

Disability and Communication Access Board ANNUAL REPORT FY 2023-2024

Disability and Communication Access Board
1010 Richards Street, Room 118 Honolulu, HI 96813
Phone: (808) 586-8121 (V)
Fax: (808) 586-8129
Email: dcab@doh.hawaii.gov
Website: <http://health.hawaii.gov/dcab>

TABLE OF CONTENTS

Table of Contents - Page 2

Overview - Page 3

Civil Rights and Justice - Page 4-5

Facilities Access - Page 6-7

Communication Access - Page 8-9

Community Living and Employment - Page 10

Emergency Preparedness - Page 10

Parking - Page 11-13

Education and Training - Page 14-15

Transportation and Travel - Page 16

Other Program Issues and Administration - Page 17

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 2023-2024.

DCAB BOARD Members:

- Anthony Akamine
- Ronald Awa
- Rosanna Daniel-Kanetake
- Scott Fleming
- Dean Georgiev (to 3/1/24)
- Gerald isobe
- Nikki Kepo'o
- Marie Kimmey
- Summer Kozai
- Michael Nojima
- Gerald Ohta
- Teri Spinola-Campbell
- LisaAnn Tom

DCAB Staff:

Kirby L. Shaw, Executive Director

- Administration: Kristine Pagano, Cindy Omura, Christine Holmes (from 7/6/23)
- Planning and ADA Coordination: Elizabeth Pearson (from 4/29/24)
- Program and Policy Development Unit: Bryan Mick, Romala Radcliffe, Scott Castor, Cody Miyasato, David Langille (from 3/18/24)
- Facility Access Unit: Duane Buote (to 10/31/23), Eric Isidro, Rodney Kanno, David Poe (to 6/30/24), 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 (TA) to State ADA Coordinators on four hundred thirty five (435) complex ADA-related topics, including ADA and Hawaii Sunshine Law notice requirements with specific guidance from DCAB's Programs and Services Reference Manual for Persons with Disabilities, and Guidance on the Provision of Auxiliary Aids/Services or Other Accommodations Due to a Disability at Public Meetings or Events; publishing department/agency grievance procedures (complaint process); making reasonable modifications to policies, practices or procedures to avoid disability-based discrimination; achieving effective communication for persons with communication disabilities through the provision of auxiliary aids and services; making public meeting materials and State website content accessible to persons with disabilities.
- Held two (2) State ADA Coordinators and two (2) County ADA Coordinators meetings.
- Responded to twenty nine (29) requests for technical assistance from the public and government agencies on the requirements for accessible government programs, services, activities, and facilities; providing effective communication; hiring American Sign Language (ASL) interpreters; and providing reasonable accommodations in the workplace.
- Reviewed proposed legislation, administrative rules, and policies and procedures that have or may have an impact on persons with disabilities.
- Submitted one hundred fifty three (153) testimonies and comments on three hundred sixteen (316) bills and resolutions that would have an impact on the lives of persons with disabilities in Hawaii.
- Introduced two (2) bills to the Hawaii Legislature: (1) to establish a travel parking placard (HB2447 HD1/SB3136 Relating to Parking for Disabled Persons); and (2) to suspend a driver's license for using a deceased permittee's placard, authorize counties to enforce accessible parking space design requirements, and remit fifty percent (50%) of fines for violations of accessible parking laws to the agency that issued the citation (HB2446 HD2 SD2/SB3135 SD1 Relating to Parking for Disabled Persons).
- Began organizing a working group to study the status of ASL interpreting in Hawaii pursuant to Act 204, SLH 2024.
- Submitted testimony on three (3) bills and one (1) resolution to the Honolulu City Council. Bill 3 (2024) Relating to Incentives for the Construction of Affordable Rental Housing; Bill 31 (2024) Relating to Pre-Construction Financing for Affordable Rental Housing; Bill 32 (2024) Relating to Nondiscrimination Policy; and Resolution 23-62, CD1 Approving a Conceptual Plan for an Interim Planned Development – Transit Project for the 1538 Kapiolani Tower Mixed-Use Development. Submitted testimony on one (1) bill to the Maui County Council, Bill 65 (2023) – Amending the Traffic Code by Expanding the Volunteer Parking Enforcement Program.
- Submitted comments in support of the U.S. Department of Justice proposed regulation to require state and local governments to make their web content and mobile apps accessible to persons with disabilities.
- Provided a presentation on the statewide program on parking for persons with disabilities to the Maui County Council, Committee on Water Authority, Social Services and Parks. Provided a

presentation on ADA requirements and disability etiquette to the Kauai County Council, Committee of the Whole.

- Coordinated and sponsored eighteen (18) trainings for State ADA Coordinators and relevant employees on making web content accessible for persons with disabilities.
- Provided twenty four (24) technical assistance (TA) responses to consumers and families on requirements of civil rights laws, including reasonable accommodation, electronic signature stamp, effective communication, accessible parking, accessible travel and equipment, services for children with special needs, how to request/obtain ADA compliant sidewalks, transportation options.
- Provided forty three (43) TA responses on service animals and emotional support animals to State government entities, private entities, and members of the public.

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.

DOCUMENT (BLUEPRINT) REVIEW PROCESS

- Conducted one thousand fifty one (1,051) State and County construction document reviews as required by §103-50, Hawaii Revised Statutes (HRS).
- Significant projects reviewed include: August Ahrens Elementary School - New Classroom Building; Clarence T.C. Ching Athletic Complex Expansion and Improvements Design-Build Project - University of Hawaii at Manoa; Hale O Piikea 1 Workforce Housing; 330 Kuulei Apartments; Hilo Medical Center Hospital Expansion - 1st Floor, 2nd Floor, and 3rd Floor; Hoomalu at Waikoloa; 820 Isenberg Street Rental Redevelopment; Hale O Piikea 2 Senior Housing; Villages of Laiopua Increment 3 (Lots 86-107, 109-118); Hale Pilina Buildings A, B, C, D; Kuhio Park Low Rises & Homes Redevelopment - Phase 1; Uahi Ridge Multifamily Residential Complex.
- Responded to five hundred sixty one (561) requests for technical assistance 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 three (3) Master Plan reviews: Chapter 343 Draft Environmental Assessment Wailuku Single Family Residential; Nu'uuanu Reservoir No. 1 Improvements – Draft Environmental Assessment, A Finding Of No Significant Impact; Draft Environmental Assessment Collection System Maintenance Pearl City Warehouse.
- Notified ADA Coordinators or Department/Agency representatives that twenty eight (28) of their projects were not submitted for review as required by §103-50, HRS. Received seven (7) responses to past queries, and eleven (11) projects were submitted for review based on past queries.
- Submitted testimony to the Honolulu City Council on a proposed residential project urging the Council to require a higher level of accessibility than federal laws mandate.
- Conducted six (6) virtual trainings for DCAB's 2023 Fall Basic Training schedule.
- Participated in a total of nineteen (19) webinars conducted by the Disability and Business Technical Assistance Center (DBTAC) and the U.S. Access Board, and Fair Housing Accessibility First.
- Posted quarterly listings of projects reviewed on the DCAB website.
- Prepared and distributed fourteen (14) 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 twenty six (26) Hawaii State Sign Language Interpreter Credentials (HSSLIC). Tested one (1) HQAS applicant.
- Twenty three (23) interpreters are enrolled in the Continuing Education Program.
- Provided three (3) technical assistance responses regarding the revised Hawaii Administrative Rules, Title 11, Chapter 218, "Communication Access Services for Persons who are Deaf, Hard of Hearing, Deaf-Blind."
- Provided twenty four (24) technical assistance responses to individuals with communication access needs on their rights to effective communication.
- Provided information to a consumer on filing a complaint with the Federal Communications Commission regarding inaccurate closed captioning of local news broadcasts.
- Posted a monthly registry of current communication access providers and their credentials on the DCAB website.

COMMUNICATION ACCESS SERVICES AND TECHNOLOGY

- Provided technical assistance to eight (8) private entities on their obligation to provide effective communication.
- Routinely met with the Office of Enterprise Technology Services (ETS) to develop the draft Hawaii Electronic Information Technology Disability Access Standards pursuant to Act 172, SLH 2022.
- Attended three (3) Department of Health, Language Access Advisory Council meetings.
- Submitted testimony to the Federal Communications Commission in support of proposed regulations to require emergency broadcasts to be transmitted in alternate formats simultaneously with existing formats.
- Revised the Communication Access Chapter in the DCAB Programs and Services Reference Manual.
- Received and reviewed weekly emails from the Federal Communications Commission.
- Staffed a booth at the Honolulu Zoo for the 20th Anniversary of Relay Hawaii and provided information to interested participants.

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

- Attended monthly Evidence-Based Services Committee meetings/quarterly roundtables to disseminate information on evidence-based interventions to families and professionals in the field. Helped to facilitate the Oahu 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 Developmental Disabilities Division Evaluation Advisory Group, the Maui Wildfire Response Group, the Children's Mental Health Acceptance Committee, and the Windward Community Children's Council.
- Provided technical assistance to the Department of Education regarding providing options to reasonably accommodate employees with disabilities.

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

- Attended one (1) meeting of the Department of Health's Department Operations Center and Public Health Preparedness Branch, Department of Defense, and the Hawaii Emergency Management Agency.

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)

- Continued the Memorandums of Agreement (MOA) with the Counties to issue all placards (except for renewals of six (6) year placards and issuance of all Disabled Paid Parking Exemption Permits).
- Issued nine thousand four hundred thirty three (9,433) renewals of six (6) year placards by mail.
- Issued one hundred eleven (111) Disabled Paid Parking Exemption Permits (DPPEP).
- Procured fifty one thousand (51,000) placards, one hundred twenty four thousand seven hundred (124,700) decals, and five thousand (5,000) application forms.
- Continued MOA with consultant to host the parking database.
- Added AMD under physician codes as physician assistants are now authorized to sign a parking permit application form.
- Introduced legislation to create a travel placard. Bill will be reintroduced next legislative session.
- Retrieved four thousand one hundred ninety five (4,195) placards upon renewal.

QUALITY ASSURANCE MEASURES WILL BE ESTABLISHED AND MAINTAINED

- Retrieved one thousand five hundred sixty four (1,564) placards due to the death of permittee. Provided information to "Kokua Line" on steps to take to return disability placards of deceased permittees.

MISUSE OF PLACARDS, PARKING SPACES AND ENFORCEMENT

- Introduced legislation that would authorize the Counties to adopt ordinances to enforce accessible parking design specifications.
- Introduced legislation that would authorize the examiner of drivers to suspend the driver's license of a person who illegally uses a deceased permittee's parking permit to obtain disability parking privileges.
- Introduced legislation to authorize the Counties to adopt ordinances.
- Met with the State Department of Law Enforcement and County police representatives and other agencies on increasing the issuance of citations for parking illegally in accessible parking spaces.
- Received twenty eight (28) submissions on the webpage to report the improper use of a placard. Asked Oahu Neighborhood Boards to help publicize the webpage and presented at two (2) Board meetings to provide information on the parking program.
- Sent fifteen (15) communications to permittees on proper use of a placard.
- Received eight (8) submissions on the webpage to report accessible parking spaces that do not comply with the accessible parking design specifications.
- Sent technical advice to five (5) property owners on non-compliant accessible parking spaces.

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

PUBLIC EDUCATION AND AWARENESS ACTIVITIES

- Mailed four hundred sixty (460) letters to parking lot owners asking them to check whether their spaces are compliant, to add additional spaces, and to install Park with Aloha signs that notify permittees that a van accessible parking space with a wider access aisle should be given priority to vehicles with side mounted ramps or lifts where regular accessible parking spaces with a 5 foot wide access aisle are available.
- Emailed two thousand seven hundred seventy (2,770) permittees to remind them of pending permit expirations.

ADA TITLES II AND III: ACCESSIBLE AND VAN ACCESSIBLE PARKING

- Sent letters to the County Mayors to request an increase in the number of reserved parking spaces for persons with disabilities in County parking facilities beyond the minimum Americans with Disabilities Act Accessibility Guidelines requirements.
- Mailed four hundred sixty (460) letters to parking lot owners asking them to check whether their spaces are compliant, to add additional spaces, and to install Park with Aloha signs.

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 a hybrid SPIN Conference on April 6, 2024 with four hundred forty two (442) individuals in attendance, sixty one (61) organizations represented, and fourteen (14) workshops. Co-sponsored the Oahu Footsteps on Transition Fair in February which drew more than one hundred (100) attendees and served on the planning committees for a transition fair on Maui in April and future fairs on Hawaii and Kauai. Conducted four (4) additional workshops for families and set up informational tables at four (4) events including a Maui Resource Fair for West Maui families affected by the wildfires.
- Fielded nine hundred nineteen (919) phone calls and emails (average contacts/month = 76).
- Published four (4) quarterly issues and one (1) Special Edition of the "SPIN News." Posted one hundred seventy five (175) posts to SPIN's Facebook page (averaging 15 per month) and sent out eighteen (18) e-blasts of information, resources, and community events.
- Developed twenty four (24) infographics on various topics of interest to parents and were included in newsletter issues. Updated ten (10) infographics on Annual Performance Indicators in partnership with the Department of Education's (DOE) Monitoring and Compliance Branch to simplify the information for families and posted the infographics on both the Special Education Advisory Council (SEAC) and the DOE websites.
- Maintained and updated both spinhawaii.org and spinconference.org websites including calendar events. Archived 2023 workshop recordings on the spinconference.org website, and is in the process of captioning the 2024 workshops for posting.

SPECIAL EDUCATION ADVISORY COUNCIL (SEAC) SUPPORT

- Reviewed the DOE Office of Special Education Programs determination for Hawaii school year 2021-2022 and reviewed data, targets, and proposed improvement activities for the Annual Performance Report indicators for school year 2022-2023. Monitored sixteen (16) bills related to students with disabilities and testified on seven (7) bills and the State budget for special education to the Hawaii State Legislature. Received training by a national expert on assisting parents who are not represented by legal counsel (pro se) in special education due process hearings. Reviewed parents' utilization of due process procedural safeguards. Presented the Department of Education (DOE) Superintendent with recommendations to improve services for students with disabilities.
- Created infographics of the following: 1) What parents need to know when transitioning private school students with disabilities into public school and 2) The differences between two high school paths for students with disabilities - the high school diploma versus a Certificate of Completion.
- Provided fifteen (15) workshops to educators and helping professionals who serve children with disabilities and their families.
- Maintained the SEAC website and posted testimonies, agendas, presentations and corrected minutes. Met with the SEAC Leadership Team to set agendas. Took minutes and hosted both

virtual and in-person meetings. Prepared testimonies for legislative hearings. Monitored the Board of Education agendas. Monitored membership requirements. Drafted the Annual Report to the DOE Superintendent. Staffed the Ad Hoc Committee on Dispute Resolution and joined the SEAC Work Group on a Positions vs. Interests video.

- Participated in monthly meetings of Parent Partners—representatives of SPIN, SEAC, Leadership in Disabilities and Awareness of Hawaii, the State Council on Developmental Disabilities, Community Children’s Councils (CCC), and the DOE’s Exceptional Support Branch to provide the DOE with feedback and suggestions on improving services to children and youth with disabilities. Served as a member of the Civil Rights Compliance Work Group Committee and the 504/ADA subcommittee to review civil rights practices and procedures within the DOE related to students with protected class status. Participated in a Hilopa’a/CCC Community Resource Mapping process.

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

- Coordinated a site visit to the Daniel K. Inouye International Airport to review the new autonomous shuttle for accessibility.
- Conducted a site visit of the Honolulu Authority for Rapid Transportation (HART) Aloha Stadium transit station to review accessible features of the station, passenger loading platform, and rail cars.
- Sent a letter with DCAB's concerns to the County of Kauai regarding suspension of the fixed route and paratransit service on Sundays.
- Attended one (1) meeting of the City and County of Honolulu's Committee on Accessible Transportation and two (2) meetings of the Honolulu Rate Commission.
- Submitted testimony to the U.S. Department of Transportation in support of proposed regulations to ensure safe accommodations for air travelers with disabilities using wheelchairs.
- Updated the "Traveler Tips" for all Counties and posted on the DCAB website.

OTHER PROGRAM ISSUES & ADMINISTRATION:

OTHER PROGRAM ISSUES

- Established an interim notice and grievance procedure and posted on DCAB's website. Replaced interim documents with a link to the Department of Health's (DOH) notice and grievance procedure posted on the DOH website, which covers attached agencies, including DCAB.
- Posted sixty five (65) updates to the DCAB website.
- Remediation of inaccessible pdf documents posted on DCAB's website.

ADMINISTRATION

- Developed contract and awarded IT vendor to maintain and update the office network.
- Completed administrative paperwork to fill vacant positions; replaced computers and related equipment; installed additional telephone lines; and completed the annual office equipment inventory.
- Continued to update the Office Manual.
- Continued to update the Office Reference Guides.

Josh Green, M.D., Governor

Kenneth S. Fink, MD, MGA, MPH, Director of Health

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

The Hawai'i Department of Health is committed to maintaining an environment free from discrimination, retaliation, or harassment on the basis of race, color, sex, national origin, age, or disability, or any other class as protected under federal or state law, with respect to any program or activity.

For more information, including language accessibility and filing a complaint, please contact Acting Non-Discrimination Coordinator Valerie Kato at (808) 586-4400, doh.nondiscrimination@doh.hawaii.gov, or visit HDOH's website at <http://health.hawaii.gov>.