

## **California State Board of Guide Dogs for the Blind Proposed Language for Agenda Item 3**

### **California Code of Regulations Section 2250 – Location of Office**

#### **EXISTING LANGUAGE**

The principal office of the California State Board of Guide Dogs for the Blind is located at 1625 N. Market Blvd., Suite S-202, Sacramento, California, 95834.

#### **PROPOSED LANGUAGE**

The principal office of the California State Board of Guide Dogs for the Blind is located at 1625 N. Market Blvd., Sacramento, California, 95834.

### **California Code of Regulations Section 2252 – Definitions**

#### **EXISTING LANGUAGE**

For purposes of this chapter,

- (a) The term “Board” means California State Board of Guide Dogs for the Blind;
- (b) The term “Code” means, unless otherwise designated, Business and Professions Code.
- (c) The term “guide dog” means a dog being trained or that has completed training to provide mobility assistance to a blind person.
- (d) The term “client” means a student who is receiving instruction, a blind person who has completed instruction, or a graduate who has completed instruction from a guide dog school or instructor licensed by the Board.
- (e) The term “guide dog team” is the man-dog unit or person-dog unit as discussed in the Code.
- (f) The term “apprentice” means anyone that works for a licensed guide dog school that meets the standards as set forth by sections 2260 and 2266.
- (g) The term “instruction” means to instruct a blind person in the use of a guide dog. Instruction includes follow-up instruction with a client.

#### **PROPOSED LANGUAGE**

For purposes of this chapter,

- (a) The term “Board” means California State Board of Guide Dogs for the Blind;
- (b) The term “Code” means, unless otherwise designated, Business and Professions Code.
- (c) The term “guide dog” means a dog being trained or that has completed training to provide mobility assistance to a person with low or no vision.
- (d) The term “client” means a person who is receiving, or has received instruction from a guide dog school or instructor licensed by the Board.
- (e) The term “guide dog team” is the man-dog unit or person-dog unit as discussed in the Code.
- (f) The term “apprentice” means anyone that works for a licensed guide dog school that meets the standards as set forth by sections 2260 and 2266.
- (g) The term “instruction” means to instruct a blind person in the use of a guide dog. Instruction includes follow-up instruction with a client.

(h) The term “school” means any place, establishment, or institution organized and operated to train, sell hire, or otherwise be in the business of supplying guide dogs for use by blind persons or to offer instruction to blind persons in the use of guide dogs.

## **California Code of Regulations Section 2253 – Delegation of Certain Functions**

### **EXISTING LANGUAGE**

The power and discretion conferred by law upon the Board to receive and file accusations; issue notices of hearings, statements to respondent and statements of issue; receive and file notices of defense; determine the time and place of hearings under Section 11508 of the Government Code; issue subpoenas and subpoenas duces tecum; set and calendar cases for hearing and perform other functions necessary to the business-like dispatch of the business of the Board in connection with proceedings under the provisions of Sections 11500 through 11528 of the Government Code, prior to the hearing of such proceedings; and the certification and delivery or mailing of copies of decisions under Section 11518 of the Government Code are hereby delegated to and conferred upon the secretary.

### **PROPOSED LANGUAGE**

The power and discretion conferred by law upon the Board to receive and file accusations; issue notices of hearings, statements to respondent and statements of issue; receive and file notices of defense; determine the time and place of hearings under Section 11508 of the Government Code; issue subpoenas and subpoenas duces tecum; set and calendar cases for hearing and perform other functions necessary to the business-like dispatch of the business of the Board in connection with proceedings under the provisions of Sections 11500 through 11528 of the Government Code, prior to the hearing of such proceedings; and the certification and delivery or mailing of copies of decisions under Section 11518 of the Government Code are hereby delegated to and conferred upon the Executive Officer.

## **California Code of Regulations Section 2254 – Filing of Addresses**

### **EXISTING LANGUAGE**

Each person holding a license or other authority issued by the Board shall file his mailing address with the Board, at its office in Sacramento, and shall notify the Board at its said principal office of any changes of mailing address within thirty (30) days of any such change.

### **PROPOSED LANGUAGE**

Each person holding a license or other authority issued by the Board shall file his physical and electronic mailing address with the Board, and shall notify the Board at its said principal office of any changes of address within thirty (30) days of any such change.

## **California Code of Regulations Section 2259 – Applications**

### **EXISTING LANGUAGE**

(a) An application for a license shall be submitted on an application form prescribed and provided by the Board, accompanied by such evidence, statement, or documents as therein required, and filed with the Board at its office in Sacramento.

### **PROPOSED LANGUAGE**

(a) An application for a license shall be submitted on an application form prescribed and provided by the Board, accompanied by such evidence, statement, or documents as therein required, and filed with the Board at its said principal office.

## **California Code of Regulations Section 2262 – License Period**

### **EXISTING LANGUAGE**

(a) A school license expires on April 30th of each calendar year, and unless renewed by the date of expiration shall be automatically forfeited and may be reinstated or renewed only after payment of

the renewal fee.

**PROPOSED LANGUAGE**

(a) A school license expires on April 30th of each year, and unless renewed by the date of expiration shall be automatically forfeited and may be reinstated or renewed only after payment of the renewal fee in effect at the time of renewal.

**California Code of Regulations Section 2262.1 – Annual School Renewal Payment**

**EXISTING LANGUAGE**

**Annual School Renewal Payment.**

(a) On or before April 30, 2010, the rate for calculating the annual school renewal fee pursuant to Section 7200.7 is 0.004 of all school expenses incurred in the most recently concluded school calendar year, as determined by the immediately preceding fiscal year audit required annually by section 7217 of the Code.

(b) After April 30, 2010, the rate for calculating the annual school renewal fee pursuant to Section 7200.7 is 0.00425 of all school expenses incurred in the most recently concluded school calendar year, as determined by the immediately preceding fiscal year audit required annually by section 7217 of the Code.

(c) The renewal fee shall be paid no later than April 30th of each calendar year.

**PROPOSED LANGUAGE**

**Annual School Renewal Requirements**

Each year, on or before April 30, the school shall complete the following to renew its license:

- (1) Pay an annual renewal fee. The renewal fee shall be paid no later than April 30<sup>th</sup> of each year. The rate for calculating the annual school renewal fee pursuant to Section 7200.7 is 0.00425 of all school expenses incurred in the most recently concluded school fiscal year, as determined by the immediately preceding fiscal year audit required annually by section 7217 of the Code.
- (2) Obtain a school inspection verifying compliance with sections 2271 (a) (Living Quarters; Attendants), 2276 (Client Instruction), and 2282 (Required Training) for license renewal.
- (3) Verify submission of reports. A school shall verify submission to the Board all requisite forms, reports, and fees as required by the State of California, Office of the Attorney General's Registry of Charitable Trusts.

**California Code of Regulations Section 2264 – Reinstatement of License**

**EXISTING LANGUAGE**

(b) A license may be renewed while under suspension upon filing a renewal application accompanied by the required renewal fee.

**PROPOSED LANGUAGE**

(b) A license may be renewed while under suspension upon filing a renewal application accompanied by the required renewal fee in effect at time of renewal and verification of compliance with the continuing education requirement in section 2286.

**California Code of Regulations Section 2267 – Names of Apprentices**

**EXISTING LANGUAGE**

Each school shall provide the board with the name of each person employed or classified as an apprentice within thirty (30) days after such person is so employed or classified and shall certify the

date of hire or classification as an apprentice and that the apprentice meets the requirements of Section 2266.

**PROPOSED LANGUAGE**

Each school shall provide the board with the name of each person employed or classified as an apprentice within thirty (30) days after such person is so employed or classified and shall certify the date of hire or classification as an apprentice and that the apprentice meets the requirements of Section 2266. Each school shall notify the Board within thirty (30) days after such person ceases to be employed or classified as an apprentice.

**California Code of Regulations Section 2268.2 – Donations; Records**

**EXISTING LANGUAGE**

(d) The licensee shall verify to the Board all requisite forms, reports, and fees required by the State of California, Office of the Attorney General's Registry of Charitable Trusts have been submitted. Such records shall be furnished to the Board upon demand.

**PROPOSED LANGUAGE**

(d) The licensee shall verify to the Board all requisite forms, reports, and fees required by the State of California, Office of the Attorney General's Registry of Charitable Trusts have been submitted. Such records shall be furnished to the Board upon request of the Executive Officer.

**California Code of Regulations Section 2271 – Living Quarters; Attendants**

**EXISTING LANGUAGE**

(a) Living Quarters. A guide dog training school shall provide adequate living quarters at the school where the guide dog and the person being taught to use the dog may live together, such living quarters to be clean and sanitary. The school's facilities, including but not limited to, heating and cooling, ventilation, lighting, dormitories, class areas, kennels, and campus environment, shall be clean and functional at all times. The school shall maintain on file all valid permits required by any public agency relating to the health and safety of the school's facilities or equipment, and such permits shall be available to the Board upon request.

**PROPOSED LANGUAGE**

(a) Living Quarters. A guide dog training school shall provide adequate living quarters at the school where the guide dog and the person being taught to use the dog may live together. Such living quarters shall be clean and sanitary. The school's facilities, including but not limited to, heating and cooling, ventilation, lighting, dormitories, class areas, kennels, and campus environment, shall be clean and functional at all times. The school shall maintain on file all valid permits required by any public agency relating to the health and safety of the school's facilities or equipment, and such permits shall be available to the Board upon request of the Executive Officer.

**California Code of Regulations Section 2273 – Inspection**

**EXISTING LANGUAGE**

Schools for the training of guide dogs and their use and the instruction of blind persons in such use shall be open to inspection at all times by the Board, its representatives, or any person or agency authorized by it.

**PROPOSED LANGUAGE**

A school and its records for the training of guide dogs and their use and the instruction of blind persons in such use shall be open to inspection at all times by the Board, its representatives, or any person or agency authorized by it. A school shall submit requested records to the Board by a due date to be determined by the Executive Officer not sooner than ten business days from the date of the request.

## California Code of Regulations Section 2278 – Names and Addresses of Students

### EXISTING LANGUAGE

Schools shall provide the board with a list of all students enrolled, and also with the names and addresses of all students graduated.

### PROPOSED LANGUAGE

A school shall provide the Board with a list of all clients enrolled, and also with the names and physical and electronic mailing addresses of all clients graduated within 30 calendar days of graduation.

## California Code of Regulations Section 2281 – Names of Apprentices

### EXISTING LANGUAGE

Names of Apprentices. [Renumbered]

### PROPOSED LANGUAGE

**§ 2281. Notice Requirements for Guide Dogs Schools, Guide Dog Instructors, and Licenses to Solicit Funds**(a) A licensee engaged in the practice of guide dog instruction shall provide notice of licensure to each client.

(b) Proof of the notice to the client shall be provided by:

(1) Including the notice in a written statement, signed and dated by the client and retained in that client's records, stating the client understands the guide dog instructor is licensed and regulated by the Board.

(c) A licensee engaged in the practice of raising funds for the establishment of a guide school, or licensed guide dog schools raising funds, shall provide this notice to each donor stating that they are licensed and regulated by the Board. Proof of the notice to the donor shall be provided by the following methods:

(1) Prominently posting the notice in an area visible to donors on the premises where the licensee provides the licensed services, in which case the notice shall be in at least 48-point type in Arial font; and

(2) Including the notice on any solicitation materials including electronic communications, social media, direct mail, and Web sites.

(d) The notice for a guide dog instructor, guide dog school, or a licensee to solicit funds shall include the following statement and information:

#### NOTICE

[Insert name of guide dog school, guide dog instructor, or licensee to solicit funds]

Guide Dog Instructors, Guide Dog Schools and Licensees to Solicit Funds for the

Establishment of a Guide Dog School are Licensed and Regulated by the

State Board of Guide Dogs for the Blind

(916) 574-7825

[www.guidedogboard.ca.gov](http://www.guidedogboard.ca.gov)

## California Code of Regulations Section 2282 – Required Training

### EXISTING LANGUAGE

## **§ 2282. Required Training**

(a) Guide dogs shall be trained and tested to:

- (1) Acknowledge the beginning and end of a block, regardless of curb type.
- (2) Stop or pause at notable changes of elevation in walking surfaces.
- (3) Respond appropriately to basic directional guide work and obedience commands.
- (4) Work sidewalk less and rounded corner areas and appropriately acknowledge intersecting streets.
- (5) Move the handler away from obstacles or stop when there is insufficient room for clearance.
- (6) Maintain a safe distance or buffer from potentially threatening vehicles. Target the appropriate up curb location.
- (7) Refocus when directed on its working task when distracted by certain stimulants such as persons, animals, or food.
- (8) Under direction of a handler, negotiate public transportation and ride appropriately.
- (9) Work at a consistent steady pace, providing safe, effective and fluid movement appropriate to its handler and travel conditions.
- (10) Behave appropriately in all locations both in and out of harness.
- (11) Effectively work in buildings, find doors on command, and negotiate stairs, ramps, and elevators as needed.
- (12) Display suitable house manners: free of destructive habits, excessive barking and indiscriminate relieving; be handled easily by client for general care and management; demonstrate the ability to behave properly when left along for a reasonable period of time.

(b) Guide dogs shall be tested by a qualified handler under blindfold. A verification of successful completion of the required training and testing shall be retained by the school in its records.

## **PROPOSED LANGUAGE**

### **§ 2282. Required Training of a Guide Dog.**

(a) Guide dogs shall be trained and tested to:

- (1) Acknowledge the beginning and end of a block, regardless of curb type.
- (2) Stop or pause at notable changes of elevation in walking surfaces.
- (3) Respond appropriately to basic directional guide work and obedience commands.
- (4) Work sidewalk less and rounded corner areas and appropriately acknowledge intersecting streets.
- (5) Move the handler away from obstacles or stop when there is insufficient room for clearance.
- (6) Maintain a safe distance or buffer from potentially threatening vehicles. Target the appropriate up curb location.
- (7) Refocus when directed on its working task when distracted by certain stimulants such as persons, animals, or food.
- (8) Under direction of a handler, negotiate public transportation and ride appropriately.
- (9) Work at a consistent steady pace, providing safe, effective and fluid movement appropriate to its handler and travel conditions.
- (10) Behave appropriately in all locations both in and out of harness.
- (11) Effectively work in buildings, find doors on command, and negotiate stairs, ramps, and elevators as needed.
- (12) Display suitable house manners: free of destructive habits, excessive barking and indiscriminate relieving; be handled easily by client for general care and management; demonstrate the ability to behave properly when left alone for a reasonable period of time.

(b) Guide dogs shall be tested by a qualified handler under blindfold. A verification of successful completion of the required training and testing shall be retained by the school in its records and shall contain the date of testing and the name of the instructor administering the testing.

## **California Code of Regulations Section 2286 – Continuing Education**

### **EXISTING LANGUAGE**

#### **§ 2286. Continuing Education.**

(a) As a condition of renewal of an instructor's license which expires on or after June 30, 1996, the instructor shall provide proof to the board of completion of not less than 8 hours of continuing education obtained within 12 months prior to license renewal. Proof of completion of continuing education shall be in form of a written declaration specifically naming the activity, the dates involved, any costs, and the name of the instructor, and institution or sponsoring organization.

(b) An instructor shall provide proof to the board of completion of one or a combination of any of the following totaling 8 hours:

(1) in a board approved course or seminar, regarding blindness mobility, health issues relating to blindness, instructing blind persons, and care and training of dogs.

(2) attendance at meetings of guide dog user organizations or organizations of the blind.

(3) participation in self-study videos or online coursework (per CCR 16 § 2286(b)(1)).

(c) Pre-approval of courses or attendance of meeting or seminars may be obtained by submitting to the board a description of the activity, the number of hours and the subject matter to be covered, name and address of the instructor, and name of the sponsor or organization providing the activity, writing at least 30 days preceding the activity. The board shall inform the applicant of the status of the activity prior to the onset, unless impractical to do so.

(d) Proof of completion of continuing education shall be in the form of a written declaration signed by the licensee containing the following information: name of the activity, date(s) of the activity, cost instruction or activity, name and address of the instructor, and name of the sponsor or the organization providing the activity.

#### **PROPOSED LANGUAGE**

##### **§ 2262.2. Instructor Renewal Requirements.**

Each year, on or before the expiration of an instructor's license, the instructor shall submit the following for license renewal:

(a) Submit a renewal fee of \$100.

(b) Provide proof of continuing education. The instructor shall provide proof to the Board of completion of not less than 8 hours of continuing education obtained within 12 months prior to license renewal. Proof of completion of continuing education shall be in the form of a written declaration specifically naming the activity, the dates involved, any costs, and the name of the instructor, and the institution or sponsoring organization. An instructor shall provide proof to the Board of completion of one or a combination of any of the following totaling 8 hours:

(1) in a Board approved course or seminar, regarding blindness mobility, health issues relating to blindness, instructing blind persons, and care and training of dogs.

(2) attendance at meetings of guide dog user organizations or organizations of the blind.

(3) participation in self-study videos or online coursework (per CCR 16 § 2286(b)(1)).

(c) Pre-approval of courses or attendance of meeting or seminars may be obtained by submitting to the Board a description of the activity, the number of hours and the subject matter to be covered, name of the instructor, and name of the sponsor or organization providing the activity, writing at least 30 days preceding the activity. The Board shall inform the applicant of the status of the activity prior to the onset, unless impractical to do so.

## **California Code of Regulations Section 2293 – School Requirements Regarding Continued Use of a Guide Dog**

#### **EXISTING LANGUAGE**

(a) Except for circumstances described in Business and Professions Code section 7215.6(f), whenever a school retains title to a trained guide dog and decides not to permit the continued use of the dog by its user, the school shall do all of the following:

(1) Issue a written letter of intent to the user that the school intends not to permit continued use of the dog.

(2) Provide the user a copy of the law and regulations pertaining to the arbitration provisions of Chapter 9.5 of Division 3 of the Code (commencing with section 7215.6).

(3) Provide the user with a record of the Board's name, physical address, web site address, and telephone number.

(4) The items described above shall be provided to the user by personal delivery, by first class mail, postage prepaid, with return receipt requested, or substantially similar means designed to ensure actual notice to the user as determined by the Board in its discretion.

#### **PROPOSED LANGUAGE**

(a) Except for circumstances described in Business and Professions Code section 7215.6(f), whenever a school retains title to a trained guide dog and decides not to permit the continued use of the dog by its user, the school shall do all of the following:

(1) Issue a written letter of intent, accessible to the user that the school intends not to permit continued use of the dog.

(2) Provide the user an accessible copy of the law and regulations pertaining to the arbitration provisions of Chapter 9.5 of Division 3 of the Code (commencing with section 7215.6).

(3) Provide the user with an accessible record of the Board's name, physical address, web site address, and telephone number.

(4) The items described above shall be provided to the user by personal delivery, by first class mail, postage prepaid, with return receipt requested, or substantially similar means designed to ensure actual notice to the user as determined by the Board in its discretion.