

LANGUAGE ACCESS ADVISORY COUNCIL (LAAC) MEETING MINUTES

Department of Labor and Industrial Relations
 Director's Conference Room 320
 830 Punchbowl Street, Honolulu, Hawai'i, 96813

Wednesday, October 10, 2018
 9:30 a.m. – 11:00 a.m.

PRESENT: Terrina Wong, Interim-Chair; Suzanne Zeng, Interim Vice-Chair; Aphirak “A.P.” Bamrungruan, Ex-officio; Robin Wurtzel for Bill Hoshijo, Ex-officio; Colin Whited for Francine Wai, Ex-officio; Cristina Arsuaga; Linda Nuland-Ames; Lydia A. Pavon; Cari Uesugi

EXCUSED: Charlotte Huang, Shirl Schumacher

GUESTS/STAFF: Debi Tulang-DeSilva, OEAC; Melody Kubo, OEAC, Gail McGarvey (OLA); Jason Allen, ASL interpreter

AGENDA ITEM	DISCUSSION
1. Call to Order	Meeting was called to order with quorum by Interim-Chair, Terrina Wong at 9:46 AM.
2. Welcome and Introductions	<p>Lydia A. Pavon was introduced as the newest council member. She is an advocacy manager at the Domestic Violence Action Center and represents an advocacy organization that provides services to limited English proficient persons. Everyone around the table introduced themselves. Linda Nuland-Ames on Kauai, attended by conference phone. As the newest member Lydia A. Pavon was welcomed to the council.</p> <p>Charlotte Huang, a bilingual case manager at Child & Family Services was not able to attend the meeting. Both she and Lydia A. Pavon are newly appointed interim council members.</p>
3. Approval of Minutes January 24, 2018. Minutes Approved	<ul style="list-style-type: none"> • Motion was made to approve the minutes by Cristina Arsuaga. • Seconded by Sue Zeng. • MOTION CARRIED. • Minutes were approved for January 24, 2018.
4. Executive Director's Report	<p>Aphirak “A.P.” Bamrungruan, ED reported the following: Budget Update.</p> <ul style="list-style-type: none"> • OLA's FY 2019 budget is \$400,000 for operation and payroll expenses. In January 2019 OLA will have a total of 5 authorized positions. • In addition to the current staff there will be two new specialist positions for LARC (Language Access Resource Center) a program specialist V and a program specialist IV.

	<ul style="list-style-type: none"> • OLA is currently working on adding the two new positions to its reorg chart with the Department of Health. OLA’s new reorg is pending review by the Director of Health with anticipation of posting the LARC job openings in January 2019. • The LARC according to statue is to review the Roster, coordinate training for the state and identify how to test interpreter skills and “working toward” identifying or creating a process to testing. • Sue Zeng commented that the testing should not be included in the statue and further commented that previous ED/staff and Suzanne Chun-Oakland had written the bill for the Roster. She did not agree on how rushed the process was, that it was poorly written, and it was submitted without her and other interpreters’ or translators’ approval. • OLA has more money available to spend on operations due to OLA’s staff leave without pay for the past six months. • OLA collaborated with OEAC, (Office on Equality and Access to the Courts) and CITS (Center for Interpretation and Translation Studies). This partnership allowed for additional interpreter training on the neighbor islands. Sue Zeng was the trainer from CITS for the LEP training workshops in Honolulu and the neighbor islands. The workshops “How to Work with LEP Clients” and “Working with Cultural Competency” reached about 80+ attendees on the neighbor islands. Terrina Wong asked if federal agencies ever participated in the trainings. Sue Zeng said no. She mentioned she would like to target training and workshops for public defenders. • ED said OLA will not have budget requests or bills for next year’s legislative session. If the council has any bills they would like to bring up for next year, please let him know.
<p>5. Report of the Chair</p>	<p>Terrina Wong, Interim-Chair did not have any report however she did want to congratulate OLA for a successful language access conference this year with special recognition to ED and Cari Uesugi, Conference Chair, for a very excellent conference.</p> <ul style="list-style-type: none"> • Citizenship Workshop on October 6, 2018, Saturday, held at United Methodist Church by the Legal Clinic. Terrina Wong an accredited representative from Pacific Gateway and A.P. Bamrungruan, as Executive Director from OLA were there helping immigrants learn about obtaining U.S. Citizenship.
<p>6. Items for Discussion</p>	<p>At 10:15 AM guests Debi Tulang-DeSilva and Melody Kubo from OEAC arrived to present the Judiciary’s Policy regarding Hawaiian language court interpreters during courtroom proceedings, which came about because of the recent Maui Kaeo court proceeding in the news.</p> <ul style="list-style-type: none"> • Debi Tulang-DeSilva said the Hawaiian language policy for court interpreters and the language access policy, which are linked to Title V, came about because of the Maui “court denying an individual Hawaiian language access” during a court proceeding back in January of 2018, known as the Kaeo case. • Under the Hawaiian constitution, Hawaiian is an official language of the State of Hawaii.

	<ul style="list-style-type: none"> • The Judiciary’s policy is that they will provide or permit qualified Hawaiian language interpreters during courtroom proceedings when a request is made by an individual. This policy allows individuals to express themselves using Hawaiian language as their preferred language, whether they are LEP individuals. Thus, it is not a language access issue where individuals do not have a meaningful access due to their inability to understand English language. The difference in the Hawaiian Language policy is that the individual chooses to express themselves in the Hawaiian language not because of their limited English proficiency. • However, the public still does not understand the difference between preferred language and LEP. • The bigger challenge about this policy is if a Hawaiian language speaker comes to court speaking Hawaiian, and requests an interpreter, staff will not know if they want to exercise their right to speak Hawaiian or if they are truly an LEP Hawaiian language individual. • Cari Uesugi from Department of Human Services says that because Hawaiian is an official state language her department will get interpreters and provide translations of documents in Hawaiian. These changes came about because of the Maui Kaeo case. • Debi Tulang-De Silva said it is a challenge to obtain Hawaiian language resources and a challenge on how to measure quality of interpreting and translations of these services. • Due to time constraints council will need to continue this discussion at the next meeting. See item #7. <p>ED reminded the council that the LAAC representative of a Hawaiian language advocacy organization is still vacant and we should continue to look for a representative.</p>
7. Agenda Items for Next Meeting	For next meeting agenda we will add Hawaiian interpreter/translations in court proceedings for more discussion.
8. Announcements	<ul style="list-style-type: none"> • Next LAAC Meeting – Wednesday, November 14, 2018, to be confirmed.
9. Adjournment	The Interim-Chair, Terrina Wong officially adjourned the meeting at 11:02 AM

Respectfully submitted by: Gail McGarvey