

# DISABILITY AND COMMUNICATION ACCESS BOARD

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

## NOTICE OF MEETING

### Disability and Communication Access Board

#### General Board Meeting

May 16, 2024

11:00 a.m. – 1:00 p.m.

#### AGENDA

Pursuant to Section 92-3.7, Hawaii Revised Statutes, the Disability and Communication Access Board (DCAB) will be meeting remotely using interactive conference technology. If the audiovisual connection cannot be maintained the meeting will recess, and if it is not restored within 30 minutes, the meeting is automatically adjourned. 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://us02web.zoom.us/j/84588874829?pwd=a3Jvc20zRFBtTGZaZm9zN0ZQeVordz09>

and enter Meeting ID: 845 8887 4829, Passcode: 716464

#### **To join by phone**

Dial 1 669 900 6833 and enter Meeting ID: 845 8887 4829, Passcode: 716464

#### **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 (ADA), 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 Board members are able to review testimony prior to the meeting, written testimony should be submitted 48 hours prior to the scheduled meeting date and time. Any written testimony submitted after such time will be distributed to the members and the public at the meeting. Written testimony may be submitted by one of the methods listed below:

- By email to: [dcab@doh.hawaii.gov](mailto: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 Board members is required to be visible on screen.
  - If quorum is not achieved at the beginning of the meeting or quorum is lost, the meeting will be stopped and cancelled.
  - If a Board member leaves the meeting, the Board member will need to notify the Chairperson.
  - Raise hand to speak unless called upon.
  - Identify yourself before speaking.
- II. Roll Call/Introductions
- III. Statement from Public and Written Testimonies Submitted
- IV. Approval of General Board Meeting Minutes of April 18, 2024.
- V. Executive Director's Report
  - A. Update on Act 172, SLH 2022 - Hawaii Electronic Information Technology Accessibility Act – Working Group progress on developing the “Hawaii Electronic Information Technology Disability Access Standards”.
  - B. Personnel
    1. New Planner/Americans with Disabilities Act (ADA) Coordinator position filled.
    2. DCAB Staffing Status.
  - C. 2024 National ADA Symposium – Minneapolis, June 9-12, 2024 – Disability and Communication Access Board (DCAB) staff attendance.
  - D. Maui County Abilities Resource Fair, June 22, 2024 – DCAB staff attendance.
  - E. 57<sup>th</sup> Biennial National Association of the Deaf Conference – Chicago, July 1-6, 2024 - DCAB staff attendance.
- VI. Committee Reports
  - A. Executive Committee  
No meeting held. No report.

- B. Legislative Committee  
No report. Tentative meeting scheduled for May 22, 2024.
- C. Standing Committee on Communication Access
  - 1. Report on the proposed Fiscal Year (FY) 2024-2025 Communication Access section of the Plan of Action.
  - 2. Report on [Senate Bill \(SB\) 3290 Senate Draft \(SD\) 2 House Draft \(HD\) 1](#) – Relating to American Sign Language. Requires the Disability and Communication Access Board to convene a working group to study the state of American Sign Language interpretation services in Hawaii.
- D. Standing Committee on Facility Access
  - 1. Document Reviews and Implementation of Fee Schedule – Update.
  - 2. Review proposed Facility Access section of the Plan of Action FY 2024-2025.
- E. Standing Committee on Parking
  - 1. Legislative Update
    - a. [House Bill \(HB\) 2447 HD1 / SB 3136](#) – Relating to Parking for Disabled Persons. Establishes a disability travel placard to be issued to an existing permittee for use at the travel destination.
    - b. [HB 2446 HD2 SD2 / SB 3135 SD1](#) – Relating to Parking for Disabled Persons. Authorizes the Examiner of Drivers to suspend the driver's license of a person using a parking permit issued to a deceased person who was deceased when the permit was issued to obtain parking privileges. Provides that fifty per cent of any fine imposed for violating part III of chapter 291, HRS, is remitted to the law enforcement agency that issued the citation. Authorizes each county to enact ordinances to enforce the design and construction requirements for the provision of accessible parking spaces, including the establishment of penalties for failure to comply with the ordinances. Authorizes officials appointed by a county to enter the property of places of public accommodation to enforce violations of the county ordinances.
  - 2. Disability Parking Placard Issuance Statistics for Quarter 3 FY 2023-2024 – Update.
  - 3. Report on the number of submissions via the webpage to report the misuse of disability parking permits and the webpage to report reserved parking spaces for persons with disabilities that do not comply with the ADA or State design requirements and the webpage to report misuse of a parking permit.
  - 4. Statistics on the number of emails sent to permittees regarding a pending disability parking permit expiration.
  - 5. Update on procurement of placards and decals.
  - 6. Update on crosscheck of DCAB Parking Database with the Office of Vital Records Deceased Residents Database.
- F. Standing Committee on Transportation
  - a. County of Kauai's suspension of bus and paratransit service on Sundays.
  - b. Accessibility concerns with the new autonomous electric passenger shuttle service known as "Miki" at the Daniel K Inouye International Airport.
- G. Special Parent Information Network (SPIN)
  - 1. Dispute Resolution Activities. The Individuals with Disabilities Education Act (IDEA) provides procedural safeguards to parents of children with disabilities

who have a dispute with school over their child's identification, evaluation, program, placement, or discipline.

- a. Prepared the annual report for the Special Education Advisory Council on the utilization of these safeguards by parents.
- b. Attended a special training on how to support parents who participate in a special education due process hearing without the benefit of legal counsel.

2. Follow-Up Activities Related to the April 6<sup>th</sup> SPIN Conference.

VII. Old Business

A. ADA Coordination

1. Review statistics of ADA technical assistance program. Update.
2. Making web content accessible for persons with disabilities training sessions for ADA Coordinators. Update.

B. Report on the U.S. Department of Justice, Notice of Proposed Rulemaking, [Nondiscrimination on the Basis of Disability; Accessibility of Web Information and Services of State and Local Government Entities](#). Update.

C. U.S. Department of Transportation – Notice of Proposed Rulemaking, [Ensuring Safe Accommodations for Air Travelers with Disabilities Using Wheelchairs](#). Update.

VIII. New Business

A. Request for Board Volunteers to Serve on Nominating Committee to Select Slate of Officers, Chairperson and Vice Chairperson, for FY 2024-2025.

B. Establish a Permitted Interaction Group to study the accessibility of the new autonomous electric passenger shuttle service known as “Miki” at the Daniel K. Inouye International Airport.

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

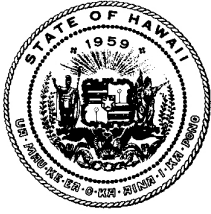
X. Next Meetings: July 18, 2024, Annual Planning Committee meeting, 9:00 a.m. – 11:00 a.m. and General meeting, 11:00 a.m. – 1:00 p.m.

XI. Adjournment

If you need an auxiliary aid/service or other accommodation due to disability, contact Scott Castor at (808) 586-8121 or email [dcab@doh.hawaii.gov](mailto:dcab@doh.hawaii.gov) as soon as possible. Requests made as early as possible have a greater likelihood of being fulfilled.

Upon request, this notice is available in alternate/accessible formats.

The agenda and meeting materials for this meeting are 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: April 18, 2024  
Time: 11:00 a.m. – 1:00 p.m.

PRESENT: Violet Horvath, Chairperson; Anthony Akamine, Gerald Isobe, Marie Kimmey, Summer Kozai, Michael Nojima, Gerald Ohta, Teri Spinola-Campbell, LisaAnn Tom, Charlotte Townsend, Board Members; Kirby Shaw, Kristine Pagano, Bryan Mick, Sue Radcliffe, Justin Tokioka, Rodney Kanno, Staff

ABSENT: Ronald Awa, Rosanna Daniel-Kanetake, Scott Fleming, Nikki Kepo'o, Board Members

GUESTS: Peter Fritz; Alberto Perez, Hawaii Pacific University Intern; Donald Sakamoto, Citizens for a Fair ADA Ride (CFADAR)

#### SIGN LANGUAGE

INTERPRETERS: Darlene Baird and Keri Lee

#### REAL TIME

CAPTIONERS: April Chandler and Kelly DeCamp

I. Chairperson Violet Horvath called the meeting to order at 11:06 a.m. She provided an overview of the procedures for public testimony or comments, and remote meeting procedures.

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

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

A. Report on testimony and presentations from November 16, 2023 meeting where quorum was not achieved.

1. Rules of Public Testimony and Office of Information Practices Guidelines
2. Submit Testimony Webpage demonstration.
3. Courtesy letters to departments and agencies regarding public notice and agenda accessibility issues.

Chairperson Violet Horvath summarized the testimony and presentations report from the November 16, 2023 General meeting which was included in the meeting packet. She stated that the Disability and Communication Access Board (DCAB) received one written testimony from Peter Fritz who shared his concerns regarding the wording that is being used on State departments and agencies notices and agendas regarding accommodation requests. He sent out sample

reasonable accommodation request wording from the Federal Communications Commission (FCC) that clarifies what information should be provided, that late requests will be accepted. Board member Teri Spinola-Campbell asked whether DCAB could draft a request to the Governor to issue an executive order with appropriate reasonable accommodation request wording.

B. New and/or additional testimony.

Kirby Shaw reported that the office did not receive any testimony for this meeting.

IV. Approval of General Board Meeting Minutes of November 16, 2023.

The minutes of the November 16, 2023 General meeting were approved as circulated (M/S/P Townsend/Tom).

V. Executive Director's Report

A. Report on testimony and presentations for the following agenda items from November 16, 2023 meeting where quorum was not achieved.

1. Update on Act 172, SLH 2022 - Hawaii Electronic Information Technology Accessibility Act – Working Group progress on developing the “Hawaii Electronic Information Technology Disability Access Standards.”

Kirby Shaw reported that they are waiting on the Office of Enterprise Technology Services to issue an invitation to interested parties on developing the disability access standards. Guest Donald Sakamoto inquired about the number of meetings held. Kirby Shaw said they have met every two weeks but did not have the specific number of meetings.

2. Personnel

- a. Recruitment for the Planner/ADA Coordinator, Communication Access Specialist, Program Support Technician I positions – Update.

Kirby Shaw reported that the Program Support Technician I position is filled.

3. Videos on Civil Rights in American Sign Language for persons who are Deaf, Hard of Hearing and DeafBlind.

Kirby Shaw reported that this item was covered in the November 16, 2023 minutes.

4. Training sessions for State ADA Coordinators and employees on making web content accessible for persons with disabilities.

Kirby Shaw reported that this item was covered in the November 16, 2023 minutes. He said there has been a delay in making the videos accessible before being distributed. Guest Peter Fritz asked if a policy is being developed for employees who put content on the web. Kirby Shaw said the Department of Justice issued final regulations on website accessibility and since these are federal requirements and all State and local governments will need to be compliant. There may be lead time for entities to comply with the new regulations. He said the training would be for employees who have the

responsibility for putting up web content on various State and County websites.

B. Board Member Resignation.

Kirby Shaw reported that Dean Georgiev submitted his resignation to the Governor because he relocated out of state.

C. Hawaii Ethics Commission Annual [Financial Disclosure E-Filing](#) Requirement for Board Members.

Kirby Shaw reminded Board members about the Hawaii State Ethics Commission's May 31, 2024 deadline to file their annual financial disclosure statements.

VI. Committee Reports

A. Executive Committee

1. Report on testimony and presentations from November 16, 2023 where quorum was not achieved. No meeting held. No report.

Chairperson Violet Horvath reported that the Committee has not met and there is no report.

2. Report on scheduled meetings.

Chairperson Violet Horvath reported that there are no meetings scheduled for the Executive Committee.

B. Legislative Committee

Chairperson Violet Horvath reported that the Committee met on January 31, February 7, February 23, and March 18, 2024.

She reported that staff tracked three hundred sixteen (316) bills and resolutions (including carry over bills and bills the Committee took a position on this session). Staff submitted one hundred forty (140) written testimonies and provided oral testimony at six (6) hearings.

The DCAB travel bill ([HB 2447/SB 3136](#)) – Relating to Parking for Disabled Persons. Establishes a disability travel placard to be issued to an existing permittee for use at the travel destination) did not pass this session and staff will look at the possibility of introduction at the next legislative session. The minibus parking bill ([HB 2446/SB 3135](#)) – Relating to Parking for Disabled Persons. Authorizes the Examiner of Drivers to suspend the driver's license of a person who violates certain regulations relating to the use of disability parking permits. Requires the court to distribute fifty per cent of any fine imposed on a person who violates certain regulations for the use of disability parking permits to the law enforcement agency that issued the citation. Authorizes each county to enact ordinances to enforce the design and construction requirements for the provision of accessible parking spaces, including the establishment of penalties for failure to comply with ordinances. Authorizes officials appointed by a county to enter the property of places of public accommodation to enforce violations of the county

ordinances. The House and Senate disagree on amendments and the bill has been sent to Conference Committee.

C. Standing Committee on Communication Access

Committee Chairperson Gerald Isobe reported that the Committee met on April 11, 2024. There are twenty six (26) sign language interpreters who hold the Hawaii State Sign Language Interpreter Credential. However, three (3) American Sign Language (ASL) interpreters let their credential expire and have not responded to inquiries to renew. Of the twenty six (26) sign language interpreters, twenty three (23) are enrolled in the Hawaii State Sign Language Interpreter Credential program.

He reported that the Committee is monitoring and supports [SB 3290 SD2 HD1](#) – Relating to American Sign Language. The bill requires DCAB to convene a working group to study the state of ASL interpretation services in Hawaii and requires a report to the Legislature.

He reported that the new Communication Access Specialist, Pono Tokioka, will begin coordinating a date, time, and location for a State Communication Access Conference for next summer. He will also be coordinating in-person continuing education unit workshops for interpreters.

He said there is a need to develop short and long term recruitment and retention strategies to increase the pool of ASL interpreters statewide. A short term idea would be to have either a public or private entity encourage ASL interpreters to relocate to Hawaii or interpreters who previously lived in Hawaii to return.

D. Standing Committee on Facility Access

Committee Chairperson Marie Kimmey reported that the Committee has not met since the last Board meeting. She provided information on the Facility Access Unit's (FAU) presentations on six (6) basic training sessions for design professionals held on November 1, November 8, November 15, November 29, December 6, and December 13, 2023. The December trainings were on education facilities, and the Hawaii Outdoor Developed Accessibility Guidelines, respectively.

She reported that the virtual 2024 Disability Access Conference is tentatively scheduled for June 20 and 21, 2024 from 8:00 – 11:30 a.m. (Hawaii Standard Time) and will feature presenters from the U.S. Access Board and Bill Hecker of Hecker Design, LLC Accessibility Consulting. The proposed topics are: Pedestrian Facilities in the Public Right-of-Way; Accessible Parking Facilities, Dining and Retail; Accessible Assembly, Performance and Sport Areas; and Common Accessibility Issues, Litigation and Resolutions. Chairperson Violet Horvath inquired if the conference is open to anyone interested in facility access. Committee Chairperson Marie Kimmey affirmed that it is, and Rodney Kanno added that registration is now open.

She reported some FAU staff will continue teleworking two days a week.

E. Standing Committee on Parking



Committee Chairperson Summer Kozai reported that the Committee met on March 19, 2024. She reported that [HB 2447/SB 3136](#) and [HB 2446/SB 3135](#) were discussed under the Legislative Committee report.

She reported for the first two (2) months of the third quarter, approximately 5,000 placards were issued, and 300 special license plates were reauthorized or issued. Of the placards, about 1,400 were temporary, 3,600 were long term, and 19 were Disabled Paid Parking Exemption permits. Of the long term placards, about 1,439 were renewals issued by DCAB. The renewal rate was sixty six percent (66%).

She reported that four (4) submissions were received via the webpage to report parking placard misuse, and one submission was received via the webpage to report a non-design compliant space.

She reported that in the first two (2) months of the third quarter, 1,221 emails were sent to permittees reminding them of pending placard expiration.

She informed the Board that there was no update on the letters sent to Title III entities.

She informed the Board that decals were in production and the bid for additional placards was awarded.

A crosscheck with vital records was conducted and 4,365 records were flagged as permittees being deceased. Thirty three percent (33%) of the placards were returned, three percent (3%) were reported lost and fourteen percent (14%) of the letters to be estates of deceased permittees were returned as undeliverable.

Staff worked with the Honolulu Police Department to get thirteen (13) dispatchers access to the parking database. Staff has also interacted with the Maui County Council to implement their Volunteer Special Enforcement Officer (VSEO) program.

Guest Donald Sakamoto thanked staff in getting the “word out” to the Honolulu Star Advertiser’s Kokua Line regarding parking placard renewals.

F. Standing Committee on Transportation

Chairperson Violet Horvath reported that the Committee met on November 9, 2023, January 8, and March 19, 2024. The Committee requested staff to draft an amendment to the DCAB Guiding Principles on Public Transit Fixed Route Bus Service and Paratransit Services. The proposed amendment to the specific section is as follows:

(10) The procurement of public transit vehicles should include specifications that exceed Federally required accessibility minimums, consider the preferences of riders with disabilities, and prioritize electric vehicles.

She reported that staff drafted several amendments to the DCAB Guiding Principles on the Mobility and Safety of Pedestrians. The proposed amendments to the specific sections are listed below and underscored.

These guiding principles are to assist DCAB in preparing testimony or offering comments on Federal, State, and county government proposed laws, rules, policies, and procedures. DCAB shall advocate for and promote these principles whenever appropriate.

(3) Utilize the best design guidelines of accessibility, not only the Americans with Disabilities Act Accessibility Guidelines (ADAAG), but also the proposed Public Right of Way Accessibility Guidelines (PROWAG). Incorporate the principles of Universal Design. Implement best practices from other jurisdictions around the world.

(7) Prioritize the safety and security of pedestrians with disabilities during their interactions with others using personal transportation devices such as bikes, e-bikes, scooters, e-scooters, and Segways. This includes but is not limited to the planning and design of transportation systems, the passing of statutes and ordinances, and the enforcement of regulations and laws.

(8) When accessible routes are changed or removed, such as mid-block crosswalks, ensure that any feature (curb cuts, tactile floor mats, etc.) used to indicate the presence of the accessible route are also altered or removed.

(13) Recognize that traffic speed is an important element of pedestrian safety. Speed limits should be set and enforced with an emphasis on pedestrian safety, including enhanced penalties for speeding in areas which have designated pedestrian routes.

(14) Ensure maximum visibility and audibility at pedestrian crossings. Technology installed at pedestrian crossings such as push activated lights utilize technology should provide maximum accessibility for pedestrians with disabilities and others.

(15) Any task force, committee, working group, etc., which will be discussing pedestrian safety should include members with mobility related disabilities and disabilities that impact wayfinding and navigation.

Chairperson Violet Horvath asked for a motion to approve the guiding principles on the mobility and safety of pedestrians as amended (M/S/P Spinola-Campbell/Kimmey).

Guest Donald Sakamoto informed the Board about his concerns regarding the Pearl City Highlands Rail Station and the navigation problems and dangers for persons who have a visual disability; there's a flashing light but no audible signal.

#### G. Special Parent Information Network (SPIN)

Board member Anthony Akamine reported that Susan Rocco was invited to join a new Work Group under the Civil Rights Compliance Branch (CRCB) of the State Department of Education (DOE). The Work Group is tasked with reviewing the CRCB's existing practices for handling protected class discrimination and/or harassment, so that members know how DOE is currently addressing compliance issues; discussing what protected class concerns/issues are occurring in schools; discussing how to stop, remedy and prevent protected class discrimination and/or harassment; and discussing other relevant protected class topics and suggestions for improvement.

He reported that SPIN participated in the Maui Ohana Resource Fair to support families affected by the wildfires. SPIN was one of twenty five (25) or more informational tables. The Fair drew over six hundred (600) participants.

He reported that the 38<sup>th</sup> Annual SPIN Conference, "SPIN's Ocean of Possibilities," drew over three hundred (300) participants (in person and virtual), plus one hundred (100) agency personnel who offered informational tables. The program offered two (2) inspiring keynote presentations by parents of children with disabilities, fourteen (14) workshops, awards highlighting six (6) outstanding individuals in the area of disability and special education, and opportunities for networking between parents and helping professionals. On-site feedback was very positive, and SPIN staff is compiling an evaluation report to reflect comments received.

Amanda Kaahanui was invited by the DOE Special Education Section to present on family-school partnerships in the transition of students with disabilities from high school to post-secondary education, employment, and community living. She was the only special education parent among the presenters and received positive feedback from her workshop audience.

May is Children's Mental Health Awareness Month nationally, and Susan Rocco has joined the planning group for Hawaii awareness activities.

## VII. Old Business

### A. Report on testimony and presentations from November 16, 2023 meeting where quorum was not achieved.

Kirby Shaw referred to the November 16, 2023, meeting minutes, under VII. ADA Coordination.

### B. ADA Coordination

#### 1. Review statistics of ADA technical assistance program. Update.

Kirby Shaw reported that the State and County ADA Coordinators meetings scheduled for January 2024 were postponed and hopes to resume meetings in May. He said staff responded to thirty one (31) technical assistance inquiries such as accessible parking, website accessibility, private condominiums, effective communication, service animals, and requesting accommodations to participate at meetings.

#### 2. Making web content accessible for persons with disabilities training sessions for ADA Coordinators.

Kirby Shaw said this topic was discussed earlier in the meeting, and staff is looking to hold further trainings.

## VIII. New Business

### A. Report on the U.S. Department of Justice, Notice of Proposed Rulemaking, [Nondiscrimination on the Basis of Disability; Accessibility of Web Information and Services of State and Local Government Entities.](#)

Kirby Shaw reported that at the November 13, 2023, the U.S. Department of Justice published its proposed rule, since then the final rules have been published. DCAB staff submitted comments in support of the proposed rules, which noted that some of the proposed exceptions in the proposed rule were overly broad, i.e., archived material was not required to be accessible. The comment was that there should be a limit to the exception and a state entity would have an obligation to make the document accessible if it was readily achievable to do so. Staff will review the final rules and inform the Board on specific points which will have an impact on state and county governments in Hawaii.

Guest Peter Fritz commented he sent a copy of the final regulations with a detailed fact sheet which covers archive documents.

- B. U.S. Department of Transportation – Notice of Proposed Rulemaking, [Ensuring Safe Accommodations for Air Travelers with Disabilities Using Wheelchairs](#) – Staff Summary.

Bryan Mick reported that the U.S. Department of Transportation extended the deadline for comments to May 13, 2024. He said DCAB had previously commented on some of the items listed on the staff summary, and staff's recommendation is to support the Notice of Proposed Rulemaking with the following comments:

Lavatories should be required to be of a sufficient size for both the passenger with a disability and an attendant to enter and maneuver within it.

To use the ninety five percentile male standard for the individual with a disability and the attendant in place of the non-specific standard currently used for twin aisle aircraft lavatories.

Require U.S. and foreign air carriers to reimburse the difference between the fare of a flight a wheelchair user took and the fare of a flight that the wheelchair or scooter user would have taken if his or her wheelchair or scooter had been able to fit in the cabin or cargo compartment of the aircraft.

Board member Gerald Ohta asked for clarification on the levels of aircraft this rulemaking would apply. Board member Charlotte Townsend clarified about the size of the aircraft and accommodations. She said the rules would make it more standardized and if there is some uniformity by these rules then it would certainly have an impact on the quality of air travel. The Board voted to approve the staff recommendations (M/S/P Townsend/Akamine).

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

Chairperson Violet Horvath referred to the November 16, 2023 meeting minutes. She asked if there were any comments on issues not on the agenda. Guest Peter Fritz said he has been reviewing meeting notices and that some of the agendas are not particularly good on ADA issues and would need to standardize certain types of language, and there should be some changes made to the Programs and Services Manual. He said he drafted a bill, but didn't submit it this year, about meeting agendas and where to place items. For a person with a visual disability, they would have to read

through multiple pages to get to the agenda, whereas the agenda items should be listed first. Guest Donald Sakamoto shared that he has had issues with the City and County of Honolulu not complying with the Sunshine Law. Chairperson Violet Horvath said many agencies are dealing with noncompliant agendas and meetings being cancelled.

Board member Charlotte Townsend inquired if the Office of Information Practices (OIP) does training because it is such a specialized arena for people to understand. DCAB has proven itself to do certain things well and the more we taken on as a Board the less focused we are on other issues. It's very frustrating to be held accountable for everyone else in state and county government. Kirby Shaw said staff does assist departments in complying with making their documents accessible. He said it is a matter of training and informing appropriate staff. He said there is no prescribed set of words that all entities are required to comply within the ADA or the Sunshine Law, but there are certain parameters and information that need to be provided.

Chairperson Violet Horvath asked if OIP could take that over, instead of DCAB. Kirby Shaw said OIP will come to DCAB on ADA compliance, because their jurisdiction is on the Sunshine Law and Uniform Information Practices Act.

Board member Charlotte Townsend said that the process should be seamless and not compartmentalized. Chairperson Violet Horvath added for this to actually happen that enough personnel should be provided.

Guest Peter Fritz said DCAB should put out approved language for meeting notices, and if agencies deviate from the language, they may not be in compliance.

Bryan Mick said DCAB may want to approach OIP again as they have a new administrator to discuss training. To be fair, the Sunshine Law has gotten more and more complex.

Kirby Shaw said he would be willing to advocate for OIP to hold trainings for state and county entities subject to the Sunshine Law. Guest Peter Fritz said that the Hawaii Civil Rights Commission (HCRC) should be involved in the discussion, and there should be more coordination between DCAB and HCRC.

Chairperson Violet Horvath and Kirby Shaw thanked Board members for taking time out of their schedules to attend this meeting.

X. The next meeting is scheduled for May 16, 2024 beginning at 11:00 a.m.

XI. The meeting adjourned at 12:52 p.m.

All votes were unanimous unless otherwise noted.

Respectfully submitted,

CINDY Y. OMURA