



DISABILITY AND COMMUNICATION ACCESS BOARD

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April 1, 2025

TESTIMONY TO THE SENATE COMMITTEES ON ENERGY AND INTERGOVERNMENTAL AFFAIRS AND ON HEALTH AND HUMAN SERVICES

Senate Resolution 42/Senate Concurrent Resolution 58 – Urging Counties to Install Special Needs Recreational Playground Equipment in Park Playgrounds

The Disability and Communication Access Board (DCAB) supports the intent of Senate Resolution 42/Senate Concurrent Resolution 58 – Urging Counties to Install Special Needs Recreational Playground Equipment in Park Playgrounds.

Accessible playgrounds allow people with disabilities to play alongside their peers, promoting community inclusion. We would like to recommend several changes to the resolutions.

DCAB recommends replacing “special needs recreational playground equipment” with “accessible recreational playground equipment.”

DCAB recommends replacing terms such as “physically disabled children” or “youth” with person-first language, such as “people with disabilities.”

DCAB recommends the resolution direct the Department of Education and the Department of Accounting and General Services to convene a working group that includes the counties to create an inventory of all existing and planned State and county playgrounds, identify different types of accessible playgrounds equipment and the cost to purchase, install, and maintain such equipment, and provide recommendations for how the State and counties should add accessible playground equipment into their existing or future playgrounds.

Thank you for considering our position.

Respectfully submitted,

KIRBY L. SHAW
Executive Director



**STATE OF HAWAII
KA MOKU'ĀINA O HAWAII
STATE COUNCIL ON DEVELOPMENTAL DISABILITIES
'A'UNIKE MOKU'ĀPUNI NO KA NĀ KĀWAI KULA**

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April 1, 2025

The Honorable Senator Glenn Wakai, Chair
Senate Committee on Energy and Intergovernmental Affairs
The Honorable Senator Joy A. San Buenaventura, Chair
Senate Committee on Health and Human Services
The Thirty-Third Legislature
State Capitol
State of Hawai'i
Honolulu, Hawai'i 96813

Dear Senator Wakai, Senator San Buenaventura, and Committee Members:

**SUBJECT: SCR58/ SR42 URGING COUNTIES TO INSTALL SPECIAL NEEDS
RECREATIONAL PLAYGROUND EQUIPMENT IN PARK PLAYGROUNDS**

The Hawai'i State Council on Developmental Disabilities **supports SCR58/SR42** which is urging counties to install special needs recreational playground equipment in park playgrounds.

This resolution asks Hawaii's counties to install accessible recreational playground equipment in public parks to ensure that playgrounds are inclusive of all children, including those with intellectual and developmental disabilities. It calls for a minimal set of accessible equipment, such as wheelchair-accessible swings, and mandates compliance with the 2010 ADA Standards for Accessible Design to meet the necessary accessibility requirements. This initiative would benefit the (I/DD) community by providing inclusive spaces for children with I/DD to engage in physical activity, socialize with peers, and gain motor/cognitive skills.

While the Council supports this measure, **we respectfully request replacing "Special Needs" on page 1, title line, line 21, line 25, and line 29 with "Access and Functional Needs."** The term "Access and Functional Needs" is the appropriate language when referring to adults with disabilities, particularly in emergency planning and service delivery. There is nothing "special" about a person needing access to communication, mobility, or medical care—it's about ensuring equitable access and functional support for full participation in community life.

SCR58/ SR42 URGING COUNTIES TO INSTALL SPECIAL NEEDS RECREATIONAL PLAYGROUND
EQUIPMENT IN PARK PLAYGROUNDS

April 1, 2025

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We appreciate the opportunity to provide testimony in **support of SCR58/SR42.**

Sincerely,



Daintry Bartoldus
Executive Administrator

SR-42

Submitted on: 3/27/2025 8:12:09 PM

Testimony for EIG on 4/1/2025 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Louis Erteschik	Testifying for Hawaii Disability Rights Center	Support	In Person

Comments:

This is a really important issue. Sometimes the first step in the life of a child with a disability towards community inclusion is simply playing. To be excluded at such a young age can be traumatizing. While the ADA requires all construction after a certain date to comply with specific guidelines (and even for some older facilities in some contexts) we suspect that many playgrounds are not accessible for children with disabilities. HB 867 was previously passed in the House and would have gone a long way toward improving equal access to playgrounds for children with disabilities and providing funding for necessary upgrades.

Since many questions were raised at prior hearings regarding overlapping state and county jurisdictions and the potential cost of compliance, we believe that this Concurrent Resolution offers an opportunity to convene an Interim Work Group to more closely and comprehensively examine these issues. It would also be useful to know how many such playgrounds are not currently accessible with ADA standards, and where they are located in order to prioritize where resources should first be allocated.

For that reason we concur with the recommendations of DCAB, both in terms of their suggested terminology as well as the idea of including the Department of Education and the Department of Accounting and General Services to convene a working group that includes the counties to create an inventory of all existing and planned State and county playgrounds, identify different types of accessible playground equipment and the cost to purchase, install, and maintain such equipment, and provide recommendations for how the State and counties should add accessible playground equipment into their existing or future playgrounds.

Mahalo for your consideration.

SR-42

Submitted on: 3/30/2025 9:28:44 AM

Testimony for EIG on 4/1/2025 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jessica McCullum	Testifying for Autism Moms of Kona	Support	Remotely Via Zoom

Comments:

I support SR42, and suggest the following amendment in bold:

WHEREAS, the Legislature is committed to enhancing the inclusion of physically, **developmentally and intellectually** disabled youth in important socialization activities, including activities that occur at a playground; now, therefore,

There are many benefits to supporting not only physical activity for sensory and nervous system regulation through vestibular (movement) and proprioceptive (joint and muscle position), but also for encouraging functional speech and communication through naturalistic play. There is also opportunity here to support those who are non-speaking to encourage inclusion, and also to encourage the intellectually disabled and their caregivers to integrate in their community. Vanderbilt University and their All Access Inclusion Network has easy frameworks that have been successful in other areas for playground design of this nature.

SR-42

Submitted on: 3/27/2025 10:31:20 AM

Testimony for EIG on 4/1/2025 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Nikos Leverenz	Individual	Support	Written Testimony Only

Comments:

Chair Wakai, Vice Chair Chang, and EIG Committee Members:

Chair San Buenaventura, Vice Chair Aquino, and HHS Committee Members:

I write in support of SCR 58, which urges counties to install special needs recreational playground equipment in parks for person with physical disabilities.

Hopefully state and local governments will also seek to provide curated public spaces that meet the needs of persons with intellectual disabilities, including those who are autistic or neurodivergent.

Mahalo for the opportunity to provide testimony.

SR-42

Submitted on: 3/28/2025 8:17:16 AM

Testimony for EIG on 4/1/2025 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
ANNETTE TASHIRO	Individual	Comments	Written Testimony Only

Comments:

As a retired professional providing leisure and recreational services to persons with disabilities for over 40 years, I want to comment on the issue of urging counties to install special-needs recreational playground equipment in public parks. ADA is celebrating 35 years this year, on July 26, 2025. Section 504 of the original Rehabilitation Act of 1973 is over 50 years old. Hopefully, by now, common sense should reign. Rather than special equipment, Universal Design should take precedence. Why separate when children should be playing together on equipment designed for inclusivity? Before purchasing equipment, bring in the families and community where the equipment will be installed. "Nothing about us, without us" is the motto of the National Council on Independent Living. Please be more mindful before purchasing and installing playground equipment that people can use to play together.

SR-42

Submitted on: 3/29/2025 2:14:26 PM

Testimony for EIG on 4/1/2025 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Michael Olderr	Individual	Support	Written Testimony Only

Comments:

I support this resolution, and I hope you do too.

Good afternoon to the members of the committee,

My name is Nicole Walsh. I am a Master of Social Work candidate at Hawaii Pacific University and a research assistant at the Pacific Disabilities Center. I am here today to show my support for Senate Concurrent Resolution 58, as it provides equitable opportunity for children living with disabilities to play among their peers at the same playground. As someone who advocates and provides resources for those living with disabilities, I see the necessity for accessibility among all ages and at all places, even somewhere like a playground. Children deserve to have fun and have a space they can play without any obstacles getting in the way, regardless if they have a disability or not. The addition of accessible playground equipment in county parks is a step towards further empowerment for children living with disabilities. I appreciate the time you took to listen to me and thank you for giving me the opportunity to share my comments.