



## Minutes

Tuesday, November 18, 2008

4:00 – 6:00 PM

Or until completion of business

Westin LAX Hotel, Room 321

5400 West Century Blvd.

Los Angeles, CA 90045

(866) 716-8132

### Board Members

*Jeff Neidich, President*

*Tom Scott, Vice-President*

*Tony Candela, Secretary*

*Belinda Barragan*

*Eric Holm*

*Amy Lyons*

*Lindsay Schnaidt*

*Action may be taken on any item listed on the agenda. Please note that all times indicated and the order of business are approximate and subject to change.*

### Executive Officer

*Antonette Sorrick*

### Guests

*Anna Thomasson, puppy raiser*

*Louise Kirkbride, CSLB/CBA board member*

*Jeffrey Senge, CSU, Fullerton*

*Janna Senge, RN, puppy raiser*

*Shirley Manning, Junior Blind of America*

*Nelly Emerson*

*Pat LaFrance-Wolf*

*Melissa Hudson*

*Sherrill Neidich*

*Bonnie Bergin, Bergin University of Canine Studies*

*Keith Tomlinson, Guide Dogs for the Blind, Inc.*

*Belinda Zelickson*

*Ken Metz, GDUC/CCB*

*Corey Hudson, Canine Companions for Independence*

*Pam Metz*

*Jan Johnson*

### Board Staff

*Susan Cox*

### Legal Counsel

*Albert Balingit*

## AGENDA

### Open Session:

1 Call to Order/ Roll Call (J. Neidich/T. Candela)

Before the call to order was given, President Neidich swore in new Board Members Eric Holm and Lindsay Schnaidt. President Neidich called the meeting to order at 4:05 PM. Secretary Candela took the roll. All seven Board Members were present and a quorum was established.

## 2. President's Welcome (J. Neidich)

President Neidich welcomed the audience and introduced the two new Board Members, Lindsay Schnaidt and Eric Holm.

## 3. APPROVAL OF BOARD MEETING MINUTES SEPTEMBER 25-26, 2008 (J. NEIDICH)

Vote: Board Member Barragan motioned to approve the minutes as written. Board Member Lyons seconded the motion. Board Members Holm and Schnaidt abstained from voting due to not being appointed at the time of the September meeting. Motion passed.

## 4. COMMITTEE REPORTS

### a. Legislative Committee Report (T. Scott, J. Neidich)

SB 963 Senator Ridley-Thomas

SB 1174 Senator Lowenthal

H.R. 5734 (Rep. Towns, Edolphus – NY-10)

Committee Chair Scott summarized the Legislative Committee report.

1. SB 963 (Ridley-Thomas) was Chaptered by the Secretary of State.
2. SB 1174 (Lowenthal) was Vetoed.
3. H.R. 5734 (Towns) referred to the Subcommittee on Commerce, Trade, and Consumer Protection.

### b. Outreach and Education Committee Report (J. Neidich, T. Candela)

Web site Update

Newsletter Update

Stakeholder Meet and Greet/Event Updates

Committee Chair Candela summarized the Committee report. Executive Officer Sorrick reported on web hits and two new features added to the Board Web site. Also, the Board was informed of the Guide Dogs for the Blind, Inc. alumni newsletter article on the Board. The newsletter was distributed to roughly 2,000 subscribers. Board President Neidich reported that he would be conducting another elementary school presentation in Sacramento on December 10, 2008 to approximately 60 third grade students. Committee Chair concluded the update by discussing his participation in the California Council of the Blind's Fall Convention and Guide Dog Users of California luncheon held in Los Angeles, CA in October, 2008.

### c. Statutory and Regulatory Subcommittee (T. Candela, B. Barragan)

Fee Concept Paper

Executive Officer Sorrick reported that the fee concept paper had been submitted to the Department of Consumer Affairs and that the Board would be searching for an author to the Board's bill in December, 2008.

d. Practice Task Force (A. Lyons, A. Sorrick)

16 CCR Section 2286 – Continuing Education

Business and Professions Code Section 7210.7 – In-Home Training

Executive Officer Sorrick reported on the September 15, 2008 Practice Task Force meeting. Two recommendations for the Board's consideration were presented.

Task Force recommendation: The Board amend CCR 16 Section 2286 to read:

(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 of or a combination of the following venues:*

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

(2) *attendance at meetings of guide dog user organizations or organizations of the blind; and/or*

(3) *participation in self-study videos or online coursework (per CCR 16 § 2286 (b) (1) (2))*

(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.

Board vote: Board Member Barragan motioned to accept the Task Force's recommendation. Board President Neidich seconded the motion. Board Member Schnaidt amended the motion with a friendly amendment to delete "of or a combination of the following venues" in CCR 16 § 2286 (b) and replace with "a combination of any of the following totaling 8 hours." Belinda seconds the friendly amendment. Motion passed.

Task Force recommendation: To amend Business and Professions Code Section 7210 to read:

The board authorizes schools licensed by the board or instructors employed by those schools to provide home training in the use of guide dogs.

Schools providing home training in the use of guide dogs shall, annually, provide the board with the names and addresses of those persons who are receiving home training and shall include those persons who have received home training from the school subsequent to the last report filed with the board. Home training, as provided in this section, shall consist of not less than 20 hours of training.

Board vote: Board Vice President Scott motioned to accept the Task Force recommendation. Board Secretary Candela seconded the motion. Motion failed. Board Member Barragan motioned to have the Task Force re-tool the language. Board Member Holm seconded the motion. Motion passed.

#### 6. DRAFT LEGISLATIVE COMMITTEE GUIDELINES (A. SORRICK)

Executive Officer Sorrick presented the Board with draft legislative guidelines for consideration. After much debate and discussion, the agenda item was tabled until the February 23, 2009 meeting for Board Members to have more time to digest the recommended language and suggest any amendments.

#### 7. EXECUTIVE OFFICER'S REPORT (A. SORRICK)

- Budget Report
- Inspection Update
- Examination Update
- DCA Report

Budget Report - Executive Officer Sorrick explained the budget process to the new Board Members. As of September 30, 2008, the Board was reporting an unencumbered balance of \$2,453.

Inspection Update – A copy of the inspection report for Guide Dogs for the Blind, Inc. was included in the board meeting materials. The school passed inspection.

Examination Update – Executive Officer Sorrick updated the Board on the upcoming examination schedule. The Written Exam will be held on Monday,

February 9, 2009 and the Practical/Oral Exam will be held on Tuesday, February 10, 2009.

DCA Report – Executive Officer Sorrick shared the enforcement and public disclosures memo from Director Carrie Lopez with the Board. This memo laid out several steps to address the fingerprint issue presented by the Los Angeles Times related to the Board of Registered Nursing. The Department of Consumer Affairs will be sponsoring legislation to retroactively fingerprint all licensees. The Board will monitor this legislation once introduced. Executive Officer Sorrick also reported that license renewal forms would be updated to include criminal convictions or disciplinary action taken by another government agency.

#### 8. AGENDA ITEMS FOR NEXT MEETING

Legislative guidelines, strategic planning and Guide Dog Day/Assistance Dog Day will be added to the February 23, 2009 meeting agenda.

#### 9. MEETING CALENDAR AND LOCATION

The Board will meet in the following locations:

Monday, February 23, 2009 at Guide Dogs of America, Sylmar, CA

Monday, May 18, 2009 at Guide Dogs of the Desert, Whitewater, CA

Monday, August 24, 2009 at Guide Dogs for the Blind, Inc., San Rafael, CA

Monday, November 16, 2009 at Department of Consumer Affairs, Sacramento, CA

#### 10. PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA

Anna Thomason (puppy raiser for Eye Dog Foundation in Arizona) presented the Board with an update on the Eye Dog Foundation. Board Member Candela asked Legal Counsel, Albert Balingit, if the Board could legally go forward and assist with the situation presented to us regarding the Eye Dog Foundation. Public comments attached.

#### 11. Adjournment

Board Member Barragan motioned to adjourn the meeting. Board Secretary Candela seconded the motion. Meeting adjourned at 6:00 PM.

Respectfully submitted by Antonette Sorrick.

Statement from Anna Thomasson, puppy raiser for Eye Dog Foundation  
November 18, 2008 California Guide Dog Board meeting

I'm Anna Thomasson a volunteer puppy raiser for Eye Dog Foundation, headquartered in Claremont with training facilities in Phoenix, Arizona. I'm here today with my third guide dog in training – Nisha, a 2 year old, high potential, German Shepherd. Thank you for making me feel welcome throughout the day.

By way of background for those of you new to the Board, the Eye Dog Foundation, is a well funded Guide Dog School with over \$7 million in invest able assets funded by Californians and headquartered in Claremont, but the school does not fall under the jurisdiction of this Board for a long and complicated list of reasons that I will not go into today.

A year ago, my husband and I appeared before this board (also with Nisha) at the Board meeting held at Guide Dogs of the Desert. I am here today to update you on what has happened at the school in the last year and to ask you, once again, for your assistance in resolving this tragic situation.

Since last August 2007, 16 months ago, not one dog has been placed with a blind student. Not one.

Currently we have 28 dogs in the program, the youngest of which is Nisha's litter -2 years old, and the oldest are approaching 3 years old. As those of you dog people in the room know, a three year old dog is approaching the age at which it is too old begin its work as a guide.

Since September 2007, there has been tremendous training staff turnover at the school. For the one head trainer position, there have been four trainers that have left. For the puppy coordinator and kennel manager positions, five people have resigned. Virtually all of these terminations have been due to the horrible micro-management of staff by the Executive Director. I would like to add that every one of these 9 people left without having another job to go to – they found the working conditions so untenable they left without a job.

In September this year, each of the 28 puppy raisers received a demand letter from a local Phoenix attorney hired by the Foundation to retrieve the dogs. 25 out of 28 puppy raisers refused to surrender the dogs, because there were no qualified trainers on staff to train them and because they were fearful for the dogs' safety due to past actions of the Executive Director. Several puppy raisers subsequently met with the local attorney who invited them to develop a proposal to resolve the situation. After developing and presenting a proposal, requesting that the dogs be evaluated, trained, and placed by a qualified school, the attorney deemed the proposal "constructive" and we awaited further dialog. Shortly thereafter we learned that the attorney was no longer representing the Foundation and could not offer further comment.

This past October, the editor of the *Braille Monitor* traveled to Phoenix from Baltimore to interview interested parties and write a comprehensive story for the December edition. I invite you all to read the story once published. Author Dan Frye

Statement from Anna Thomasson, puppy raiser for Eye Dog Foundation  
November 18, 2008 California Guide Dog Board meeting

described the actions of the Arizona puppy raisers as an “unprecedented act of civil disobedience.”

We puppy raisers in Phoenix have been earnestly seeking pro bono representation but in this economy, are finding this to be a difficult challenge. I am here to implore you as a Board, to please follow up with James Cordi in the Attorney General’s office – the only agency we know of that has the power to take action against this travesty of an agency – and ask him to take action or to expedite the investigation that may be underway. We believe that an investigation is underway since puppy raisers have participated in hours of interviews with the investigator, but to no avail. Although you may not have jurisdiction as a Guide Dog Board, you may have influence with the Attorney General’s office or with the Department of Consumer Affairs.

Before I close, I would like to publicly thank Rocci Hill, Executive Director of Guide Dogs of the Desert for writing to the Executive Director of Eye Dog Foundation on November 10 and offering the support of Guide Dogs of the Desert in the training of dogs and providing follow up services to graduates.

Ladies, and gentlemen, please, on behalf of the citizens of California who donated funds, and the guide dog using community, and those blind individuals who are patiently waiting for guides, exhort whatever influence you can over the Attorney General’s office to put an end to this travesty and get these dogs trained and placed with the blind who need them.

Thank you.