

JOSH GREEN, M.D.
GOVERNOR
KE KIA'ĀINA



DEPT. COMM. NO. 503

KEITH A. REGAN
COMPTROLLER
KA LUNA HO'OMALU HANA LAULĀ

CHRISTINE M. SAKUDA
CHIEF INFORMATION OFFICER
LUNA 'ENEHANA

STATE OF HAWAII'Ī | KA MOKU'ĀINA O HAWAII'Ī
DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES | KA 'OIHANA LOIHELU A LAWELAWÉ LAULĀ
OFFICE OF ENTERPRISE TECHNOLOGY SERVICES | KE'ENA HO'OLANA 'ENEHANA
P.O. BOX 119, HONOLULU, HAWAII 96810-0119

January 22, 2025

The Honorable Governor Josh Green, M.D.

The Honorable Ronald D. Kouchi
President of the Senate
and Members of the Senate
Thirty-Third State Legislature
State Capitol, Room 409
Honolulu, Hawai'i 96813

The Honorable Nadine K. Nakamura
Speaker and Members of the
House of Representatives
Thirty-Third State Legislature
State Capitol, Room 431
Honolulu, Hawai'i 96813

Aloha Governor Green, Senate President Kouchi, Speaker Nakamura, and Members of the Legislature:

Pursuant to Senate Resolution 5 (2024) urging the prompt implementation of the Hawai'i Electronic Information Technology Disability Access Standards as required by Act 172 (2022), find the attached report "describing the status of implementation of Act 172 making any recommendations for future legislation needed to ensure the State's electronic information technology meets or exceeds federal accessibility standards."

In accordance with HRS section 93-16, the report may be viewed electronically at <http://ets.hawaii.gov> (see "Reports").

Sincerely,

A handwritten signature in blue ink, appearing to be "KR", representing Keith A. Regan.

Keith A. Regan
Comptroller

A handwritten signature in blue ink, appearing to be "CS", representing Christine M. Sakuda.

Christine M. Sakuda
Chief Information Officer

Attachment

Summary of Work: Act 172 SLH 2022 - Relating to Electronic Information Technology Accessibility for Persons with Disabilities

This summary outlines the work of the Act 172 Working Group, tasked with developing and publishing the Hawaii Electronic Information Technology Disability Access Standards for the State of Hawaii, as required by Act 172 SLH 2022.

Goals and Objectives

Act 172 SLH 2022 seeks to ensure that all electronic information technology (EIT) used by state entities is accessible to individuals with disabilities. The Act requires the development of uniform accessibility standards, aligned with Section 508 of the Rehabilitation Act and the World Wide Web Consortium Web Accessibility Initiative guidelines. These standards will include functional performance criteria, technical requirements, procurement language recommendations, and recommendations for monitoring and enforcement.

Scope and Approach

The accessibility standards apply to all electronic information technology (EIT) that is developed, purchased, used, or provided by state entities. State entities include the executive, legislative, and judicial branches of the state government, including departments, divisions, agencies, offices, public bodies, public elementary and secondary schools, public postsecondary institutions, and the University of Hawaii.

The effort was led by the Office of Enterprise Technology Services (ETS) with input from the Disability and Communication Access Board (DCAB) and broader stakeholder consultation.

Working Group Members

The working group members are:

- Douglas Murdock, Formerly ETS
- Todd Omura, ETS
- Bryce Fujii, ETS
- Kelli Wang, ETS
- Jussi Sipola, ETS
- Kristine Pagano, DCAB
- Kirby Shaw, DCAB
- Bryan Mick, DCAB
- Curtis Motoyama, Formerly DCAB
- Candace Park, ATG

The broader group of stakeholders that were included in the review process are:

First Name	Last Name	Organization
Jennifer	Jones	Department of the Attorney General
Steven	Sung	Department of Business, Economic Development, and Tourism

Shellford	Cantan Jr.	Department of Human Services
Signe	Nakamura-Dureza	Department of Human Resources Development
James	Gashel	National Federation of the Blind (NFB)
Burt	Ramos	Tyler Hawaii
Sukita	Krysti	Department of Education
Matthew	Brown	State Library for the Blind and Print Disabled
Valerie	Kato	Department of Health
Debi	Tulang-De Silva	Judiciary, State of Hawai'i
Vanessa	Ito	University of Hawaii at Manoa
Garret	Yoshimi	University of Hawaii at Hilo
Carol	Taniguchi	Hawaii State Legislature – Senate
Brian	Takeshita	Hawaii State Legislature – House
Rosie	Rowe	Learning Disabilities Association of Hawaii/Leadership in Disabilities and Achievement
Dr. Violet	Horvath	JABSOM
Daintry	Bartoldus	Hawaii State Council on Developmental Disabilities
LisaAnn	Tom	Relay Hawaii
Therese	Nakadomari	University of Hawaii – West Oahu
Steven	Schulte	University of Hawaii Community Colleges
Todd	Kobayashi	University of Hawaii Community Colleges
Raphael	Lowe	University of Hawaii Community Colleges
Maritza	Mandarino	University of Hawaii Community Colleges
Tad	Saiki	University of Hawaii Community Colleges
Bryce	Hieda	University of Hawaii Community Colleges
Michael	McIntosh	University of Hawaii Community Colleges
Jodi	Asato	Assistive Technology Resource Centers (ATRC)
Jen	Braze	Assistive Technology Resource Centers (ATRC)
Travis	Vermeulen	Siteimprove
Bonnie	Kahakui	State Procurement Office

Working Group Activities

The working group started its work in August 2022 and wrapped up in December 2024. The working group met bi-weekly to discuss the scoping of work, share research and findings, identify key assignments and timelines, consult with additional stakeholders, gather and review stakeholder feedback, and develop and finalize the accessibility standards.

Major Milestones

1. Understanding Legal Frameworks

- Reviewed Act 172, Section 508, ADA, WCAG, and related state and federal policies.

- Researched accessibility policies and guidelines across other state governments and universities.
 - Clarified scope, technical requirements, and functional criteria.
- 2. Stakeholder Engagement**
- Convened a working group with representatives from various state agencies, educational institutions, and accessibility advocates.
 - Consulted with other states and universities (e.g., Illinois, UH) to understand best practices and past initiatives.
 - Consulted with the State Procurement Office (SPO) to discuss how the accessibility standards should be incorporated into statewide procurement procedures.
- 3. Development of Draft Standards**
- ETS led the development of the initial draft of the accessibility standards.
 - Defined accessibility standards referencing Section 508 and WCAG 2.1 AA.
 - The working group provided additional input and refinements to the draft.
- 4. Procurement and Enforcement Strategies**
- Engaged in discussions with the SPO on the appropriate approach for the working group to incorporate the procurement language into existing state procurement processes.
 - Drafted language for procurement processes and ensured alignment with accessibility requirements.
- 5. Feedback and Revision:**
- Shared the draft with the broader group of stakeholders and agencies were given the opportunity to submit feedback.
 - Substantial feedback was received from the Judiciary, National Federation of the Blind, and a well-known civilian proponent (Peter Fritz).
 - Incorporated feedback from the stakeholders and updated the draft accordingly.
- 6. Finalization**
- Reviewed by the ETS and DOH Deputy Attorney General for legal compliance and clarity.
 - Document finalized with proper formatting, document control, and accessibility compliance.
 - Prepared for publication through official state channels and communications to stakeholders.
 - Published the final Access Standards on December 26, 2024, provided a report to the legislature, and published on the ETS website at <https://ets.hawaii.gov/reports/>.

Recommendations and Next Steps

- **Implementation:**
 - ETS shall publish the Hawaii Electronic Information Technology Disability Access Standards on the Reports to the Legislature page of the ETS website: <https://ets.hawaii.gov/reports/>.
 - CIO shall consult with the Office of the Governor to determine whether a new Administrative Directive is needed in addition or amendment to Administrative Directive No. 12-06 dated December, 18, 2012: [FY-2012-AD-12-06-Accessibility-to-State-Government-by-Persons-with-Disabilities.pdf](#)

- CIO shall consult with the Comptroller to determine whether a new Comptroller's memo is needed to supersede Comptroller's Memorandum 2010-28 dated August 25, 2010: [FY-2012-AD-12-06-Accessibility-to-State-Government-by-Persons-with-Disabilities.pdf](#)
- **Future Legislation:**
 - DCAB has requested FY26 funding for 1 FTE for a Program Specialist to support statewide compliance of the accessibility standards.
 - ETS has requested FY26 funding for services to deliver a statewide website accessibility training program to support departments in their compliance with the accessibility standards.