



BOARD MEETING MINUTES

Department of Consumer Affairs
1625 North Market Boulevard, 1st Floor Hearing Room
Sacramento, CA 95834

Thursday, February 21, 2013

The open session meeting was called to order by Michael Erickson, Ph.D., Board President at 9:18 a.m. A quorum was present and due notice had been sent to all interested parties.

Members Present:

Michael Erickson, Ph.D., Board President
Barbara Cadow, Ph.D., Board Vice-President
Lucille Acquaye-Baddoo
Johanna Arias-Bhatia
Andrew Harlem, Ph.D.
Nicole J. Jones
Linda Starr

Others Present:

Robert Kahane, Executive Officer
Jeffrey Thomas, Assistant Executive Officer
Norine Marks, Legal Counsel
Gina Bayless, Enforcement Coordinator
Linda Kassis, Administrative Services Coordinator
Lavinia Snyder, Licensing/Registration Coordinator
Denise Russell, Special Investigator
Nicole Walker, Special Investigator
Julie Brown, Enforcement Analyst
Colette McDowell, Continuing Education Analyst

Agenda Item #1 – Administration of Oath of Office to New Board Member

Dr. Erickson introduced a new Board member, Linda Starr. He indicated that Ms. Starr has already been sworn in by Mr. Kahane and, therefore, there is no need to administer the Oath of Office to her at this time.

Agenda Item #2 – Election of Officers

Dr. Erickson explained that due to the possibility of an existing Board member being replaced with a new Board member prior to this meeting, this item was added to the agenda in case that happened. He stated that no such appointment has been made and, therefore, there is no need to conduct elections of officers at this time.

Agenda Item #3 – Approval of October 18-19, 2012 Board Meeting Minutes

It was M(Jones)/S(Acquaye-Baddoo)/C to approve the October 18-19, 2012 Board meeting minutes.

Vote: 7 – 0

Agenda Item #4 – Petitioner Administrative Hearing

9:30 A.M. - Simone Ravicz, Ph.D. – Petition for Reinstatement

Administrative Law Judge Linda Cabatic presided. Deputy Attorney General Ashley Harlan was present and represented the People of the State of California. Simone Ravicz, Ph.D. was present and represented herself.

The Board adjourned into closed session at the conclusion of the hearing pursuant to Government Code Section 11126(c)(3) to discuss and vote on this matter and other disciplinary matters, and pursuant to Government Code Section 11126(e) to discuss pending litigation.

1:00 P.M. – Open Session

Agenda Item #5 – Budget Report by Brian Skewis, Department of Consumer Affairs Budget Liaison

Brian Skewis, the Department of Consumer Affairs' (DCA) Budget Liaison for the Board, made a report regarding the Board's budget. Mr. Skewis stated that he was asked by Mr. Kahane to make this report to explain the budget process and to report on the current condition of the Board's fund. He referred to budget documents included in the meeting packets and explained that all DCA programs participate in an incremental budget process with the starting point being last year's Budget Act. He stated that the process factors in vetoes or changes in the price book, and various adjustments are made based on other factors such as Budget Letters, Budget Change Proposals, etc. He explained that the process also factors in the fund condition by assessing the amount of cash in the fund at the beginning and end of the year, reviewing expenditures, and forecasting fund issues. Mr. Skewis reported that there are currently no fund issues for the Board in the forecastable future. He stated that both prior year and current year expenditures are considered to assist in the projection.

Ms. Acquaye-Baddoo inquired about the \$7.5 million outstanding General Fund loan. Mr. Skewis responded that this figure refers to the 2002 and 2008 loans borrowed from the Board's fund for the General Fund, which are to be repaid when needed by the program, or by the built-in repayment date. He noted that the repayment date can be extended depending on the fund condition of the program.

Dr. Erickson asked what would happen when the Board does not expend its entire budget. Mr. Skewis stated that every year, the Board has a budgeted allotment to spend. He stated that if the budgeted allotment is underspent, the unexpended funds revert back to the Board's fund. He compared the Board's budget and fund as a checking account and savings account respectively. Dr. Erickson asked if the Board underspends in one line item if it can overspend that amount in another line item. Mr. Skewis stated that it is the bottom line that is looked at. Therefore, as long as the Board does not exceed its budgeted bottom line, this would be allowed.

Ms. Kassis noted the 12.5 months in reserve for fiscal year 2011-2012 and asked if that was too high. Mr. Skewis stated that up to a 24 month reserve is allowed, so the Board is within the allowed limits.

Charles Faltz, Ph.D., on behalf of the California Psychological Association (CPA), stated that it appears that in the last three to four years, the amount of expenses going toward State services has increased hugely and asked if that was accurate given that staff salaries are not increasing. Mr. Skewis stated that it is safe to say that the cost of doing business has increased due to a variety of proposals that have gone through regarding enforcement processing. He stated that there are a handful of line items that can increase without increasing salaries, such as Attorney General costs, which are outside of DCA's control. He clarified that these increases are not specific to this Board.

Dr. Linder-Crow, Chief Executive Officer of CPA, noted that \$800,000 being budgeted for salaries and wages seems like quite an increase. Mr. Skewis stated that when a position is established or becomes vacated, it can take a while to refill the position leaving a period of vacancy. Therefore, the budgeted amount does not mean that this full amount will actually be paid out.

Mr. Skewis stated that he will be happy to answer any questions at future Board meetings.

Agenda Item #6 – President's Report

a) 2013 and 2014 Meeting Calendars

Dr. Erickson stated that in 2011, the Board entertained a suggestion to try a three meeting per year format which the Board has done in 2012 and 2013. He stated that there have been various rationales raised both pro and con, to return to four meetings per year. He explained that the advantage for fewer meetings is spending less money in travel costs, but the Board has less opportunity to carry out its business in a timely fashion, however it may be timely enough. He also stated that the hope for a three meeting schedule is to provide committees the opportunity to conduct committee meetings between Board meetings which has promise. Dr. Erickson stated that he recently attended a Continuing Education Committee meeting which was held outside of a regular Board meeting and was very productive. Ms. Arias-Bhatia stated that she also attended the Continuing Education Committee Meeting and found it to be extremely productive and she encouraged other committees to conduct committee meetings between regularly scheduled Board meetings.

Dr. Erickson asked the Board to consider a four-meeting calendar as opposed to a three-meeting calendar and also to consider meeting on Friday/Saturday as opposed to Thursday/Friday. Discussion ensued. Dr. Erickson stated this issue will be tabled for now and will be revisited at the June meeting.

b) Review and Update Committee Assignments

Dr. Erickson noted that assigning Board members to committees is much more complex than it seems. He stated that in addition to trying to find committees to match the interests and talent of each member, he needs to keep in mind conflicts in scheduling committee meetings to allow each Board member to be in attendance at each committee meeting of which they are a member. He asked the Board members to let him know by email if they are happy with their current assignments or if they would like to be reassigned, in order for him finalize committee assignments for announcement at the next Board meeting.

c) Executive Officer Performance Evaluation

Dr. Erickson deferred to Jeffrey Sears, DCA Personnel Officer. Mr. Sears stated that he was asked to come to speak to the Board regarding the performance evaluation process for the Executive Officer. He stated that DCA has developed a process to discuss expectations between the Board and the Executive Officer and to formally approve pay raises. He explained that an Executive Officer can only receive a pay increase upon formal approval by the Board and that it is not statutorily required. He stated that this is an excellent personnel management process and gives the Board the opportunity to formalize its ratings and expectations for the Executive Officer's personnel file.

Mr. Sears provided an overview of the process. He stated that the evaluation form is typically distributed to Board members annually to review at their leisure and to make recommendations regarding performance factors, comments and tentative ratings. He stated that the Board then convenes in closed session at a regular Board meeting to discuss and formalize the ratings of each Board member which are then formalized and given to the Executive Officer, or the ratings can be collated into one evaluation by consensus of the Board. He stated that someone, typically the Board President, will meet with the Executive Officer to review the evaluation of his or her performance over the past year, either at the Board meeting or outside the Board meeting. He explained that the evaluation is signed by the reviewing officer and the Executive Officer and sent to DCA's Office of Human Resources for the Executive Officer's personnel file. Mr. Sears stated that when a pay raise is available, it is capped at five percent per year. He stated that in this case, Mr. Kahane is at the top of his pay range, therefore, no pay increase is available. Dr. Cadow asked if staff input is allowed. Mr. Sears stated that it is up to the Board, however, the categories for ratings relate to how the Executive Officer meets the Board's expectations.

Dr. Erickson inquired about the timeline that the Board should adhere to. Mr. Sears stated that it is up to the Board whether the individual evaluations are sent to the Board President prior to the next meeting, or brought to the meeting. Dr. Erickson stated that he would like the individual evaluations sent to him four to five weeks prior to the next Board meeting, and that he will collate the information submitted by Board members, speak with staff members, and bring the results to the next meeting.

d) Other Informational Items

Dr. Erickson stated given the number of new members on the Board, he has spoken with Mr. Kahane about scheduling Board member training given the learning curve associated with being a new Board member. He stated that the Board has received an offer from Alex Siegel, J.D., Ph.D., Director of Professional Affairs with the Association of State and Provincial Psychology Boards (ASPPB), to provide training at no cost on what it means to be a member of a state licensing board as well as training more specific to the tasks performed by the Board. Mr. Kahane stated that he has been in contact with Dr. Siegel and will be setting something up once he meets with Dr. Erickson to further define and establish a date for the training.

Dr. Erickson stated that he has requested that Mr. Kahane include a summary page for each agenda item in future Board meeting packets to explain why the item is on the agenda, what it is about, what the history is behind the issue, and what information the Board will need to consider.

Dr. Erickson reported that he has been speaking with Mr. Kahane about finalizing a Board member manual to establish the responsibilities and duties of Board members. Mr. Kahane stated that his goal is March 1, 2013 to have a draft sent to Dr. Erickson.

Dr. Erickson stated that he will be working with Mr. Kahane to establish a more uniform system once a new Board member has been appointed to send a welcoming email along with a pre-determined package of material to include for the new member.

Dr. Erickson reminded the Board members that if they are unable to attend a Board or committee meeting to be sure to send an email to the President and Executive Officer as soon as they know that they are not able to attend.

Agenda Item #7 – Executive Officer’s Report

a) Board Operations

Mr. Kahane reported that the Board has a severe staffing issue due to an extended illness, work has been distributed to the rest of the staff in lieu of their own duties. He has authorized overtime in order to maintain our daily tasks and reduce licensing times. The times have not increased, but they have not been reduced either.

Mr. Kahane thanked staff for their multiple contributions in getting the meeting materials to the Board Members.

b) BreEZe Project

Mr. Kahane noted that all Board staff has been to BreEZe training, though some training modules have been cancelled. BreEZe was scheduled to be up and running two days ago. It is not. Senior staff contributions have been extensive in time and knowledge. The Board is in good shape with weekly completion of its licensing and enforcement corrections for the vendor. There is no new date for BreEZe implementation, as of now.

c) Update Regarding Board Request for Internal Audit of Licensing Processes

Mr. Kahane informed the Board that the audit for the licensing area will be done after the implementation of the new Breeze project. Having it done for an obsolete system would have been a waste of time for all involved, as the report would be completed as BreEZe would be implemented. The Board will use CPS for this audit. They are the same auditors who conducted an audit of DCA.

d) Status Report Regarding SB 1172 (Lieu) – Sexual Orientation Change Efforts, Chapter 835, Statutes of 2012

Mr. Kahane stated that SB 1172, the sexual orientation change bill (2012), is not yet in effect from December 26, 2012 is before the court, (Pickup and Brown) and arguments are scheduled to be heard on appeal in the Ninth Circuit on April 26th. After that decision, the Board may or may not need to come up with language and implementation.

e) Bagley-Keene Open Meeting Act Update

Mr. Kahane indicated there are no changes for Bagley Keene Open Meetings Act for 2013. Mr. Kahane advised the Board to continue to be aware of the limitations and transparency requirements of the act, as they have done so previously.

f) Other Informational Items

Mr. Kahane reported on the authorized trip to ASPPB in San Francisco October 2012. ASPPB owns the national exam- Examination for the Profession Practice in Psychology (EPPP).

Mr. Kahane was selected to be on a panel at the event. Dr. Erickson and Cadow also attended. As new Board Members it was important for them to see the functions of how the organization works, tries to streamline from jurisdiction to jurisdiction and the global aspect of what they are trying to accomplish for all the Boards in the US and Canada.

Mr. Kahane told of a more recent request in which he wrote to and met with DCA Exec and Administration in order to attend the CPA Conference in Orange County. This was approved. Two staff members, in addition to the Executive Officer, are attending. The Board will have a booth for two days. The board tries to attend every year. It is important that the Board is there to answer Licensing and Continuing Education questions. This event will be April 11-14, with the Board's booth on April 12-13, 2013.

Continuing Education Committee

The Continuing Education Committee met to discuss and formulate recommendations to the Board. See agenda item #8 for the Board's discussion.

Legislation Committee

The Legislation Committee met to discuss and formulate recommendations to the Board. See agenda item #9 for the Board's discussion.

Reconvene Full Board for Committee Reports and Board Action

Agenda Item #8 – Continuing Education Committee

a) Strategic Plan Progress Report

Dr. Cadow reported that the Continuing Education Committee's Strategic Plan goals and objectives are ongoing.

b) Continuing Education Statistics

Dr. Cadow reported that there have been no remarkable changes in the non-compliance rates. She stated that the number of psychologists who are not in compliance with their continuing education requirements seem to be about the same as the Board has seen in the past.

c) Update Regarding Continuing Education Regulations, Effective January 1, 2013

Dr. Cadow reported that the Board's transition to the new continuing education reporting system went very well. She stated that CPA has received some continuing education reports that had to be returned to the licensee due to the termination of the MCEP Accrediting Agency. Dr. Cadow stated that Ms. McDowell is in the process of developing the new audit system and is in the process of working on the January 2013 renewals. She stated that the goal is a ten percent audit each month, however, Ms. McDowell will be determining how much time it takes to perform each audit and the follow-through required to determine if this goal is manageable.

d) Discussion Regarding Continuing Professional Development Guidelines and Multicultural Training Including Recommendations from the January 11, 2013 Continuing Education Committee Meeting

Dr. Cadow provided highlights from the January 11, 2013, Continuing Education Committee's meeting regarding Continuing Professional Development Guidelines and multicultural training. She stated that the committee has worked with Dr. Jacqueline Horn from the Association of

State and Provincial Psychology Boards. She stated that the vision is that continuing education should be more than just taking classes; rather it should be more participatory to provide more effective translating of what is learned into the licensees' practice.

Dr. Cadow referred to the model for continuing professional development under consideration that was provided in the meeting packets. She summarized the various activities that would be accepted toward continuing education under the model in different areas such as professional, academic, continuing education and board certification. She explained that the concept is to include activities that the committee feels has merit to get psychologists more involved in their continued development to allow them to provide better service to the public. Dr. Cadow stated that the committee will be meeting about this issue again.

Dr. Cadow stated that the committee discussed adding a new requirement for licensees to take coursework in cultural diversity and reviewed draft regulation language which included a definition of cultural diversity. She noted that the term multicultural has been changed to cultural diversity. Once enacted, a new question would be added to the license renewal form asking the licensee if he or she has taken coursework in this area. Dr. Cadow stated that Ms. Marks is working on a new draft to include the new language regarding cultural diversity as well as continuing professional development. She stated that the language would still refer to continuing education as opposed to continuing professional development so that the statutes do not have to be amended; however, the intent will be the same.

Dr. Cadow referred to a sample of a continuing professional development log as well as a continuing professional development verification form which licensees could use to keep track of the hours which would prove helpful if a licensee were audited. She noted that the name of the forms would be changed to continuing education log and continuing education verification form to be consistent with the statutes and regulations.

Dr. Cadow stated that she will defer to Dr. Gallardo, who was unable to be in attendance at this meeting, to conduct another Continuing Education Committee meeting prior to the June Board meeting.

Dr. Cadow stated that the committee discussed two emails at the January Continuing Education Meeting, which were included in the meeting packets. The first email was regarding the current expense of continuing education and the second was addressing the need for a requirement for coursework in multicultural issues. She stated that these issues have been addressed in the new proposal.

e) Discussion and Consideration of Amendments to Continuing Education Regulations to Establish Criteria for Accepting Entities to Approve CE Providers and Courses

Dr. Cadow stated that the committee discussed that the new proposal for continuing professional development would keep the existing continuing education providers and courses. She stated that the committee may consider adding other providers in the future; however, the committee would like to keep it the same at this point.

f) Public Comment for Items Not on the Agenda

None.

It was M(Erickson)/S(Acquaye-Baddoo)/C to accept the Continuing Education Committee's report and the recommendations contained therein.

Vote: 7 – 0

Agenda Item #9 – Legislation Committee

a) Strategic Plan Progress Report

Ms. Jones reported that the Legislation Committee's Strategic Plan goals and objectives are ongoing.

Ms. Jones reported that the last day for bills to be introduced is tomorrow, February 22, 2013, and that there are only a few bills for the Board to review.

b) SB 60 (Wright) – Victims of Crime Act: Elderly Adults

This bill would amend Government Code Section 13951 to include financial abuse of an elderly or dependent adult within the definition of specified crimes that are eligible for compensation by the California Victim Compensation and Government Claims Board for specified losses suffered as a result of those crimes.

c) SB 22 (Beall) – Health Care Coverage: Mental Health Parity

Ms. Jones stated that this bill would state the intent of the Legislature to enact legislation that would ensure compliance with and implementation of state and federal mental health parity laws.

d) SB 28 (Hernandez) – Medi-Cal: Eligibility

Ms. Jones stated that this bill, along with SB 22, deal with implementation of the Affordable Care Act (ACA). Ms. Jones reported that this bill would ensure that funding for mental health services are adequately billed through Medi-Cal. Ms. Jones stated that there are also two other bills not included in the packet, ABX1 and ABX2, which also deal with the ACA that were introduced in a special session.

e) Board of Behavioral Sciences Legislative Proposal – Child Custody Evaluators

Ms. Jones introduced Kim Madsen, Executive Officer, and Roseanne Helms, Legislative/Regulatory Analyst from the Board of Behavioral Sciences (BBS) and invited them to address the Board regarding a legislative proposal their Board is pursuing regarding child custody evaluator reports. Ms. Madsen reported that both respective Boards investigate complaints received from parties involved in the child custody evaluation process. Ms. Madsen stated that both our Board's licensees participate in the child custody evaluation process pursuant to Family Code §3111. Ms. Madsen explained that under Family Code Section §3025.5 certain entities are allowed to have access to this report; however neither of our Boards are named in this section of law which identifies the entities authorized to receive these reports. Complicating this situation is the mandate in the Family Code to require both our respective Boards to investigate complaints that allege unprofessional conduct or unethical conduct in the creation of this report, yet we are not supposed to be authorized to receive this report. Ms. Madsen stated that without access to this report, the Board is not able to fulfill its mandate to protect consumers as the law is currently constructed.

Ms. Madsen reported that the BBS is proposing, and has actively been engaged in discussions to find an author to introduce a bill to allow parties who have access to the reports to provide these documents to the respective Board when filing a complaint to allow the Board's to review the matter, look at the document and determine whether the case has merit in order to proceed with an investigation. Providing the report to Board's in this manner would not be considered an unwarranted disclosure under the current construction of law. Currently if any one of these

parties provides this report to the Board's, they are subject to sanctions by the courts. Ms. Madsen stated that BBS's policy direction is that since they cannot have legal access to the report, they are no longer accepting these reports and are returning them to the parties. Ms. Madsen stated that if BBS is successful with this endeavor, it would impact the Psychology Board and its enforcement program, and that they would welcome a support position or if desired the Board could be a co-sponsor. Ms. Madsen stated she would be happy to answer any questions the Board might have.

Ms. Jones stated that the committee talked about the impact to BBS, and Ms. Madsen indicated that they receive approximately 200 cases per year, and Ms. Bayless stated 5% of the total complaints received each year are related to child custody. Ms. Jones asked the Board and the public if they had any questions or comments.

Dr. Charles Faltz, California Psychological Association stated they really appreciate the representatives from BBS coming here and it was really helpful to help them understand this proposal. Dr. Faltz stated that one thing that did emerge in this discussion is that there is case law BBS is interpreting, and that there are other interpretations that are not as restrictive. Dr. Faltz stated that BBS is interpreting the law to imply that even those who have access to the reports pursuant to statute cannot provide the reports and that BBS will not accept the reports from those people who clearly have access. Dr. Faltz commented that certainly from the point of view of a professional association, without speaking for all associations, the confidentiality that is provided as public policy and law is really important and very thoughtfully laid out in statute. Dr. Faltz stated that one cannot imagine anything more private than child custody and the law restricts the access very appropriately and labels confidential those reports that are the basis for determining child custody.

Dr. Faltz stated that he doesn't want his comments to be construed as CPA taking a position at this time, since they are still looking at this bill very closely. Dr. Faltz stated that it does appear that existing law provides for the parties who have access to the reports, and that they do have access, and that the intention of the law from fair reading is that if one of the parties wants to file a complaint, and attach a copy of the report, it does seem to be what the law provides.

Dr. Faltz stated that there is actually two parts to the legislation being proposed. One part specifically addresses that the parties and the court can provide the report, and if that means that more emphasis in the language is needed to reflect the case law that exists, this might be something that is consistent and would not expand or reduce the confidentiality that is provided. Dr. Faltz stated that the second part of this proposal is the more troubling part because it would allow the licensing board to direct the court without consent of the parties involved, to send them a copy of the report, and that CPA is concerned about opening that gate without a showing of good cause. Dr. Faltz stated that this proposal would allow licensing boards to demand and receive a copy of the report and that they have serious concerns and hope that the Board will allow more time for discussion for something as important as opening up a child custody report.

Dr. Steven Phillips, Los Angeles California Psychological Association stated that there is a portion of this proposal as Dr. Faltz has pointed out that is troubling in that it that allows Boards to override the confidentiality of the parties to the report by way of a mandate to the court to provide these records. Dr. Phillips stated that if amendments were made to add "upon a showing of good cause" in order for the courts to release the records, this would provide greater confidentiality for the parties involved.

Ms. Bayless reported that the changes proposed would help the Board fulfill its mandate of consumer protection. Ms. Bayless stated that there is a group of complainants that the Board cannot investigate because the Board doesn't have access to the report. Ms. Bayless stated that this proposal would greatly affect the Board's ability not only to fulfill its mandate but to be

able to investigate these types of complaints. Dr. Andrew Harlem asked Ms. Bayless what percentage of complainants would be able or willing to provide the report if permitted. Ms. Bayless stated that in a lot of the Board's cases the complainant will provide the report, but that the Board also has a large number of complaints that staff must respond to and inform them that the Board is unable to proceed with their complaint due to not having a copy of the child custody evaluation report. Dr. Harlem asked if this is due to the complainant not having access to the report. Ms. Bayless stated that it could be because they are either afraid to provide the report to the Board since it states that they can be subject to sanctions for providing the report, or they don't have access to the report.

Dr. Michael Erickson stated that in a situation where maybe one party doesn't want the report released and the other one does, how would the concern of the parent who is unwilling to sign the release be addressed. Ms. Madsen stated that it should be looked at as a 2-part situation: the first step for the BBS is to look at what the complaining party is reporting and to evaluate if they are simply unhappy with the decision that was made, or are they telling the Board that the licensee engaged in a dual relationship by not only serving as the evaluator but by also serving as the supervised visitation monitor. Ms. Madsen stated that if the BBS were to receive a complaint about being unhappy, and the report had proper support, they would close the case, no questions asked. Ms. Madsen explained that secondly, these are scary investigations not only for the court but also for the licensee and that because the licensee creates the report they are not able to provide it to the Board as the law is currently written. Ms. Madsen concluded that this proposal is not only attempting to hold anyone providing the report to the Board harmless, but it would also allow a licensee to present his/her defense of the allegations. Ms. Madsen explained that of the 200 cases annually, only about 10% have merit that would lead to an investigation. The child custody report may reveal a violation or that a licensee created a report and provided an unbiased opinion to the court, which is of value to the court especially when deciding the fate of a young child.

Ms. Jones reported that currently there is no bill number, as Ms. Madsen stated BBS is still looking for an author to carry this proposal and tomorrow is the deadline for bills to be submitted. Ms. Jones reported that if there are no further questions, the Board should continue to watch this proposal, and also have Ms. Bayless look at the number of cases this would impact and come back as board and discuss at our next meeting. Ms. Madsen stated she will keep the Board advised and that she understands the concerns brought forward and that BBS is also sensitive to the confidentiality issue, and that they would want that resolved before they move forward.

f) Legislative Status Report and 2013 Legislative Calendar

Ms. Jones referred to the Legislative Status Report and the 2013 Legislative Calendar that were provided in the meeting packets. She stated that these documents establish benchmarks and denote deadlines happening in the Legislature. Ms. Jones stated that a recommendation was made to update the Legislative Status Report to include a brief description of each bill, and that she will work with Ms. Kassis to update the report for our next meeting.

Ms. Kassis reported that the Committee discussed the board meeting three times a year vs. four times per year, the timing of the Legislative Calendar, and that bills move rather quickly between now and June. Ms. Kassis stated that if the Board needs to take a position on any legislation prior to the June meeting, this committee may ask to meet between board meetings.

g) Any Other Bills of Interest

Ms. Jones reported that the Committee also discussed AB 213 (Logue) Healing Arts: Licensure and Certification Requirements: Military Experience and AB 186 (Maienschein) Professions and Vocations: Military Spouses: Temporary Licenses.

Ms. Jones deferred to Ms. Kassis to report on AB 213 (Logue) Healing Arts: Licensure and Certification Requirements: Military Experience. Ms. Kassis reported that this bill would require healing arts boards within the DCA and the State Department of Public Health upon the presentation of evidence by an applicant for licensure, to accept the education, training, and practical experience completed by an applicant in the military service towards the qualification requirements for licensure, if the training or experience is deemed equivalent to the standards of the Board.

Ms. Jones reported on AB 186 (Maienschein) Professions and Vocations: Military Spouses: Temporary Licenses. Ms. Jones stated that this bill would put in place provisional temporary licenses that would be in place for up to 18 months for military spouses. Ms. Jones reported that the committee will continue to watch this bill. Ms. Jones stated that since this proposal is similar to a bill introduced last year that the Board may want to review the analysis for last year's bill to identify any fiscal impact. Ms. Kassis stated that there was a similar piece of legislation last year that initially would have required the issuance of a temporary license; however the bill was amended to instead require expedited licensure. Ms. Kassis reported that last year's bill, AB 1904 (Block) Professions and Vocations: Military Spouses: Expedited Licensure, Chapter 399, Statutes of 2012 will be reviewed by the Examination Committee at tomorrow's meeting to discuss implementation. Ms. Kassis reported that the author states that a lot of military personnel are hesitant to re-enlist because their spouses are not able to transfer their professional licenses to other states.

Ms. Jones reported on SB 131(Beall) Damages: Childhood Sexual Abuse: Statute of Limitations. Ms. Jones recommended taking a watch position on this bill.

Ms. Jones stated that there is a possibility of conducting another Legislation Committee meeting prior to the next Board meeting to be able to discuss these bills with a full committee since today's committee meeting was not a full committee.

h) Public Comment for Items Not on the Agenda

None

It was M(Jones)/S(Erickson)/C to accept the Legislation Committee's report and the recommendations contained therein.

Vote: 7 – 0

The open session meeting adjourned at 4:52 p.m.

Friday, February 22, 2013

The open session meeting was called to order by Michael Erickson, Ph.D., Board President at 9:05 a.m. A quorum was present and due notice had been sent to all interested parties.

Members Present:

Michael Erickson, Ph.D., Board President
Barbara Cadow, Ph.D., Board Vice-President
Lucille Acquaye-Baddoo
Johanna Arias-Bhatia
Andrew Harlem, Ph.D.
Nicole J. Jones
Linda Starr

Others Present:

Robert Kahane, Executive Officer
Jeffrey Thomas, Assistant Executive Officer
Norine Marks, Legal Counsel
Gina Bayless, Enforcement Coordinator
Linda Kassis, Administrative Services Coordinator
Lavinia Snyder, Licensing/Registration Coordinator
Denise Russell, Special Investigator
Nicole Walker, Special Investigator
Julie Brown, Enforcement Analyst
Colette McDowell, Continuing Education Analyst

Examination Committee

The Examination Committee met to discuss and formulate recommendations to the Board. See agenda item #10 for the Board's discussion.

Outreach and Consumer Education Committee

The Outreach and Consumer Education Committee met to discuss and formulate recommendations to the Board. See agenda item #11 for the Board's discussion.

Agenda Item #10 - Examination Committee

a) Strategic Plan Progress Report

Dr. Cadow reported that the Examination Committee's Strategic Plan goals and objectives are ongoing. She stated that at the last Board meeting, the hope was to decrease time for processing applications. However, due to staffing issues, BreEZe implementation, and budget issues, processing times have not decreased at this time as the committee had hoped, but staff continues to strive to reduce these times. Dr. Cadow also noted that the CPSE will soon be replaced by an enhanced CPLEE, however, the committee is uncertain how long it will take to implement the change. She stated that a regulation hearing has to be conducted and the new examination has to be developed. She reported that the DCA Office of Professional Examination Resources is conducting ongoing workshops to develop the new examination.

b) Examination Statistics

Dr. Cadow stated that there have been no remarkable changes in the statistics for the EPPP, CPSE and the CPLEE. She reported that the pass rate on the EPPP for first-time examinees is 74% as opposed to a 58% pass rate overall. She stated that on the CPSE, the pass rate is about 80% which is consistent between first-time examinees and overall and the pass rate on the CPLEE is 61%.

c) Consider English as a Second Language as a Basis for Accommodation in Taking the Examination

Dr. Cadow noted that this issue has been discussed over the past couple of Board meetings. She thanked Ms. Snyder for getting the requested information together for presentation to the Board. She indicated that based on the responses received from other state psychology licensing boards, California and Oregon are the only states that allow additional time on the examinations based on English as a second language (ESL). She stated that both she and Ms. Snyder conducted as much research as they were able to determine if any other professions or organizations recognize ESL. She noted that the Board of Behavioral Sciences allowed additional time for examinations based on ESL until 2011 at which time they ceased providing this accommodation. She also noted that neither the Medical Board of California nor the Association of State and Provincial Psychology Boards recognize ESL for accommodations.

Dr. Cadow stated that given the absence of many boards and organizations recognizing ESL, it is hard to find an appropriate model. However, she stated that the committee is not happy with the current accommodation policy from 1991 which hinges upon when an applicant enters the country although there are many different experiences and languages that play a role in the applicant's need for accommodation. She stated that the committee had a very thoughtful discussion on the topic and expressed her appreciation for the contributions of everyone in the meeting. Dr. Cadow stated that based on the discussion, the Board does not have a good way of assessing the need for an accommodation based on ESL to determine if an applicant is at a disadvantage since there are no models to use. Additionally, she stated that if someone is already in graduate school in English, hopefully they would be getting the abilities to become a good psychologist and to serve consumers well. Dr. Christina Versari commented that speaking English as a second language improves cognitive abilities and that offering extra time to ESL candidates is unfair to English speaking candidates.

Dr. Cadow noted that there are currently less than ten ESL accommodations submitted each year, the majority of which are approved. She stated that there is no way of getting data regarding how ESL candidates perform on the EPPP since the data simply does not exist. She stated that for accommodations given for physical, mental and learning disabilities, the Board requires an assessment from a qualified evaluator as opposed to ESL accommodations, which is based on a self-report. Dr. Cadow stated that the committee has asked Ms. Snyder to communicate with the Oregon board, which is the only other psychology licensing board that allows accommodations based on ESL, to see what their experience has been with their model. She also stated that she would like to see if there are any other areas, such as advocacy groups, that may have models for assessment of ESL candidates. Dr. Cadow stated that this issue will be placed on the agenda for the next Board meeting for further discussion and hopefully with additional information.

d) Discuss the Implementation of AB 1904 (Block, Butler, and Cook) – Professions and Vocations: Military Spouses: Expedited Licensure, Chapter 399, Statutes of 2012

Dr. Cadow stated that the requirement for providing expedited licensure for military spouses is department-wide. She stated that these applications will be taken on a case-by-case basis and

that if an applicant notes that they are a military spouse, their application will be moved to the top of the pile for review. She reported that to date, the Board has not received any applications from military spouses. She noted that this requirement also includes domestic partners.

e) Discuss California Psychology Law and Ethics Examination (CPLÉE) Complaints Received from Psychologists in Other Jurisdictions

Dr. Cadow reported that the Board has received a number of complaints from candidates who took the CPLÉE and did not pass. She referred to a document included in the Board packets from the Office of Professional Examination Resources (OPES) regarding criterion-referenced passing scores. She stated that the document describes the process it goes through for each test and each test item. Dr. Cadow stated that the committee feels that this document answers the questions posed by those individuals complaining about the CPLÉE. Mr. Kahane stated that each of the complaints have been answered individually with the data included in the OPES document and that there are no complaints pending.

f) Public Comments for Items Not on the Agenda

None.

It as M(Erickson)/S(Acquaye-Baddoo)/C to accept the Examination Committee's report and the recommendations contained therein.

Vote: 7 – 0

Agenda Item #11 – Outreach and Consumer Education Committee

a) Strategic Plan Progress Report

Ms. Acquaye-Baddoo thanked the committee and staff for a wonderful job. She reported that Dr. Erickson, Dr. Cadow and Mr. Kahane attending the ASPPB annual meeting in San Francisco in October. She stated that ASPPB develops uniform standards for psychology and owns the EPPP, therefore, it is important for the Board to be involved with this organization and their meetings. She stated that the Board has not been able to attend an ASPPB meeting for two years due to travel restrictions; however, Mr. Kahane wrote a letter to the DCA Executive Office requesting to attending this meeting explaining the importance of the Board's involvement as California licenses 25% of psychologists in the United States and Canada. She noted that Mr. Kahane was a delegate. She also reported that the Board will have a booth at the California Psychological Association convention in April. She also stated that Mr. Kahane is working on establishing a Twitter account and will be publishing the Board's newsletter online in July. Mr. Kahane stated that it is his goal to enhance the Board's outreach efforts by visiting various schools to explain what the Board does and to disseminate information about the Board's requirements. He stated that if there are schools that would like to participate, and the board will make every effort to visit.

b) Public Comment for Items Not on the Agenda

Steve Arthur from Ryokan College commented that in order for outreach to be effective, it must be in reach, interactive and entertaining. He stated that people are deluged with information, and he requested the Board to keep this in mind in order to get people interested in the information presented.

It was M(Acquaye-Baddoo)/S(Jones)/C to accept the Outreach and Consumer Education Committee's report and the recommendations contained therein.

Vote: 7 – 0

Enforcement Committee

The Enforcement Committee met to discuss and formulate recommendations to the Board. See agenda item #12 for the Board's discussion.

Credentials Committee

The Contemporary and Emerging Issues Committee met to discuss and formulate recommendations to the Board. See agenda item #13 for the Board's discussion.

Contemporary & Emerging Issues Committee

The Contemporary and Emerging Issues Committee met to discuss and formulate recommendations to the Board. See agenda item #14 for the Board's discussion.

Dr. Erickson announced that the Credentials Committee and Examination Committee are being merged to form the Licensing Committee with Dr. Cadow as the Chairperson.

Agenda Item #12 – Enforcement Committee

a) Strategic Plan Progress Report

Ms. Acquaye-Baddoo reported that the probation monitoring program audit is almost complete. Ms. Bayless stated as this project ends, she will be making recommendations at the next Strategic Planning session to streamline the process. Ms. Acquaye-Baddoo stated that staff is continuing to work towards reducing the enforcement processing times. She also noted that the Board's Disciplinary Guidelines are undergoing changes, and that Ms. Kassis will be providing an update under the Regulation Update.

b) Enforcement Statistics

Ms. Acquaye-Baddoo referred to the enforcement statistics provided in the meeting packets. She noted that there were two citations ordered so far this fiscal year. This is a significant reduction compared to the previous fiscal year. She explained that this is due to the issue of advertising by psychological assistants having been addressed and psychological assistants are becoming aware that these types of advertisements are being more closely monitored by the Board.

Ms. Bayless referred to the monthly enforcement report to DCA included in the meeting packets. She indicated that these reports track the Board's performance as it relates to target goals for the Consumer Protection Enforcement Initiative (CPEI). She stated that the information collected by DCA in these reports is used to create performance measure documents on a quarterly basis. She also noted that the Board meets its target goals in most areas except for discipline as many aspects of this area are outside of the Board's control, such as investigation and prosecution by the Office of the Attorney General. Ms. Acquaye-Baddoo noted that as the Board transitions to the new BreEZe system, the Board might initially see an increase due to the learning curve involved with processing our cases under the new system, however, as staff becomes more familiar with BreEZe, these times should start to decrease once again.

Ms. Jones asked if the number of days for formal discipline, which was at 540 days as of the last report, would be shortened by increasing the number of Board meetings. Ms. Bayless responded by indicating that the frequency of Board meetings would have no impact on this statistic.

c) Public Comment for Items Not on the Agenda

None.

It was M(Erickson)/S(Acquaye-Baddoo)/C to accept the Enforcement Committee's report and the recommendations contained therein.

Vote: 7 – 0

Agenda Item #13 – Credentials Committee

a) Strategic Plan Progress Report

Dr. Erickson reported that the Credentials Committee's Strategic Plan goals and objectives are straightforward and ongoing.

b) Satisfaction Survey Results

Ms. Snyder referred to the satisfaction survey results that were included in the meeting packets. She stated that at the last Board meeting, the Board requested comments from the surveys to be included. She indicated that on the last page of the results, there is a section for comments broken down between positive comments and negative comments for the period of August 2012 through December 2012. Ms. Jones questioned the fact that 77% of applicants apply via U.S. mail. Ms. Snyder stated that BreZE will be focused on online applications, and that registered psychologists and registered psychological assistants will be able to apply online which is a functionality that the Board does not currently have.

c) Overview of License Application Processing

Ms. Snyder referred to documents that were included in the meeting packets which demonstrate the number of applications received, amount of mail received, number of phone calls and emails received, and an overview of the application process. She noted that the figures provided refer only to new incoming applications and do not reflect the applications that have already been processed that are currently being maintained by licensing staff. Dr. Erickson indicated that the committee was very impressed with the chart and acknowledged the work Ms. Snyder put in to providing this for the Board. He stated that the committee would suggest posting this document on the Board's website. Ms. Snyder remarked that between 2011 and 2012, psychological assistant applications have increased by 2.07%, registered psychologist applications by 18.92% and applications for licensure as a psychologist by 26.07%.

Dr. Erickson commented that the time it takes to process applications is taking longer than the Board would like to see for various reasons such as staffing issues and BreZE testing. He stated that given that the Board has the financial resources, he would like to find a way to fix this. He indicated that in private industry, temporary help could be hired. He indicated that Mr. Kahane previously had mentioned that the Board has the opportunity to hire permanent intermittent employees and that although their working hours would be limited, he recommends that the board move forward with this as quickly as possible in order to get the licensing application processing times down.

d) Discuss Limitations of Exemption Period Granted Under Business and Professions Code Section 2910 and Welfare & Institutions Code Section 5751.2

Dr. Erickson stated that this issue involves discrepancies between the Board's laws and statutes from other various codes in terms of what an exemption from licensure means. He stated that some settings in which a trainee can be accruing supervised professional experience but may not be providing direct mental health services. He stated that the committee is not fully informed of what all the issues are surrounding this issue, therefore, this item will be continued until the next Board meeting.

Ms. Marks provided a summary of the issue to the Board. She indicated that section 2910 of the Business and Professions Code sets forth certain exempt settings. She stated that employees of academic settings, public schools and governmental settings are exempt from licensure. She noted, however, that section 5751.2 of the Welfare and Institutions Code states that if you are practicing as a psychologist, you must be licensed, however, if you are accruing the required hours for licensure, a five-year waiver shall be granted. She explained that the exemption states that you are exempt if you are not providing direct health or mental health services, which is not defined anywhere. She indicated that most people would interpret this to mean direct client/patient psychotherapy and that if someone practices psychotherapy, they are outside their exemption and are no longer exempt. She clarified that she does not think that is the intent since psychotherapy is a hallmark service in the profession of psychology in terms of accruing supervised professional experience. She stated that the Board might want to look at how these sections fit together and whether or not, and how, to define direct health or mental health services to ensure that individuals in those exempt settings can maintain their exemption and still accrue supervised professional experience in all the areas in which they need to be experienced in order to be licensed. She pointed out that there is no reference to each other in either statute.

Ms. Marks stated that due to a lawsuit to which the Board was not a party to, an individual can be in an exempt setting as long as they are not providing direct services, which may be defined as psychotherapy. She indicated that the Board may wish to look at how to define direct health or mental health services by looking at if it is defined by who is directing the services, or by being direct with a patient. She indicated that the Board may also wish to go to the Legislature to request a change.

Dr. Harlem stated that it would be helpful to have a document that explains all of the issues involved. Ms. Jones stated that during the committee's discussion of the issue, section 2909 of the Business and Professions Code was discussed as well and that it would be helpful to have that section included in the document as well. Ms. Marks stated that for the next Board meeting, she will have excerpts from the various statutes as well as language from the course case discussed previously and perhaps some bulleted talking points.

e) Update Regarding Request for the California Psychological Association (CPA) to Pursue Legislation to Eliminate Subsection (g) from Business and Professions Code Section 2914

Dr. Erickson provided a brief summary of this issue. He stated that at the June 2012 Board meeting, the Board gave instruction to Mr. Kahane to write a letter to CPA expressing the Board's interest in having CPA move forward with legislation to remove subsection (g), which allows graduates from approved schools to sit for licensure, from Section 2914 of the Business and Professions Code. He indicated that this issue has been discussed for several years and that the general consensus of the Board was to move forward with this proposal. He stated that today the Board has the opportunity to hear from CPA as well as from representatives of the schools that have students that would be affected if subsection (g) is removed.

Emil Rodolfa, Ph.D., a former member of the Board, stated that the Board has spent a substantial amount of time discussing this issue over many years. He stated that during his tenure on the Board, it was clear that the existence of approved schools is a public protection issue and that at the February 2012 Board meeting, after two years of review, the Board requested CPA to put the issue on their legislative agenda to remove subsection (g) from section 2914 of the Business and Professions Code. He remarked that during the Board's most recent Sunset Review, the legislature asked if students from approved schools are being harmed, and the Board's answer was that they are being harmed in that students from approved schools perform significantly worse on the EPPP than students from accredited educational institutions with a pass rate of 30% as opposed to 75%. Dr. Rodolfa also stated that approved schools are not always forthcoming regarding the limitations of obtaining a degree from an approved school in that graduates from these schools cannot become licensed as a psychologist in any other state, they cannot participate in the national internship matching program, obtain membership in the American Psychological Association, be certified by the American Board of Professional Psychology, or be employed by the Department of Veterans Affairs. He further stated that these academic programs cannot join national training programs.

Dr. Rodolfa indicated that the Bureau for Private Postsecondary Education (BPPE) provides very little oversight over these programs citing that one school had indicated that they had not been reviewed by BPPE in 14 years, while another one of these schools stated that they had to dramatically improve its programs in order to be approved for accreditation. He reported that of the 11 approved schools, two have merged with APA programs, one states that they do not offer a doctoral degree, one states that their institution does not grant degrees, and one received regional accreditation which leaves only six approved schools. He noted that students from unaccredited medical schools are not eligible to sit for licensure. Dr. Rodolfa encouraged the Board to work with CPA to make this change.

Dr. Linder-Crow, Chief Executive Officer of CPA, stated that this issue goes back to AB 400 which, as a result of a compromise, left current approved schools in place at the time with the stipulation that no additional approved schools were to be accepted by the Board. She stated that when CPA received Mr. Kahane's letter, it was brought to CPA's Government Affairs and Executive Committees for discussion. She stated that after significant discussions, it was decided to return to the Board with the results of those discussions. She stated that the Board asked to support legislation to eliminate subsection (g) from section 2914 of the Business and Professions Code that refers specifically to the fact that an applicant who holds a degree from an approved meets the requirements for licensure if the school meets specific criteria. She stated that given this would be a significant effort in both human and financial resources, CPA would stand a much better chance of success if CPA and the Board are united in this effort. She stated that CPA would like the Board to commit to being an active participant in this effort, which includes providing testimony on behalf of the Board. She indicated that this may be a departure for this particular Board, but not for many other licensing boards.

Dr. Linder-Crow stated that CPA is requesting that the Board take the step of making a commitment to being an actively named co-sponsor of any potential legislation, be willing to participate in conversations on the administrative side with DCA and State and Consumer Services Agency to determine what level of support or opposition to anticipate, and be willing to testify at hearings. She indicated that absent this commitment, the effort may be perceived as a professional association trying to cut out other schools, which is not what this effort is or why the Board wrote the letter.

Mr. Kahane stated that he will go up the necessary channels in the Department of Consumer Affairs regarding this issue and report back to the Board.

Steve Arthur, President of Ryokan College, stated that he helped write AB 400 and that its intent was to get rid of diploma mills. He stated that approved schools service a niche of students not served by accredited schools. He stated that their average student is 44 years of age. He indicated that it costs a lot of money to get accredited, and that they would lose their students since these costs would require them to increase their tuition fees.

Dr. Julie Hayden, Dean of Graduate School of Behavioral Science for the Southern California Seminary, a nationally accredited school, stated that intended or not, national accredited schools are lumped with approved schools, and national accredited schools will not survive if regional accreditation is required. She also pointed out that the initial CE draft language only referenced accredited institutions but the current draft language in the Board packet, it was revised to regional accreditation. She stated that she would provide copies of this to all Board members.

Dr. Erickson stated that the Board has already voted and decided on this issue and the purpose of having this item on the agenda was to get a status report from CPA. He indicated that CPA has reported, and the Board needs to decide if it wants to make the commitment requested by CPA. He noted that things can be modified along the way. He thanked everyone for their input and history.

f) Public Comment For Items Not on the Agenda

None.

It was M(Arias-Bhatia)/S(Erickson)/C to accept the Credentials Committee's report and the recommendations contained therein.

Vote: 7 – 0

Agenda Item #14 – Contemporary & Emerging Issues Committee

a) Review of ASPPB Jurisdictional Survey on the Interjurisdictional Telepsychology Practice (IJTP)

Dr. Cadow referred to the document from ASPPB provided in the meeting packets. She stated that, in an effort to institute standards for telepsychology across the country, ASPPB has come up with some ideas, such as the E-Passport, as a way for psychologists who are delivering services via telephone, to be in a databank with ASPPB. She indicated, however, that due to the differences between the requirements of the different states and provinces, regulations would be required to implement such a program. Dr. Cadow stated that a copy of the latest draft will be brought to the next Board meeting for review. She stated that during the committee meeting, the committee discussed the various options provided in the E-Passport materials provided by ASPPB and that the committee decided that the Board should choose the least restrictive options to allow more psychologists to participate. She indicated that even without this document in place, if a consumer has a complaint regarding this issue, he or she can still file a complaint with the Board against California-licensed psychologists. However, if the licensee is licensed in another state or province, the consumer would need to contact the licensing board that holds jurisdiction over the licensee. Dr. Erickson asked that this information be posted on the Board's website. Mr. Kahane indicated that a draft notice for the website will be brought to the next Board meeting.

b) Public Comment For Items Not on the Agenda

None.

It was M(Erickson)/S(Jones)/C to accept the Contemporary & Emerging Issues Committee's report and the recommendations contained therein.

Vote: 7 – 0

Agenda Item #15 - Regulation Update, Review and Action as Necessary

a) Regulations Status Report

Ms. Kassis referred to the Status of Proposed Regulations document provided in the meeting packets. She also mentioned that the Office of Administrative Law (OAL) has an excellent document on their website regarding the regulation process.

b) Update Regarding Proposed Amendments to Title 16, CCR, Section 1397.12 – Uniform Standards Related to Substance Abuse and Disciplinary Guidelines

Ms. Kassis reported that the proposed changes regarding uniform standards related to substance abuse and disciplinary guidelines are still in progress. She indicated that the hope was to have the proposed regulations ready for hearing, however, the deadline for submitting the documents to OAL was Christmas day, and that deadline was not met. She noted that the deadline for submitting the documents for a hearing at the June Board meeting is April 23, 2013, and that she is striving to meet that goal as the Board has set this package as its first priority.

c) Update Regarding Proposed Amendments to Title 16, CCR. Sections 1388, 1388.6, 1389 and 1392 – Examinations

Ms. Kassis reported that this proposal would replace the CPSE with an enhanced version of the CPLEE. She noted that the Board has placed this package as its second priority and it will be addressed once the proposed changes regarding uniform standards related to substance abuse and disciplinary guidelines are completed.

d) Update Regarding Proposed Amendments to Title 16, CCR, Division 13.1, Article 1 (General Provisions), Article 2 (Applications), Article 3 (Education and Experience), Article 4 (Examination), Article 5 (Registered Psychologists), Article 5.1 (Psychological Assistants) and Article 6 (Fees)

Mr. Kassis reported that the updates to the various articles is an effort that began many years ago to clean up each article. She indicated that the Board has gone through each article individually, and some of the articles proved to be more detailed than others. She indicated that while many of the issues that have come up since the Board's review have been added to this regulation package, the Board decided to keep the examination regulation in its own package in order to move them along more quickly. She indicated that the Board has identified this package as its third priority.

Agenda Item #16 – Public Comment on Items Not on the Agenda

Steve Arthur, President, Ryokan College made a comment, that he expressly requested to be reflected in the minutes, that his admiration goes out to Richard Sherman, Ph.D., as he was the only Board member who visited his school, and that Dr. Sherman was never mentioned in his conversations with the Governor's office.

Agenda Item #17 – Recommendations for Agenda Items for Future Board Meetings

Ms. Jones requested that the Board’s stakeholders be surveyed prior to the next Strategic Planning session.

The Board adjourned into closed session at 3:40 p.m. pursuant to Government Code Section 11126(a)(1) to discuss and vote on appointment, employment or evaluation of performance of a public employee.

Signed Copy on File at Board Office

_____ Date

President