposed Rulemaking – Enhancing Transparency of Airline Ancillary Service Fees - Staff Summary.
 - B. Emergency Preparedness Update.
- IX. Open Forum: Public comment on issues not on the agenda for consideration for the Board's agenda at the next meeting.
- X. Next Meeting
- XI. Adjournment

If you require an auxiliary aid or service for disability or other accommodation to participate in the meeting, please contact Scott Castor at (808) 586-8121 or email, dcab@doh.hawaii.gov. Requests made as early as possible will allow adequate time to fulfill your request.

Upon request, this notice is available in alternate formats.

The agenda and meeting materials for this meeting are also available for inspection at DCAB's office located at 1010 Richards Street, Room 118, Honolulu, Hawaii 96813 and on DCAB's website at: <https://health.hawaii.gov/dcab/dcab-agendas-and-minutes/>.



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DRAFT MINUTES

Disability and Communication Access Board General Board Meeting

Location: Virtual via Zoom and 1010 Richards Street, Room 118
Date: September 30, 2022
Time: 12:00 p.m. – 2:00 p.m.

PRESENT: Violet Horvath, Chairperson; Anthony Akamine, Ron Awa, Rosanna Daniel-Kanetake, Dean Georgiev, Gerald Isobe, Marie Kimmey, Summer Kozai, Michael Nojima, Gerald Ohta, Charlotte Townsend, Board Members; Kirby Shaw, Kristine Pagano, Curtis Motoyama, Bryan Mick, Susan Rocco, Staff

ABSENT: Pauline Aughe, Scott Fleming, Nikki Kepo'o, Justin Tokioka, Amy Tsuji-Jones, Board Members

GUESTS: Peter Fritz; Judy Guaiardo, Statewide Independent Living Council; Donald Sakamoto, Citizens for a Fair ADA Ride; Annette Tashiro, State Rehabilitation Council

SIGN LANGUAGE

INTERPRETERS: Denise Green and Becky Hoopii

REAL TIME

CAPTIONERS: April Chandler and Kelly DeKamp

- XI. Chairperson Violet Horvath called the meeting to order at 12:12 p.m. She provided information about testimony or comments presented by members of the public during Board meetings.
- XII. Roll was called and Board members, staff, and guests, introduced themselves.
- XIII. Chairperson Violet Horvath said written testimony was submitted to DCAB by Peter Fritz. She gave him the option of reading his testimony. Guest Peter Fritz said that Board members had a duty to read testimony that he submitted and recommended that items be taken out of order for discussion, namely item A under Old Business and item B under New Business, because he said they were a priority. No Board members opposed the recommendation and the items were taken out of order and discussed after items IV and V.
- XIV. The minutes of the Board's July 21, 2022 Annual Planning meeting were approved as circulated (M/S/P Townsend/Daniel-Kanetake; Abstain: Kimmey). The minutes of the July 21, 2022 General meeting were approved as circulated (M/S/P Townsend/Daniel-Kanetake; Abstain: Kimmey).

XV. Executive Director's Report

Kirby Shaw reported that the Planner and ADA Coordinator position was filled. He introduced Curtis Motoyama as the new Planner and ADA Coordinator.

Kirby Shaw reported that DCAB is still recruiting for the Communication Access Specialist position.

XVI. Committee Reports

G. Executive Committee

There was no meeting held, and no report was provided.

H. Legislative Committee

There was no meeting held, and no report was provided.

I. Standing Committee on Communication Access

Committee Chairperson Gerald Isobe reported that the Committee met on September 28, 2022. The May 27, 2022 meeting minutes were tabled until the next Committee meeting because there was no quorum.

He reported there are forty (40) sign language interpreters who hold a Hawaii State Sign Language Interpreter Credential and twenty six (26) sign language interpreters enrolled in the Continuing Education Program.

He reported that Hand Ninjas with Crom Saunders will present the next professional workshop via Zoom on November 12, 2022 from 10:00 a.m. to 12:00 p.m. Interested persons should contact DCAB for more information.

The next Committee meeting is scheduled for November 16, 2022 at 11:00 a.m.

J. Standing Committee on Facility Access

There was no meeting held, and no report was provided.

K. Standing Committee on Parking

Committee Chairperson Summer Kozai reported that the Committee met on August 26, 2022. She reported that approximately five thousand eight hundred seventy five (5,875) placards were issued and two hundred ninety six (296) license plates were reauthorized or issued in the fourth quarter. Of the placards, approximately one thousand seven hundred (1,700) were temporary, roughly four thousand one hundred (4,100) were long term and forty six (46) Disabled Paid Parking Exemption Permits were issued. Of the long term placards, approximately one thousand three hundred (1,300) were issued by DCAB. The renewal rate was sixty seven percent (67%).

She reported that four (4) inquiries were submitted through DCAB's web page to report abuse of a disability parking placard. Staff emailed four hundred ninety eight (498) permittees a reminder notice of pending placard expiration. Staff also began the crosscheck process with the Department of Health's Office of Vital Records and hopes to complete the death retrieval letter mailing to estates of deceased permittees. Staff procured thirty thousand (30,000) long term and temporary placards and one hundred four thousand five hundred (104,500) decals (month and year).

L. Special Parent Information Network

Susan Rocco provided a report on Special Parent Information Network (SPIN) activities. She reported that the SPIN Advisory Committee elected to hold a half a day virtual conference on October 22, 2022 and then plan for an in-person conference on April 22, 2023. The conference is entitled, "It's a Marathon, Not a Sprint." Featured for October are workshops on three (3) marathon skills parents of children with disabilities can develop to help them on their journey of parenting a child with a disability—stress management, mindful meditation and a technique called Care Mapping to develop and maintain a system of support. A conference flyer and registration link can be found at: <https://spinconference.org/2021-workshops/>.

She reported that Amanda Kaahanui made a presentation to Parent Community Networking Center (PCNC) staff in Honolulu District to keep them updated on SPIN's activities and services. PCNCs are part-time positions at public schools that serve as a bridge between the school, school families and community businesses and organizations. Many PCNCs are staffed by individuals who are not knowledgeable about special education, so it is important to make them aware of the needs of students with Individualized Education Programs (IEP) and their families.

She reported that the Special Education Advisory Council (SEAC) has long advocated for more attention to be paid to special education dispute resolution, and SPIN staff prepares a report each year for SEAC on the utilization of mediation, written complaints and due process hearings. At the September 9, 2022 SEAC meeting, a technical assistance team from WestEd presented the findings of their six (6) month review of the dispute resolution system in Hawaii, along with a strategic plan for improvement. SPIN will be staffing a SEAC Ad Hoc Committee on Dispute Resolution to look at a number of these issues, including the shortage of plaintiff attorneys to represent students in special education due process hearing requests.

XVII. Old Business

D. ADA Coordination

Curtis Motoyama reported that statistics will be gathered. Examples of technical assistance includes Fair Housing Act parking, securing American Sign Language interpreters and Braille transcribing, and creating accessible PDF documents.

Guest Peter Fritz said that meeting notices should only state that alternate formats will be provided upon request. He said that the accommodation

statement should not specify the type of alternate format available (i.e., Braille, large print, etc.) because it implies that Braille will be provided upon request.

E. Guidance on the Provision of Auxiliary Aids/Services or Accommodations Due to a Disability at Public Meetings or Events.

Kirby Shaw said that the updated Guidance was distributed to State agencies and entities. Curtis Motoyama added that the updated Guidance was distributed to State ADA Coordinators as well. At the October 11, 2022, State ADA Coordinators meeting, DCAB will ask Coordinators to distribute the Guidance to staff who conduct public meetings and events.

Guest Peter Fritz stated that MS Teams does not provide captioning, and the Office of Enterprise Technology Services is working on a Zoom license for all State agencies.

Chairperson Violet Horvath suggested outreach to Olelo to inform people with disabilities about their rights.

Guest Peter Fritz said the problem with the State calendar is that it does not require public entities to post the accommodation request information with the notice or agenda and therefore people with disabilities must take an extra step to find the accommodation request information. He said meetings must have a dial in number for people with disabilities. A dial in number guidance should be included in the policy manual. Board members should be used as a resource to update the manual.

XVIII. New Business

These items were taken out of order.

A. Plan of Action

Objective 3.4.3 Pursuant to Act 271-22, participate in a working group on accessible government documents and develop electronic information in technology accessibility standards titled, "Hawaii Electronic Information Technology Disability Access Standards" to be implemented by all state entities with the Office of Enterprise Technology Services. (Priority 1)

- Consultation with the Office of Enterprise Technology Services (ETS) regarding Act 172-22 - the Hawaii Electronic Technology Accessibility Act. Update.

Kirby Shaw reported that Act 172 passed in the 2022 Legislative session. Act 172 requires ETS in consultation with DCAB to establish accessibility standards. The group is reviewing standards established by other states and jurisdictions to extract the best aspects to form the Hawaii standards. DCAB and ETS will be meeting every two (2) weeks to work on the standards.

Guest Peter Fritz said Hawaii already has standards for Section 508 and Web Content Accessibility Guidelines (WCAG). His testimony to DCAB includes what other States have done.

Kirby Shaw said the standards will require all hardware and software to be accessible to state employees with disabilities, and public facing entities, such as the Department of Labor and Industrial Relations, public libraries, public schools and the University of Hawaii, will be required to make their hardware and software accessible to persons with disabilities. Guest Peter Fritz said the University of Hawaii is required to comply with Section 504 because it receives federal funds.

Kirby Shaw is considering involving the National Federation of the Blind and the National Association of the Deaf. Guest Peter Fritz indicated that both organizations have standards posted on their websites.

B. Update of Disability and Communication Access Board Programs and Services Manual.

Kirby Shaw reported that the Programs and Services Manual (Manual) was last updated in 2018. The State and counties resorted to virtual platforms during the COVID-19 pandemic. The Manual did not incorporate virtual meetings and live streaming events. However, during the pandemic, DCAB provided technical assistance to State and county agencies to ensure their virtual meetings and live streamed events were accessible. The Manual needs to be updated to address these issues. Curtis Motoyama and Kirby Shaw will work on updating the Manual. The timeline to complete the update is within the next couple of months. Staff will prepare a draft to Board members by the next meeting.

Board member Charlotte Townsend asked whether staff would review and update the entire Manual. Kirby Shaw said staff would review the entire Manual to ensure the guidance is current.

Guest Peter Fritz said updating the Manual should be a top priority for staff. DCAB should update particular sections of the Manual to provide guidance that agencies need. He said the Manual update timeline would take three (3) months if the Deputy Attorney General were to review the updates. He is concerned that DCAB assets are not being allocated to the Manual update.

Board member Charlotte Townsend asked whether DCAB would create a working group, consisting of Board members and other individuals, to update the Manual. Curtis Motoyama will work with Kirby Shaw to develop a draft and ask for input before the next Board meeting with discussion at the next meeting. Kirby Shaw said that the working group must comply with the Sunshine Law and that DCAB may be able to create an ad-hoc committee or a Permitted Interaction Group to update the Manual. He will confirm with the Office of Information Practices. Kirby Shaw also said staff will determine whether the Manual will be issued as sections are completed with a caveat that any completed section does not reference another section that needs to be updated. Review by the Deputy Attorney General would be to ensure that the Manual does not violate any legal provisions, which would prevent reissuing the Manual if corrections are necessary.

XIX. Open Forum: Public comment on issues not on the agenda for consideration for the Board's agenda at the next meeting.

Guest Annette Tashiro asked whether DCAB what address emergency preparedness. Kirby Shaw said that DCAB's involvement would be to continue its participation in emergency preparedness meetings with Curtis Motoyama as the contact. Board member Gerald Ohta asked that the next agenda provide an update about Hurricane Ian. Chairperson Violet Horvath asked staff to check on the status of the Emergency Response Manual.

- XX. Chairperson Violet Horvath said that the next General meeting is scheduled for November 17, 2022 beginning at 11:00 a.m.
- IX. The meeting adjourned at 2:00 p.m.

Respectfully submitted,

KIRBY L. SHAW



DISABILITY AND COMMUNICATION ACCESS BOARD

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STAFF SUMMARY FOR THE DISABILITY AND COMMUNICATION ACCESS BOARD GENERAL MEETING November 17, 2022

TOPIC: U.S. Department of Transportation – Notice of Proposed Rulemaking –
Enhancing Transparency of Airline Ancillary Service Fees

SUMMARY:

The U.S. Department of Transportation (DOT) issued a Notice of Proposed Rulemaking (NPRM) on October 20, 2022, which proposed that various ancillary fees relating to air travel, often not disclosed at the initial point of purchase, to be disclosed at all times. Comments are due by December 19, 2022. These fees are baggage, flight changes, flight cancellations, and family seating fees and policies regarding children under the age of 13.

ANALYSIS:

The family fees and policies are important to families who have children with disabilities. In some cases, parents may think they can only travel if they are seated next to the child. For instance, there might be a child with disabilities where the parent needs to monitor the child for signs of low sugar and administer food or insulin if necessary. In July 2022, DOT issued a “Notice Encouraging U.S. Airlines to Have Policies That Enable Children to Be Seated Adjacent to an Accompanying Adult to the Maximum Extent Practicable and at No Additional Cost.” In the notice, the Department provides that airlines should do everything that they can to ensure the ability of parents to sit next to their young children, including allowing every young child to sit next to a parent without charging fees for adjacent seating. While this NPRM does not require a waiver of fees, it would require the disclosure of the family seating fees when fare and schedule information is provided and the ability to purchase those seats at all points of sale, which would promote better informed buyers, enhanced competition, and possibly lead to lower prices.

STAFF RECOMMENDATION:

DCAB should support the NPRM, but advocate that it be further amended to prohibit a fee to seat a parent and a child with a disability who requires attention next to each other regardless of the child’s age.



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MINUTES

Disability and Communication Access Board General Board Meeting

Location: Virtual via Zoom and 1010 Richards Street, Room 118
Date: November 17, 2022
Time: 11:00 a.m. – 1:00 p.m.

PRESENT: Violet Horvath, Chairperson; Pauline Aughe, Rosanna Daniel-Kanetake, Scott Fleming, Dean Georgiev, Gerald Isobe, Nikki Kepo'o, Marie Kimmey, Summer Kozai, Michael Nojima, Gerald Ohta, Charlotte Townsend, Board Members; Kirby Shaw, Kristine Pagano, Curtis Motoyama, Duane Buote, Bryan Mick, Susan Rocco, Sue Radcliffe, Staff

ABSENT: Anthony Akamine, Ronald Awa, Justin Tokioka, Board Members

GUESTS: Peter Fritz; Donald Sakamoto, Citizens for a Fair ADA Ride; Teri Spinola-Campbell; Annette Tashiro, State Rehabilitation Council

SIGN LANGUAGE

INTERPRETERS: Mala Arkin and Carie Sarver

REAL TIME

CAPTIONER: April Chandler

- I. Chairperson Violet Horvath called the meeting to order at 11:07 a.m. She provided information about testimony or comments presented by members of the public during Board meetings.
- II. Roll was called and Board members, staff, and guests, introduced themselves. Chairperson Violet Horvath welcomed Teri Spinola-Campbell who will join the Board as an appointed member.
- III. Statement from Public and Written Testimonies Submitted

No public testimony was submitted.
- IV. Minutes of the September 30, 2022 General meeting were approved as circulated (M/S/P Kepo'o/Daniel-Kanetake; Abstain: Aughe).
- V. Executive Director's Report

Kirby Shaw reported that the DCAB Annual Report is almost complete. The Facility Access and Parking Annual Reports are nearing completion. Staff will forward the Reports to Board members upon completion.

He also reported that staff is meeting with the Office of Enterprise Technology Services (ETS) and will share the draft Hawaii Electronic Information Technology Disability Access Standards when ready with Board members.

Recruitment is continuing for the Communication Access Specialist position. Staff met with the Standing Committee on Communication Access and discussed how to open the pool to prospective applicants.

VI. Committee Reports

A. Executive Committee

There was no meeting held, and no report was provided.

B. Legislative Committee

Curtis Motoyama reported that in preparation for the upcoming legislative session, the Legislative Committee will hold a meeting in December.

C. Standing Committee on Communication Access

Committee Chairperson Gerald Isobe reported that the Committee met on November 16, 2022. A workshop coordinated by Hand Ninjas and presented by Max of Definitely Dope is scheduled for November 19, 2022. Currently, there are forty (40) American Sign Language (ASL) interpreters with Hawaii Quality Assurance System (HQAS) credentials and twenty six (26) in the Continuing Education Program. Staff will be posting videos for the Hawaii Civil Rights Commission (HCRC) on what are my rights, communication, employment discrimination, housing discrimination, and filing a complaint with HCRC.

Board member Gerald Ohta asked if the number of interpreters is sufficient for the state and counties. Kristine Pagano responded that forty (40) interpreters is not enough statewide, with a number of interpreters who have relocated to the mainland. The goal is to increase the number of interpreters, but Hawaii does not have an interpreter training program. She tried to work with Kapiolani Community College (KCC) to restart the interpreter training program. The University of Hawaii (UH) has a course about ASL interpreting and hopefully will start an interpreting program.

Chairperson Violet Horvath shared concerns about increasing the quantity and quality of healthcare interactions for persons with disabilities and obtaining sign language interpreters for medical, dental, behavioral health, mental health interactions is an ongoing issue.

Board member Gerald Ohta asked for clarification about the appropriate number of interpreters. Committee member Nikki Kepo'o shared that there is not an exact number that should be reached; the goal may be one hundred (100) qualified interpreters. It's an issue statewide, but mostly on the neighbor islands. It is also challenging to find a qualified interpreter within the necessary timeframe.

Committee Chairperson Gerald Isobe expressed the need to coordinate with the Department of Education (DOE), KCC, and UH to increase the number of

interpreters. Kirby Shaw shared that the lack of local interpreters forces reliance on video remote interpreting.

Board member Charlotte Townsend inquired about the KCC Interpreter Program. KCC still offers ASL classes, but there are no interpreter training classes; it has been about fifteen to twenty (15-20) years without an interpreter training program. The Education Interpreter Training Program trains interpreters in the education field from preschool to grade 12. The DOE interpreting credentials are different than DCAB's interpreting credentials.

Chairperson Violet Horvath noted that Ami Tsuji-Jones resigned from the Board for personal reasons.

D. Standing Committee on Facility Access

Committee Chairperson Marie Kimmey reported that the Committee met on November 2, 2022 and discussed the Facility Access Unit (FAU) Fall training schedule. The FAU scheduled five (5) Basic Training Sessions for Fall 2022 on Chapters 3 through 10 and Education Facilities.

E. Standing Committee on Parking

Committee Chairperson Summer Kozai reported that the Committee met on November 10, 2022. She reported that approximately six thousand eight hundred (6,800) placards and three hundred ten (310) special license plates were issued in the first quarter of fiscal year 2023. Of the placards, one thousand seven hundred (1,700) were temporary, five thousand one hundred (5,100) were long term, and thirty two (32) were Disabled Paid Parking Exemption Permits. Of the long term placards, two thousand one hundred (2,100) were issued by DCAB. The renewal rate was fifty eight percent (58%).

She reported that during the first quarter of this fiscal year, six (6) inquiries were submitted through the DCAB webpage to report abuse of a disability parking permit and three (3) inquiries were made to the page to report noncompliant parking spaces. The Committee is working with staff to design a voluntary sign that businesses can place on van accessible spaces indicating that priority should be given to vehicles with side mounted ramps or lifts. The Committee is working with staff to redesign the brochure (which will include images for clarity) that is issued with parking permits, instructing the permittees on how to properly use their permit to park. One thousand forty (1,040) reminder emails were sent to permittees to notify them of their placard expiration date. A crosscheck with the Department of Health (DOH) Vital Records flagged four thousand three hundred forty four (4,344) placards of deceased permittees. Letters were sent to the estates of deceased permittees. Responses were received: one thousand two hundred ninety (1,290) placards were returned, two hundred seventy three (273) were reported lost, and five hundred sixty six (566) letters were returned as undeliverable.

F. Special Parent Information Network

Susan Rocco reported that based on the feedback of the October 7, 2022 SPIN Conference, it was considered a success in delivering helpful information in a friendly and engaging learning environment. The three (3) successive

workshops, attended by one hundred (100) or more participants, received high praise. Of the stakeholder groups attending, the mix was evenly split between family members (parents, persons with disabilities, family members) and professionals. The vast majority of the attendees were from Oahu, and Hawaii County had the next largest representation. SPIN would like to extend its thanks to the SPIN Advisory Committee members--including DCAB Board member Anthony Akamine--who helped deliver a well-planned, well-resourced conference. The Committee is now gearing up for a hybrid in-person/virtual conference in mid-April 2023.

She reported that she and Amanda Kaahanui participated in a Community Resource Fair held at the Mililani Town Center and sponsored by the DOE Central District; a panel presentation at the 2022 Hawaii Book and Music Festival on "Raising Awareness about Autism, Inclusion and Family Support in Hawaii." Fellow panelists included Dr. May Okihiro, a pediatrician and John A. Burns School of Medicine professor, and Dr. Jeffrey Stern, a psychology and Chaminade University professor. Finally, she and another parent, Melissa Harper Osai, were asked by the Hawaii Childrens' Action Network to present on "Family Strengthening for Families of Children with Disabilities."

She reported that the SPIN Newsletter October issue was the first regular newsletter of the 2022-2023 school year. It included four (4) new infographics, including "How to Help Your Teen Get More Sleep," "Keeping Safe from Monkeypox," "Mindfulness for Keiki: Tools for Self-Calming," and "Support for Families." The latter was designed and vetted by the Hawaii DOE and partner agencies, including SPIN, as a parent handout that contains a description and contact information for six (6) key agencies supporting families of school-aged children with disabilities.

VII. Old Business

A. ADA Coordination

Curtis Motoyama reported that staff documented forty seven (47) technical assistance activities in September, and fifty nine (59) in October. Common technical assistance subject matters included facility access, service animals, emotional support animals, obtaining ASL interpreters, transcribing a document into Braille, accessible word and PDF documents, and accessible meeting agendas and event notices.

B. Guidance on the Provision of Auxiliary Aids/Services or Accommodations Due to a Disability at Public Meetings or Events. Review and update the guidance language on the provision of auxiliary aids/services or accommodations due to a disability at public meetings or events. Update.

Curtis Motoyama reported that staff is reviewing and updating the guidance document concurrently with the Programs and Services Manual update. This should ensure consistency between the guidance document and the Manual. Revisions to the guidance document that staff is considering includes removing "guarantee" and "Braille" from the sample language.

C. Disability and Communication Access Board Programs and Services Manual - Update.

Kirby Shaw reported that he consulted with the Office of Information Practices (OIP) to confirm that the Sunshine Law would permit two (2) Board members to interact with each other and staff concerning the Manual. No appointment by the Board or defining of their role and authority would be required. Board members Charlotte Townsend and Gerald Ohta agreed to review and provide input regarding Manual revisions.

Curtis Motoyama reported that Board members Charlotte Townsend and Gerald Ohta met with staff and provided the following recommendations:

- Revise the title to Programs and Services Reference Manual.
- Make the purpose of the Manual prominent and emphasize that it is a reference guide and not legally binding if it is not followed.
- Eliminate superfluous information and reduce the overall size of the Manual.
- Focus on guidance that ADA Coordinators need to implement ADA requirements by placing information contained in the attachments into the body of the Manual instead of at the back of the Manual.
- Write the Manual in a consistent style.
- Use the Hawaiian Dictionary to include diacritical marks, such as kahako (macron) and okina (glottal stop).
- Include checklists because they are a helpful tool.

Due to this Manual reorganization, staff expects to develop a draft and ask for input before the next Board meeting with discussion at the next meeting. Staff will continue to work with Board members Charlotte Townsend and Gerald Ohta to develop the Manual. Staff is planning to prioritize sections of the Manual, such as the sections about Announcements and Publicity Materials, Virtual Meetings and Events, and Service Animals. As sections are finalized, staff would like to post sections on the ADA Coordinators website. When all sections are finalized and posted on the ADA Coordinators website, staff will provide all ADA Coordinators with a hardcopy of the entire Manual.

Board member Charlotte Townsend shared that DCAB would be consistent with the Department of Justice technical assistance that these requirements are the foundation of the guidance of the Manual.

Chairperson Violet Horvath asked about diacritical marks. Board member Charlotte Townsend shared that the Manual should have diacritical marks to make technology evolve to address these marks.

VIII. New Business

A. U.S. Department of Transportation – Notice of Proposed Rulemaking – Enhancing Transparency of Airline Ancillary Service Fees – Staff Summary.

Bryan Mick referred Board members to the staff summary. Board members asked if the rules applied to caregivers and about the definition of a family member.

Guest Teri Spinola-Campbell mentioned that the rule should not be restricted to children and should consider caregivers that need to be seated next to a spouse.

Board member Pauline Aughe ask how often complaints are filed about additional cost when a parent needs to sit next to their child. She agreed that someone with a disability should be able to sit next to their family member. She asked if the policy is addressed by the U.S. Department of Transportation or the individual airline. She shared that comments should stress training for the airlines.

Board member Charlotte Townsend asked if the Notice of Proposed Rulemaking (NPRM) amends the Air Carrier Amendments Act (ACAA). Bryan Mick reported that this NPRM does not appear to amend the ACAA.

Board member Pauline Aughe asked if the staff recommendation is asking for a fee exemption or transparency about fees. She also asked if there is an existing requirement about the fee. Board member Charlotte Townsend suggested including a definition of family that is more comprehensive. Board member Gerald Ohta mentioned that comments should address the needs of a person with a disability and the person traveling with that disabled person.

The Board voted to approve the staff recommendation in support of the rule and to create a separate prohibition for anyone with a disability who needs to be seated with a caregiver (M/S/P Kepo'o/Ohta).

B. Emergency Preparedness Update.

Curtis Motoyama reported that DCAB was invited to participate in a DOH Public Health Preparedness Exercise that will simulate a tsunami event. Staff has been and will continue to attend the planning meetings. The exercise is scheduled for January 19, 2023. The purpose of the exercise is to test policies and procedures with a focus on public health issues, such as post-tsunami public notification of unsafe drinking water. DCAB's role in this exercise is likely to be as a resource for technical assistance and guidance relative to access for people with disabilities, such as obtaining ASL interpreters for press conferences.

He reported that [Hurricane Ian impacted an estimated 1.2 million Florida residents with disabilities](#). In preparation for Hurricane Ian, the Florida Department of Health notified people with disabilities and special needs, such as medical conditions, that they should pre-register with the [Florida Special Needs Shelters Registry](#). This registry enrolls people with disabilities and special needs so they can be assisted quickly during an emergency and receive important information regarding evacuation and available sheltering options. Kirby Shaw mentioned that the City and County of Honolulu had a registry but there was no guarantee that first responders would provide assistance. The concern was that the registry provided a false sense of security. Board member Charlotte Townsend shared that the registry was not implemented because a guarantee could not be provided.

Curtis Motoyama reported that DCAB participated in development of the [2009 Interagency Action Plan for the Emergency Preparedness of People with Disabilities and Special Needs](#). The Action Plan is not an emergency preparedness document or a special needs response plan. It is a roadmap to ensure that other legislative, administrative, or programmatic efforts are inclusive of the issues of people with disabilities or special health needs. The Action Plan sets forth seven (7) goals related to evacuation shelters, sheltering-in-place,

developing a personal evacuation plan, education, notification of emergencies, and developing a personal evacuation transportation plan. Each goal includes objectives, and each objective identifies the agencies responsible for implementing the objective. For example, Objective 1.1 under Goal 1 is to retrofit all public emergency evacuation shelters to meet baseline facility requirements for hardening and accessibility. The State Civil Defense, Department of Education, and County Civil Defense Agencies are responsible for implementing this objective.

- IX. Open Forum: Public comment on issues not on the agenda for consideration for the Board's agenda at the next meeting.

Guest Donald Sakamoto shared that restaurant and retail websites are not receptive to screen readers used by people who are blind. Board member Nikki Kepo'o mentioned that this topic could be discussed by the Standing Committee on Communication Access.

- X. Chairperson Violet Horvath announced the next meeting is scheduled for January 19, 2023 beginning at 11:00 a.m.
- XI. The meeting adjourned at 1:03 p.m..

NOTE: All votes were unanimous unless otherwise noted.

Respectfully submitted,



KIRBY L. SHAW

SPIN Report November 2022

October SPIN Conference Evaluations

Based on the feedback of many of our audience members, the October 22nd **SPIN Conference** was considered a success in delivering helpful information in a friendly and engaging learning environment. The three successive workshops, attended by 100 or more participants, received high praise (see attached conference evaluation results). Of the stakeholder groups attending, the mix was evenly split between family members (parents, persons with disabilities, family members) and professionals). The vast majority of the attendees were from Oahu (76 individuals), and Hawaii County had the next largest representation (14 individuals). SPIN would like to extend our thanks to our SPIN Advisory Committee members--including DCAB Board member Anthony Akamine--who helped deliver a well-planned, well-resourced conference. The Committee is now gearing up for a hybrid in-person/virtual conference in mid April 2023.

SPIN Presentations

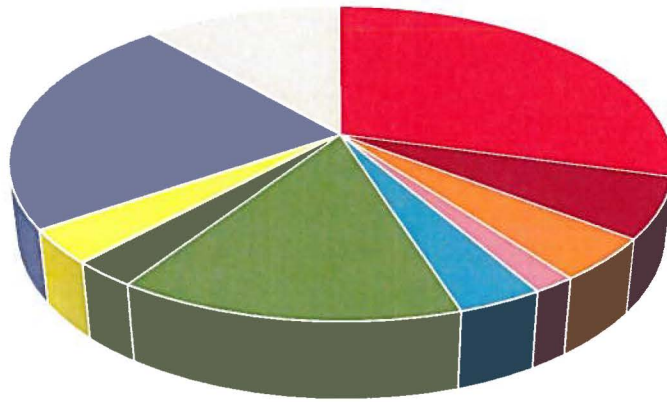
Susan and Amanda participated in three community events during the month of October. The first was a Community Resource Fair held at the Mililani Town Center and sponsored by Central District (Department of Education). Next was a panel presentation at the 2022 Hawaii Book and Music Festival on "Raising Awareness about Autism, Inclusion and Family Support in Hawaii. Fellow panelists included Dr. May Okihiro, a pediatrician and JABSOM professor, and Dr. Jeffrey Stern, a psychology and Chaminade University professor. Finally, Susan and another parent, Melissa Harper Osai, were asked by the Hawaii Childrens' Action Network to present on Family Strengthening for Families of Children with Disabilities.

SPIN Newsletter - October 2022 Edition

The October issue was the first regular newsletter of the 2022-23 School Year. It included four new infographics, including "How to Help Your Teen Get More Sleep," "Keeping Safe from Monkeypox," "Mindfulness for Keiki: Tools for Self-Calming," and "Support for Families." The latter was designed and vetted by the Hawaii Department of Education and partner agencies, including SPIN, as a parent handout that contains a description and contact information for six key agencies supporting families of school-aged children with disabilities.

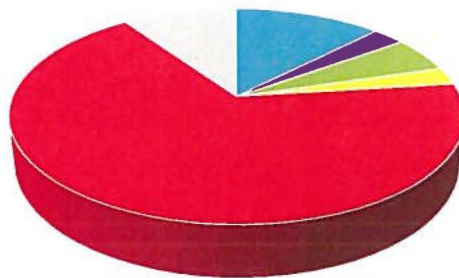
Conference Demographics

Conference Stakeholders



- Parents of kids 0-22
- Parents of adults
- Parent/professionals
- Family members
- Persons with disabilities
- Educators (DOE)
- Educators (University)
- University students
- Other Helping Pros
- Unknown

Attendee by Location



- Hawaii
- Kauai
- Mainland
- Maui
- Oahu
- Unknown



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STAFF SUMMARY FOR THE DISABILITY AND COMMUNICATION ACCESS BOARD GENERAL MEETING November 17, 2022

TOPIC: U.S. Department of Transportation – Notice of Proposed Rulemaking –
Enhancing Transparency of Airline Ancillary Service Fees

SUMMARY:

The U.S. Department of Transportation (DOT) issued a Notice of Proposed Rulemaking (NPRM) on October 20, 2022, which proposed that various ancillary fees relating to air travel, often not disclosed at the initial point of purchase, to be disclosed at all times. Comments are due by December 19, 2022. These fees are baggage, flight changes, flight cancellations, and family seating fees and policies regarding children under the age of 13.

ANALYSIS:

The family fees and policies are important to families who have children with disabilities. In some cases, parents may think they can only travel if they are seated next to the child. For instance, there might be a child with disabilities where the parent needs to monitor the child for signs of low sugar and administer food or insulin if necessary. In July 2022, DOT issued a "Notice Encouraging U.S. Airlines to Have Policies That Enable Children to Be Seated Adjacent to an Accompanying Adult to the Maximum Extent Practicable and at No Additional Cost." In the notice, the Department provides that airlines should do everything that they can to ensure the ability of parents to sit next to their young children, including allowing every young child to sit next to a parent without charging fees for adjacent seating. While this NPRM does not require a waiver of fees, it would require the disclosure of the family seating fees when fare and schedule information is provided and the ability to purchase those seats at all points of sale, which would promote better informed buyers, enhanced competition, and possibly lead to lower prices.

STAFF RECOMMENDATION:

DCAB should support the NPRM, but advocate that it be further amended to prohibit a fee to seat a parent and a child with a disability who requires attention next to each other regardless of the child's age.