



APPROVED MINUTES

Of the Board Meeting of Monday, November 23, 2009
Department of Consumer Affairs
State Board of Guide Dogs for the Blind
1625 N. Market Blvd., Sacramento Room (Third Floor)
Sacramento, CA 95834

Teleconference Phone Number: (866) 443 7589

Guide Dogs for the Blind, Inc.
350 Los Ranchitos Road
San Rafael, CA 94903

Guide Dogs of America
13445 Glenoaks Boulevard
Sylmar, CA 91342

Board Members

Jeff Neidich, President
Tom Scott, Vice-President
Tony Candela, Secretary
Belinda Barragan
Eric Holm
Lindsay Schnaidt

Executive Officer

Antonette Sorrick

Board Staff

Cynthia Cummings

Legal Counsel

Laura Freedman Eidson

Guests

Ronald Abraham, Leader Dogs for the Blind
Sarah Boire, Strategic Organization, Leadership and Individual Development (SOLID)
Rod Haneline, Leader Dogs for the Blind
Chuck Jordan, Guide Dogs of America
Kathy Kelly, Guide Dogs for the Blind, Inc. (GDB)
Frank Welte, California Council of the Blind (CCB)
Robert Wendler, Guide Dogs of the Desert (GDD)
Kim Laidlaw, GDD
Jeff Senge, Consumer, Alumni GDB
Laura Zuniga, Legislative and Policy Review, SCSA
Ken Metz, Guide Dog Users of California

AGENDA

OPEN SESSION:

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

President Neidich called the meeting to order at 9:05 AM. Secretary Candela took the roll and welcomed Board Members. Five Board Members were initially present and a quorum was established.

2. President's Welcome (J. Neidich)

President Neidich opened the floor to self introductions. A teleconferenced meeting as a pilot program was discussed as a trial for the Board. The decision to have a teleconferenced meeting as a trial was based solely on utilizing limited resources. All guide dog school meeting locations were selected based on their proximity to Board Member residences. President Neidich reinforced that there was no preference of schools when the locations were selected. Additionally, an invitation was extended to all schools to add their campus as public meeting locations.

Neidich recognized the passing of assistance dog advocate Ed Eames and asked Executive Officer Sorrick to read the Ed Eames news release that was posted on the Board Web site. President Neidich announced that Laura Freedman Eidson was the new Legal Counsel to the Board. Ms. Freedman Eidson presented her biography. Last, Board President Neidich announced the tabling of item #7 on the agenda. Board Counsel Freedman Eidson explained that the Legal Office was still working on the opinion.

3. Approval of Board Meeting Minutes July 30-31, 2009 (J. Neidich)

President Neidich asked for a motion to approve the July 30-31 meeting minutes unless amendments were needed.

Vice President Scott motioned to accept the meeting minutes of July 30-31, 2009. Board Member Holm seconded the motion.

Board Vote: Motion passed.

4. Sunset Review (L. Zuniga)

Acting Assistant Secretary of Legislative Affairs, Laura Zuniga reported on the status of the Sunset Review process. She reported that the process had been suspended until a new review is in place. The Board is scheduled to Sunset July, 2011, so the Board would need a sunset extension. If not extended, the board structure would be eliminated and the program would be converted into a bureau. The Department of Consumer Affairs is committed to extend sunset of the Board if no new system is in place. She also reported that the Senate Business Professions and Economic Development Committee would request a sunset extension in one bill to include the State Board of Guide Dogs for

the Blind, the Board of Accountancy, the Physician Assistant Committee, the Veterinary Medical Board, and the Landscape Architects Committee.

This bill would need to be in print early in the Summer of 2010 and submitted to the Governor's desk by August.

5. Committee Reports

a. Legislative Committee Update (T. Scott)

State Legislation

Senate Bill 250 (Florez) Mandatory Spay/Neuter

Summary: Restricts the ownership of unsterilized dogs and cats and requires surgical sterilization of the animal in specified circumstances.

Bill Status: Assembly Inactive File

Board Position: "Oppose Unless Amended"

Staff Recommendation: None

The Board continued its position of "Oppose Unless Amended."

Senate Bill 389 (Negrete McCleod) Fingerprinting

Summary: Adds specified licensees to the existing list of licensees required to furnish to the licensing agency a full set of fingerprints for purposes of conducting criminal history record checks, and imposes these requirements on a petitioner for reinstatement of a revoked or cancelled license.

Bill Status: Two Year Bill

Board Position: "Support"

The Board will continue to "Watch" this two-year bill.

Senate Bill 638 (Negrete McCleod) Sunset Review

Summary: Deletes the requirement that a board become a bureau under DCA if it sunsets, and instead provides for the removal of a board's members, and appointment of a successor board. Revises and recasts sunset review law to remove references to the Joint Committee for Boards Commissions and Consumer Protection, and instead authorize the appropriate standing policy committees of the Legislature to carry out the sunset review functions. Terminates the terms of office of each board member and bureau chief within the Department upon an unspecified date, and authorizes successor board members and bureau chiefs to be appointed, as specified.

Bill Status: Two Year Bill

Board Position: "Watch"

Staff Recommendation: None

The Board will continue to "Watch" this two-year bill.

Federal Legislation

House Resolution 734 (Towns) Pedestrian Safety Enhancement Act of 2009

Summary: Directs the Secretary of Transportation to study and establish a motor vehicle safety standard that provides for a means of alerting blind and other pedestrians of motor vehicle operation.

Bill Status: Referred to the House Committee on Energy and Commerce.

Board Position: "Support"

Staff Recommendation: Send a "Support" letter to the House Committee on Energy and Commerce.

Board Member Holm moved to send a "Support" letter to the House Committee on Energy and Commerce. Secretary Candela seconded the motion.

Board Vote: Motion passed.

House Resolution 3266 (Klein) Wounded Warrior K-9 Corps

Summary: Establishes a grant program to encourage the use of assistance dogs by certain members of the Armed Forces and veterans.

Bill Status: Referred to the Subcommittee on Economic Opportunity.

Board Position: None

Staff Recommendation: "Support"

Secretary Candela motioned to send a "Support" letter to the Subcommittee on Economic Opportunity. Board Member Holm seconded the motion.

Board Vote: Motion passed.

Senate Bill 1495 (Franken) Service Dogs for Veterans Act of 2009

Summary: A bill to require the Secretary of Veterans Affairs to carry out a pilot program to assess the feasibility and advisability of using service dogs for the treatment or rehabilitation of veterans with physical or mental injuries or disabilities, and for other purposes.

Bill Status: Referred to Committee on Veterans' Affairs.

Board Position: None

Staff Recommendation: "Watch"

Board Member Holm motioned to "Watch" bill. Board Member Barragan seconded the motion.

Board Vote: Motion passed.

- b. Outreach and Education Committee Update (J. Neidich, T. Candela)
Web site Update

Executive Officer Sorrick reported that in June there were 14,343 Web site hits, July 17,689 hits, August 22,040 hits, September 21,960 hits, and in October, 27,758 hits. She reported that since the Board launched its new Web site, the activity has consistently increased.

Assistance Dog Day

Executive Officer Sorrick reported that Assistance Dog Day had been postponed, but expressed a desire to report on this at the next meeting.

Stakeholder Meet and Greets/Events Update

Executive Officer Sorrick reported that she continues to work with the department to develop marketing materials for the Board's stakeholder groups. She will present the consumer brochure draft at the next Outreach and Education meeting. Vice President Scott expressed a desire to reach out to the Board of Directors from the California guide dog schools. Secretary Candela expressed concerns about the negative appearance of the board excluding the school's executive staff from proposed meeting.

Committee Chair Candela reported his participation at the Fall California Council of the Blind Convention. Committee Chair Candela reported on the debate that occurred regarding the continued relevancy of the Board, during the Guide Dog Users of California (GDUC) meeting. GDUC reported that the Board needed to provide more information on what we have done for our stakeholders lately. What is the Board's focus?

Frank Welte thanked Vice President Scott and Committee Chair Candela for attending the CCB meeting.

6. Practice Task Force Update – Ongoing Review of Statutes and Regulations

(A. Sorrick)

Executive Officer Sorrick reported that the Practice Task Force may have recommended amendments at the next Board meeting for Section 2282.1.

Legal Counsel Freedman Eidson reported suggested amendments to Section 2262.1 Annual School Renewal Payment/2276; Client Instruction.

Proposed Language with Legal Counsel's Revisions

(1) Add Section 2262.1 of Division 22 of Title 16 of the California Code of Regulations to read as follows:

2262.1. Annual School Renewal Payment.

To renew its license, each school shall pay a fee equal to 0.00425 of all school expenses incurred in the most recently concluded school calendar year. The school's expenses shall be determined from the annual audit required by Business and Professions Code section 7217.

NOTE: Authority cited: Sections 7200.7 and 7208, Business and Professions Code. Reference: Section 7200.7, Business and Professions Code.

(2) Amend Section 2276 of Division 22 of Title 16 of the California Code of Regulations to read as follows:

2276. Client Instruction Period.

Each school or instructor providing a guide dog to a client shall comply with the following standards:

(a) Clients training with their first guide dogs must receive instruction consisting of a ~~Each school engaged in instruction of blind persons in the use of guide dogs shall provide a minimum of 80~~ 15 hours theory and a minimum 30 hours practical in-harness instruction spread over a two ~~to of instruction over a period of~~ four weeks period.

(b) Clients training with successor dogs must receive, ~~except that with respect to a person who has previously completed such minimum instruction consisting of in a school satisfactory to the Board, a school may provide~~ a minimum of 40 10 hours theory and 20 hours practical in-harness ~~of instruction. over a period of two weeks.~~

(c) The instruction must be individualized to the client and provided until the team achieves safe and effective guide dog mobility, until the instructor determines the team cannot satisfactorily complete instruction or until the client discontinues services.

(d) The instruction may be conducted in any appropriate venue, including, but not limited to, in-residence at the school, in-home or a combination of both. A school may, when in its judgment it is necessary for proper instruction in a particular case, require instruction in excess of the minimums prescribed in this section. In no case shall

~~less than 15 hours nor more than 25 hours of instruction be given in any one week.~~

Note: Authority cited: Section 7208, Business and Professions Code.
Reference: Section 7208, 7210.7 Business and Professions Code.

The board expressed no concern with the revised language, which was consistent with the intent of prior language.

7. Legal Opinion (Business and Profession Code Section 7209.5 & 7210)

Regarding license requirement for persons instructing blind persons in the use of guide dogs. This item was tabled at the beginning of the meeting by Board President Jeff Neidich. Rod Haneline from Leader Dogs reported that his school had 35 teams in California that they provide follow up services for. Ken Metz stated that there was a difference between training and maintenance. Legal Counsel Freedman Eidson stated that she would try to offer possible solutions to the follow up services issue as presented by current statutory barriers. Jeff Senge asked how he would get follow up services if he was from out of state, moved to California and needed help. As this item was tabled, the discussion of this item may continue in a future meeting.

8. Adoption of Strategic Plan (J. Neidich)

See attached.

Vice President Scott motioned to adopt the Strategic Plan as written. Secretary Candela seconded the motion.

Board Vote: Motion passed.

9. Executive Officer's Report (A. Sorrick)

Budget Report

Executive Officer Sorrick reported that at the end of Fiscal Month 3, the Board had expended \$38,518 of their \$175,996 budget. The most recent expenditure projections show the Board operating at a 4.76% surplus (\$167,623 of the \$175,996 budget).

Executive Officer Sorrick reported that the Attorney General could not confirm nor deny that there is an investigation regarding the Eye Dog Foundation.

Inspection Update

Executive Officer Sorrick announced that she had inspected Guide Dogs for the Blind, Inc. on Monday, August 31, 2009 and Guide Dogs of the Desert on September 8, 2009.

Examination Update

The next dates for the instructor exam were announced as February 8-9, 2010.

DCA Report (Sarah Boire)

Ms. Boire announced that the Regulatory Next Practices would be held the week of July 26, 2010 in Sacramento. Three topics are scheduled to be covered, workforce issues, enforcement, and green practices.

10. Agenda Items for Next Meeting

Vice President Scott requested that the Eye Dog Foundation be a standing item in the Executive Officer report.

11. Meeting Calendar and Location

Teleconference meetings versus in-person meetings were discussed by the board. President Neidich and Secretary Candela agreed that rotating meeting formats was preferable. Executive Officer Sorrick recommended planning the next meeting. The Board agreed on a late February meeting excluding the 17, and the 18th. This meeting would be held in Southern California, at Guide Dogs of the Desert. Monday, July 26, 2010 was scheduled as a tentative meeting date. The July meeting would be held at Secretary Candela's office building because of its close proximity to the State Capitol. The State Capitol will be the platform for the anniversary of the signing of the ADA.

12. Public Comment on Items Not on the Agenda/Adjournment

There were no comments.

13. Adjournment

Vice President Scott motioned to adjourn. Secretary Candela seconded the motion.

Board Vote: Motion passed. The meeting adjourned at 12:15 PM

Respectfully submitted by Antonette Sorrick