California State Board of Guide Dogs for the Blind
1625 N. Market Blvd., Suite N-112 | Sacramento, CA 95834
Phone: 916-574-7826 | Fax: 916-574-7829 | Email: guidedogboard@dca.ca.gov
www.guidedogboard.ca.gov

DRAFT Board Meeting Minutes

Monday, July 20, 2015
Teleconference Phone Number: 1-866-692-3158
Participant Code: 99686782

Department of Consumer Affairs - Trinity Room
1625 N. Market Blvd
Sacramento, CA 95834

1921 Bella Coola Drive
South Lake Tahoe, CA 96150

1947 Center Street
Berkeley, CA 94704

Board Members
Eric Holm, President
Carmen Delgado, Vice President
Don Brown
Rosa Gomez
Joan Patche

Executive Officer (EO)
Brian Skewis

Legal Counsel
Claire Yazigi
Ravinder Kapoor

AGENDA

1. Call to Order/Roll Call /Establishment of a quorum
   President Holm called the meeting to order, discussed meeting rules and housekeeping items. EO Skewis took roll. 5 Board Members were recorded as present and a quorum was established.

2. President's Welcome
   President Holm welcomed Board Members and guests to the meeting and gave guests the opportunity to introduce themselves.

3. Swearing in of new Board Member Rosa Gomez and reappointed Board Member Eric Holm
   EO Skewis administered the oath to Member Gomez and President Holm

4. Approval of the May 11, 2015 Board Meeting Minutes

   Member Brown moved to approve the minutes as presented to the Board
   Vice President Delgado seconded the motion
   Motion Passed: 5 ayes, 0 no's, 0 abstentions

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5. Executive Officer's Report

a. Budget Report

EO Skewis outlined the Board's expenditures and revenue for the previous fiscal year noting a $36K deficit between expenditures and revenue resulting in a negative impact to the fund condition. Moving forward, the Board's expenditures and revenue has been balanced through the elimination of the Board's part-time Office Technician position.

b. Examination Update

EO Skewis reported that there are 8 applicants to take the Instructor examination in the week following the meeting. Those applicants are from 4 different guide dog schools across the country.

c. Regulations and Legislation Update

EO Skewis reported that Board staff is continuing to work on the regulations packages for language recently approved by the Board regarding general cleanup and examinations.

Regarding legislation, EO Skewis discussed Senate Bill 799 which contains the Board's statutory cleanup language and then explained the internal process for analyzing legislation that affects multiple state bodies and determining if it will affect the Guide Dog Board.

d. Education and Outreach Committee Update

EO Skewis reported that on July 2, 2015 the Education and Outreach Committee met to discuss various ways that the Board can communicate with guide dog users and the public in general. The general consensus of public attendees and Committee Members was that there are a significant number of guide dog users that do not know the Board exists. The Committee and public attendees discussed several ways that the Board can better educate guide dog users. EO Skewis is in the process of developing several of the ideas identified for future use. A main point of focus was that being present in the community is extremely important.

Vice President Delgado asked if there will be an outreach plan prior to implementation. EO Skewis stated that there will be a plan developed and prioritized prior to implementation which will be discussed by the Committee. EO Skewis hopes to utilize Board Members as well as staff to achieve the goal of effective outreach.

e. Practice Task Force Update

EO Skewis stated that due to unforeseen difficulties, the Task Force was unable to meet prior to the Board Meeting.

6. Discussion and possible action regarding the Board's consideration of International Guide Dog Federation (IGDF) accreditation and the possibility of it integrating into the Board's licensing and examination processes.

EO Skewis gave a summary of the previous meeting which contained a presentation from IGDF Chair Jim Kutsch and a motion by the Board to delegate to EO Skewis further research on the topic. EO Skewis stated that his main focus in researching the topic was to balance consumer protection with consumer choice. EO Skewis stated that there were three topics that required further research: a lack of clarity in terminology, determining if there is a barrier to licensure, and finally to determine if IGDF accreditation should be part of the Board's licensure process.

EO Skewis explained that the term "instruction" is the only term related to the discussion that is actually defined in the Board's statues and regulations. He then explained the differences and similarities between instruction, orientation and mobility, and follow-up services. There are services provided after graduation that involve and do not involve instruction and the crux of the issue is figuring out what services should require licensure and which services are not specifically related to guide work. EO Skewis stated that perhaps the term "aftercare" is a better term to use than "follow-up services" for the purpose of this conversation. General discussion took place regarding what services required licensure, what constitutes instruction, and the clarity of Board definitions.

EO Skewis discussed his research regarding IGDF accreditation and how it may potentially integrate into the Board's licensure process. He stated that there is a lack of connection between a school meeting IGDF accreditation standards and an instructor meeting minimum qualifications for the profession. While IGDF schools are required to have curriculum and examination procedures in place to train and evaluate instructors under their employment, there is no third party evaluation that takes place. EO Skewis stated that the lack of a third party evaluation prevents him from recommending that the Board accept IGDF accreditation of a school as equivalency of an instructor passing the Board's licensing exam. Discussion took place by the Board regarding EO Skewis' recommendation not to accept IGDF accreditation as equivalency of an individual passing the licensure exam. Vice President Delgado stated that she would like to see definitions clarified. Member Patche agreed with Vice President Delgado.

Gil Johnson commented that after graduation, additional assistance was needed to help him better handle his dog.

Margie Donovan commented that generally, after care has to do with the behavior of the dog.

Jim Kutsch commented that he is seeking clarity on how his organization can serve Californians who obtained their dog out of state but need after care at home in California. Mr. Kutsch maintains that services provided after graduation should not be considered instruction.

Kathy Kelly commented that she agreed with Jim Kutsch and that instruction should be considered the initial training of a guide dog team. Ms. Kelly believes if a school trains a

client, they should have the right to continue to work with them after graduation wherever they live.

Jenn Cook commented that she agreed with Kathy Kelly. Ms. Cook stated that IGDF accreditation is the most objective way to solve the problem.

Toni Ames commented that she objects to the fact that California trainers have to be licensed.

Vicki commented that she agreed with Toni.

Vivian commented that people who own their dog should be able to hire whomever they want to help them with their dog. She also believes that IGDF schools already have an examination in place and wants to know why that examination isn't acceptable in California.

Member Gomez asked for clarification between aftercare and follow-up instruction.

Legal Counsel Yazigi commented that the Board has no choice in deciding whether to eliminate the licensure requirement because it is a statutory requirement.

Judy Wilkinson commented that she wants the right to have her instructor come into the state to provide after care.

Alice McGrath agrees with Jim Kutsch and wants to know why there is an issue now compared to the previous interpretations of the law.

EO Skewis stated that is has always been an issue. The Board is mandated to uphold the law. When the Board is made aware of a violation of the law, they are required to investigate.

Robert Acosta stated that he agrees with Jim Kutsch and Kathy Kelly.

Carla Campbell asked the Board to consider the spirit of the law, which is to protect Californians.

Marion Gwizdala commented that consumer organizations feel as if the Board's oversight isn't necessary.

Margie Donovan commented on the need to expedite any further action.

Joni Patche motioned that the Board develop a task force to seek language within 60 days that clarifies the difference between aftercare, follow-up instruction, and instruction considering the point at which each occurs.
Member Gomez seconded the motion.
Motion Passed: 5 ayes, 0 no's, 0 abstentions

7. Discussion and possible action regarding potential Board expansion to regulate the entirety of the service dog training industry.

EO Skewis explained that this discussion is at the request of the Senate Standing Committee on Business, Professions and Economic Development. He stated that this is an informational conversation and posed several questions for discussion: what are the problems that this regulation could solve? How could this regulation help guide dog users and service dog users alike? What are the potential benefits or issues with this concept? He reported that upon research, he identified approximately 30 organizations in California that offer service dog training or placement services.

Member Patche stated that she thought regulation of the service dog industry could reduce the number of fraudulent service dogs in public places. EO Skewis agreed that through outreach, regulation may help with access issues that guide and service dog handles face.

Member Gomez stated her concern with the broad definition of the term "service animal" and that it may or may not include emotional support animals.

Vice President Delgado stated that fraudulent service dogs negatively affect the lives and reputations of guide dog teams and that regulation should be explored and considered.

Gil Johnson commented that this is an interesting concept to hear how the service dog community would embrace the regulation. Philosophically speaking, if it makes sense to regulate one portion of the industry, it would be interesting to extend it.

Veronica Elsie commented that in the 1990's the Board looked into this concept on a voluntary basis and service dog schools opposed the idea. She thinks that by regulating the schools, it will not stop people from holding their pets out as service dogs.

Bob Wendler commented that bringing different training styles and schools into the industry would be an uphill battle.

Margie Donovan commented that it is important that there is nothing prohibiting the Board from initiating public service campaigns to educate the public about guide and service dogs.

Vicki concurred with Margie Donovan's comments

Toni Ames, President of the International Association of Assistance Dog Partners commented that it would take significant resources to understand the industry before beginning to regulate it. She thinks education is extremely important.

Vicki commented that the issue isn't from service dogs from legitimate organizations, the issue is from online registries and certifications.

Veronica Elsie commented that an important question is who is currently investigating cases of fraudulent service dog organizations.

Jenn Cook commented that this has nothing to do with regulating the industry but more with educating the public and businesses about service dog laws.

Ken Metz asked how we debate the issue when the ADA is so specific that almost anyone can have a service animal and if the DOJ needs to support the concept of regulation.

Debbie Sands commented that she is a service animal public access education consultant and the last 6 months business have been contacting her non-stop to educate their staff about service dog access laws.

President Holm tasked EO Skewis with reaching out to service dog organizations in California to see if collaboration is possible to further public education relating to guide and service dogs.

Ester Molina from Canine Companions for Independence commented that she is more inclined to support education than regulation.

Clark Pappas from Canine Companions for Independence commented that there seem to be different issues at hand from access, to consumer protection where money is changing hands.

8. Consideration and possible action of any recommendation from the Practice Task Force regarding adoption of an Arbitration Program Fact Sheet.

   EO Skewis reported that the Task Force was unable to meet prior to the meeting.

9. Agenda Items for Next Meeting

   No additional items were brought up

10. 2015/16 Meeting Calendar and Locations

    EO Skewis discussed the upcoming quarterly meetings scheduled

11. Public Comment on Items Not on the Agenda

    Ken Metz thanked the Board for a productive meeting

CLOSED SESSION

The Board entered closed session at 4:02pm

12. Executive Officer Evaluation - The Board will meet in closed session (pursuant to Government Code Section 11126(a)(1)) to conduct the Executive Officer Evaluation. EO Skewis was evaluated based on the forms provided by the Office of Human Resources.

OPEN SESSION

The Board re-opened the meeting to the public at 4:35. Member Brown was recorded as absent.

13. Adjournment

Vice President Delgado moved to adjourn the meeting
Member Pathce seconded the motion
Motion Passed: 4 ayes, 0 no's, 0 abstentions,

The meeting was adjourned at 4:37pm.