

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, November 14, 2018
9:30 a.m. – 11:00 a.m.

PRESENT: 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; Charlotte Huang; Linda Nuland-Ames; Lydia A. Pavon; Shirl Schumacher; Cari Uesugi

EXCUSED: Terrina Wong, Interim-Chair

GUESTS/STAFF: Mary Santa Maria, Debi Tulang-DeSilva, OEAC; Melody Kubo, OEAC, Gail McGarvey (OLA); Māla Arkin, ASL interpreter

AGENDA ITEM	DISCUSSION
1. Call to Order	At 9:43 AM the meeting was called to order with quorum by A.P. Bamrungruan, OLA Executive Director, who was filling in until interim vice-chair, Sue Zeng arrived.
2. Welcome and Introductions	A.P. Bamrungruan welcomed council members. Charlotte Huang, was introduced as a newly appointed interim council member. She is a bilingual case manager at Child & Family Services for the Refugee Program and Legal Permanent Resident Program. She speaks Cantonese and Mandarin. Linda Nuland-Ames, from Kauai County, was able to attend in person. Shirl Schumacher attended via conference phone. The guest with her on Maui was Mary Santa Maria, a former LAAC member.
3. Approval of Minutes October 10, 2018. Minutes Approved	<ul style="list-style-type: none">• Motion was made to approve the minutes by Cari Uesugi.• Seconded by Cristina Arsuaga.• MOTION CARRIED.• Minutes were approved for October 10, 2018.
4. Executive Director's Report	A.P. Bamrungruan, ED, gave his report: <ul style="list-style-type: none">• ED submitted memo to Director's Office, DOH, for pre-approval of OLA's reorganizational chart showing the addition of a new section with two new positions for the LARC (Language Access Resource Center) a program specialist V and a program specialist IV, respectively. Becky Gardner's position is a program specialist V for Monitoring & Compliance. Gail McGarvey is the

	<p>OLA secretary. Position descriptions for ED and OLA program specialist V will be re-described to meet BU (Bargaining Unit) guidelines.</p> <ul style="list-style-type: none"> • Governor David Ige was re-elected for another term. We are currently waiting for him to select his new cabinet members as well as OLA's ED. As ED, A.P. will be here until December 3, 2018. <p>At 9:53 AM, Sue Zeng, Interim Vice-chair, arrived and the meeting was transferred to her.</p>
<p>5. Report of the Chair</p>	<p>Sue Zeng, Interim Vice-chair, took over for the Interim-chair, Terrina Wong who was excused. There was no reporting for the Interim-chair.</p>
<p>6. Items for Discussion</p>	<p>Language Access Advisory Council Matters. Meeting proceeded to the second item on Council matters for discussion while waiting for OEAC (Office of Equal Access to the Courts) guests to arrive.</p> <ul style="list-style-type: none"> • The two newly appointed interim members are Lydia A. Pavon of Domestic Violence Action Center and Charlotte Huang of Child & Family Services. • We currently have 11 council members. Full council should be 17 members, there are six vacancies. The longest standing vacancy is for the Hawaiian Language Advocacy member. ED is asking for any qualified names to be sent to him. • Other vacancies are for County of Hawaii, City & County of Honolulu and covered entities (Melba Bantay recently retired from this position). Boards and Commissions has informed ED that there is an application pending but there is no information on which seat. ED will send a list of vacancies with descriptions to the council. • ED suggested that the council plan another strategic planning retreat to go over goals for LAAC and to be able to meet the newest members and for these members to learn more about LAAC, OLA their goals, functions, and priorities. • Sue Zeng, who was on the original LAAC council, agreed an all-day retreat would be good to revisit the mission for OLA, its goals, plans, etc. • ED's transition plan would like to refocus on LAAC functions and OLA's functions. He is open for suggestions and advice from council. Robin Wurtzel said she was hearing two separate things, 1) needing documentation for new members, what are the roles and commitments of council members and 2) to revisit OLA's purpose and mission statements. Council discusses more options and questions, especially regarding quorum. • By law LAAC must have quorum to have a meeting. However, a PIG (Permitted Interaction Group) is a small group which the council can create to meet and discuss plans, etc. without a quorum. The PIG does not have to meet Sunshine Law requirements. • Interim-chair was going to ask for a motion to create a new PIG. Robin Wurtzel suggested that the council wait until the new LARC positions are filled for them to research the topic. Cari Uesugi suggested that a PIG be used to plan logistics for the OLA retreat and include ideas for the council to

focus on. Sue Zeng, wanted to know if there would be a PIG to work on guidelines for council members to follow? As a starting point, A.P. suggested that he could start a draft on the functions and expectations of a council member and distribute it to the group for feedback and review.

10:15 AM guests Debi Tulang-DeSilva and Melody Kubo from OEAC (Office of Equal Access to the Courts) arrived to present the Judiciary's Policy regarding Hawaiian language court interpreters preferred speaker policy and issues.

- The Judiciary (preference speaker policy) will provide to the extent that is reasonably possible or permit a qualified Hawaiian language interpreter to those who wish to express themselves in Hawaiian ʻōlelo.
- This policy allows individuals to express themselves using Hawaiian language as their preferred language, whether they are LEP individuals.
- Highlighting the request must be “reasonably possible” seeing as there are a limited number of qualified interpreters and secondly “provide or permit”. The Judiciary language access policy does not say “permit”.
- This policy allows the person to speak for themselves or bring someone who is not provided by the agency or Judiciary.
- Whereas an LEP person is 1) not allowed to interpret for themselves or 2) bring their own interpreter due to qualification standards or conflict of interest.
- Main difference for a preference speaker, is that person **chooses** to express themselves in the Hawaiian language, the official state language.
- Thus, it is not a language access issue where individuals do not have a meaningful access due to their inability to understand English language.
- Judiciary does not question the client, they just service them. If an Hawaiian language client 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.

10:31 AM, Lydia Pavon had to leave the meeting, there was still a quorum

- A.P. has gotten questions from agencies asking OLA how do they handle the Hawaiian policy? He checked with the Attorney General's office who told him that OLA's jurisdiction is LEP.
- Although this is a language access issue, it is not within HRS321C since it is accommodating Hawaiian as a preferred language, regardless of their ability to understand English. But if there is an Hawaiian speaker who comes into contact with an agency and requests an interpreter, that agency must treat them with the same policy and procedure regardless of what language they speak, not Hawaiian vs. other languages.

7. Agenda Items for Next Meeting	For next meeting agenda Shirl Schumacher would like to include discussions on medical interpreters.
8. Announcements	<ul style="list-style-type: none"> • Sue Zeng said she and A.P. will be conducting another training tomorrow Thursday, November 15, 2018, at Child & Family Services in Ewa. She also announced that she will be traveling to Beijing, China in December for language access issues and how the university conducts training for Medical and Court interpreters. The Chinese are specifically interested in how Hawaii handles language access services. • Next LAAC Meeting – Council will not be meeting again before the end of the year. Next meeting to be announced in 2019.
9. Adjournment	The Interim-Vice chair, Sue Zeng officially adjourned the meeting at 11:07 AM

Respectfully submitted by: Gail McGarvey