



## DISABILITY AND COMMUNICATION ACCESS BOARD

1010 Richards Street, Rm. 118 • Honolulu, Hawaii 96813  
Ph. (808) 586-8121 (V) • Fax (808) 586-8129 • (808) 586-8162 TTY

### MINUTES

#### Disability and Communication Access Board General Meeting

Location: Virtual via Zoom and 1010 Richards Street, Room 118  
Date: July 20, 2023  
Time: 11:00 a.m.

PRESENT: Violet Horvath, Chairperson; Ron Awa, Gerald Isobe, Nikki Kepo'o, Marie Kimmey, Summer Kozai, Michael Nojima, Gerald Ohta, Teri Spinola-Campbell, Charlotte Townsend, Board Members; Kirby Shaw, Kristine Pagano, Duane Buote, Susan Rocco, Bryan Mick, Sue Radcliffe, Staff

ABSENT: Anthony Akamine, Rosanna Daniel-Kanetake, Scott Fleming, Dean Georgiev, LisaAnn Tom, Board Members

GUESTS: Peter Fritz; Curt Kiri, CK Independent Living Builders; Donald Sakamoto, Citizens for a Fair ADA Ride; Annette Tashiro, State Rehabilitation Council

#### SIGN LANGUAGE

INTERPRETERS: Mala Arkin and Carie Sarver

#### REAL TIME

CAPTIONERS: April Chandler and Kelly DeCamp

I. Chairperson Violet Horvath called the meeting to order at 11:08 a.m. She provided information about testimony or comments presented by members of the public.

II. Roll was called and Board members, staff, and guests introduced themselves.

#### III. Statement from Public and Written Testimonies Submitted

Kirby Shaw reported that staff did not receive public written testimony. Guest Peter Fritz had a procedural comment on submitting testimony to the Board.

#### IV. Approval of General Board Meeting Minutes of May 18, 2023

Minutes of the May 18, 2023 General meeting were approved as circulated (M/S/P Awa/Townsend).

#### V. Executive Director's Report

Kirby Shaw reported the Governor's Office informed DCAB that Scott Fleming, Dean Georgiev, Michael Nojima, and LisaAnn Tom have been confirmed as voting members of the Board.

He updated Board members on the collaboration between the Office of Enterprise Technology Services (ETS) and DCAB that produced a draft of the Hawaii Electronic Information Technology Disability Access Standards. Invitations to participate on the Working Group will be sent to interested parties to review, identify areas of concern, and provide advice on the Standards.

Kirby Shaw provided an update on the Parking Program Special Fund, which started on January 1, 2023. Deposits of \$1.00 from each motor vehicle registration fee is deposited into the fund and all costs associated with the parking program will be appropriated from this fund beginning July 1, 2023.

He updated Board members on the Planner/ADA Coordinator position and stated that the job announcement was revised to indicate the salary and emphasize the involvement with State and County ADA matters. Staff is still recruiting for the Planner/ADA Coordinator and the Communication Access Specialist positions. He announced that Christine Holmes is the new DCAB Office Assistant. She moves from the Parking Program, and there is now a vacancy in that Unit.

He provided an update on the Department of Health's (DOH) Telework Policy and how some DCAB staff are teleworking two (2) days a week with all staff in the office on Wednesdays.

Kirby Shaw met with the Director of the Office on Equality and Access to the Courts, Hawaii State Judiciary. The Office will be holding an Accessibility Conference on February 2, 2024, and asked for participation from Board members because of their insight into disability issues.

## VI. Committee Reports

### A. Executive Committee

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

### B. Legislative Committee

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

### C. Standing Committee on Communication Access

Committee Chairperson Gerald Isobe reported that the Committee met on July 6, 2023, and requested ratification of the July 6, 2023 meeting minutes. The minutes were ratified (M/S/P Kepo'o/Ohta).

### D. Standing Committee on Facility Access

Duane Buote reported that the Committee has not met since the last Board meeting. He provided information on the 2023 Disability Access Conference which was held virtually on June 29 and June 30, 2023 with topics on the Fair Housing Act. There was an average of one hundred fifty seven (157) attendees at each session.

He also reported that the Facility Access Unit staff have started teleworking two (2) days a week. Because staff have shown the ability to complete their work while teleworking during the pandemic, the new telework schedule is not expected to affect the Unit's work output.

E. Standing Committee on Parking

Committee Chairperson Summer Kozai reported that the Committee met on July 13, 2023. She reported that roughly seven thousand nine hundred (7,900) placards were issued and three hundred fifty eight (358) special license plates were reauthorized or issued in the fourth quarter. Of the placards, around two thousand (2,000) were temporary, five thousand nine hundred (5,900) were long term, and twenty one (21) were Disabled Paid Parking Exemption Permits. Of the long term placards, about two thousand four hundred eighty eight (2,488) were renewals issued by DCAB. The renewal rate was sixty six percent (66%).

She reported that staff is preparing to send letters to businesses that have parking lots with one hundred (100) or more spaces asking to consider increasing the number of accessible and/or van accessible spaces, ensure the spaces are connected to a properly maintained accessible route, and consider placing the priority signs for vehicles with a side mounted lift or ramp at their van accessible spaces. Letters were sent to the four (4) County Mayors asking to increase the number of accessible and van accessible spaces at county facilities, and to install signs at van accessible spaces indicating the priority is for vehicles with side mounted lifts or ramps.

She reported that during the fourth quarter, one thousand sixty (1,060) emails were sent to permittees to remind them of their placard expiration date. Twelve (12) submissions were received via the webpage to report parking placard misuse; and one submission was received reporting a non-design complaint space.

A crosscheck with the DOH Vital Records Branch will be done this fiscal year, and staff is preparing to solicit bids to procure temporary and long term placards.

Guest Curt Kiriu had a question regarding businesses that have accessible parking stalls, "Who is responsible to monitor the stalls?" Kirby Shaw explained the various obligations and avenues for enforcement regarding accessible parking. Bryan Mick explained the rules and requirements for placard use in Hawaii. Guest Donald Sakamoto added that more education is needed on the special license plates and parking in accessible stalls.

F. Special Parent Information Network

Susan Rocco reported that SPIN created its first infographic six (6) years ago and SPIN's website collection has grown to eighty eight (88) and counting. Infographics have been proven to be more effective than plain prose at creating interest in a topic and helping the reader to retain key facts and messages. In early July, SPIN staff further organized the collection into nine (9) categories: Deaf/Hard of Hearing/Deaf-Blind Collection; Health and Well-Being Collection; MCH LEND & SPIN Collection; School Supports Collection; SPIN Conference Workshops Collection; Special Education Advisory Council (SEAC) Collection; SPIN & Monitoring and Compliance (MAC) Branch Collection; Transition to Adulthood Collection; Catch All Collection (finances, assistive technology, tips and more).

SPIN was asked by the Department of Education's (DOE) Monitoring and Compliance Branch to assist in creating or updating existing infographics for seventeen (17) indicators the Office of Special Education Programs uses to measure compliance with and results relating to the Individuals with Disabilities

Education Act (IDEA). The aim is to involve more stakeholders in monitoring these indicators and weighing in on improvement efforts.

SPIN staff is in the process of drafting the Report of the Special Education Advisory Council's activities for school year 2022-2023 along with recommendations to the Superintendent of Education. A multipage infographic on current data pertaining to students receiving special education supports has been vetted by the DOE and is available to all special education stakeholders. The infographic helps raise awareness of how Hawaii compares to other states and territories on key accountability measures.

## VII. Old Business

### A. ADA Coordination

Kirby Shaw reported that staff responded to fifty one (51) ADA-related inquiries since the last Board meeting. DCAB held meetings of the State and County ADA Coordinators on July 11, and July 13, 2023, respectively, with topics that included discussion on the Guidance document and grievance procedure. The Guidance document discussion focused on whether the sample statement regarding an accommodation request is legally binding, and whether a department or agency accommodation wording complies or conflicts with the requirements of Hawaii Revised Statutes Section 92-7 (Sunshine Law). Digital content accessibility training sessions for State ADA Coordinators is scheduled to begin in either September or October.

Guest Peter Fritz indicated that the Programs and Services Manual included items that DOH is not following the language. He commented on wording in sections of the Manual and on agendas that are posted on the State calendar on how to request an accommodation.

Board member Charlotte Townsend made a motion to move forward with the Manual, then improvements can be made. Guest Peter Fritz said you can release Manual as is and then go through and address some of the issues. He said that the Manual should be updated after all the bills have been signed by the Governor and put into action. With discussion on the Programs and Services Manual (agenda item VII, C.) under this agenda item, Chairperson Violet Horvath asked if Board members had any objections to taking agenda item VII, C. out of order.

### 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.

Kirby Shaw reported DCAB provided training on the Guidance document to State and County ADA Coordinators.

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

Kirby Shaw said that Board members received a draft copy of the Programs and Services Manual. Discussion on the Programs and Services Manual was held on agenda item VII. A. Board member Charlotte Townsend had made a motion to move the Manual forward (M/S/P Townsend/Spinola-Campbell). Chairperson

Violet Horvath asked that the Board revise the Manual as issues arise or at a minimum annually.

Board member Charlotte Townsend amended her original motion to move the Programs and Services Manual forward by adding that the Manual will be reviewed and updated at a minimum on an annual basis (M/S/P Townsend/Ohta).

- D. Letter to Governor Green and County Mayors – Request to increase the number of reserved parking spaces for persons with disabilities in state parking facilities beyond the minimum Americans with Disabilities Act requirements. Update.

Kirby Shaw reported the letters to Governor Green and the four (4) County Mayors were sent and staff will follow up as to status. Guest Curt Kiriu inquired if an ADA Coordinator is similar to an inspector for compliance. Kirby Shaw briefly explained the role of an ADA Coordinator. Guest Curt Kiriu asked how the State and County would get better oversight and compliance from private facilities. Board member Charlotte Townsend stated that is one of the limitations of the law, that there is no enforcement mechanism to correct deficiencies. Kirby Shaw explained that the ADA is a federal law, and there are some limitations on enforcement. Guest Peter Fritz spoke about Hawaii Civil Rights Commission (HCRC) assistance on disability complaints. DCAB may want to request a presentation from HCRC to see how both Boards can work together on enforcement.

- E. Nominating Committee Report and Election of Officers for FY 2023-2024.

Board member Marie Kimmey reported for the Nominating Committee. The Committee included Nikki Kepo'o and Gerald Ohta who presented the proposed slate of officers for next fiscal year. The proposed slate: Chairperson, Violet Horvath and Vice Chairperson, Charlotte Townsend. The proposed slate was approved (M/S/P Awa/Spinola-Campbell).

### VIII. New Business

- A. Comments submitted in support of Federal Communications Commission proposed requirements for commercial mobile service providers that have elected to participate in the Wireless Emergency Alert system (WEA) to make WEA more accessible, including to people who primarily speak a language other than English or Spanish and people with disabilities who cannot access messages displayed in conventional formats.

Kirby Shaw reported that comments in support of the proposed requirements were submitted to the Federal Communications Commission.

- B. Standing Committee on Transportation – Call for Members.

Chairperson Violet Horvath called for members to serve on the Committee. Board members Teri Spinola-Campbell, Violet Horvath, Charlotte Townsend, and Gerald Ohta volunteered to serve on the Committee.

### IX. Open Forum

Chairperson Violet Horvath spoke about the John A Burns School of Medicine students graduating being able to work with persons with disabilities and increasing the number of students with disabilities. A student who is graduating and has a disability has proposed

a disability interest group, proposed a disability elective, and a disability certificate of distinction. If anyone is interested in interacting with the students to help train them to work with various kinds of disabilities, contact her at [vhorvath@hawaii.edu](mailto:vhorvath@hawaii.edu).

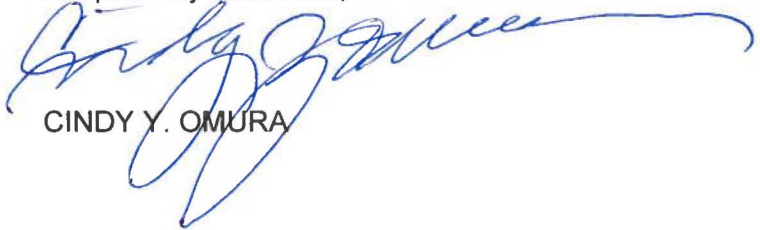
Guest Donald Sakamoto spoke about the news segments of problems with Handi-Van.

Guest Curt Kiriu inquired if there is a Standing Committee on Housing. Kirby Shaw explained there is no Committee, but the Standing Committee on Facility Access covers various topics including accessible housing. Chairperson Violet Horvath is a proponent of Universal Design. Board member Charlotte Townsend suggested writing a letter to Governor Green to request including an individual with knowledge on accessible design or an individual with a disability to provide input on accessible housing to be included as housing advisors.

- X. The next General meeting is scheduled for September 21, 2023 beginning at 11:00 a.m.
- XI. The meeting was adjourned at 1:00 p.m.

NOTE: All votes were unanimous unless otherwise noted.

Respectfully submitted,



CINDY Y. OMURA