

## **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.

# **California State Board of Guide Dogs for the Blind Proposed Examination Language for Agenda Item 4**

## **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.

(b) Whenever an applicant for a license refuses or fails to provide the board with the information requested thereon by the Board within six (6) months from the date of notice that such application is incomplete, the application shall be deemed abandoned. An application so abandoned may not be reinstated; however, the applicant may file a new application accompanied by the required fee and documents.

### **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 office in Sacramento.

(b) Whenever an applicant for a license refuses or fails to provide the board with the information requested thereon by the Board within six (6) months from the date of notice that such application is incomplete, the application shall be deemed abandoned. An application so abandoned may not be reinstated; however, the applicant may file a new application accompanied by the required fee and documents.

(c) A complete application for an Instructor's license and the applicable fees set forth in the Code shall be valid for 18 months. If an applicant has not complied with the required steps for licensure, including successfully completing the examination process, an application will be considered expired and a new application and fee shall be submitted prior to completing the licensure process.

## **California Code of Regulations Section 2261 – Examinations**

### **EXISTING LANGUAGE**

(a) Examinations for a license to operate a school or to instruct blind persons in the use of guide dogs and to train guide dogs shall be written, oral and practical.

(b) The board may appoint a committee of its own members, or other persons, for the purpose of conducting the whole or part of any examination. The committee shall make recommendations to the board as to the qualifications of the examinee. Any person dissatisfied with the board's decision may file a request for reconsideration with the board within 30 days after such decision was mailed.

### **PROPOSED LANGUAGE**

(a) Examinations for a license to instruct blind persons in the use of guide dogs and to train guide dogs shall be written, oral and practical.

(b) The Board may appoint an Examination Committee of its own members, other persons, or delegate the scheduling of subject matter experts to the Executive Officer for the purpose of conducting the whole or part of any examination. The Examination Committee shall make recommendations to the Board as to the qualifications of the examinee. Any person dissatisfied with the Board's decision may file a written request for reconsideration or explanation with the Board within 30 days after such decision was mailed.

### **§ 2261.1 Written Examination**

(a) Written examinations shall be comprised of 100 multiple choice questions crafted by licensees determined by the Board to be subject matter experts in the field of guide dog instruction.

(b) Applicants will be given two (2) hours to complete the written portion of the examination.

(c) Applicants may not remove any examination materials from the testing room.

- (d) Once the examination has begun, applicants may not leave the room until the examination is completed.
- (e) Applicants must comply with the requirements of the testing site regarding personal items and cell phone use.
- (f) Applicants will be notified of their exam score in writing and either in person or via telephone after the conclusion of the exam.
- (g) Applicants that do not pass the written examination may retake it six (6) months from the date of the previous examination for a fee of \$50.

### **§ 2261.2 Practical Examination**

- (a) Applicant's for an Instructor's license shall submit a video recording of their interaction with a person who has low or no vision and is currently receiving guide dog mobility instruction with a trained guide dog to the Board along with a signed copy of the "Practical Examination Video Recording Guidelines" available on the Board's website.
- (b) The Applicant must submit the recording for approval by the Board a minimum of 30 days prior to the examination.
- (c) The recording must:
  - (1) Be submitted in a digital format, i.e. DVD, USB drive, or equivalent;
  - (2) Take place in an instructional and typical community setting;
  - (3) Incorporate at least two (2) street crossings;
  - (4) Be a minimum of 15 minutes and a maximum of 30 minutes long;
  - (5) Be recorded with a device capable of recording clear audio and video;
  - (6) Clearly capture the verbal interaction between the applicant and the client;
  - (7) Be unedited, raw footage with no stops other than to safely move the camera to another position, if necessary, i.e. across a busy intersection;
  - (8) Capture the date and time of the recording to demonstrate continuous, unedited footage;
  - (9) Not state or otherwise clearly indicate the school with which the applicant is affiliated;
  - (10) Include head to toe footage throughout the entire route; and
  - (11) Include the four (4) tasks identified in the Board's "Practical Examination Video Recording Guidelines."
- (d) Board staff shall review the recording for compliance with the requirements in subsection c and may make a copy prior to returning it to the applicant.
- (e) The applicant is responsible for providing their copy of the recording to the Examination Committee at the time of the oral examination.

### **§ 2261.3 Oral Examination**

- (a) Upon successful completion of the written examination, applicants for an Instructor's license shall participate in an oral examination prior to licensure.
- (b) The oral examination is an applicant's verbal explanation of the knowledge, skills and tasks used to instruct people with low or no vision in the use of guide dogs and for the training of guide dogs for use by people with low or no vision.
- (c) The video recording submitted to the Board shall be used to illustrate and enhance the applicant's oral explanation.
- (d) The applicant shall address the following knowledge points as identified in the most recent Occupational Analysis of Instructors regardless of whether or not they are addressed in the video recording:
  - (1) Techniques used to maintain and enhance orientation skills while using a guide dog;
  - (2) Orientation and mobility skills related to guide dog travel and cane travel;
  - (3) Techniques used to work with and control a guide dog;
  - (4) Methods of instructing clients on harness techniques used in guide work;
  - (5) Techniques used for instructing a client in the observation and interpretation of a dog's behavior;
  - (6) Methods of instructing clients on techniques used in reworking guide work errors;
  - (7) Methods of instructing clients on techniques used in avoiding and ignoring distractions during guide work training; and

(8) Methods of instructing clients on techniques used in controlling inappropriate behavior in a guide dog.

(e) The Examination Committee may not ask any unrelated questions regarding the recording or non-listed knowledge topics.

(f) The Examination Committee may ask a candidate to expand on a point even though it's not demonstrated in the recording.

(g) The Examination Committee may ask a candidate if there are any safety concerns related to the video recording content.

(h) The Examination Committee may consider any or all of the Board's enabling statutes and regulations regarding the training of guide dogs and the instruction of persons with low or no vision in the use of guide dogs when determining an applicant's suitability for licensure as an instructor.

## **California State Board of Guide Dogs for the Blind Proposed Language for Agenda Item 5**

### **California Code of Regulations Section 2282.3 - Humane Care of Dogs**

#### **PROPOSED LANGUAGE**

Schools and Instructors shall address the individual physical and emotional needs of every dog throughout the duration that it remains under their program. Schools and Instructors shall be responsible for understanding the dog's body language, irrespective of the equipment used, and ensuring that the dog is relaxed and confident. Standards for dog training should be based on an understanding of operant learning, positive reinforcement, negative reinforcement, negative punishment and positive punishment. Corrections must be appropriate to the circumstances and sensitivity of the dog. Corrections must not cause the dog unreasonable physical or emotional discomfort.

## **California State Board of Guide Dogs for the Blind Proposed Language for Agenda Item 6**

### **California Business and Professions Code Section 7200.7**

#### **EXISTING LANGUAGE**

A fee equal to no more than 0.005 of all school expenses incurred in the most recently concluded school calendar year, as specified in the audit required under Section 7217, shall be paid no later than April 30 of each year for renewal of a school's license pursuant to Section 7200.5. The board shall, by regulation, define the exact amount of the fee. All fees collected pursuant to this section shall be deposited into the Guide Dogs for the Blind Fund, which is hereby created.

#### **PROPOSED LANGUAGE**

A fee equal to no more than 0.005 of all school expenses incurred in the most recently concluded school fiscal year, as specified in the audit required under Section 7217, shall be paid no later than April 30 of each year for renewal of a school's license pursuant to Section 7200.5. The board shall, by regulation, define the exact amount of the fee. All fees collected pursuant to this section shall be deposited into the Guide Dogs for the Blind Fund, which is hereby created.

### **California Business and Professions Code Section 7202**

#### **EXISTING LANGUAGE**

Each of the appointed members of the board shall hold office for a term of four years and until his successor is appointed and qualified or until one year shall have elapsed since the expiration of the term for which he was appointed, whichever first occurs. No person shall serve as an appointed member of the board for more than two consecutive terms, but this provision shall not apply to any member in office at the time this provision takes effect.

#### **PROPOSED LANGUAGE**

Each of the appointed members of the board shall hold office for a term of four years and until his successor is appointed and qualified or until one year shall have elapsed since the expiration of the term for which he was appointed, whichever first occurs. No person shall serve as an appointed member of the board for more than two consecutive terms..

### **California Business and Professions Code Section 7211.1**

#### **EXISTING LANGUAGE**

- (a) As a condition of renewal of an instructor's license, the instructor shall provide proof of completion of not less than 8 hours of continuing education. The board shall determine the form of proof.
- (b) Continuing education shall meet the criteria specified in Section 166, and shall be in one or more of the following subject matter areas:
- (1) Blindness and mobility.
  - (2) Health issues relating to blindness.
  - (3) Instructing blind persons.
  - (4) Care and training of dogs.
- (c) This section shall apply to renewal of instructors' licenses which expire on or after June 30, 1996.

#### **PROPOSED LANGUAGE**

- (a) As a condition of renewal of an instructor's license, the instructor shall provide proof of completion of not less than 8 hours of continuing education. The board shall determine the form of proof.
- (b) Continuing education shall meet the criteria specified in Section 166, and shall be in one or more of the following subject matter areas:
- (1) Blindness and mobility.
  - (2) Health issues relating to blindness.
  - (3) Instructing blind persons.
  - (4) Care and training of dogs.

## **California Business and Professions Code Section 7215.5**

### **EXISTING LANGUAGE**

Within 15 days after the end of each calendar year, each licensed school shall report to the board the following:

- (1) The number of dog ownership titles transferred to dog users pursuant to this section during the calendar year.
- (2) The number of title recoveries and repossessions made by the school pursuant to this section during the calendar year.
- (3) The number, type, and amount of charges assessed for followup training, instruction, veterinary, or boarding services, pursuant to this section, which make a distinction between users who have acquired title to their dogs and users who have not acquired title.
- (4) The views of the governing entity of the school as to any problems or concerns relative to compliance with the provisions of this section, along with recommendations for appropriate legislative or administrative changes commensurate with the purposes of this section.

### **PROPOSED LANGUAGE**

Within 15 days after the end of each school's fiscal year, each licensed school shall report to the board the following:

- (1) The number of dog ownership titles transferred to dog users pursuant to this section during the calendar year.
- (2) The number of title recoveries and repossessions made by the school pursuant to this section during the calendar year.
- (3) The number, type, and amount of charges assessed for followup training, instruction, veterinary, or boarding services, pursuant to this section, which make a distinction between users who have acquired title to their dogs and users who have not acquired title.
- (4) The views of the governing entity of the school as to any problems or concerns relative to compliance with the provisions of this section, along with recommendations for appropriate legislative or administrative changes commensurate with the purposes of this section.

## **California Business and Professions Code Section 7217**

### **EXISTING LANGUAGE**

(a) Within 60 days after the end of a calendar year or after the termination of the fiscal year of a school, there shall be furnished to the board the following:

- (1) A list of students accepted for training and those who have completed training.
- (2) A list of the number of dogs trained.

(b) Within 90 days after the end of a calendar year, there shall be furnished to the board an independent audit of the school's finances by a certified public accountant licensed by this state.

### **EXISTING LANGUAGE**

(a) Within 60 days after the termination of the fiscal year of a school, there shall be furnished to the board the following:

- (1) A list of students accepted for training and those who have completed training.
- (2) A list of the number of dogs trained.

(b) Within 90 days after the end of a fiscal year, there shall be furnished to the board an independent audit of the school's finances by a certified public accountant licensed by this state.