

LANGUAGE ACCESS ADVISORY COUNCIL

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

Wednesday, September 24, 2008
DLIR Conference Room 320

MINUTES

The meeting was called to order at 10:20 A.M.

1. Welcome and Introductions

2. Attendance:

Present:

- Serafin "Jun" Colmenares Executive Director, Office of Language Access, Ex-officio
- Dominic Inocelda Language Access Advisory Council, Chairperson
- Dr. Suzanne Zeng Language Access Advisory Council Member
- Lito Asuncion Language Access Advisory Council Member
- Alohalani Boido Language Access Advisory Council Member
- Gerald Ohta Language Access Advisory Council, Vice Chair
- Sr. Earnest Chung Language Access Advisory Council Member
- Canisius Filibert Language Access Advisory Council Member

Excused:

- Nāmaka Rawlins Language Access Advisory Council Member
- Dr. Tin Myaing Thein Language Access Advisory Council Member
- Kristine Pagano Language Access Advisory Council Member
- Bill Hoshijo Executive Director, Civil Rights Commission, Ex-officio

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 Pauole de Sa Senior Legal Analyst, Office of Language Access
- Livia Wang for Bill Hoshijo Hawaii Civil Rights Commission
- Fred Magdalena, Ph.D. University of Hawaii
- Jennifer Brooks Office of Information Practices
- Bertrand Kobayashi for Dr. Myaing Pacific Gateway Center
- Gail McGarvey Clerk/Typist, Office of Language Access

3. Approval of minutes of July 15, 2008 meeting.

- Motion to approve minutes made by Lito Asuncion. Seconded by Canisius Filibert.
- Minutes approved unanimously. No revisions necessary.

4. Sunshine Law

- Jennifer Brooks from the Office of Information Practices (OIP) shared information and answered questions about the Sunshine Law.
- The law pertains to board business and topics that are on the upcoming agenda.
- “Executive Director’s Report” should actually list the topics to be discussed on the “Agenda” page rather than the way it is printed currently. (e.g. Staffing Issues)
- Members of the public can then read the agenda without background information and care enough to attend or testify.
- Two board members discussing a board matter is considered a “permitted interaction.” Not allowed if there are more than two members but less than quorum; any issues or discussions relating to board matters need to be postponed till the next board meeting.
- No quorum = No meeting
- The Legislature is exempt from the Sunshine Law but neighborhood boards are not; however, neighborhood boards were given certain exceptions under a recently passed law.
- What happens if quorum is lost during the course of a meeting when a member leaves? Meeting will need to stop and the rest of it should be cancelled.
- Are subcommittees subject to the Sunshine Law? Yes. “Standing Committees” are subject to the Sunshine Law. Ad hoc committees such as an “Investigating Task Force” whose members are assigned are not covered; they can meet but are not allowed to talk to other board members about the topics discussed; they are required to make a report during the next meeting.
- “Executive/Closed Meetings” are permitted for eight purposes. Some of these are:
 - a) If the board needs to consider information by law
 - b) Personal privacy issues – hiring, firing, discipline of employee, etc.
 - c) Board Consultation with attorney
 - d) Protect public safety
 - e) Criminal investigations
- Other qualifying purposes can be found on the OIP website.
- Consulting OIP first regarding “closed meetings” rather than making up purposes is recommended.

5. Executive Director’s Report

- See Attached Report.

6. Feasibility Study

- Dr. Fred Magdalena, from the University of Hawaii, passed out the revised survey. He thanked all the people who provided input over the past few weeks.
- The survey is an “oral language study” only. American Sign Language (ASL) is a separate study and may be done at a later point in time.
- The survey has not been sent out to respondents yet. There are about 300 individuals on the target list and this will be sent via email or a hard copy will be mailed if no email address is available. The survey is for agencies and questionnaires will be sent to agency heads/administrators. For large agencies, questionnaires will be sent to division heads or campus chancellors in the case of UH.

- Given time constraints, a multi-stage sampling of respondents will be done instead of including everybody on the list.
- Findings of the report will be submitted to the OLA Language Access Advisory Council by 12/15/08. Participation in the survey is voluntary.
- Identification of individuals will not be revealed in the reports. However, Fred will know who submitted and who did not turn in surveys.
- Alohalani Boido recommended including an “Indigenous Languages of America” item in #3.
- Professor Zeng recommended an “I Don’t Know” line in #2.

7. Announcements

- Executive Director Colmenares briefly updated the members regarding the “Community Fair” on September 26, 2008 at the State Capitol Pavilion.
- Future meetings of the council will be held every second Wednesday of the month. Next meeting will be on Wednesday, October 8, 2008, DLIR Conference Room #320.

8. Adjournment

- Since a council member had to leave resulting in a lack of a quorum, the meeting adjourned at 10:57 a.m.