



# DISABILITY AND COMMUNICATION ACCESS BOARD

1010 Richards Street, Room 118 • Honolulu, Hawaii 96813  
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## DRAFT MINUTES

### Standing Committee on Communication Access Meeting

Location: Kamamalu Building  
1010 Richards Street, Conference Room 111A  
Honolulu, HI 96813

Date: January 9, 2018  
Time: 11:00 a.m.

PRESENT: Misella Tomita, Chairperson; Nikki Kepoo, Board Member; Francine Wai (participating via phone), Kirby Shaw, Colin Whited, Kamaile Hopfe, Staff

ABSENT: Ed Chevy, Board Member

#### SIGN LANGUAGE

INTERPRETERS: Sarah Comerford, Heidi Johnson

GUESTS: Mala Arkin (Individual), Mona Higa (City and County of Honolulu), Susan Kroe-Unabia (Isle Interpret), Tamar Lani (Isle Interpret), Alexander Michaels (Individual), Lieutenant Dien Shearer (Honolulu Police Department), Di Yamamoto (Department of Human Services, Division of Vocational Rehabilitation)

#### I. Call to Order

Chairperson Misella Tomita called the meeting to order at 11:09 a.m.

#### II. Introductions

The attendees introduced themselves.

#### III. Approval of November 15, 2017 Meeting Minutes

The Committee approved the November 15, 2017 minutes (M/S/P Kepoo/Tomita).

NOTE: The minutes were written in the order the items were shown on the agenda, not as they were discussed at the meeting.

#### IV. Old Business

##### A. Hawaii Quality Assurance System – Update

Staff announced that an updated list of Communication Access Providers was released on January 2, 2018. This list can be viewed on DCAB's web site. Staff also announced that the current number of interpreters enrolled in the Continuing Education Program stands at thirty (30). A total of ten (10) interpreters were

granted an extension to complete their Continuing Education Units (CEU) for the cycle that ended on December 31, 2017. They have until the end of March 2018 to earn their remaining CEUs.

**B. HQAS Continuing Education Unit Workshops**

Staff announced that on January 13, 2018 DCAB will host a CEU workshop entitled, "Vocabulary of the Legislative and Budget Process." It will be from 10:00 a.m. – 12:00 p.m. in the DCAB conference room. If anyone wishes to attend, they should RSVP with Kamaile Hopfe at kamaile.hopfe@doh.hawaii.gov. This workshop will assist American Sign Language (ASL) interpreters in understanding the vocabulary of the legislative and budget process. Interpreters who regularly accept legislative assignments or who may have declined assignments because of unfamiliarity with the terminology are the target audience.

Also, staff announced that DCAB is currently working with Hand Ninjas to finalize the date of their DCAB co-sponsored CEU workshop. It is being planned for some time during the month March 2018 at Kapiolani Community College.

**C. Amend Hawaii Administrative Rules, Title 11, Chapter 218, "Communication Access Services for Deaf, Hard of Hearing, and Deaf-Blind" – Continued Discussion**

Staff announced that in December 2017, DCAB sent out a "clean copy" of the Hawaii Administrative Rules (HAR), Title 11, Chapter 218 with the proposed amendments to stakeholders for feedback. DCAB received one comment about whether the definition of "real-time captioners" is inclusive of those who provide services to individuals who do not have a communication disability. Staff reviewed this and determined that it is implicit in the rules that DCAB's focus is on communication access for persons who are deaf, deaf-blind, and hard of hearing.

Considering this, there were suggestions from the community that instead of "real-time captioner," the more appropriate term is "Communication Access Realtime Translation (CART)." After some questions and discussion, the following motion was made:

**MOTION:** The Committee approved changing the term "real-time captioner" to "Communication Access Realtime Translation (CART)" in the Hawaii Administrative Rules, Title 11, Chapter 218 (M/S/P Kepoo/Tomita).

Discussion continued regarding proposed amendments to the Administrative Rules. A guest raised concerns about the following three (3) proposed amendments:

1. Replacing the written portion of the state test with a "Code of Conduct Video;"
2. Separating the state-issued credential (proposed as "Hawaii State Interpreter Credential") from the state test (Hawaii Quality Assurance System); and

3. Increasing the number of CEUs required for a Level III interpreter from 3.0 to 3.5.

In addition to the above questions, a request was made to DCAB to provide more time for stakeholders to offer feedback about the proposed amendments to HAR Title 11, Chapter 218. After some questions and discussion, the following motion was made:

**MOTION:** The Committee approved tabling further discussion and decision making on amendments to HAR Title 11, Chapter 218 until after the January 31, 2018 deadline to submit feedback (M/S/P Kepo'o/Tomita).

D. Senate Concurrent Resolution 32 Working Group

Staff announced that the SCR 32 Working Group, which was convened to examine the need for regulation of sign language interpreters and sign language interpreter referral agencies, has not met since its second meeting on October 18, 2017. At this meeting, it was decided that subgroups would be formed to consider ways to gather data from specific stakeholder groups in the community. There are differences in how to approach gathering data from the deaf, hard of hearing and deaf-blind community.

As announced at previous meetings, there was no money given with SCR 32, which made the scope of the resolution too large given the limited timeframe and lack of staffing. The lack of funding has also made it difficult to set up meetings with accommodations, such as ASL interpreters and Communication Access Realtime Translation (CART). DCAB, along with co-conveners (the Department of Health and the Office on Language Access), will explore ways to plan meetings in 2018. The Working Group will continue to focus on identifying concerns or challenges that the community has encountered relating to the provision of interpreter services.

E. Communication Access Fact Sheets

Staff announced that DCAB is currently working with the University of Hawaii Center on Disability Studies, Comprehensive Service Center, to finalize a "video fact sheet" on open captioning at movie theaters. Once finalized, the video will be posted on DCAB's web site.

F. Legislation on Open Captioning and Audio Descriptions at Movie Theaters

Staff shared that the Governor has announced that the proposed bill on open captioning at movie theaters will be included in his administrative package for the upcoming legislative session.

V. New Business

A. Honolulu Police Department Deaf Awareness Policy and Police Communication Cards

The Honolulu Police Department (HPD) was invited to talk about the latest updates to its Deaf Awareness Policy and Police Communication Cards. On hand were Lieutenant Dien Shearer of HPD and Mona Higa, ADA Program

Manager with the City and County of Honolulu. They announced that in addition to updating the communication card carried by each law enforcement officer, they are implementing a mandatory training that instructs personnel on “how” to use the card. HPD noted that interactions with persons who are deaf or hard of hearing are infrequent, so there is an overall lack of familiarity when it comes to interacting with this segment of the public. HPD’s Communications Division will work closely with HPD’s Training Division to mitigate instances of uncooperative behavior when officers encounter a person who is deaf or hard of hearing. It was also shared that these updates apply only to law enforcement under the jurisdiction of the City and County of Honolulu, meaning it precludes other first responders as well as law enforcement from other counties within the state.

There were questions and comments from the Committee as well as guests. A guest suggested that HPD be mindful of instances where officers might involve individuals who are hearing, which can sometimes be damaging for the individual who is deaf or hard of hearing. Examples include using a hearing person on scene – a family member of the person who is deaf or hard of hearing, for instance – as an interpreter. HPD responded that their policy adheres to the Americans with Disabilities Act (ADA) standard of obtaining a qualified interpreter for such interactions. The only exception would be situations of dire emergencies, where a friend or relative would be used in the interim until a qualified interpreter is secured.

There were additional questions regarding interaction with kupuna and others with a higher risk of lapses in communication, such as the non-English speaking population. To this, HPD responded that the use of symbols on the communication card becomes important in such encounters. They also added that they can bring in additional interpreters or translators whenever someone uses a different (non-English) language.

Another question came up about the use of newer technology, such as real-time text (RTT), to communicate with the deaf and hard of hearing population. HPD responded by saying they would need to follow-up with their supervisor on the status of implementing newer communication technology.

Finally, a question was asked about how DCAB can best support HPD in its implementation efforts. The response from HPD centered on getting the word out about the changes that have been made. This includes, but is not limited to, creating a public service announcement (PSA) about the updated communication card and policy, as well as identifying ways to reach out to community groups statewide. It was suggested that DCAB could post this information on its web site and include tips on how an individual who is deaf or hard of hearing should approach or interact with a law enforcement officer. This would underscore the importance of awareness working both ways – for the officers and for the public.

B. Interpreter Mentoring Program

Staff distributed copies of the “Pilot Project Proposal” for the Interpreter Mentoring Program. The proposal was developed by Kapiolani Community College (KCC)-ASL/English Interpreter Education Program and Isle Interpret. Staff noted that DCAB did not budget for the amount indicated in the proposal, so staff cannot recommend approval until more discussion is held.

Guests from Isle Interpret stated that the amount in the proposal is the total cost of running the full mentoring program. Additional funding – whether from DCAB or another entity – would be needed to cover all costs associated with the entire mentoring program as proposed. Guests from Isle Interpret added that the amount budgeted by DCAB would be enough to cover an initial workshop of the program.

DCAB staff will continue to work with the KCC-ASL/English Interpreter Education Program and Isle Interpret to determine options moving forward, and report back to the Committee at the next meeting.

C. Hawaii's "Rights of Students who are Deaf, Hard of Hearing, or Deaf-Blind"

Staff distributed a copy of Board of Education's Policy 900-5: Rights of Students who are Deaf, Hard-of-Hearing, or Deaf-Blind. This policy originated in 1998 and was slightly amended in 2016. There will be no further steps taken since this is not currently part of our Plan of Action.

VI. Next Meeting

The next meeting is scheduled for Tuesday, February 13, 2018 at 11:00 a.m. at 1010 Richards Street (Kamamalu Building) in room 118.

VII. Announcements

Di Yamamoto, Vocational Rehabilitation's Statewide Coordinator for the Deaf, announced that Maureen Bates was recently selected as the new Vocational Rehabilitation Administrator.

VIII. Open Forum

No issues discussed.

IX. Adjournment

The meeting adjourned at 1:02 p.m.

NOTE: All votes were unanimous unless otherwise noted.

Respectfully submitted,

COLIN M. WHITED