

# STATE BOARD OF GUIDE DOGS FOR THE BLIND

## INITIAL STATEMENT OF REASONS

Hearing Date: **October 25, 2010**

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

Sections Affected: 2260, 2266, 2282, and 2282.1

### **Introduction**

On September 26, 2008, Board President Jeff Neidich established a Practice Task Force. Since 2008, the Task Force (comprised of three (3) senior guide dog instructors from the three (3) licensed guide dog schools) has initiated recommendations to the Board to make statutory and regulatory changes to focus on defining training competencies, update terminology to meet international training standards, and to clarify language where it is unclear. The Task Force was convened as a way to review all statutes and regulations pertaining to the practice of guide dog instruction. The Task Force is in lieu of licensee members on the Board. There are no current licensees on the Board.

### **Specific Purpose of each adoption, amendment, or repeal:**

#### **1. Amend Section 2260**

The proposed amendment would better define experience and make clear to whom verification must be provided.

#### **Factual Basis/Rationale**

Section 2260 addresses what experience qualifies an applicant to sit for the licensing examination. Verification is currently alluded to, but undefined. The proposed amendment would better define experience and make clear to whom verification must be provided. Having someone in a supervisory position verifying the training would ensure that the applicant has successfully completed training. This would ensure that the public is protected from inexperienced trainers who handle and train guide dogs that might not be capable of assisting blind persons adequately.

#### **2. Amend Section 2266**

The proposed amendment would delete the requirement that an apprentice has had one

year of actual experience in working with the training of dogs.

### Factual Basis/Rationale

Business and Professions Code Section 7208 specifies that the Board may govern the operation of schools that furnish guide dogs and train blind persons to use guide dogs.

Existing regulations specify that apprentices are required to have one (1) year of experience working in a kennel before becoming an apprentice. Three (3) guide dog schools have notified the Board that good candidates have been overlooked due to this requirement. The requirement also discourages individuals that may not want to wait a year working in a kennel before commencing a three (3) year apprenticeship. Client training has become more of a focus for apprentices over the years as is indicated in the current Occupational Analysis performed by the Board. Many trainees are entering the field carrying degrees from a client-based background rather than a dog-based background (i.e. Orientation & Mobility (O&M), Psychology, etc.).

The requirement that 20 hours a week for one year under direct and immediate supervision is deleted because it is duplicative and inconsistent with the amended section 2260. Section 2260, as amended, would require all three (3) years of experience be under supervision of an instructor.

### 3. Renumber Section 2282 to 2282.1

The proposed amendment would specify that an instructor shall have verified that the dog meets the requirements set forth in Section 2282.

### Factual Basis/Rationale

Section 2282 currently prescribes 90 days of training for a guide dog, six (6) months prior to assignment. Section 2282.1 prescribes the training competencies for the guide dog. Reversing the order of these two sections would be a logical shift because the expectation is that guide dogs meet competencies first and then those competencies are verified before assignment to a client. Also, six (6) months may be a long time between training the guide dog for competency and pairing him up with an individual. Hence, the recommendation is to make the verification of training be provided within 60 days prior to assignment.

### 4. Renumber Section 2282.1 to 2282

The proposed regulations would clarify the required training for guide dogs and add four (4) additional competencies through training and testing.

### Factual Basis/Rationale

Section 2282 currently prescribes 90 days of training for a guide dog, six (6) months prior to assignment. Section 2282.1 prescribes the training competencies for the guide dog. To reverse the order of the two sections and change “Preliminary Training of Dogs” to “Assignment of Dogs,” would be a logical shift.

Requiring that guide dogs be trained and tested to meet 12 competencies will ensure more guide dog user satisfaction. Currently, there are eight (8) competency requirements to be expected of a team-ready guide dog. Also, there are no testing requirements for the existing competencies. This section would be amended to be more current with international training terminology and add additional requirements. The best existing practice of schools is to test each guide dog before pairing it with a client. Consumers requested codification into law of this best practice. This requirement would ensure the best practice continue for existing schools and exist for any new guide dog schools. In addition, all competencies will be tested and documented for verification.

### Underlying Data

Technical, theoretical or empirical studies or reports relied upon (if any):

- Side-by-side comparison of Board competencies for guide dogs, Guide Dogs for the Blind, Inc. competencies, International Guide Dog Federation Competencies, and competencies recommended by the August, 2009 Practice Task Force Meeting.
- Occupational Analysis

### Business Impact

This proposed regulation will have no adverse financial effect on business, i.e. the three (3) licensed guide dog schools. This regulation change will make sure that dogs meet the necessary requirements, specified in Section 2282, 60 days before being placed in a team. This differs from the existing regulation that requires 90 days of training before a dog could be placed in a team. In the event that a dog passes the competencies before a full 90 days of training, this will actually create cost savings to the licensed guide dog schools.

### Specific Technologies or Equipment

This regulation does not mandate the use of specific technologies or equipment.

## Consideration of Alternatives

No reasonable alternative to the regulation 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.

Set forth below are the alternatives which were considered and the reasons each alternative was rejected:

If the Board maintained the status quo, it could result in a smaller pool of qualified apprentices for the guide dog schools, and guide dog competencies could continue to include 1962 language such as “ability to ride a street car.”