



Practice Task Force  
Monday, May 20, 2013  
10:00 a.m. – Noon

1625 N. Market Blvd., Trinity Room (S-307)  
Sacramento, CA 95834

7812 Dearne Way  
Elk Grove, CA 95757  
(530) 632-2699

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(818) 833-6453

350 Los Ranchitos Road  
San Rafael, CA 94903  
(415) 499-4053

60740 Dillon Road  
Whitewater, CA 92282  
(760) 329-1282

**Teleconference Phone Number: 855-285-1693**  
**User Access Number: 1112#**  
**User Password: 071471#**

Task Force Members Present

*Kathy Kelly, Chair, Guide Dogs for the Blind,  
Inc. (GDB)*

*Chuck Jordan, Guide Dogs of America, (GDA)*

*Bob Wendler, Guide Dogs of the Desert, (GDD)*

*Jeff Neidich, Board Member*

Executive Officer

*Antonette Sorrick*

Legal Counsel

*Rebecca Bon*

Board Staff

*Rosemary Robinson*

Guests

*Don Brown, Guide Dog Users, Inc. (GDUI)*

*Jan Johnson*

*Ken Metz, Guide Dog Users of California (GDUC)*

*Pam Metz, Vice President, GDUC*

*Donna Pomerantz, President, California Council  
of the Blind (CCB)*  
*Mitch Pomerantz, CCB*  
*Lillian Scathe, GDUC*  
*Linda Simulski, GDD*

## AGENDA

### 1. Welcome and Roll Call - (K. Kelly)

Task Force Chair Kelly called the meeting to order at 10:11 a.m. All Task Force Members were present and a quorum was established.

### 2. Approval of Practice Task Force Minutes April 15, 2013 – (K. Kelly)

Task Force Chair Kelly moved to approve the April 15, 2013 minutes as written. Task Force Member Jordan seconded the motion.

Task Force Vote: Motion Passed

### 3. Regulatory Update

a. 2268.2 (Donations; Records) – (A. Sorrick)

b. 2271 (Living Quarters; Attendants) – (A. Sorrick)

*CCR Section 2268.2 – Donations; Records*

- An organization in possession of a license to solicit funds (before establishing a guide dog school license) will be required to show proof of compliance with reporting requirements and payment of fees to the Attorney General's Registry of Charitable Trusts.

*CCR Section 2271 – Living Quarters; Attendants*

- Existing language required living quarters for a guide dog and a client to be clean and sanitary. The change to the regulation also adds the following requirements:
  - 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.
- Existing language required that both a male and female attendant be available to clients. Amendments to this section delete the requirement that attendants be gender specific, instead allowing the guide dog school the provide attendants as needed.

Office of Administrative Law (OAL) signed the regulatory package on April 22, 2013. The changes will be made effective July 1, 2013.

4. Legislative Update

a. SB 822 (Senate Business Professions and Economic Development Committee)  
- (A. Sorrick)

\* Changes to Business and Professions Code Sections 7206 (Meetings of the Board) and 7210 (Providing Guide Dog, Instruction, or Training without a License)

Sorrick gave the following legislative update to the PTF.

**SB 822 (Senate Business Professions and Economic Development Committee) - (A. Sorrick)**

**Summary:** Deletes requirement that the Board Members conduct examinations for guide dog instructors. Eliminates reference to "seeing eye dog" in the Code.

**Status:** Senate Appropriations Committee – Hearing Date, May 13, 2013

**Board Position:** Support

b. SB 308 (Price)

\* Sunset Extension – State Board of Guide Dogs for the Blind and Pilot Project for Arbitration of Disputes between Guide Dog Users and Guide Dog Schools over Continued Custody and Use of Dogs

**SB 308 (Price)**

**Summary:** Sunset Extension – Extends State Board of Guide Dogs for the Blind and Pilot Project for Arbitration of Disputes between Guide Dog Users and Guide Dog Schools over Continued Custody and Use of Dogs until January 1, 2018.

**Status:** Senate Appropriations Committee – Hearing Date, May 20, 2013

**Board Position:** Support

No further action was taken on this item.

5. Practitioner Code of Ethics (All)

**Current Language**

16 CCR § 2285

Cal. Admin. Code tit. 16, § 2285

Barclays Official California Code of Regulations [Currentness](#)

Title 16. Professional and Vocational Regulations

Division 22. State Board of Guide Dogs for the Blind

☞ [Article 4](#). Standards of Training and Instruction ([Refs & Annos](#))

➔ **§ 2285. Standards of Conduct.**

(a) A licensee may not release any personal or identifying information regarding a student to any person, other than the board or its staff, without the student's permission.

(b) A licensee shall provide each student with all services generally associated with or offered by the school and with those services required by the Code or regulations.

(c) A licensee shall not engage in undue intimidation or coercion of students or graduates or physical violence or threat thereof to such persons in a manner contrary to the best interests of guide dog usage.

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

### **Staff Recommendation**

Section 2285 – Ethical Standards of Practice for a Guide Dog Instructor or Guide Dog School

Section 2285 – Ethical Standards of Practice for a Guide Dog Instructor or Guide Dog School

A violation of any ethical standard of practice constitutes grounds for disciplinary action. Every person or entity that holds a license issued by the Board shall comply with the following ethical standards of practice:

- a) A licensee may not release any personal or identifying information regarding a client to any person, other than the Board or its staff, without the client's written permission, unless otherwise allowed by local, state or federal regulations.
  - (1) A licensee shall obtain written permission from the client before he or she is photographed or tape-recorded for examination or other purpose.
- b) A licensee shall comply with the Guide Dog Act, the California Code of Regulations, and all other related local, state, and federal laws.
- c) A guide dog instructor shall not engage in intimidation or coercion of clients or physical violence or threat of violence, to such persons in a manner contrary to the best interests of guide dog usage.
- d) A guide dog instructor shall provide each client with all services generally associated with or offered by the school and with those services required by the Code or regulations.
- e) A guide dog instructor shall comply with state and federal laws pertaining to non-discrimination.
- f) A guide dog instructor shall take reasonable precautions to avoid imposing or inflicting harm upon the client or to his or her property.
  - 1) A guide dog instructor shall not exploit clients in any manner.
  - 2) A guide dog instructor shall avoid relationships or activities that interfere with professional judgment and objectivity.
- g) A guide dog instructor shall collaborate with clients in setting goals and expectations throughout the training process. Decisions regarding continuing or discontinuing instruction will be made with the client and will be based upon evaluation of the client's needs, abilities, and skills.

- h) A guide dog instructor shall fully inform the client of the nature, risks, and potential outcomes of the training and use of a guide dog.
  - 1) A guide dog instructor shall not make any false, fraudulent, or deceptive statements or claims.
  - 2) A guide dog instructor shall provide information or materials regarding the training and use of guide dogs in large print, braille, or electronic format as deemed accessible by the client.
- i) A guide dog school shall obtain written permission from clients involved in outreach, education or fundraising activities and shall retain such permission in the client's record.
  - 1) A guide dog school shall respect the client's right to refuse involvement in outreach, education or fundraising activities.

**Amended Language with Strikethrough and Underlines**

Amend Title 16 CCR, Division 22, Section 2285

Section 2285 – Ethical Standards of Conduct Practice for a Guide Dog Instructor or Guide Dog School

A violation of any ethical standard of practice constitutes grounds for disciplinary action. Every person or entity that holds a license issued by the Board shall comply with the following ethical standards of practice:

- a) A licensee may not release any personal or identifying information regarding a ~~student~~ client to any person, other than the ~~B~~board or its staff, without the ~~student's~~ client's written permission, unless otherwise allowed by local, state or federal regulations.
  - 1) A licensee shall obtain written permission from the client before he or she is photographed or tape-recorded for examination or other purpose.
- b) A licensee shall comply with the Guide Dog Act, the California Code of Regulations, and all other related local, state, and federal laws.
- c) A ~~guide dog instructor~~ licensee shall not engage in intimidation or coercion of ~~students or graduates~~ clients or physical violence or threat thereof ~~to~~ of violence, to such persons in a manner contrary to the best interests of guide dog usage.
- d) A ~~guide dog instructor~~ licensee shall provide each client with all services generally associated with or offered by the school and with those services required by the Code or regulations.
- e) A guide dog instructor shall comply with state and federal laws pertaining to non-discrimination.
- f) A guide dog instructor shall take reasonable precautions to avoid imposing or inflicting harm upon the client or to his or her property.
  - 1) A guide dog instructor shall not exploit clients in any manner.
  - 2) A guide dog instructor shall avoid relationships or activities that interfere with professional judgment and objectivity.

- g) A guide dog instructor shall collaborate with clients in setting goals and expectations throughout the training process. Decisions regarding continuing or discontinuing instruction will be made with the client and will be based upon evaluation of the client's needs, abilities, and skills.
- h) A guide dog instructor shall fully inform the client of the nature, risks, and potential outcomes of the training and use of a guide dog.
  - 1) A guide dog instructor shall not make any false, fraudulent, or deceptive statements or claims.
  - 2) A guide dog instructor shall provide information or materials regarding the training and use of guide dogs in large print, braille, or electronic format as deemed accessible by the client.
- i) A guide dog school shall obtain written permission from clients involved in outreach, education or fundraising activities and shall retain such permission in the client's record.
  - 1) A guide dog school shall respect the client's right to refuse involvement in outreach, education or fundraising activities.

Task Force Member Neidich moved to delete the word undue from section c).  
Task Force Member Jordan seconded the motion.

Task Force Vote: Motion passed

Linda Simulski asked a question regarding mandatory reporting of animal abuse by an instructor. Sorrick stated that she would look at what language other boards have in place for such reporting.

Task Force Chair Kelly moved to approve the language as written. Task Force Member Niedich seconded the motion.

Task Force Vote: Motion passed

#### 6. School Requirements Regarding Continued Use of a Guide Dog

a. 16 CCR Sections 2293 (School Requirements Regarding Continued Use of a Guide Dog) and 2294 (Arbitration Requirements)

Sorrick suggested having the schools submit examples of repossessions and the Board would compile a fact sheet of when 2293 and 2294 would apply.

b. Business and Professions Code Sections 7215.5 (Transfer of Title to Guide Dog) and 7215.6 (Pilot Project for Arbitration of Disputes between Dog Users and Guide Dog Schools over Continued Custody and use of Dogs).

There was no discussion on this agenda item.

#### 7. Guide Dog School Materials in Accessible Format (All)

This issue was addressed in the draft 2285 language.

#### 8. Agenda Items for the Next Meeting - (All)

Discuss school requirements regarding continued use of a guide dog fact sheet.

9. Public Comment on Items Not on the Agenda

Jan Johnson discussed her concern over the practical and financial burden for out-of-state instructors taking the California guide dog instructor exam.

10. Adjournment

Task Force Member Jordan moved to adjourn the meeting at 12:11 p.m.