

STATE BOARD OF GUIDE DOGS FOR THE BLIND
FINAL STATEMENT OF REASONS

Hearing Date: October 25, 2010

Subject Matter of Proposed Regulations: Completion of Requirements for License as Instructor; Apprentice Standards; Minimum Instruction; Assignment of Dogs; Required Training

Sections Affected: 2260, 2266, 2282 and 2282.1

Updated Information

The Initial Statement of Reasons is included in the file and the information contained therein is updated as follows:

Amendment of Section 2260 (Completion of Requirements for License as Instructor).

The Board modified text to section 2260 as follows:

- Clarify that an apprenticeship could be used to meet the three year experience as an instructor requirement.
- Consolidate the language in the originally proposed last two sections and include said language in the first three sections.

Amendment of Section 2266 (Apprentice Standards; Minimum Instruction)

The Board modified text to section 2266 as follows:

- Deleted requirement that supervision of apprentices be both direct and immediate.
- Removed supervision requirement of twenty hours of such instruction not less than 20 hours a week for a period of not less than one year. Such a requirement is duplicative of the three years of instruction under supervision requirement as set forth in section 2260.

The Board issued a 15-day Notice of Modified Text to modify sections 2260 and 2266 as described above.

Local Mandate

A mandate is not imposed on local agencies or school districts.

Small Business Impact

This regulatory action does not have any significant adverse economic impact on small businesses.

Consideration of Alternatives

No reasonable alternative which was considered or that has otherwise been identified and brought to the attention of the board/bureau/commission/program would be either more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed regulation.

Objections or Recommendations/Responses

The following objections were made regarding the proposed action:

- Section 2266 (Apprentice Standards; Minimum Instruction)

Comment: All dogs should be tested by an instructor who is blindfolded, or by a person who is blind or visually impaired that works for the school. (Guide Dog Users of California).

Response: *Section 2266 (Apprentice Standards; Minimum Instruction) – The Board rejects the comment for this section. First, the proposed change to 2282.1 adds a requirement that guide dogs shall be tested by a qualified handler under blindfold. The school may use a blind individual or a licensed instructor for this task. Regardless, the Board feels that adding this requirement to 2282.1 addresses the concern from GDUC. Second, 2266 is not the appropriate section to address said concern. Section 2260 (Completion of Requirements for License as Instructor) references experience as provided in section 2282 – with reference to blindfold test.*

- Section 2282 (Preliminary Training of Dogs)

Comment: The elimination of the 90 day minimum training period will result in the delivery of less mature dogs to handlers. (California Council of the Blind)

Response: *Section 2282 (Preliminary Training of Dogs) – The Board rejects the comments for this section. Currently, guide dogs are required to receive 90 days of training six months prior to being paired with a client (guide dog user). The proposed language would require guide dogs to meet a longer list of competencies (as proposed in section 2282.1), be tested under blindfold, and complete all testing for competencies 60 days prior to being paired with a client. Having a competency based standard allows for individualized training based upon each dog's needs and the licensed instructor's assessment of said dog for maintaining a high standard of training.*

Comment: There is a concern that immature guide dogs will, in spite of the mastery of skills, be more prone to making errors in judgment while working with their handlers, and that it will take longer for these immature dogs to develop the rapport with their handlers that found in mature guide dog teams. [Note: Both the California Council of the Blind and the Guide Dog Users of California made the same comment]

Response: *Currently, there is no requirement for the age of the guide dog prior to being paired with a client. The current best practice is for guide dogs to*

spend 12 to 18 months with a puppy raiser, receive a minimum of 90 days of training from a school. This best practice model leads to guide dogs being paired between ages two and three. The proposed change to 2282 will not affect the current best practice. Additionally, schools spend a minimum of 10 weeks providing formal training to guide dogs, so the 90 days will be closely met by best practice.

No comments were received regarding the modified text to sections 2260 and 2266.