

LANGUAGE ACCESS ADVISORY COUNCIL

STATE OF HAWAII
DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS
830 Punchbowl Street
Honolulu, Hawaii 96813

Wednesday, November 12, 2008
9:00 a.m. – 10:30 a.m.
DLIR Conference Room 320

AGENDA

1. Call to Order
2. Welcome & Introductions
3. Approval of Minutes of October 8, 2008 Meeting
4. Executive Director's Report
 - Operations
 - Outreach and Education
 - Compliance Assistance
 - Update on Feasibility Study
 - Language Access Training/Webinars
5. Revisit Language Access Advisory Council Functions and Structure
6. Report on State Agencies Pre-Monitoring Visits
7. Community Outreach Program
8. Announcements
 - APHA Conference
9. Adjournment

If you require special assistance or auxiliary aids and/or services to participate in this meeting (i.e., sign interpreter; interpreter for language other than English; or wheelchair accessibility), please contact the Office of Language Access (OLA) at 586-8730 or email your request to dlir.ola@hawaii.gov at least 4 business days before the meeting. Prompt requests submitted help to ensure the availability of qualified individuals and appropriate accommodations.

LANGUAGE ACCESS ADVISORY COUNCIL

STATE OF HAWAII
DEPARTMENT OF LABOR & INDUSTRIAL RELATIONS
830 Punchbowl Street
Honolulu, Hawaii 96813

Wednesday, November 12, 2008
DLIR Conference Room 320

MINUTES

The meeting was called to order at 9:17 A.M. by Chairperson Dominic Inocelda.

1. Welcome and Introductions

Introduced for the first time were the following new council members:

- Jennifer Li, Health Care Service Coordinator, Muscular Dystrophy Association, Inc.
- Mary Santa Maria, Public Health Coordinator, Maui District Health Office
- Azi Turturici, Accountant, Kauai Agency on Elderly Affairs

2. Attendance

Present:

- | | |
|------------------------------------|---|
| - Dominic Inocelda | Language Access Advisory Council, Chairperson |
| - Gerald Ohta | Language Access Advisory Council, Vice-Chair |
| - Canisius Filibert | Language Access Advisory Council Member |
| - Dr. Suzanne Zeng | Language Access Advisory Council Member |
| - Sr. Earnest Chung | Language Access Advisory Council Member |
| - Serafin "Jun" Colmenares | Executive Director, Office of Language Access, Ex-officio |
| - Livia Wang for Bill Hoshijo | Executive Director, Civil Rights Commission, Ex-officio |
| - Kristine Pagano for Francine Wai | Language Access Advisory Council Member |
| - Jennifer Li | Language Access Advisory Council Member (new) |
| - Mary Santa Maria | Language Access Advisory Council Member (new) |
| - Azi Turturici | Language Access Advisory Council Member (new) |

Excused:

- | | |
|------------------------|---|
| - Nāmaka Rawlins | Language Access Advisory Council Member |
| - Lito Asuncion | Language Access Advisory Council Member |
| - Alohalani Boido | Language Access Advisory Council Member |
| - Dr. Tin Myaing Thein | Language Access Advisory Council Member |

Others Present:

- | | |
|-----------------------|---|
| - Frances Lum | Department of the Attorney General |
| - Kendall Zukeran | Research Analyst, Office of Language Access |
| - Jeremy Low | Research Analyst, Office of Language Access |
| - Uilani Pāuole de Sa | Senior Legal Analyst, Office of Language Access |

3. **Approval of minutes of October 8, 2008 meeting**
 - Typing error on #7, per Gerald Ohta. “DHHS” should be replaced with “DHS.”
 - Motion to approve minutes with correction by Gerald Ohta. Seconded by Canisius Filibert. Motion carried and minutes approved unanimously.

4. **Executive Director’s Report – see attached**

5. **Revisit Language Access Advisory Council Functions and Structure**
 - Currently there are four committees within the council:
 1. Legislation
 2. Special Projects (eg. conferences, events)
 3. By Laws
 4. Compliance & Plan Review
 - Chairpersons have previously been appointed for each committee but the roles have not necessarily been carried out.
 - Questions to address:
 - Are there enough committees?
 - Is there an optimum number of committees?
 - Should there be any changes?
 - Is the current structure adequate to address these functions?
 - Is a quorum necessary for “Standing Committees?”
 - Members need to consider the Sunshine Law perspective if new committees are formed as it will be important to adhere to the rules regarding reporting, purpose, etc.
 - Other agencies have subcommittees meet earlier in the day and hold a regular meeting right afterwards to provide reports to the other members.
 - A recommendation was made to discuss the issues the council needs to address at the next meeting and decide what types of committees are necessary. OLA staff should discuss how the council members can help and in what areas the office needs assistance. This should also be shared during the next meeting.

6. **Report on State Agencies Pre-Monitoring Visits**
 - Executive Director Jun Colmenares, explained that the pre-monitoring visits were unannounced visits to various state agency offices. The purpose was to see if there were any multi-lingual posters displayed and translated documents available to the public. For larger state agencies, more than one office may have been visited by the OLA staff. This was designed not to be confrontational but to just see what is actually taking place at the various state agencies.
 - Findings were that most of the state agencies did not have multi-lingual signs posted. OLA staff handed out copies when possible.
 - Council members commented that the “revised” posters/signs have still not been printed. Thus, some agencies have been waiting for months to receive the revised versions and post these up rather than utilize the originals, which have errors.
 - Jun advised that poster delay is due to the problem of finding good translators and correct translations of the Micronesian languages. However, the original signs can still be used in the meantime.
 - Dr. Suzanne Zeng reported that there has been feedback from various coordinators that the pre-monitoring visits have seemed adversarial. In addition, some do not like the tone of

the "Monitoring Questionnaire" sent to the coordinators as it asks if the department/agency is in "full compliance, partial compliance, or non-compliant." A few questions are also not applicable depending on the agency. Agencies need more assistance with language access plan implementation.

- OLA staff members Uilani, Jeremy, and Kendall commented that their experiences with the pre-monitoring visits have been very friendly and the frontline employees have been very receptive. Many were happy to receive at least some type of material to better communicate with LEP clients and also know that their respective department had some type of procedure and coordinator available for assistance. Some offices requested for more posters be sent once the necessary revisions are made.
- Dr. Zeng and Gerald Ohta advised that the poster revisions should be a priority for OLA.
- More feedback should be given to the OLA Advisory Council from the language access coordinators meetings.

7. Community Outreach Programs

- Executive Director Colmenares informed council members that radio public service announcements are still being done by OLA. However, there has not been much communication or complaints from the community so this method does not seem very effective. Therefore, he asked the advisory council for suggestions.
- Sister Earnest Chung recommended utilizing Olelo for taping of 30 minute informational segments with translations. She also suggested that the OLA coordinate luncheons in order to attract members of the Chinese community to any informational gatherings.
- Canisius Filibert proposed that the OLA staff speak at smaller meetings such as women's groups, in order to provide more information to the Micronesian population.
- Kristine Pagano shared that she will be going to Kauai in two weeks to conduct ADA training. If the OLA can give her pamphlets, brochures, or other materials, she can share this with the community groups in attendance.

8. Announcements

- Canisius Filibert followed up in regards to whether a valid passport is needed for people to take English classes at the DOE Community School for Adults. He shared that classes are free for those that have green cards, valid state IDs, and Micronesians under the compact treaty. Non-U.S. citizens and those with "Visitors Visa" need to pay. Passports are used for payment purposes.
- Gerald Ohta spoke as a panelist at the American Public Health Association in San Diego recently. This concerned how Title VI, VII affects staffing, language access, and refugee patterns.
- ADA training will be held at the DLIR Conference Room at 1:30 PM today. (11/12/08)
- The next Language Access Advisory Council meeting will be, on Wednesday, December 10, 2008 @ 9 A.M. in DLIR Conference Room 320.

9. Adjournment

- Meeting was adjourned at 10:48 A.M.

LANGUAGE ACCESS ADVISORY COUNCIL

STATE OF HAWAII
DEPARTMENT OF LABOR & INDUSTRIAL RELATIONS
830 Punchbowl Street
Honolulu, Hawaii 96813

Wednesday, October 08, 2008
DLIR Conference Room 320

MINUTES

The meeting was called to order at 9:25 A.M. by Chairperson Dominic Inocelda.

1. Welcome and Introductions

- Francine Wai, Executive Director of the Disability & Communication Access Board (DCAB) was introduced.

2. Attendance

Present:

- Dominic Inocelda Language Access Advisory Council, Chairperson
- Gerald Ohta Language Access Advisory Council, Vice-Chair
- Lito Asuncion Language Access Advisory Council Member
- Alohalani Boido Language Access Advisory Council Member
- Canisius Filibert Language Access Advisory Council Member
- Dr. Tin Myaing Thein Language Access Advisory Council Member
- Dr. Suzanne Zeng Language Access Advisory Council Member
- Serafin "Jun" Colmenares Executive Director, Office of Language Access, Ex-officio
- Livia Wang for Bill Hoshijo Executive Director, Civil Rights Commission, Ex-officio
- Francine Wai Executive Director, Disability & Communication Access Board, Ex-officio

Excused:

- Sr. Earnest Chung Language Access Advisory Council Member
- Mary Santa Maria Language Access Advisory Council Member (new)
- Nāmaka Rawlins Language Access Advisory Council Member

Others Present:

- Frances Lum Department of the Attorney General
- Jeremy Low Research Analyst, Office of Language Access
- Uilani Pauole de Sa Senior Legal Analyst, Office of Language Access
- Gail McGarvey Clerk/Typist, Office of Language Access

3. Approval of minutes of September 24, 2008 meeting

- Motion to approve minutes with no revisions made by Alohalani Boido. Seconded by Gerald Ohta.
- Minutes approved unanimously.

- OLA complaints; no formal complaints, individuals have come to the office to ask for interpreters. Request for learning English are being referred to Department of Education (DOE) Community School for Adults. Someone heard that in order to register for a class, a valid passport is required. Council is questioning if this would be a civil rights issue, it will be put on the agenda for next meeting. Canisius Filibert volunteered to follow-up on this with DOE; Gerald Ohta will also help follow-up.

8. Announcements

- Dr. Suzanne Zeng announced that money is available for scholarships in the state job training programs; applicants must meet requirements of the Workforce Investment Act (WIA). They need to be laid off or low income to qualify.
- Francine Wai invited council members to come to a public hearing for testimony on proposed amendments for community access and sign language administrative rules, on Thursday, October 23, 2008 at 9:00 A.M. at DCAB, 919 Ala Moana Boulevard, in conference room 103. Included in the proposed amendments are changes to the fee schedules for interpreters and adding new national credentials. Their website address: www.state.hi.us/health/dcab/home/
- Gerald Ohta extended an invitation to anyone wanting to see the Migration Policy Institute (MPI) webinar on October 16, 2008 starting at 9:00 A.M. Hawaii time, to join him in his office.
- Gerald Ohta also announced that starting on Monday, October 13, 2008, his building, Kinau Hale, will be on a four day work week, Mondays thru Thursdays, 7:15 A.M. to 6:00 P.M. closed Fridays.
- The next Language Access Advisory Council meeting will be, on Wednesday, November 12, 2008, 9:00 A.M. to 10:30 A.M.

9. Adjournment

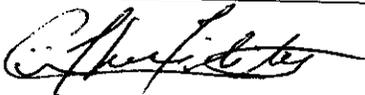
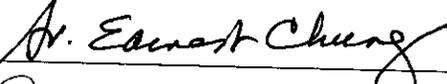
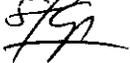
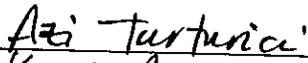
- Meeting was adjourned at 10:30 A.M.

OFFICE OF LANGUAGE ACCESS ADVISORY COUNCIL MEETING

LANGUAGE ACCESS ADVISORY COUNCIL
 STATE OF HAWAII
 DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS
 830 Punchbowl Street Rm. 320
 Honolulu, Hawaii 96813

ROLL CALL/ ATTENDANCE

NOVEMBER 12, 2008
 9:00 AM TO 10:30 AM

Name/Guest	Signature	
*Tin Myaing Thein Pacific Gateway Center	EXCUSED	
*Alohalani Boido Hawaii Interpreter Action Network	EXCUSED	
*Canisius Filibert Micronesian Community Network		
*Nāmaka Rawlins Aha Punana Leo; UH-Hilo Hawaiian Language Center	EXCUSED	
Gerald Ohta Department of Health; Vice-chair		
*Lito Asuncion Hawaii County Office on Aging	EXCUSED	
*Dominic Inocelda Inter-Agency Council on Immigrant Services; Chair		
*Sr. Earnest Chung Catholic Charities Hawaii		
*Dr. Suzanne Zeng UH Center for Interpretation and Translation Services		
Bill Hoshijo Hawaii Civil Rights Commission Ex Officio Livia Wang		
Serafin "Jun" Colmenares Office of Language Access Ex Officio		
Francine Wai, DCAB Ex Officio Kristine Pagano		
Mary Santa Maria Maui District Health Office		
		

Kaunoi Agency on Elderly Affairs.
 11/12/2008

**Language Access Advisory Council Meeting
November 12, 2008**

Report of the Executive Director

Operations:

- Preparing annual report to the Governor and the Legislature.
- Holding ADA training on November 12, 2008 afternoon.
- Preparing biennium budget reports.

Outreach and Education:

- Winter issue of OLA Quarterly newsletter being prepared.
- Presented at the meeting of the Committee on Overcoming Barriers to Access to Justice of the Hawaii Access to Justice Commission on October 22, 2008.
- Participated in discussions re the establishment of a Filipino Institute of Culture and Education at the Filipino Community Center which will include ESL and Philippine language classes and Filipino language services.

Compliance Assistance:

- Conducted pre-monitoring visits to selected state agencies.
- Started annual monitoring/site visits to federally-funded state agencies.
- Continue to work with state agencies on the following issues: identification and translation of vital documents, and identification of public contact positions.

Update on Feasibility Study:

- A total of 60 out of 210 (29%) completed questionnaires received; cut off is November 15, 2008.

Language Access Training/Webinars:

- Participated in the webinar on the use of multilingual staff and the New York executive order on LEP on October 16, 2008 sponsored by the Migration Policy Institute.
- Participated in the census webinars on October 30, 2008 (overview of the American Community Survey) and November 6, 2008 (data products) sponsored by the U.S. Census Bureau and the Federal Interagency LEP Workgroup's Census Committee.
- Finalizing plan to hold workshops and webinars on working with interpreters for language access coordinators, managers, line supervisors, and front line staff, as well as training for volunteer multilingual staff.

[§371-37] Language access advisory council.

(a) There is established the language access advisory council within the department of labor and industrial relations for administrative purposes. The council shall consist of the following members to be appointed by the governor:

- (1) One representative from the state government;
- (2) One representative from a covered entity;
- (3) One bilingual case management worker, or an individual who is or has been employed by a state-funded immigrant service agency or program;
- (4) One representative of an advocacy organization that provides services to limited English proficient persons;
- (5) One member from the limited English proficient population who has an interest in the provision of oral language services;
- (6) One representative from the University of Hawai'i department of language and linguistics who provides professional training and interpretation and translation;
- (7) One representative of a Hawaiian language advocacy organization;
- (8) One representative of a professional interpreter's organization;
- (9) One representative of a bilingual referral service or program;
- (10) The executive director of the Hawai'i Civil Rights Commission or authorized representative; and
- (11) The executive director, as ex-officio member.

(b) Members shall be appointed in accordance with section 26-34. The terms of the members shall be for four years; provided that the governor may reduce the terms of those initially appointed so as to provide, as nearly as can be, for the expiration of an equal number of terms at intervals of one year. The council shall select one of its members to serve as chair. No member of the council shall receive any compensation for council services, but shall be allowed necessary expenses for travel, board, and lodging incurred in the performance of council duties.

(c) The language access advisory council shall serve in an advisory capacity to the executive director, providing input on:

- (1) Implementation and compliance with this part;
- (2) The quality of oral and written language services provided under this [part]; and
- (3) The adequacy of a state agency or covered entity's dissemination and training of its employees likely to have contact with limited or no-English proficient persons, its policies and procedures for language services, its competency in working effectively with in-person and telephone interpreters, and its understanding of the dynamics of interpretation between clients, providers, and interpreters. [L 2006, c 290, pt of §1]

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