

# **Disability and Communication Access Board ANNUAL REPORT FY 2022-2023**

Disability and Communication Access Board  
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## **OVERVIEW:**

The Disability and Communication Access Board (DCAB) is a statewide, Governor-appointed, 17-member Board, whose mission is to advocate and promote the full integration, independence, equal access and quality of life for persons with disabilities in society.

This Report highlights key accomplishments for fiscal year 2021-2022.

### **DCAB BOARD Members:**

- Anthony Akamine
- Pauline Aughe
- Ronald Awa
- Rosanna Daniel-Kanetake
- Scott Fleming
- Gerald Isobe
- Nikki Kepo'o
- Marie Kimmey
- Summer Kozai
- Michael Nojima
- Gerald Ohta
- Teri Spinola-Campbell (from 11/10/22)
- Justin "Pono" Tokioka
- Charlotte Townsend

### **DCAB Staff:**

Kirby L. Shaw, Executive Director

- Administration: Kristine Pagano, Cindy Omura, Carly Shriver-Kealoha (to 5/23/23)
- Planning and ADA Coordination: Curtis Motoyama (to 4/3/23)
- Program and Policy Development Unit: Bryan Mick, Romala Radcliffe, Scott Castor, Christine Holmes, Cody Miyasato
- Facility Access Unit: Duane Buote, Eric Isidro, Rodney Kanno, David Poe, Alan Tarumoto, Glenn Arakaki, Laurie Palenske, Mylynne Simon
- Special Parent Information Network: Susan Rocco, Amanda Kaahanui

## **Major accomplishments in the area of CIVIL RIGHTS & JUSTICE:**

DCAB is the primary resource for ADA compliance in State government and serves as a systems advocate for civil rights of persons with disabilities.

### **AMERICANS WITH DISABILITIES ACT (ADA) COORDINATION**

- Provided technical assistance to State ADA Coordinators on four hundred twenty eight (428) complex ADA-related complaints or situations, including ADA and Fair Housing Act accessibility and nondiscrimination; service animals and emotional support animals; reasonable modification of policies, practices, and procedures; guidance on the definition of “fundamental alteration” as it relates to a program, service, or activity.
- Provided fifteen (15) technical assistance responses to State ADA Coordinators on the requirement of Title II of the ADA for departments and agencies to develop and publish a Notice that the public entity does not discriminate on the basis of disability in employment, its programs and services, and communication access; to designate an ADA Coordinator to accept requests for auxiliary aids, services or other accommodations to participate in a program, service or activity due to a disability; and a Grievance Procedure to inform prospective complainants about the process of filing a complaint against the public entity for violations of Title II of the ADA and the process of filing an appeal for an adverse determination against the complainant.
- Provided information and training to State ADA Coordinators and the Department of Health Departmental Executive Committee on the requirement to provide adequate time and opportunity to request auxiliary aids and services or other accommodations to participate in an activity or event due to a disability.
- Provided information to State ADA Coordinators on training webinars and conferences.
- Contracted with a vendor to provide training for eighteen (18) sessions to State ADA Coordinators and other State employees on making websites and web-content accessible.
- Provided technical assistance to State agencies on making documents and media accessible.
- Provided virtual training to thirty four (34) State and County ADA Coordinator attendees, and in person training to forty seven (47) Department of Health Departmental Executive Committee attendees, and fourteen (14) individual technical assistance responses to State ADA Coordinators on the “Guidance on the Provision of Auxiliary Aids and Services or Accommodations due to a Disability at Public Meetings or Events.”
- Held three (3) State ADA Coordinators meetings.
- Submitted one hundred four (104) testimonies and eight (8) comments on one hundred twenty one (121) legislative measures that would impact the lives of persons with disabilities in the State of Hawaii, including SB 384 SD1 HD2 Relating to Access for Disabled Persons; HB 218 HD2 SD2 CD1 Relating to Prescription Drugs; HB 794 HD1 SD1 Relating to Disability Awareness - Designates the month of October as "Disability Awareness Month: Employment, Enrichment, and Inclusion"; HB 834 HD1 SD1 Relating to American Sign Language; HB 870 HD2 SD1 CD2 Relating to Neighbor Islands Blind and Visually Impaired Service Pilot Program.
- Continuously reviewed proposed legislation, administrative rules, and policies and procedures that have or may have an impact on persons with disabilities.
- Provided nine (9) technical assistance responses to County ADA Coordinators on complex ADA-related complaints or situations, including a policy on the use of service animals while visiting a zoo.
- Provided information to County ADA Coordinators on training webinars and conferences concerning topics that included reasonable accommodations, use of service animals and emotional support

animals, assistive technology, accessible websites and web content, U.S. Department of Justice updates on relevant lawsuits and settlements, effective communication, facility access, accessible parking, and ADA symposiums.

- Held three (3) County ADA Coordinators meetings.
- Provided forty two (42) technical assistance responses to consumers and families on the requirements of civil rights laws including handrails that extend into the ocean for accessibility required in the ADA Accessibility Guidelines, and accessibility at the Transportation Security Administration's ADA check point at Kahului Airport; assisted consumers to navigate the State Department of Agriculture's quarantine requirements for bringing their service animals into Hawaii, the use of service and emotional support animals under State law, and the ADA and Federal Housing Act.
- Participated in meetings with the Deaf and Blind Coalition, Kokua Council, and Kupuna Caucus to promote legislation that support the interests of persons with disabilities.

## **Major accomplishments in the area of FACILITY ACCESS:**

DCAB is responsible to review plans and specifications for the construction of State and County buildings, facilities, and site to ensure facility access.

The Facility Access Unit (FAU) staff returned to working in the office full time. The public is welcome to come to the office, however, the FAU has been using virtual platforms for the annual conference and trainings.

## **DOCUMENT (BLUEPRINT) REVIEW PROCESS**

- Conducted one thousand one hundred sixty eight (1168) State and County document reviews as required under §103-50, Hawaii Revised Statutes (HRS); five hundred eighty seven (587) were new, first-time submittals and one thousand one hundred sixty eight (1168) were resubmittals.
- Issued one (1) Interpretive Opinion:
  - Docket 2023-01 Towel Bars or Rings at Clear Floor Space
- Reviewed six (6) Master Plans for Draft Environmental Assessments:
  - Draft Environmental Assessment Pre-Assessment Consultation for Keaau-Mountain Public Library Project;
  - Development Permit Application for Victoria Ward, Limited, Land Block 5, Project 3 (Launiu), within the Ward Neighborhood Master Plan Area at 928 Ala Moana Boulevard;
  - Development Permit Application for the Liliuokalani Trust (The Liliuokalani Center) at 932 Ward Avenue;
  - Honoapi'ilani Highway Improvement Project; and
  - Block C Development.
  - Draft Environmental Assessment and Anticipated Finding of No Significant Impact for the August Ahrens Elementary School New Classroom Building Project
- Sent out forty two (42) letters to ADA Coordinators or Department/agency representatives regarding submission of projects for review, per §103-50, HRS. Received eighteen (18) responses, and twenty three (23) projects were submitted.
- Posted a quarterly listing of projects reviewed on the DCAB's website.
- Worked with a consultant to conduct a financial analysis, and assessment of the program fee for service mechanism which funds all the Unit's operating expenses.
- Submitted testimony to the Kauai County Council in support of funding an inclusive playground.
- Assisted the Department of Accounting and General Services with site assessment accessibility for new parking pay stations, and for possible new office space for the Department of Law Enforcement.

## **TECHNICAL ASSISTANCE, OUTREACH AND PUBLIC EDUCATION TO THE DESIGN COMMUNITY**

- Responded to three hundred seventy six (376) requests for technical information from design professionals on the requirements of the Americans with Disabilities Act Accessibility Guidelines (ADAAG), Fair Housing Accessibility Guidelines, and other relevant design codes.
- Conducted six (6) virtual trainings for DCAB's 2022 Fall Basic Training schedule.

- Conducted a virtual training to provide information on the DCAB document review process at the “FHWA Design Pedestrian Facilities for Accessibility Training for Hawaii Pacific Territories.”
- Participated in twelve (12) webinars conducted by the Disability and Business Technical Assistance Center and the U.S. Access Board.
- Consulted with the Department of Land and Natural Resources, PBR Hawaii & Associates, and Hui Maka Aina o Makana, to resolve the placement of accessible parking spaces at the Haena State Park Parking Lot (East End) to ensure their placement is on an accessible route and also be sensitive to the pristine environment.
- Conducted a presentation to the Maui Commission on Persons with Disabilities regarding the DCAB plan review process and how it pertains to parking within the public right-of-way.
- Conducted training on facility access requirements for the Oahu Metropolitan Planning Organization.
- Prepared and distributed sixteen (16) “Access E-Bulletins.”

A separate report on the implementation of HRS §103-50, is available. The report provides information on the projects reviewed by the Disability and Communication Access Board organized by State or County department/agencies as well as by the type of project.

## **Major accomplishments in the area of COMMUNICATION ACCESS:**

DCAB tests and credentials American Sign Language (ASL) interpreters, establishes rules for the use of communication access through the provision of auxiliary aids and services.

## **ADMINISTRATION OF THE HAWAII QUALITY ASSURANCE SYSTEM (HQAS) AND CONTINUING EDUCATION PROGRAM (CEP) FOR SIGN LANGUAGE INTERPRETERS**

- Issued thirty two (32) Hawaii State Sign Language Interpreter Credentials (HSSLIC) and tested two (2) HQAS applicants.
- There are twenty two (22) interpreters enrolled in the Continuing Education Program.
- Provided four (4) technical assistance on the revised Hawaii Administrative Rules, Title 11, Chapter 218, "Communication Access Services for Persons who are Deaf, Hard of Hearing, and Deaf/Blind."
- Routinely met with the Office of Enterprise Technology Services to develop the draft Hawaii Electronic Information Technology Disability Access Standards.
- Revised the Communication Access Chapter in the DCAB Programs and Services Manual.
- Attended four (4) Department of Health, Language Access Advisory Council meetings.
- Coordinated three (3) workshops: "Spacewalk: Working Proposal for Tracking and Using Depictive Space" August 6, 2022; "But I Don't Even Know It in English!" November 12, 2022; and "Team with Deaf Interpreters," November 19, 2022.
- Posted monthly registry of current communication access providers and their credentials on the DCAB's website.
- Continued to monitor Federal Communications Commission rulemaking, such as the issuance of the proposed rules on Emergency Alert System, Wireless Emergency Alert.
- Continued to monitor nationwide efforts on regulation and oversight of ASL interpreters and interpreter referral agencies.
- Provided technical assistance to twenty eight (28) individuals with communication access needs on their rights to effective communication.
- Provided technical assistance to six (6) private entities on their obligation to provide effective communication.

## **Major accomplishments in the area of COMMUNITY LIVING & EMPLOYMENT:**

DCAB advocates for programs that promote full integration in the community and nondiscriminatory employment facilities.

### **COMMUNITY LIVING & EMPLOYMENT**

- The Special Parent Information Network (SPIN) staff attended monthly Evidence-Based Services Committee meetings/quarterly roundtables to disseminate information on evidence-based interventions to families and professionals in the field.
- Provided training to the State Procurement Office on general nondiscrimination and specific information about communication access as it relates to meetings and training events and inclusion of employees with disabilities.
- Met with sponsor of legislation to require adult changing stations in restrooms at places of public accommodations, and testified in support of the bill.
- Joined with the Department of Education and other agencies on the Post-Secondary Work Group and the Footsteps to Transition Fair Planning Committee.
- Other committee memberships included the Center on Disability Studies (CDS) Community Advisory Council, the CDS Family Engagement Partnership Advisory Committee, the COVID-19 Stakeholder Engagement Team for Act Early, the Hawaii Developmental Disabilities Division Evaluation Advisory Group, the Newborn Hearing Screening Advisory Committee, and the Windward Community Children's Council.



## **Major accomplishments in the area of EMERGENCY PREPAREDNESS:**

DCAB provides technical assistance to emergency managers, first responders, and planners about individuals with disabilities, and others with access and functional needs during a natural or man-made disaster.

### **EMERGENCY PREPAREDNESS**

- Participated in the Department of Health's Public Health Preparedness Department Operations Center training exercise that simulated a distant tsunami event. Staff served as an ADA technical resource and planning section chief.
- Maintained the emergency preparedness webpage on DCAB's website.

## **Major accomplishments in the area of PARKING:**

DCAB administers the statewide parking program for persons with mobility disabilities under Federal and State law.

### **ISSUANCE OF PERMITS (PLACARDS AND SPECIAL LICENSE PLATES)**

- Staff issued nine thousand two hundred fourteen (9,214) long term placard renewals by mail.
- Staff issued one hundred twelve (112) Disabled Paid Parking Exemption (DPPEP) permits.
- The Counties issued nineteen thousand eight hundred twenty eight (19,828) placards (temporary, first time, long term, and replacement).
- Added a new issuing site and Gender X option to the parking database.
- Staff retrieved two thousand seven hundred twenty three (2,723) expired placards upon renewal of placards.
- Staff retrieved one thousand seven hundred fifty (1,750) placards due to death of permittee.
- Twenty eight (28) submissions were received via the DCAB Parking webpage to report abuse of a permit.
- Revised the User Guides issued with every placard to include less extraneous information and better graphics.
- Procured two hundred forty seven thousand five hundred (247,500) decals and thirty thousand (30,000) sheets of card stock. Distributed placards, decals, and other supplies to the Counties upon request.
- Completed the four (4) County Memorandums of Agreement extensions.

### **DISABILITY PARKING PERMITS (Disability Placards and Special License Plates)**

- Worked with Senator Chris Lee to introduce legislation that would authorize the counties to adopt and enforce ordinances relating to accessible parking space design. Corresponded with the county building departments regarding the proposed legislation.
- Received four (4) inquiries via the DCAB Parking webpage to report parking spaces that are non-compliant with design regulations.
- Two (2) letters were sent to parking lot owners in response to submissions via the DCAB Parking webpage.
- Sent a letter to Governor Green requesting an increase in the number of reserved parking spaces for persons with disabilities in State parking facilities beyond the minimum ADA requirements.
- Designed a voluntary priority for vehicles with a side mounted lift or ramp signage for van accessible spaces at ADA Titles II and III entities.
- Sent letters to four (4) County Mayors requesting an increase in the number of reserved parking spaces for persons with disabilities in county parking facilities beyond the minimum ADA requirements.

A separate report on the Parking Program for Persons with Disabilities Annual Accomplishments is available.

## **Major accomplishments in the area of EDUCATION & TRAINING:**

DCAB partners with the Department of Education (DOE) to provide support and information to parents of students with disabilities.

### **SPECIAL PARENT INFORMATION NETWORK (SPIN) - PARENT ACCESS TO INFORMATION ON EDUCATIONAL RIGHTS**

- Conducted two (2) SPIN Conferences—a virtual conference in October 2022 and a hybrid conference in April 2023 for a combined attendance of four hundred fifty four (454) participants, including agency representatives for fifty two (52) agency displays. Co-sponsored the Footsteps to Transition Fair in February which drew more than one hundred (100) attendees. Conducted three (3) additional parent workshops.
  - Fielded one thousand one hundred nineteen (1,119) phone calls and emails through June 9, 2023 (average contacts/month = 99).
  - Published four (4) quarterly issues and one (1) Special Edition of the SPIN Newsletter.
  - Maintained and updated both websites. Archived past workshop recordings on the spinconference.org website after captioning.
  - Reviewed the Office of Special Education Programs determination for Hawaii for school year 2020-2021 and reviewed data, targets, and proposed improvement activities for the Annual Performance Report indicators for school year 2021-2022. Monitored ten (10) bills related to students with disabilities and testified on six (6) bills and the State budget for special education at the Hawaii State Legislature. Provided input on revising Dispute Resolution Model Forms. Documented an access to justice issue related to a shortage of affordable and available legal representation for parents who wish to exercise their due process rights under the Individuals with Disabilities Education Act, and reached out to the Judiciary and the Hawaii Bar Association for potential solutions. Vetted infographics on Private School Students and Certificate vs. Diploma.
  - Provided a total of eight (8) workshops to educators and professionals who serve children with disabilities and their families.

### **INSERVICES TO EDUCATIONAL PERSONNEL**

- Provided a total of eight (8) workshops to educators and professionals who serve children with disabilities and their families.
- Developed eighteen (18) infographics on various topics of interest to parents and included it in the SPIN Newsletter.

### **SPECIAL EDUCATION ADVISORY COUNCIL (SEAC) SUPPORT**

- Took minutes and hosted virtual meetings. Maintained the SEAC website and posted testimonies, agendas, and minutes. Met with the SEAC Leadership Team to set agendas. Prepared testimonies for legislative hearings. Monitored the Board of Education agendas. Monitored membership requirements. Drafted the Annual Report to the Superintendent. Staffed a new Ad Hoc Committee on Dispute Resolution.
- Participated in monthly meetings of Parent Partners—representatives of SPIN, the Special Education Advisory Council, Leadership in Disabilities and Awareness of Hawaii, the State Council on Developmental Disabilities, Community Children's Councils, Hilopa'a, and the Exceptional Support

Branch of the Department of Education to provide the Department with feedback and suggestions on improving services to children and youth with disabilities.

## **Major accomplishments in the area of TRANSPORTATION & TRAVEL:**

DCAB promotes equal access to transportation services to secure and maintain employment and utilize community resources.

### **ACCESSIBLE GROUND AND AIR TRANSPORTATION**

- Submitted testimony on the Air Carrier Access Amendments Act of 2023 to address the long standing air travel barriers for persons with disabilities.
- Continued to monitor federal, state, and county proposed legislation and rulemaking regulations that would impact the lives of persons with disabilities. Submitted testimony to the Maui County Council regarding dockless vehicles.
- Met with the Department of Agriculture staff to discuss procedures for animal inspections of service dogs at Hawaii airports.
- Participated in a site tour of Skyline, the Honolulu Authority for Rapid Transportation Rail System to review the accessibility features of the Aloha Stadium Transit Station and rail cars. Interviewed by the Honolulu Star Advertiser and Hawaii Public Radio on June 2, 2023.
- Participated in the Honolulu Rail Transit Emergency Preparedness Drill at East Kapolei.
- Attended ten (10) meetings of the City and County of Honolulu's Rate Commission regarding fares for persons with disabilities who use TheBus (fixed route system), and TheHandi-Van (paratransit system).

## **OTHER PROGRAM ISSUES & ADMINISTRATION:**

### **OTHER PROGRAM ISSUES**

- Updated the DCAB website by removing the pandemic emergency webpage and information. Added job announcements for the Planner/ADA Coordinator and the Communication Access Specialist positions. Added the “Guidance on the Provision of Auxiliary Aids/Services or Accommodations Due to a Disability at Public Meetings or Events” for downloading and reference. Updated the Disability Parking Permit page regarding changes in the Counties permit application acceptance policies to reflect the end of the pandemic emergency. Added the graphic artwork for the Van Accessible Parking Priority “Park with Aloha” sign for downloading.

### **ADMINISTRATION**

- Configured new server and replaced eleven (11) computers. Maintained the information technology network to ensure reliability of centralized backup, security, and databases.
- Continued to maintain and submit reports relating to office records management system, inventory system, purchasing and fiscal management and human resources management in coordination with changes required by the Department of Health and Department of Accounting and General Services.
- Began to create separate Office Reference Guides (for the Executive Director and the Administrative Officer) to include: (1) Hiring and Exiting of Staff, (2) Preparation of the Biennium and Supplemental Budget Submission, (3) Preparation of Computer, Information Technology, and Telecom Requests, and Furniture Requests, along with inventory maintenance.
- Continued to update administrative policies, procedures, and protocols concerning the operations of the DCAB office and the Kamamalu Building.

Josh Green, M.D., Governor (12/5/22 to present)

David Y. Ige, Governor (until 12/5/22)

Kenneth S. Fink, MD, MGA, MPH, Director of Health (1/9/23 to present)

Elizabeth A. Char, M.D., Director, Department of Health (until 1/9/23)

Kirby L. Shaw, Executive Director, Disability and Communication Access Board

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