

**CALIFORNIA
BOARD OF BARBERING AND COSMETOLOGY**



**DECEMBER 7, 2020
Board Meeting**

**PUBLIC
TELECONFERENCE**



**CALIFORNIA BOARD OF
BARBERING AND
COSMETOLOGY
BOARD MEETING NOTICE AND
AGENDA**

*Action may be taken on
any item listed on the
agenda.*

BOARD MEMBERS:
Lisa Thong, President
Dr. Kari Williams,
Vice President
Jacquelyn Crabtree
Andrew Drabkin
Derick Matos
Calimay Pham
Christie Tran
Steve Weeks

**PUBLIC TELECONFERENCE
MEETING**

**December 7, 2020
9:00am - Until Completion of
Business**

NOTE: Pursuant to the provisions of Governor Gavin Newsom’s Executive Order N-29-20, dated March 17, 2020, neither Board member locations nor a public meeting location are provided. Public participation may be through teleconferencing as provided below.

Important Notices to the Public: The Board of Barbering and Cosmetology will hold a public meeting via a Webex Events. To participate in the WebEx Events meeting, please log on to this website the day of the meeting:

<https://dca-meetings.webex.com/dca-meetings/onstage/g.php?MTID=eb28499489a44d8c6c34c9d83c128273a>

INSTRUCTIONS FOR PARTICIPATION: Please see the instructions attached hereto to observe and participate in the meeting using WebEx from a Microsoft Windows-based PC.

Members of the public may but are not obligated to provide their names or personal information as a condition of observing or participating in the meeting. When signing into the WebEx platform, participants may be asked for their name and email address. Participants who choose not to provide their names will be required to provide a unique identifier such as their initials or another alternative, so that the meeting moderator can identify individuals who wish to make public comment; participants who choose not to provide their email address may utilize a fictitious email address in the following sample format: XXXXX@mailinator.com.

Public comments will be limited to two minutes unless, in the discretion of the Board, circumstances require a shorter period; members of the public will not be permitted to “yield” their allotted time to other members of the public to make comments.

As an alternative, members of the public who wish to observe the meeting without making public comment can do so (provided no unforeseen technical difficulties) at <https://thedcapage.wordpress.com/webcasts/>.

AGENDA

Action may be taken on any item on the agenda. The time and order of agenda items are subject to change at the discretion of the Board President and may be taken out of order. In accordance with the Bagley-Keene Open Meeting Act, all meetings of the Board are open to the public.

OPEN SESSION:

1. Call to Order/ Roll Call/ Establishment of Quorum (**Lisa Thong**)
2. Board President's Opening Remarks (**Lisa Thong**)
3. Board Member Remarks – Informational only
4. Discussion and Possible Approval of September 14, 2020 and November 19, 2020 Board Meeting Minutes
5. Executive Officer's Report (**Kristy Underwood**)
 - Licensing Statistics
 - Examination Statistics
 - Disciplinary Review Committee Statistics
 - Enforcement Statistics
 - Budget Updates
 - Outreach Updates
 - Practice Status Survey Results
 - Sunset Review Update
 - COVID 19 Update on Impact of Board Operations
6. Proposed Board Meeting Dates and Locations for 2021
7. Legislative and Budget Committee Update
8. Legislative and Budget Committee Recommendation, Support: Proposed Amendments to Business and Professions Code Sections 7354 through 7361, Mobile Units.
9. Discussion and Possible Action Regarding Proposed Regulatory Changes to Apprenticeships, Title 16, California Code of Regulations (CCR) sections 913-926
10. Legislative Update:
 - Discussion and Possible Action on Proposed Bills:
 - AB 2113 (Low) – Refugees, Asylees, and Special Immigrant Visa Holders
 - SB 878 (Jones) – License Application Processing Timeframes
 - SB 1474 (Committee on Business, Professions and Economic Development) – Sunset

11. Discussion and Possible Action Regarding Rulemaking Proposals:

- Update on Status Regarding Rulemaking Proposal to Amend Title 16, CCR, section 950.10 (Transfer of Credit or Training)
- Update on Status Regarding Rulemaking Proposal to Amend Title 16, CCR section 961 (Instructional Materials-NIC Guides)
- Update on Status Regarding Rulemaking Proposal to Amend Title 16, CCR sections 962, 962.1 and 962.2 (Externs)
- Update on Status Regarding Rulemaking Proposal to Add Title 16, CCR section 965.2 (Personal Service Permit)
- Update on Status Regarding Rulemaking Proposal to Amend Title 16, CCR sections 970 and 971 (Substantial Relationship Criteria, Criteria for Rehabilitation)
- Update on Status Regarding Rulemaking Proposal to Amend Title 16, CCR section 972 (Disciplinary Guidelines)
- Update on Status Regarding Rulemaking Proposal to Amend Title 16, CCR section 974.1 (Disciplinary Review Committee)

12. Public Comment on Items Not on the Agenda

Note: The Board may not discuss or take any action on any item raised during this public comment section, except to decide whether to place the matter on the agenda of a future meeting (Government Code Sections 11125, 11125.7(a))

13. Suggestions for Future Agenda Items

14. **CLOSED SESSION:**

Pursuant to Section 11126 of the Government Code the Board Will Meet in Closed Session to Conduct the Executive Officer's Performance Review

RECONVENE IN OPEN SESSION:

15. Adjournment

Note: This meeting will be Webcast, provided there are no unforeseen technical difficulties or limitations. To view the Webcast, please visit <https://thedcapage.wordpress.com/webcasts/>.

*Government Code section 11125.7 provides the opportunity for the public to address each agenda item during discussion or consideration by the Board prior to the Board taking any action on said item. Members of the public will be provided appropriate opportunities to comment on any issue before the Board, but the Board President may, at his or her discretion, apportion available time among those who wish to speak. Individuals may appear before the Board to discuss items not on the agenda; however, the Board can neither discuss nor take official action on these items at the time of the same meeting (Government Code sections 11125, 11125.7(a)).

The meeting is being held via Webex Events. The meeting is accessible to the physically disabled. A person who needs disability-related accommodation or modification in order to participate in the meeting may make a request by contacting: Marcene Melliza at (916) 575-7121, email: marcene.melliza@dca.ca.gov, or send a written request to the Board of Barbering and Cosmetology, PO Box 944226, Sacramento, CA 94244. Providing your request is a least five (5) business days before the meeting will help to ensure availability of the requested accommodations. TDD Line: (916) 322-1700.

DRAFT
CALIFORNIA STATE BOARD
OF
BARBERING AND COSMETOLOGY

BOARD TELECONFERENCE MEETING

MINUTES OF SEPTEMBER 14, 2020

BOARD MEMBERS PRESENT

Lisa Thong, President
Dr. Kari Williams, Vice President
Jacquelyn Crabtree
Andrew Drabkin
Derick Matos
Calimay Pham
Steve Weeks

STAFF MEMBERS PRESENT

Kristy Underwood, Executive Officer
Carrie Harris, Deputy Executive Officer
Sabina Knight, Board Legal Representative
Allison Lee, Board Project Manager
Marcene Melliza, Board Analyst

BOARD MEMBER ABSENT: Christie Tran

[Note: Agenda Item 8 was taken out of order. These minutes reflect these Agenda Items as listed on the agenda and not as taken in chronological order.]

1. Agenda Item #1, CALL TO ORDER/ ROLL CALL/ ESTABLISHMENT OF QUORUM

Lisa Thong, Board President, called the teleconference meeting to order at 9:00 a.m. and confirmed the presence of a quorum.

2. Agenda Item #2, BOARD PRESIDENT'S OPENING REMARKS

Ms. Thong reminded everyone that the Board's purview is consumer protection. It is through the lens of consumer protection that the Board reviews and makes decisions on everything from regulations to licensing and enforcement.

Ms. Thong stated Board Members are listening to public comments and hearing the concerns but explained that, by law, Board Members are not allowed to respond to public comments. This is why answers are not given to questions posed during public comment periods.

Ms. Thong acknowledged the pain that this industry and all licensees are experiencing during the COVID-19 pandemic and the pain that Board Members have in listening to the stories shared during public comment and in communications being sent to the Board as these stories also apply to them.

Ms. Thong acknowledged the frustration caused by the perceived silence of the Board. The Executive Officer and Board staff have been doing their best to support and assist the Governor's Office and the California Department of Public Health (CDPH) to make informed decisions that impact this industry and its licensees.

Ms. Thong stated the Board has worked to support and execute on orders that were given to it. She noted that the Board was not at the table to make these decisions – its

input was only requested after decisions were made. The Board was not asked to partner in the creation of the conditions under which licensees could continue to operate and provide services. The Board was not asked to build a solution together.

Ms. Thong shared about a meeting with the CDPH and the Governor's Office she took part in on August 26th. This meeting only took place because the Board stepped out of its lane and voiced concern to legislative offices about the lack of say the Board had on decisions impacting licensees. She stated she asked for three things on that call:

- A true partnership with the CDPH and the Governor's Office so that the Board would be at the table for decisions prior to finalization and announcements at press conferences. She wants the Board to be able to weigh in and provide insight into regulations that could help with decisions.
- A clear reason or statement to provide to licensees as to why they were not being allowed to open indoors.
- The CDPH's partnership and presence with outreach via teleconferences or other communication platforms so that licensees could hear directly from them and greater language outreach efforts due to the diversity of the licensee population.

Ms. Thong stated, in short, the meeting was disappointing. Regarding a true partnership, she stated she has not received communication from the meeting participants since that meeting. Nothing has changed. Two days after the meeting, the governor announced his new Blueprint for a Safer Economy. None of the changes were made that were shared during the meeting just two days prior. The Board was informed just minutes prior to the announcement regarding the changes allowing hair salons and barber shops to operate indoors. Again, Board staff scrambled to gather information and worked towards providing answers to questions that could not be anticipated. Again, the Board had been left in the dark.

Ms. Thong stated, regarding her question about a clear answer as to why licensees could not operate indoors at that time, she received the response that this industry is nonessential. She asked the CDPH a series of questions:

- What proof is there that this industry has high risk of exposure for the general public? The CDPH mentioned one case in the Midwest in which two licensees caught COVID.
- Have there been cases of COVID which have been linked to an establishment through contact tracing in California? No data was received that day or since indicating that there have been any cases.

Ms. Thong asked many questions but did not get the answers that she felt the licensees of this industry deserve. Ms. Thong stated the one answer she did get from that phone call was that the CDPH would agree to participate in outreach events if coordinated by the Board.

Ms. Thong apologized that the conversation did not result in answers that licensees and this industry deserve and need. The CDPH and the Governor's Office continues to separate out hair salons and barber shops, even though all industry establishments

follow the same regulations. They continue to leave manicurists and esthetics in a different category without concrete answers as to why.

Ms. Thong stated she asked in that meeting if the Board could work together in partnership to work for active solutions and to understand conditions under which licensees can work indoors safely. That request and offer still stands. The need is greater than ever to develop state-level guidance and plans for this industry to operate safely. The COVID-19 pandemic continues and there is an anticipation for a step backwards in the upcoming months, which will once again set businesses back to square one.

Ms. Thong asked about the conditions and restrictions under which licensees can operate safely to keep themselves and the general public safe. She stated licensees know how to operate safely and know how to keep themselves and their clients safe. She asked that the CDPH and the Governor's Office give the Board the opportunity to explain why and how to them, and to work with them to create those guidelines. Licensees want to keep California safe – that is why the Board exists.

Ms. Thong stated the topic of the COVID-19 impact has been placed on today's agenda for Board discussion. She stated she looks forward to hearing the perspectives and thoughts of fellow Board Members on this matter and looks to stakeholders for a robust exchange of ideas.

3. Agenda Item #3, BOARD MEMBER REMARKS – Informational Only

Ms. Crabtree agreed with Ms. Thong's opening remarks.

Mr. Matos stated the importance of communicating the meaning of capacity limits, defining certificates of occupancy and capacity ratios, and what 25 percent means. He gave the example of a 3-person occupancy in the 1,200-foot space. He asked how this will affect the rest of the staff and what they are able to do. He stated there is more that can be done. Communication is key.

Dr. Williams agreed with Ms. Thong's and Mr. Matos's comments.

Mr. Weeks stated he has visited over a dozen barber shops, hair salons, and street-side nail establishments in Los Angeles over the past two weeks to see for himself how licensees are performing during these difficult times. He stated he found that all establishments were adhering to the regulations with high levels of health and safety protocols.

4. Agenda Item #4, DISCUSSION AND POSSIBLE APPROVAL OF JUNE 8, 2020, AND AUGUST 3, 2020, BOARD MEETING MINUTES

MOTION: Ms. Crabtree moved to approve the June 8, 2020, and August 3, 2020, California State Board of Barbering and Cosmetology Meeting Minutes as presented. Mr. Drabkin seconded. Motion carried 7 yes, 0 no, and 0 abstain, per roll call vote as follows:

The following Board Members voted "Yes": Crabtree, Drabkin, Matos, Pham, Thong, Weeks, and Williams.

5. Agenda Item #5, EXECUTIVE OFFICER'S REPORT

- **Board Overview**
- **Licensing Statistics**
- **Examination Statistics**
- **Disciplinary Review Committee Statistics**
- **Enforcement Statistics**
- **Budget Updates**
- **Outreach Updates**
- **Practice Status Survey Results**

Kristy Underwood, Executive Officer, reviewed the statistics and update reports and outreach activities, which were included in the meeting packet. She stated there is still work to do in the apprentice programs. She suggested a review of the apprentice programs and a report to be presented at the next Board meeting.

Ms. Underwood reviewed the new Board Overview Q&A section, which contained information on the purpose of the Board and other information to help clarify common questions received over the past few months during the COVID-19 pandemic. She asked for input on this section before it is finalized as a fact sheet to be posted on the website.

Questions and Discussion

Board Members thanked staff for putting together the informative Board Overview Q&A fact sheet.

Mr. Drabkin asked about the number of closed schools that were Spanish language approved and for information on why the cosmetology Spanish written exam pass rate was 31 percent overall from January through March and doubled to 61 percent from April through June. He stated his concern that no barber Spanish written exam applicants passed from April to June.

Ms. Underwood stated she will research those questions and provide the answers at the next Board meeting.

Mr. Matos asked about projections for licensees had COVID not happened and whether the number of individuals who took the Spanish language exam is normal.

Ms. Underwood stated the impacts of the COVID-19 pandemic are seen in the significant decrease in test takers from April to June.

Mr. Drabkin suggested monitoring how distance learning affects the examination results. Ms. Underwood stated staff is tracking that.

Ms. Pham referred to the Projected Expenditures document and asked why the projected Consultant and Professional Services – External line item was higher than allotted.

Ms. Underwood stated it is a portion of the examination since the Board contracts with the National exam, which goes into different line items. Staff is working with the Budget Office to get the financial documents cleaned up to remove the items in red. The Board's expenditures are consistent over many years and the financial documents have

looked this way for years. The Budget Analyst is working on reallocating the items in red to correctly reflect the budget.

Mr. Matos asked if the new Barbicide certification was discussed at the outreach event on August 11th, specifically how the certification was devised and approved.

Ms. Underwood stated it is not Board approved. It is an optional program. The outreach event on August 11th was about getting regulatory feedback on the Board structure and role.

Mr. Drabkin referred to the Practice Status Survey Results charts and asked to make the independent contractor/booth renter pie chart more realistic on the first chart.

Public Comment

Deedee Crossett, Owner, San Francisco Institute of Esthetics and Cosmetology (SFIEC), licensed esthetician, establishment owner, and former Board Member, stated SFIEC was approved for distance learning. Students who just graduated have test dates in December. She stated students are frustrated due to the fact that test dates are being assigned inconsistent with dates of graduation. Also, students who graduated during the initial COVID-19 shut-down are still waiting for test dates. She asked that the Board communicate the scheduling process to schools so the schools can inform students when to expect their test dates.

Ms. Underwood stated she will contact Deedee Crossett offline.

6. Agenda Item #6, BOARD DISCUSSION AND UPDATE REGARDING IMPACT OF COVID-19 ON LICENSING, EXAMINATIONS, OUTREACH, AND ENFORCEMENT

Ms. Underwood stated the Governor released a new tiered system for opening businesses. There are currently 23 counties that are completely open to the industry and 32 counties are hair only with the remaining services of skin and nails being allowed outside. Two counties are opening with restrictions that hair is open, and skin and nails can be open if it does not require the removal or adjusting of a face mask, which rules out facials. There are counties that have restrictions on certain types of facial services and counties that are limiting capacity. It has been challenging to determine what that capacity is.

Ms. Underwood stated the system is based on the counties. The Board is in contact with all counties daily to keep up-to-date on county decisions and to track changes. One issue staff has found is counties opening esthetic services in medical spas but not allowing esthetic services in other licensed establishments. Staff is educating counties that esthetic services performed in all licensed establishments are the same.

Ms. Underwood stated inspectors are in the field and continue to operate on an educational mode. They provide the Board's checklist to salons, remind them of the Governor's orders, and will begin this week to promote wearing masks, since the number of individuals wearing masks has decreased. The Board is creating a postcard in multiple languages for inspectors to hand out to remind individuals to wear masks to help prevent the spread of COVID-19.

Ms. Underwood stated staff workload has been affected by the state office furlough of two days per month and the fact that four staff members have been directed to become contact tracers. Examinations are at half capacity, which is a challenge. There has been confusion about individuals' anticipated test dates due to pre-application submittals. Processes have changed to adapt to the COVID-19 pandemic. There is currently a plan to increase the number of examinations and to do mega-days, where several additional examination slots will be open during those days to help with the examination backlog.

Questions and Discussion

Mr. Matos asked if there is a distinction between license types in regard to wearing masks. He stated his barber shops do not promote the removal of masks but each county is different. He asked if guidelines to services that allow mask removal are included in the postcard to help licensees better understand the services that are allowed.

Ms. Underwood stated this is not something that the Board can put on a postcard because each county determines their own rules. Links to counties are posted on the website.

Ms. Thong asked for Board Member feedback on where they think the industry should be at this point during the COVID-19 pandemic and also looking forward into the future second wave of pandemic. She asked what the Board can do to prepare and how to inform counties about best practices, especially now that the state orders leave decisions up to each county.

Ms. Crabtree stated everyone should be able to work safely, as long as everyone is wearing a mask in the salon, social distancing, and sanitizing between each guest. Facials would be difficult to do without removing the mask and causing exposure.

Mr. Matos stated the confusion is due to counties having different guidelines. It is important to learn from the past few months and to push to have the Board voice at the table to set guidelines going forward. He suggested that the Board take the initiative to create guidelines on services that are acceptable or are limited to alleviate the confusion.

Mr. Matos noted that borders between counties are not closed. Residents go to neighboring counties that offer the services that are closed in their county. It needs to be looked at objectively as to what will be best overall in the short-term to improve the outcomes in the long-term.

Mr. Drabkin stated the need to work with the Legislature on providing a pandemic safety net such as some sort of expedited financial unemployment support for industries that are shut down for public safety due to the pandemic. He also suggested working with the Legislature on the definition of "essential" work.

Ms. Thong stated the CDPH and the Governor's Office agreed that the definition of "essential" is vague in that the retail industry was allowed to open but the salon industry was not.

Ms. Thong asked staff to work on the suggestions provided by the Board and report back at the next meeting. She summarized the feedback from Board Members as follows:

- Look at a number of approaches with the Legislature and a plan for legislative solutions to address impact on the industry during times of pandemic or other emergency situations in which the industry is being shut down.
- Look at standardization of a recommendation for counties that could include a limitation of services or a specific time limit.
- Look at the current tiered approach and what should be implemented for those various tiers for licensees to operate safely.

Ms. Underwood stated staff can draft recommendations to provide to counties to help them better understand the industry, especially as counties are moving to open.

Ms. Thong asked staff to create an FAQ to counties, the CDPH, and the Governor's Office to address some of the misconceptions about the industry such as that each of the industry services are operating under different regulations, and to help them understand that the industry is well-equipped to be safe during this time. She suggested scheduling another meeting with the CDPH to present this information.

Ms. Thong asked staff to work with the CDPH on outreach activities and to report back on the outcomes. She suggested offering to help the CDPH to translate their guidance. She asked staff to create a plan for an in-language media outreach to ensure that licensees have the information they need. She asked staff to ask counties to partner with the in-language media outreach effort.

Mr. Matos stated his concern for licensee and public safety during this time of unhealthy air quality due to the fires since licensees have been forced to work outside.

Mr. Drabkin suggested that giving an account of the number of licensees and licensed establishments there are in California may lend weight to the economic importance of the industry to each county.

Ms. Thong stated the CDPH is the main decision-maker. It is important to create a myths and misconceptions document to send to all county health officials and to help them understand some of the industry's regulations. It is clear that many county health officials have little understanding of how this industry operates.

Ms. Crabtree added that county health officials do not know the amount of revenue this industry brings in.

Public Comment

Wendy Cochran, Founder, California Aesthetic Alliance, stated San Diego and Los Angeles Counties have reported community outbreaks. She noted that San Diego County had more than eight in the last month. The scope of practice for estheticians has not been updated since 1978. It is important to update that scope of practice for the Sunset Report since many things have changed due to the COVID-19 pandemic.

Fred Jones, Legal Counsel, Professional Beauty Federation of California (PBFC), stated he was moved by Ms. Thong's opening statements this morning and with the Board Member deliberation on this agenda item. He thanked Ms. Thong and staff for working behind the scenes to try to educate and inform the decision-makers about the safety of this industry and also about the inappropriateness of discriminating against women and immigrants, since 95 percent of estheticians are women and three-quarters of the nail technicians are first-generation Vietnamese. It is inappropriate that the governor and now a few counties have decided to distinguish and discriminate within this industry. This Board does not distinguish between establishment licenses.

Mr. Jones thanked Ms. Thong for pointing out to decision-makers that nail and skin services are safer than a dental hygienist or an orthodontist procedure. He thanked Board Members for pointing out the insanity of asking these women and immigrants to work outside in incredibly bad air quality in the smoke and heat. The PBFC does not feel it is appropriate to delegate oversight to county health departments. He asked the Board to reassert its dominance and oversight of the industry and not delegate that responsibility to county health bureaucrats.

Deedee Crossett stated it is elitism to say that an industry that is made up of 90 percent women and 70 percent minorities with hundreds of hours of training are not qualified to create a health and safety environment while other businesses are open. The most important thing in going to the Legislature is to talk low-risk versus high-risk. Calling businesses essential versus nonessential is not helpful because it is subjective. Businesses that can service customers in a low-risk environment should be allowed to open. Creating a checklist and a system so licensees know what they need to do to be low-risk will help the industry to be acceptable and essential.

Susie Wong, Sacramento Nail Association (SNA), stated SNA is collaborating with the PBFC and represents the Vietnamese American nail salon owners and manicurists. The SNA sent a letter to the governor with a copy to staff educating on safety measures that nail salons are taking that should qualify them to reopen indoors.

Kayle D. Dang stated the nail industry has the same training in health and safety as the hair industry. The air quality is unhealthy for licensees and the public to provide and receive services outdoors. She asked why the Board does not raise the voice for the nail industry to reopen indoors.

Heidi Lowry, cosmetologist, stated the concern that it is difficult to find a free COVID-19 testing site when the industry is not listed as essential. Many licensees do not have health insurance. She asked the Board to speak up to allow for free testing through the state and counties.

Sa Ton, Sacramento Nails Association, stated the fact that personal care is essential and making a living is also essential. She stated the need to work with guidelines to open safely indoors.

Lui Nguyen, President, Sacramento Nails Association, representing the majority of nail salon owners and technicians, asked to have the directions to make a public comment translated into Vietnamese. Many individuals wanted to call in to share their public comment today. He stated he told his members that the Board is aware of this and, in the future, when more individuals call in who speak Vietnamese, that service will be provided.

Lui Nguyen stated the county-to-county reopening will not work. He stated customers have been traveling to his salons from other counties such as San Jose and San Francisco, driving one and a half hours for services.

Ms. Thong asked staff about offering translation services for meeting attendees. Ms. Underwood stated the Board is not able to be interpreters but would welcome them. Agendas will be offered in multiple languages going forward.

7. Agenda Item #7, LEGISLATIVE UPDATE

Discussion and Possible Action on Proposed Bills:

- **SB 1474 (Committee on Business, Professions and Economic Development) – Sunset**

Ms. Underwood stated Senate Bill (SB) 1474 has been enrolled and is awaiting approval from the Governor.

[Note: Agenda Item 8 was taken out of order and was heard after Agenda Item 5.]

8. Agenda Item #8, DISCUSSION AND POSSIBLE ACTION REGARDING RULEMAKING PROPOSALS

- **Amend Title 16, California Code of Regulations (CCR), section 950.10 (Transfer of Credit or Training)**
- **Amend Title 16, CCR section 961 (Instructional Materials-NIC Guides)**
- **Amend Title 16, CCR sections 962, 962.1, and 962.2 (Externs)**
- **Add Title 16, CCR section 965.2 (Personal Service Permit)**
- **Amend Title 16, CCR sections 970 and 971 (Substantial Relationship Criteria, Criteria for Rehabilitation)**
- **Amend Title 16, CCR section 972 (Disciplinary Guidelines)**
- **Amend Title 16, CCR section 974.1 (Disciplinary Review Committee)**

Ms. Underwood reviewed the Regulation Update Memo, which was included in the meeting packet. She stated the personal service permit item is the only item requiring action today. The other regulatory packages continue to move through the process.

Questions and Discussion

Ms. Thong asked for a motion to direct staff to reject the public comments, provide the staff responses to the comments as indicated in the meeting materials, and complete the regulatory process.

Ms. Crabtree moved the staff recommendation. Mr. Drabkin seconded.

Public Comment

No members of the public addressed the Board.

MOTION: Ms. Crabtree moved to direct staff to reject the comments, provide the responses to the comments as indicated in the meeting materials, and complete the regulatory process. Mr. Drabkin seconded. Motion carried 7 yes, 0 no, and 0 abstain, per roll call vote as follows:

The following Board Members voted "Yes": Crabtree, Drabkin, Matos, Pham, Thong, Weeks, and Williams.

9. Agenda Item #9, PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA

Deedee Crossett suggested, rather than statistics on the number of students who pass or fail examinations, sharing with schools the portions of the examination where students struggle so schools could make good decisions based on the curriculum. She suggested, in order to expedite the process, sending examiners to school sites and testing students there. Most schools are larger than the Board facility, have many stations, and are practicing social distancing.

Deedee Crossett stated traditionally written examinations are given for same-day licensure. She stated there are more written testing sites than physical testing sites. It is important to allow students to get the written portion out of the way so they can see progress. Doing them separately will expedite the process.

Jaime Schragebeck, Ph.D., Owner, Precision Nails, stated the arguments citing training and licensure would have much greater impact if the Board required continuing education to ensure that licensees have the most up-to-date training.

Thea Daniels, hair stylist, stated licensees care about public health and safety and have followed the strict guidelines that have been forced upon them as business owners. Being able to make a living has been cut in half by following the guidelines and a threat of future shut-downs is concerning. She complimented licensees for ensuring they are not part of the problem. Thea Daniels agreed with the public comment about having the Board be a dominant figure in making decisions rather than individual counties and health departments. She stated there is no safety in performing services outside of salons with bad air quality and excessive heat.

10. Agenda Item #10, SUGGESTIONS FOR FUTURE AGENDA ITEMS

Ms. Thong asked for suggestions for future agenda items.

Mr. Matos asked for a discussion on mobile booking applications and license verification. He stated it is easy for anyone to use an online booking system. He stated his concern that online booking does not have a license verification feature, which puts the public at risk.

Ms. Thong asked that the Legislative Committee convene prior to the next meeting, or to add as an agenda item to discuss a legislative agenda for next year.

11. Agenda Item #11, ADJOURNMENT

There being no further business, the meeting was adjourned at 11:16 a.m.

DRAFT
CALIFORNIA STATE BOARD
OF
BARBERING AND COSMETOLOGY

BOARD TELECONFERENCE MEETING

MINUTES OF NOVEMBER 19, 2020

BOARD MEMBERS PRESENT

Lisa Thong, President
Dr. Kari Williams, Vice President
Jacquelyn Crabtree
Andrew Drabkin
Derick Matos
Calimay Pham
Christie Tran
Steve Weeks

STAFF MEMBERS PRESENT

Kristy Underwood, Executive Officer
Carrie Harris, Deputy Executive Officer
Sabina Knight, Board Legal Representative
Allison Lee, Board Project Manager
Marcene Melliza, Board Analyst

1. Agenda Item #1, CALL TO ORDER/ ROLL CALL/ ESTABLISHMENT OF QUORUM

Lisa Thong, Board President, called the meeting to order at 9:03 a.m. and confirmed the presence of a quorum.

2. Agenda Item #2, REVIEW AND APPROVAL OF ADDENDUM TO THE SUNSET REVIEW REPORT

Kristy Underwood, Executive Officer, thanked everyone for taking time out of their day to attend this special meeting. She stated the Senate Business and Professions Committee requested all Boards that are up for sunset review this year to answer five additional questions in response to the COVID-19 pandemic. She noted that not all questions applied to the Board. She stated the questions and responses were provided in the meeting packet and are posted on the website. The Board's responses are due to the Senate and Assembly Committees by December 1, 2020. The Board's Sunset Review Hearing is expected to be scheduled early next year.

Discussion

Mr. Weeks referred to Question 5 and suggested adding a reminder about the significant amount of training that licensees already have, both in school and in their practice.

Ms. Thong asked how changes and additions to the addendum will be handled.

Ms. Underwood stated the need to make requested changes clear so they can be included in today's motion.

Ms. Thong suggested adding information in the outreach section about the postcard that was developed to distribute to licensees, which has been translated into multiple languages.

Ms. Underwood stated an establishment poster was also created. She suggested the language “the Board has also created and distributed a postcard reminding individuals to wear facial coverings and had that translated into seven languages.”

Ms. Thong suggested adding information in the inspections section that all establishments have been in compliance with guidelines.

Ms. Underwood stated, although all establishments have not been in compliance, it is a high percentage - higher than 80 percent - but staff has not run that statistic. She suggested the language “during inspections, Board inspectors have found that approximately 90 percent of establishments are in compliance with health guidelines.” She asked the Board’s motion to give authority to the Executive Officer to enter the correct percentage once that statistic has been run.

Ms. Crabtree suggested stating it is a high percentage since the statistic for establishment compliance fluctuates.

Ms. Underwood suggested the language “during inspections, Board inspectors have found that a majority of establishments are in compliance with health guidelines.” She stated inspectors do not include all California Department of Public Health guidelines in their inspections. Two of the most important new areas of compliance are wearing masks and social distancing. She suggested the language “during Board inspections, the Board has seen that the majority of its establishments are in compliance with the face covering and social distancing mandates.”

Mr. Weeks suggested adding the word “overwhelming” so the language would read “during inspections, the Board has seen that an overwhelming majority of its establishments are in compliance with the face covering and social distancing mandates.”

Ms. Underwood noted that the third bullet at the end of the outreach section needs to be removed since staff has not yet completed a joint inspection with Riverside County Public Health.

Ms. Thong asked for a motion for the Board to approve the addendum to the Sunset Report with the following changes:

- Question 4, Inspections
 - Add “during inspections, inspectors have found that an overwhelming majority of establishments are in compliance with health guidelines, specifically mandates for face coverings and social distancing.”
 - Remove the third bullet at the end of the outreach section.
- Question 4, Outreach
 - Add “the Board has also created and distributed additional postcards, which have been translated into seven languages, and posters to establishments, which have been translated into three languages.”

- Question 5
 - Add “extensive health and safety training that licensees are required to have by the state Board.”

Ms. Thong stated the Board will provide the Executive Officer the authority to make technical adjustments or changes to the additional language.

Public Comment

Jaime Schrabec, Ph.D., Owner, Precision Nails, asked, in response to Questions 5, if there will be acknowledgement of the increase in unlicensed activity that has been seen and reported to the state Board, specifically licensees working out of their homes or other places they should not be.

Dr. Schrabec referred to the second paragraph of the inspection section in response to Question 4 and stated it does not seem to give an accurate description of what is happening when talking about compliance with COVID-19 guidelines. Although the speaker agreed with narrowing the scope to face coverings and social distancing, she stated there are other requirements including having a COVID-19 Prevention Plan in place, that inspectors are not checking for.

Susie Wong, Sacramento Nail Association, thanked Marcene Melliza, Board Analyst, for always being responsive to stakeholder questions, especially since most members of the Sacramento Nail Association speak Vietnamese.

Martin Chavez discussed barber shop capes. The speaker’s barber shop currently uses disposable capes to reduce the spread of infection due to physical contact.

MOTION: Ms. Thong made a motion, seconded by Ms. Crabtree, that the Board approves the addendum to the Sunset Report with the following changes:

- Question 4, Inspections
 - Add “during inspections, inspectors have found that an overwhelming majority of establishments are in compliance health guidelines, specifically mandates for face coverings and social distancing.”
 - Remove the third bullet at the end of the outreach section.
- Question 4, Outreach
 - Add “the Board has also created and distributed additional postcards, which have been translated into seven languages, and posters to establishments, which have been translated into three languages.”
- Question 5
 - Add “extensive health and safety training that licensees are required to have by the state Board.”

- The Board will provide the Executive Officer the authority to make technical adjustments or changes to the additional language.

Motion carried 8 yes, 0 no, and 0 abstain, per roll call vote as follows:

The following Board Members voted “Yes”: Crabtree, Drabkin, Matos, Pham, Thong, Tran, Weeks, and Williams.

3. Agenda Item #3, PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA

No public comment.

4. Agenda Item #4, ADJOURNMENT

There being no further business, the meeting was adjourned at 9:32 a.m.

Quarterly Applications Received Fiscal Year 20/21

License Type	Jul-Sept	Oct-Dec	Jan-Mar	Apr-June	YTD
Establishment	1,654				
Mobile Unit	7				
Barber					
Pre-App	137				
Initial Application	251				
Re-Exam	327				
<u>Sub-Total</u>	<u>715</u>				
Reciprocity	32				
Apprentice	201				
Cosmetology					
Pre-App	455				
Initial Application	542				
Re-Exam	869				
<u>Sub-Total</u>	<u>1,866</u>				
Reciprocity	224				
Apprentice	137				
Electrology					
Pre-App	5				
Initial Application	4				
Re-Exam	--				
<u>Sub-Total</u>	<u>9</u>				
Reciprocity	1				
Apprentice	--				
Esthetician					
Pre-App	445				
Initial Application	564				
Re-Exam	341				
<u>Sub-Total</u>	<u>1,350</u>				
Reciprocity	71				
Manicurist					
Pre-App	273				
Initial Application	389				
Re-Exam	484				
<u>Sub-Total</u>	<u>1,146</u>				
Reciprocity	73				
Total	7,486	-	-	-	-

Practical Exam Results July 1, 2020 - September 30, 2020

Administered	Passed	Failed	Total	Pass Rate
Barber	426	185	611	70%
Cosmetologist	1,085	655	1,740	62%
Electrologist	0	0	0	N/A
Esthetician	727	226	953	76%
Manicurist	475	462	937	51%
Total	2,713	1,528	4,241	64%

Written Exam Results July 1, 2020 - September 30, 2020

Barber	Passed	Failed	Total	Pass Rate
English	352	273	625	56%
Korean	0	0	0	N/A
Spanish	42	100	142	30%
Vietnamese	12	2	14	86%
Total	406	375	781	52%

Cosmo	Passed	Failed	Total	Pass Rate
English	826	409	1,235	67%
Korean	10	1	11	91%
Spanish	147	374	521	28%
Vietnamese	64	31	95	67%
Total	1,047	815	1,862	56%

Esthetician	Passed	Failed	Total	Pass Rate
English	632	230	862	73%
Korean	10	--	10	100%
Spanish	9	5	14	N/A
Vietnamese	79	16	95	83%
Total	730	251	981	74%

Manicurist	Passed	Failed	Total	Pass Rate
English	161	62	223	72%
Korean	3	2	5	N/A
Spanish	15	16	31	48%
Vietnamese	438	157	595	74%
Total	617	237	854	72%

Electrologist	Passed	Failed	Total	Pass Rate
English	1	2	3	33%
Korean	0	0	0	N/A
Spanish	0	0	0	N/A
Vietnamese	0	0	0	N/A
Total	1	2	3	33%

**Practical Exam Results July 1, 2020 - September 30, 2020
Comparison of Schools vs. Apprentice Programs**

Practical Exam Results - Apprentice Program

License Type	Passed	Failed	Total	Pass Rate
Barber	112	59	171	65%
Cosmetologist	154	122	276	56%
Total	266	181	447	60%

Practical Exam Results - School Program

License Type	Passed	Failed	Total	Pass Rate
Barber	314	126	440	71%
Cosmetologist	931	533	1,464	64%
Electrologist	0	0	0	N/A
Esthetician	727	226	953	76%
Manicurist	475	462	937	51%
Total	2,447	1,347	3,794	64%

Written Exam Results - Apprentice Program

License Type	Passed	Failed	Total	Pass Rate
Barber	110	112	222	50%
Cosmetologist	117	195	312	38%
Total	227	307	534	43%

Written Exam Results - School Program

License Type	Passed	Failed	Total	Pass Rate
Barber	296	263	559	53%
Cosmetologist	930	620	1,550	60%
Electrologist	1	2	3	N/A
Esthetician	730	251	981	74%
Manicurist	617	237	854	72%
Total	2,574	1,373	3,947	65%

**Written Exam Results by Language July 1, 2020 - September 30, 2020
Comparison of Apprentice Programs vs. School Programs**

Apprentice Programs

Barber	Passed	Failed	Total	Pass Rate
English	94	46	140	67%
Spanish	18	13	31	58%
Total	112	59	171	65%

Cosmo	Passed	Failed	Total	Pass Rate
English	54	31	85	64%
Spanish	97	84	181	54%
Vietnamese	3	7	10	30%
Total	154	122	276	56%

School Programs

Barber	Passed	Failed	Total	Pass Rate
English	256	194	450	57%
Korean	0	0	0	#DIV/0!
Spanish	28	67	95	29%
Vietnamese	12	2	14	86%
Total	296	263	559	53%

Cosmo	Passed	Failed	Total	Pass Rate
English	774	387	1,161	67%
Korean	10	1	11	91%
Spanish	84	201	285	29%
Vietnamese	62	31	93	67%
Total	930	620	1,550	60%

Electrologist	Passed	Failed	Total	Pass Rate
English	1	2	3	33%
Korean	0	0	0	N/A
Spanish	0	0	0	N/A
Vietnamese	0	0	0	N/A
Total	1	2	3	33%

Esthetician	Passed	Failed	Total	Pass Rate
English	632	230	862	73%
Korean	10	0	10	100%
Spanish	9	5	14	64%
Vietnamese	79	16	95	83%
Total	730	251	981	74%

Manicurist	Passed	Failed	Total	Pass Rate
English	161	62	223	72%
Korean	3	2	5	60%
Spanish	15	16	31	48%
Vietnamese	438	157	595	74%
Total	617	237	854	72%

Licenses Issued Fiscal Year 20/21

License Type	Jul-Sept	Oct-Dec	Jan-Mar	Apr-June	YTD
Barber	328				328
Barber Apprentice	168				168
Cosmetology	982				982
Cosmetology Apprentice	110				110
Electrology	1				1
Electrology Apprentice	0				0
Esthetician	607				607
Manicurist	496				496
Establishment	1,658				1,658
Mobile Unit	0				0
Totals	4,350				4,350

Licenses Issued Last 5 Years

License Type	FY 16/17	FY 17/18	FY 18/19	FY 19/20	FY 20/21*
Barber	2,189	2,259	1,966	1,691	328
Barber Apprentice	665	885	854	810	168
Cosmetology	8,389	7,085	6,468	4,810	982
Cosmetology Apprentice	793	727	842	642	110
Electrology	26	22	31	30	1
Electrology Apprentice	0	1	0	0	0
Esthetician	4,818	4,007	4,890	3,699	607
Manicurist	6,550	3,787	4,414	3,437	496
Establishment	6,875	7,609	7,706	6,937	1,658
Mobile Unit	7	2	0	0	0
Totals	30,312	26,384	27,171	22,056	4,350

*Data updated through 9-30-2020

License Population

Barber	32,668
Barber Apprentice	1,577
Cosmetology	307,732
Cosmetology Apprentice	1,279
Electrology	1,605
Electrology Apprentice	-
Esthetician	90,954
Manicurist	128,199
Establishment	54,102
Mobile Unit	48
Total	618,164

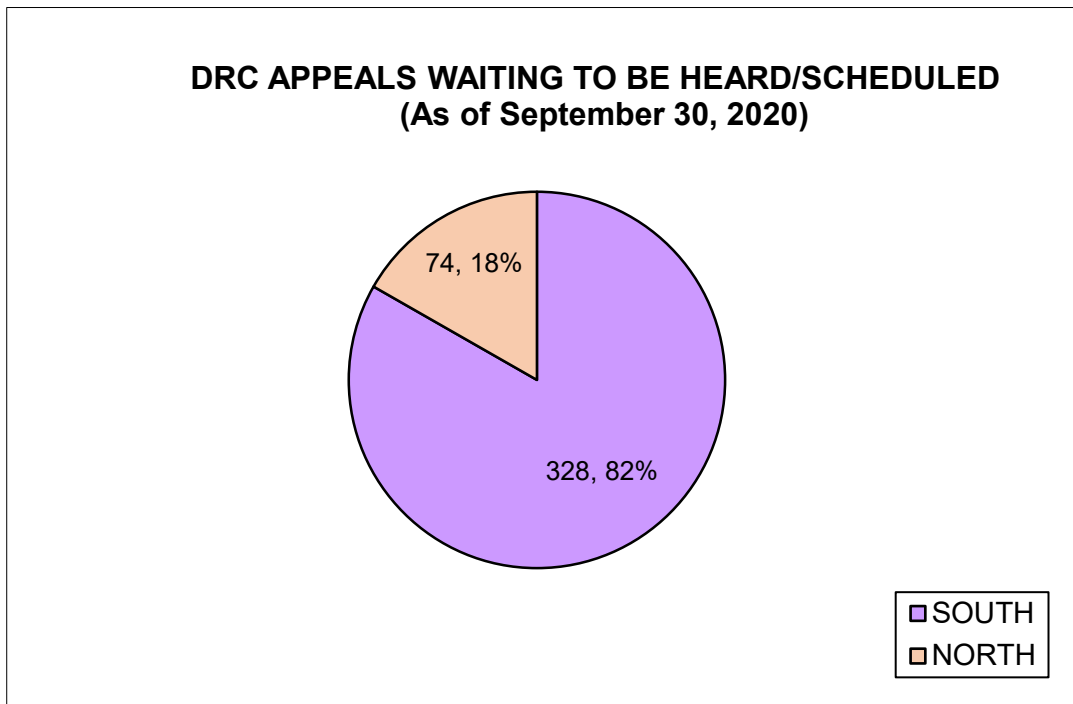
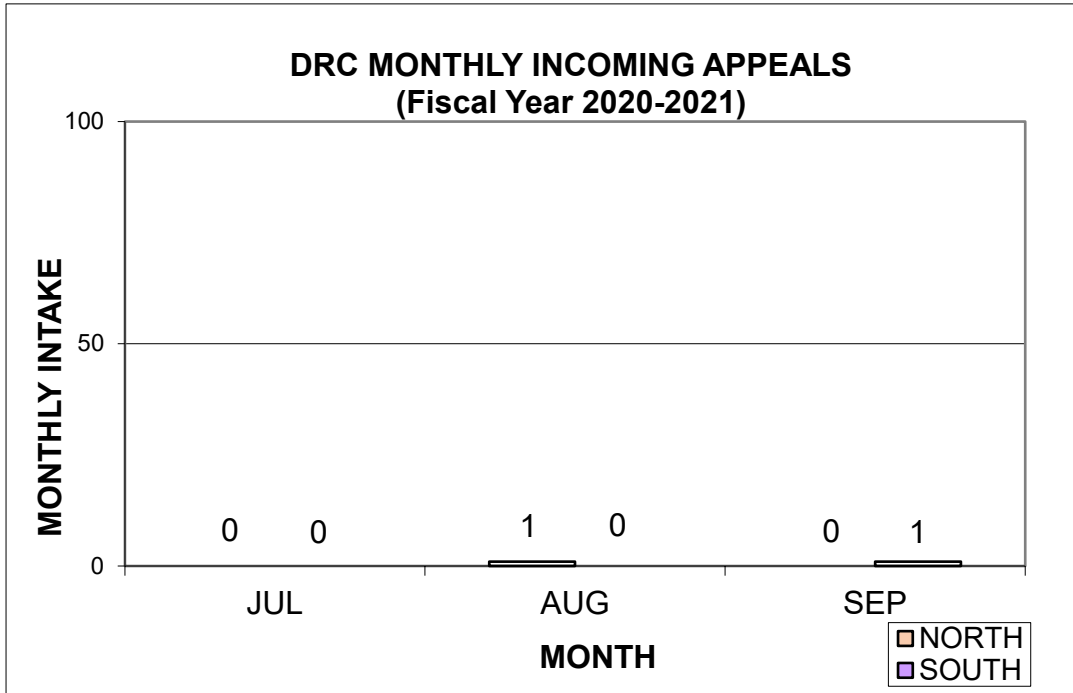
Disciplinary Review Committee Appeals Fiscal Year 20/21

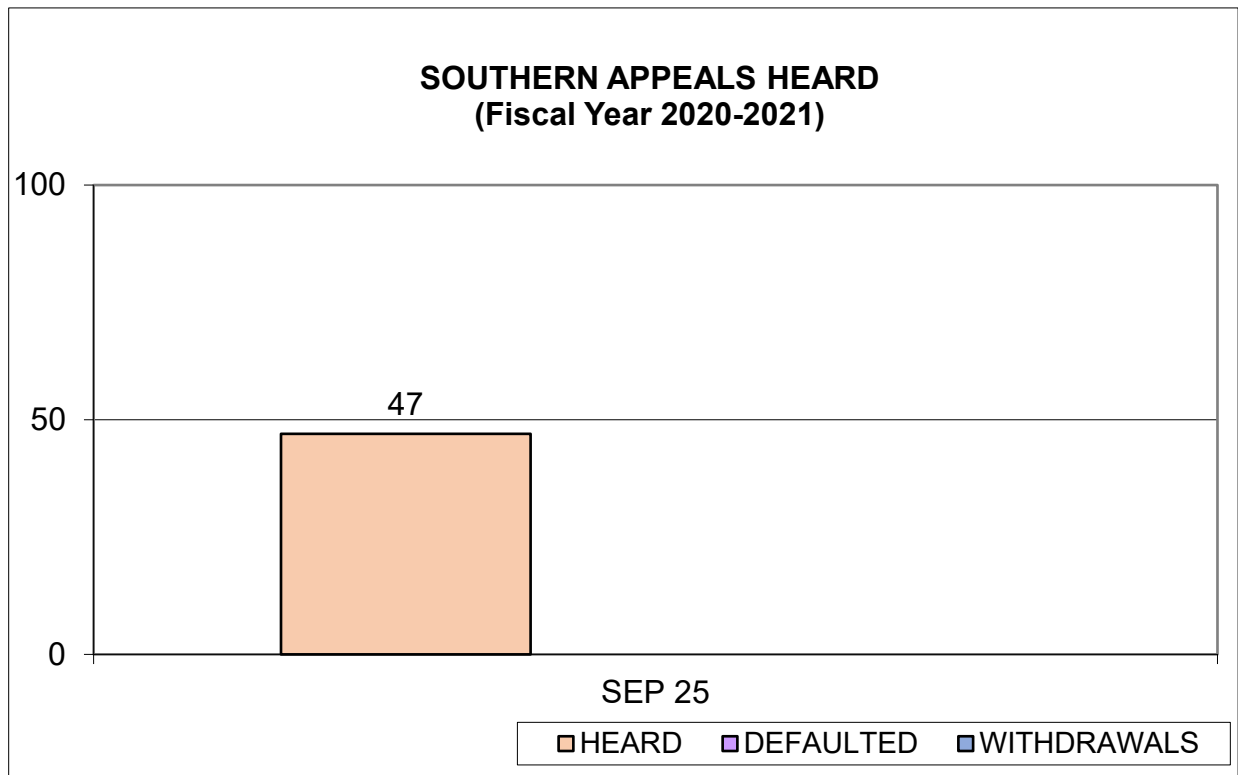
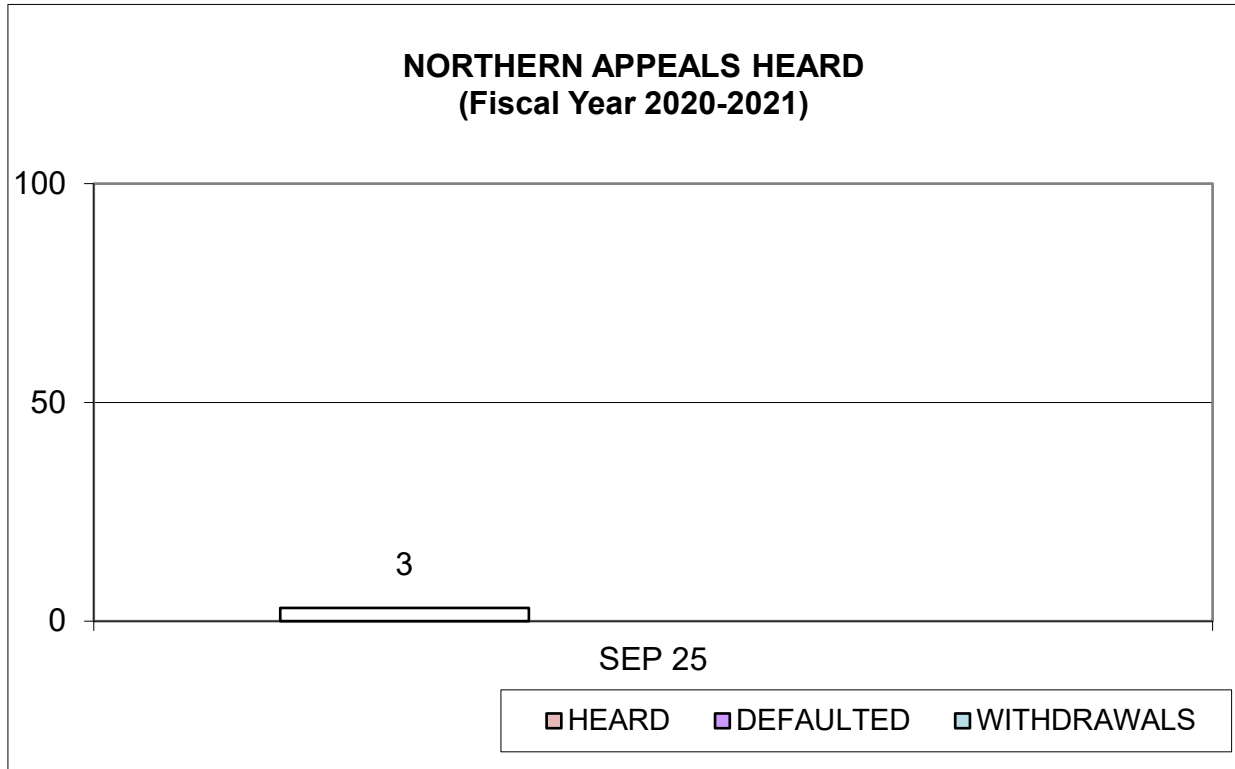
Northern	Jul - Sept	YTD
Heard	3	3
Received	1	1
Pending ¹	74	74 ²

Southern	Jul - Sept	YTD
Heard	47	47
Received	1	1
Pending ¹	328	328 ²

¹Pending refers to the number of appeals received but not yet heard by DRC.

²Figure represents number of pending requests as of report date 09/30/2020.





Quarterly Enforcement Statistics Fiscal Year 20/21

COMPLAINTS	Jul-Sept	Oct-Dec	Jan- Mar	Apr-Jun	YTD
Complaints Received	2953				2953
Referred to DOI	0				0
Complaints Closed	2427				2427
Total Complaints Pending	2328				2328
Average Days to Close	37				37

APPLICATION INVESTIGATIONS*	Jul-Sept	Oct-Dec	Jan- Mar	Apr-Jun	YTD
Received	0				0
Pending	2				2
Closed	1				1

ATTORNEY GENERAL	Jul-Sept	Oct-Dec	Jan- Mar	Apr-Jun	YTD
Referred	6				6
Accusations Filed	13				13
Statement of Issues Filed	0				0
Total Pending	47				47

DISCIPLINARY PROCESS	Jul-Sept	Oct-Dec	Jan- Mar	Apr-Jun	YTD
Proposed Decisions	1				1
Default Decision	8				8
Stipulation	6				6

DISCIPLINARY OUTCOMES	Jul-Sept	Oct-Dec	Jan- Mar	Apr-Jun	YTD
Revocation	11				11
Revoke, Stay, Probation	0				0
Revoke, Stay, Suspend/Prob	5				5
Revocation, Stay w/ Suspend	0				0
Probation Only	0				0
Suspension Only	0				0
Suspension & Probation	0				0
Suspension, Stay, Probation	0				0
Surrender of License	4				4
Public Reprimands	0				0
License Denied	0				0
Other	0				0
Total	20	0	0	0	20

PROBATION	Jul-Sept	Oct-Dec	Jan- Mar	Apr-Jun	YTD
Active	123				123

CITATIONS	Jul-Sept	Oct-Dec	Jan-Mar	Apr-Jun	YTD
Establishments	18				18
Barber	0				0
Barber Apprentice	0				0
Cosmetologist	0				0
Cosmetologist Apprentice	0				0
Electrologist	0				0
Electrologist Apprentice	0				0
Manicurist	0				0
Esthetician	0				0
Unlicensed Est.	0				0
Unlicensed Individual	10				10
Total	28	0	0	0	28

INSPECTIONS	Jul-Sept	Oct-Dec	Jan-Mar	Apr-Jun	YTD
Establishments w/ COVID Compliance Verified	37				37
Establishments w/ Violation of Governor's Orders	8				8
Establishments w/ violations	50				50
Establishments w/o violations	1				1
Total	51	0	0	0	51

Complaints Received July - September 2020

Complaint Type	Anonymous	Internal	Public	Totals
Fraud	1	1	1	3
Health & Safety	1568	485	499	2552
Non-Jurisdictional	100	0	48	148
Incompetence/Negligence	0	0	21	21
Other	11	0	5	16
Personal Conduct	0	0	0	0
Unlicensed Activity	156	10	27	193
App Investigation	1	0	0	1
Total	1837	496	601	2934

Complaints Received Last 5 Fiscal Years

Category	FY 16-17	FY 17-18	FY 18-19	FY 19-20	FY 20-21*
Fraud	61	84	86	50	3
Health & Safety	1616	1604	1637	3462	2552
Non-Jurisdictional	284	319	354	643	148
Incompetence/Negligence	270	438	407	258	21
Other	35	19	39	80	16
Personal Conduct	20	6	2	2	0
Unlicensed Activity	1817	1555	1841	1791	193
App Investigation	0	1061	194	12	1
Total	4103	5086	4560	6298	2934

*Data updated through September, 2020

Board of Barbering and Cosmetology
Fiscal Year 2019/2020
Projected Expenditures 6/30/2020

Personnel Services	ALLOTMENT	BBC Projected Expenditures	Projected Year
Permanent	5,183,000	4,113,466	1,069,534
Temporary	587,000	509,956	77,044
Per Diem, Overtime & Lump Sum	0	16,070	(16,070)
Salary Savings	0	913	(913)
Total Salary & Wages	5,770,000	4,640,405	1,130,508
Net Salary & Wages	5,770,000	4,640,405	1,129,595
Staff Benefits	3,145,000	2,774,550	370,450
Total of Personnel Services	8,915,000	7,414,955	1,500,045
Operating Expenses & Equipment (OE&E)	Allotment	BBC Projected Expenditures	Projected Year End Balance
General Expense	191,000	88,731	102,269
Printing	275,000	518,194	(243,194)
Communication	41,000	39,633	1,367
Postage	283,000	3,015	279,985
Insurance	4,000	8,883	(4,883)
Travel In State	83,000	53,254	29,746
Travel, Out-of-State	0	2,266	(2,266)
Training	11,000	486,282	(475,282)
Facilities Operations	1,022,000	1,026,472	(4,472)
Attorney General, OAH, C&P Services Interdepar	1,672,000	834,971	837,029
Consultant & Professional Svs. - External	1,790,000	2,159,091	(369,091)
DCA Pro Rata	7,303,000	7,108,386	194,614
Interagency Services	1,000	126,390	(125,390)
Consolidated Data Center	68,000	30,381	37,619
Information Technology	38,000	62,667	(24,667)
Equipment	16,000	70,831	(54,831)
Other Items of Expense & Vehicles	43,000	53,622	(10,622)
Special Items and Expenses	0	47,947	(47,947)
Total Operating Expenses & Equipment	12,841,000	12,721,016	119,984
Total Expenses	21,756,000	20,135,971	1,620,029
Schedule Reim. Other	(57,000)		(47,000)
Net Appropriation	21,699,000	20,135,971	1,573,029

0069 - Barbering and Cosmetology Contingency Fund Analysis of Fund Condition
(Dollars in Thousands) Budget Act 2020-21

	PY 2019-20	CY 2020-21	BY 2021-22	BY+1 2022-23	BY+2 2023-24
BEGINNING BALANCE	\$21,596	\$46,274	\$20,661	\$19,667	\$18,007
Prior Year Adjustment	\$777	\$0	\$0	\$0	\$0
Adjusted Beginning Balance	\$22,373	\$46,274	\$20,661	\$19,667	\$18,007
REVENUES, TRANSFERS AND OTHER ADJUSTMENTS					
Revenues					
4121200 - Delinquent fees	\$1,270	\$1,294	\$1,332	\$1,332	\$1,332
4127400 - Renewal fees	\$11,907	\$12,233	\$12,600	\$12,600	\$12,600
4129200 - Other regulatory fees	\$3,792	\$3,889	\$4,006	\$4,006	\$4,006
4129400 - Other regulatory licenses and permits	\$3,363	\$3,465	\$3,569	\$3,569	\$3,569
4143500 - Miscellaneous Services to the Public	\$14	\$0	\$0	\$0	\$0
4150500 - Interest from interfund loans	\$3,212	\$0	\$0	\$0	\$0
4163000 - Income from surplus money investments	\$869	\$675	\$291	\$266	\$231
4171400 - Escheat of unclaimed checks and warrants	\$13	\$12	\$12	\$12	\$12
4172500 - Miscellaneous revenues	\$9	\$8	\$8	\$8	\$8
Totals, Revenues	\$24,449	\$21,576	\$21,818	\$21,793	\$21,758
Transfers and Other Adjustments	\$21,000	-\$25,000	\$0	\$0	\$0
TOTALS, REVENUES, TRANSFERS AND OTHER ADJUSTMENTS	\$45,449	-\$3,424	\$21,818	\$21,793	\$21,758
TOTAL RESOURCES	\$67,822	\$42,850	\$42,479	\$41,460	\$39,765
EXPENDITURES AND EXPENDITURE ADJUSTMENTS	PY 2019-20	CY 2020-21	BY 2021-22	BY+1 2022-23	BY+2 2023-24
Expenditures:					
1111 Program Expenditures (State Operations)	\$20,047	\$20,758	\$21,381	\$22,022	\$22,683
8880 Financial Information System for California (State Operations)	-\$3	\$0	\$0	\$0	\$0
9892 Supplemental Pension Payments (State Operations)	\$316	\$316	\$316	\$316	\$316
9900 Statewide Pro Rata	\$1,188	\$1,115	\$1,115	\$1,115	\$1,115
TOTALS, EXPENDITURES AND EXPENDITURE ADJUSTMENTS	\$21,548	\$22,189	\$22,812	\$23,453	\$24,114
FUND BALANCE					
Reserve for economic uncertainties	\$46,274	\$20,661	\$19,667	\$18,007	\$15,651
Months in Reserve	25.0	10.9	10.1	9.0	7.6

NOTES:

Assumes workload and revenue projections are realized in BY +1 and ongoing.
 Expenditure growth projected at 3% beginning BY +1.



BUSINESS, CONSUMER SERVICES, AND HOUSING AGENCY • GAVIN NEWSOM, GOVERNOR
DEPARTMENT OF CONSUMER AFFAIRS • BOARD OF BARBERING AND COSMETOLOGY
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Website: www.barbercosmo.ca.gov



MEMORANDUM

DATE December 7, 2020
TO: Members, Board of Barbering and Cosmetology
FROM: Kristy Underwood, Executive Officer
SUBJECT: Outreach Update

We held our first Virtual Outreach event on Oct 26th – Staying Safe During the Pandemic. We invited the California Department of Public Health to participate and had over 400 licensees in attendance. Our goal was to increase communication between the Board and licensees and show licensees where and how to find the information they need to stay safe.

Participated:

The Point interview by Viet Nails TV
September 21, 2020

Viet Nails TV with Pro Nails Associations
September 28, 2020

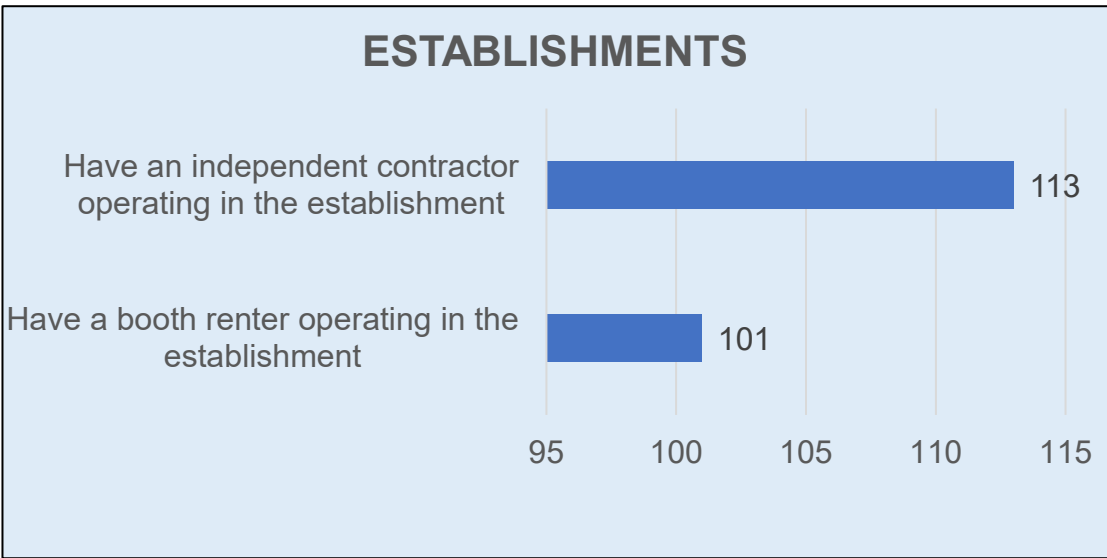
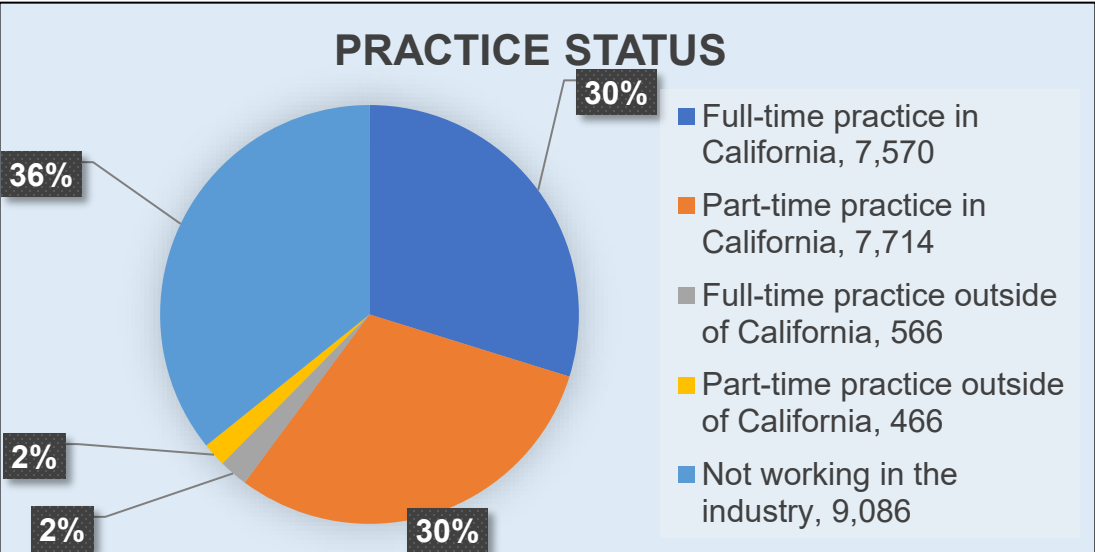
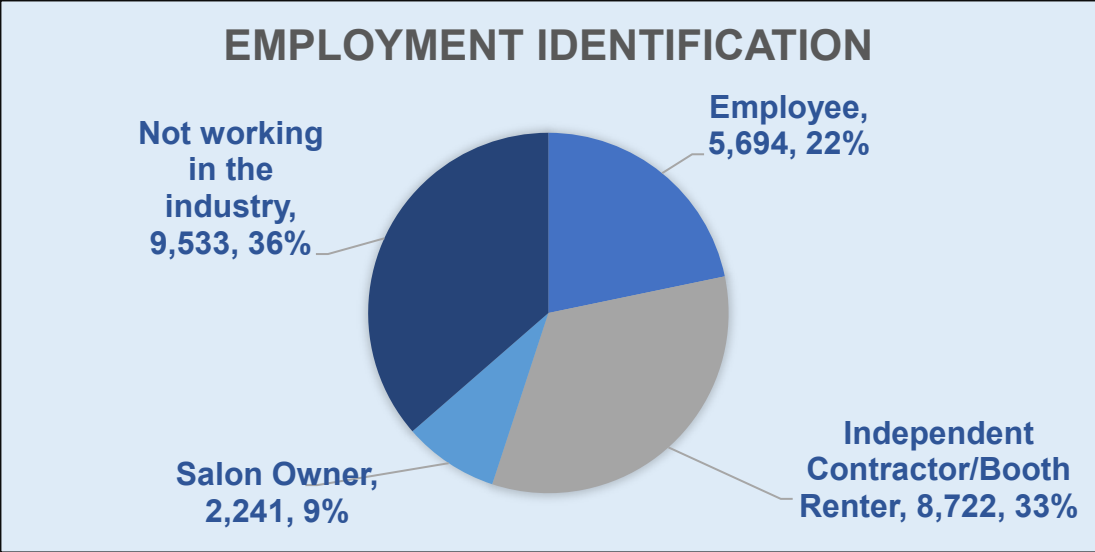
LADPH Coronavirus Update. Telebriefing the Industry (Nail Services, Hair Salons and Barber Shops)
October 22, 2020

BBC Virtual Outreach Event - Staying Safe During the Pandemic
October 26, 2020

LADPH Coronavirus Update- Telebriefing the Industry (Personal Care Services)
October 30, 2020

LADPH Coronavirus Update – Telebriefing the Industry (Personal Care Service)
November 24, 2020

Practice Status Survey Results July 1 - September 30, 2020





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BOARD MEETINGS 2021

January 25-26, 2021– Board Meeting /Reinstatement

April 26-27, 2021 –Board Meeting / Reinstatement

July 26-27, 2021 – Board Meeting / Reinstatement

October 25-26, 2021 - Board Meeting / Reinstatement



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MEMORANDUM

DATE December 7, 2020

TO: Members, Board of Barbering and Cosmetology

FROM: Kristy Underwood, Executive Officer

SUBJECT: Legislative and Budget Committee Meeting Update

The Legislative and Budget Committee met on November 17, 2020. The Committee reviewed and discussed 2019-2020 legislation that impacted the Board and/or industry. The Committee also discussed possible recommendations regarding future legislative changes.

The committee recommends the Board support the changes in AB-817 (text attached) and move the language into the Board's Sunset bill.

Action Required: Make a motion to support the changes in AB-817 and move the language into the Board's Sunset bill.

ASSEMBLY BILL

No. 817

Introduced by Assembly Member Kiley

February 20, 2019

An act to amend Sections 7354, 7355, 7356, and 7357 of the Business and Professions Code, relating to professions and vocations.

LEGISLATIVE COUNSEL'S DIGEST

AB 817, as introduced, Kiley. Barbering and cosmetology: mobile units.

Existing law, the Barbering and Cosmetology Act, establishes the State Board of Barbering and Cosmetology for the licensure and regulation of barbering and cosmetology. The act, for provisions related to the operation and licensing of mobile units, defines a mobile unit to mean a self-contained, self-supporting, enclosed mobile unit that is at least 24 feet in length, that is licensed as an establishment for the practice of any occupation licensed by the board, and that complies with specified provisions and regulations. The act requires an application for a state license to operate a mobile unit and an application to transfer ownership or control of a licensed mobile unit to include, among other items, a detailed floor plan, specified proof of purchase or lease of the mobile unit and shop equipment, copies of certain local licenses or permits, and proof of compliance with applicable city, county, and state plumbing, electrical, and fire laws. The act requires a state license to authorize the operation of the unit only within designated geographical boundaries, and makes the operation of the unit outside those boundaries unlawful, unless a license for the expanded geographical area has been obtained, as specified. The act requires a mobile unit to be equipped with a list of specified functioning systems, including, among others,

a specified container for waste materials, a specified toilet, and a self-contained, potable water supply, as specified. The act requires, in the event of depletion of potable water, the operation of the mobile unit to cease until the supply is replenished. A violation of the act is a crime, unless otherwise provided.

This bill would revise the definition of mobile unit to mean a self-contained, self-supporting, enclosed movable unit in which any activity licensed under this chapter is practiced. The bill would remove the requirements that the above-described applications include copies of certain local licenses or permits and proof of compliance with applicable city, county, and state plumbing, electrical, and fire laws, and would, instead, require those applications to include a signed acknowledgment under penalty of perjury that they are in compliance with all applicable city and county requirements, including plumbing, electrical, and fire laws. The bill would remove the requirement that the application for a state license include proof of purchase or lease of the shop equipment. The bill would remove the geographical boundaries limitations on the license to operate a mobile unit. The bill would revise the list of functioning systems with which a mobile unit is required to be equipped to, among other things, remove the specified container for waste materials and the specified toilet. The bill would make the requirement that a mobile unit be equipped with a self-contained, potable water supply contingent upon the mobile unit offering shampooing services, and would remove the requirement that operation of the mobile unit cease if the supply is depleted. By imposing additional requirements on persons licensed under the Barbering and Cosmetology Act, a violation of which is a crime, and by expanding the crime of perjury, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.
 State-mandated local program: yes.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 7354 of the Business and Professions
- 2 Code is amended to read:

1 7354. For purposes of this article, “mobile unit” means ~~any a~~
 2 self-contained, self-supporting, enclosed ~~mobile~~ *movable* unit
 3 which is at least 24 feet in length which is licensed as an
 4 establishment for the practice of any occupation licensed by the
 5 board and which complies with this article and all health and safety
 6 regulations established by the board. *in which any activity licensed*
 7 *under this chapter is practiced.*

8 SEC. 2. Section 7355 of the Business and Professions Code is
 9 amended to read:

10 7355. (a) ~~Any~~ A person, firm, or corporation desiring to operate
 11 a mobile unit shall make an application to the board for a license
 12 containing the information and data set forth in subdivision (b).
 13 The applicant, if an individual, or each officer, director, and partner,
 14 if the applicant is other than an individual, shall not have committed
 15 acts or crimes which are grounds for denial of licensure pursuant
 16 to Section 480. ~~A license issued pursuant to this section shall~~
 17 ~~authorize the operation of the unit only within those geographical~~
 18 ~~boundaries designated by the board. Operation of the unit outside~~
 19 ~~of the geographical boundaries for which the license is issued shall~~
 20 ~~be unlawful, unless a license for the expanded geographic area has~~
 21 ~~been obtained upon compliance with this article applicable to the~~
 22 ~~issuance of a license in the first instance.~~

23 (b) Each application shall include the following:

24 (1) A detailed floor plan showing the location of doors,
 25 windows, restroom facilities, sinks, lift or ramps, ventilation,
 26 equipment, and dimensions of the mobile unit ~~in compliance with~~
 27 ~~this article.~~ *unit.*

28 (2) Proof of purchase or lease of the mobile unit ~~and shop~~
 29 ~~equipment.~~ *unit.*

30 (3) The required fee.

31 (4) ~~Copies of applicable county and city licenses or permits to~~
 32 ~~provide the mobile barbering, cosmetology, or electrolysis services~~
 33 ~~in each county and city of operation and the locations therein where~~
 34 ~~the services will be offered.~~

35 (5) ~~Proof of compliance with applicable city, county, and state~~
 36 ~~plumbing, electrical, and fire laws.~~

37 (4) *A signed acknowledgment that the applicant is in compliance*
 38 *with all applicable city and county requirements, including*
 39 *plumbing, electrical, and fire laws.*

40 (6)

1 (5) Proof of a valid California driver’s license issued to an
2 officer or employee responsible for driving the mobile unit.

3 ~~(7)~~

4 (6) A permanent base address from which the mobile unit shall
5 operate.

6 (c) After initial approval of the floor plan and application has
7 been granted, the applicant shall schedule an appointment to show
8 the mobile unit to the board, or representative of the board, for
9 final approval.

10 SEC. 3. Section 7356 of the Business and Professions Code is
11 amended to read:

12 7356. An application to transfer ownership or control of an
13 existing licensed mobile unit shall be filed by the purchaser or
14 lessor with the board within 10 days after purchase. Each
15 application shall include the following:

16 (a) A detailed floor plan showing the location of doors, windows,
17 restroom facilities, sinks, lift or ramps, ventilation, equipment, and
18 dimensions of the mobile unit.

19 (b) Bills of sale or lease documents proving purchase or lease
20 of existing equipment and the mobile unit.

21 (c) The existing mobile unit license.

22 (d) The required fee.

23 ~~(e) Copies of applicable city and county licenses or permits to~~
24 ~~provide the mobile services in each county and city of operation~~
25 ~~issued in the new owner’s name.~~

26 ~~(f) Proof of compliance with applicable city, county, and state~~
27 ~~plumbing, electrical, and fire laws.~~

28 *(e) A signed acknowledgment that the applicant is in compliance*
29 *with all applicable city and county requirements, including*
30 *plumbing, electrical, and fire laws.*

31 ~~(g)~~

32 (f) Proof of a valid California driver’s license issued to an officer
33 or employee responsible for driving the mobile unit.

34 SEC. 4. Section 7357 of the Business and Professions Code is
35 amended to read:

36 7357. (a) ~~Mobile units~~—*A mobile unit* shall comply with
37 regulations adopted by the board that assure that the unit shall be
38 kept clean, in good repair, and in compliance with this article.

39 (b) ~~Each~~—*A mobile unit* shall be equipped with each of the
40 following functioning systems:

1 (1) ~~A self-contained, potable water supply. The potable water~~
2 ~~tanks shall be not less than 100 gallons, and the holding tanks shall~~
3 ~~be of adequate capacity. In the event of depletion of potable water,~~
4 ~~operation shall cease until the supply is replenished. *supply if*~~
5 ~~*shampooing services are offered.*~~

6 (2) Continuous, on-demand hot water tanks which shall be not
7 less than six-gallon capacity.

8 ~~(3) A self-contained, recirculating, flush chemical toilet with~~
9 ~~holding tank.~~

10 ~~(4) A covered galvanized, stainless steel, or other noncorrosive~~
11 ~~metal container for purposes of depositing hair clippings, refuse,~~
12 ~~and other waste materials.~~

13 ~~(5) A split-lead generator with a remote starter, muffler, and a~~
14 ~~vent to the outside.~~

15 ~~(6) A sealed combustible heater with an outside vent.~~

16 (3) *A system of adequate ventilation.*

17 SEC. 5. No reimbursement is required by this act pursuant to
18 Section 6 of Article XIII B of the California Constitution because
19 the only costs that may be incurred by a local agency or school
20 district will be incurred because this act creates a new crime or
21 infraction, eliminates a crime or infraction, or changes the penalty
22 for a crime or infraction, within the meaning of Section 17556 of
23 the Government Code, or changes the definition of a crime within
24 the meaning of Section 6 of Article XIII B of the California
25 Constitution.



MEMORANDUM

DATE December 7, 2020

TO: Members, Board of Barbering and Cosmetology

FROM: Kristy Underwood, Executive Officer

SUBJECT: Recommendations on Changes to the Apprentices Program

Background:

The apprenticeship program has been offered by the Board of Barbering and Cosmetology since 1992. Prior to 1992, the Barber Board had an apprentice program and the Cosmetology Board had a junior operator program. The barber union fought to maintain the apprentice program when the boards merged, so the junior operator program was eliminated and a cosmetology apprentice was established.

Apprentice programs are often utilized in construction/labor fields. For example, California offers approved apprenticeship programs in the following fields:

Agriculture	Glazier & Glass Workers	Operating Engenieer
Asbestos Worker	Health Services	Painting and Decoration
Automotive	Heating, Ventilation & AC	Plasterer
Boilermaker	Hospitality	Plumbing and Pipefitting
Bricklayer	Information Technology	Fire Sprinkler Fitter
Carpentry	Inspector/Tester	Roofer
Carpet Linoleum	Iron & Steel Worker	Sheet Metal
Cement Masons	Laborer	Sound Installer
Civil Service	Lineman	Surveyor
Drywall/Lathers	Machinist	Teamster
Electrical/Electronic	Manufacturing	Tile Layer
Elevator Mechanic	Meat Cutter	
Entertainment	Millwright	

Apprenticeships are designed and intended to allow for on-the-job training. A unique aspect of apprenticeships under the Board is the requirement for a State-issued license.

Funding and Costs

Per the Division of Apprenticeship Standards website:

Since 1970 California has funded related classroom instruction for state-registered apprenticeship programs known as Related and Supplemental Instruction (RSI) or Montoya Funds. The passage of Assembly Bill 86 (2013–14), the California Community College Chancellor’s Office (CCCCO) was authorized with the oversight, validation and disbursement of RSI funding for California Community College Districts (CCD) as well as California Department of Education (CDE)–Local Educational Agencies (LEAs) that partner with apprenticeship program sponsors.

Apprentices attend classes on the practices and theory of their trade and then apply that knowledge to the workplace, generally under the supervision of an experienced supervisor or journeymen until the apprentice masters the particular area of training. Employers are an integral part of apprenticeship programs and pay the majority of the training costs incurred to develop apprentices and make them proficient in their trade or craft. Apprentices’ placement in a trade typically takes three to five years.

Funding for apprenticeships is tied to the LEA. A program sponsor receives funds from the LEA for the related training. Related training (also referred to as related and supplemental Instruction or RSI) is required for each licensing category in the following area:

Barbering:	216 Hours
Cosmetology	220 Hours
Electrology:	220 Hours

The Board states the criteria for related training in regulation. It should be clearly noted that the related training in the above noted hours is in addition to the 3200 hours of the full program.

Section 915 of the California Code of Regulations states:

- (a) Every apprenticeship approved by the board shall consist of an on-the-job training component and a classroom component of related training.
- (b) Related training for barber apprentices must provide a minimum of 216 hours of instruction over a two year period. A minimum of 144 of those hours shall cover the theory of barbering and a maximum of 72 hours may be elective training. The 72 hours of elective training may be conducted by classroom instruction or by a seminar or by demonstrations relating to barbering. The elective training shall be verified by course completion certificates or registration records.
- (c) Related training for cosmetology, skin care, nail care or electrology apprenticeships must provide a minimum of 220 hours of classroom instruction over a two year period. These hours shall cover the following subjects:

- (1) The related training for a cosmetology apprenticeship shall cover the following subjects as they relate to cosmetology: cosmetology chemistry, health and safety and hazardous substances, theory of electricity, disinfection and sanitation, bacteriology, anatomy and physiology, wet hair styling, thermal hair styling, permanent waving, chemical straightening, haircutting, hair coloring and bleaching, scalp and hair treatment, facials, eyebrow arching and hair removal, makeup, manicuring and pedicuring.
- (2) The related training for skin care shall cover the following subjects as they relate to skin care: cosmetology chemistry, health and safety and hazardous substances, theory of electricity, disinfection and sanitation, bacteriology, anatomy, physiology, skin analysis and conditions, facials, eyebrow arching and hair removal, and make-up.
- (3) The related training for nail care shall cover the following subjects as they relate to nail care: cosmetology chemistry, health and safety and hazardous substances, disinfection and sanitation, bacteriology, anatomy and physiology, water and oil manicures, including hand and arm massage, complete pedicure, and application of artificial nails.
- (4) The related training for electrolysis shall cover the following subjects as they relate to electrolysis: health and safety and hazardous substances, disinfection and sanitation and sterilization, bacteriology, anatomy and physiology, electricity, electrolysis, thermolysis, and high frequency and galvanic currents.

There does not appear to be any oversight of the related training.

Staff believes that apprentices are receiving incomplete and/or inadequate Related Training for the required 216-220 hours, and that apprentices are concentrating their hours on working in the establishment for two years. As a result, the apprentice is missing out on the necessary educational component and this is evident in the low examination passing rates.

Costs

The average cost to an individual to enter an apprentice program is \$6,000-\$7,000. Program sponsors are not able to charge for the apprentice program and per the Bureau of Private Postsecondary Education, they cannot charge more than \$2,500 for the pre-apprentice training or they would be considered a school. In order to charge an individual, the "tuition" is often referred to as a charge for the 39-hour pre-apprentice training, books, kits, building fees, etc.

Program Sponsors that are connected to an LEA (the majority are) receive \$5.15 per hour per student for the related training. For a cosmetology course that equals a minimum of \$1,133 (for 220 hours) and for a barber course that equals a minimum of \$1,112 (for 216 hours). An

assumption can be made that a Program Sponsor receives a tuition from a student of \$6,000 and LEA finds of \$1,133 for a total of \$7,133 for a single cosmetology student.

Pass/Fail Rates:

Below are the pass/fail rates for 2019 apprentice applicants:

	PRACTICAL EXAM			WRITTEN EXAM		
	PASS	FAIL	PASS%	PASS	FAIL	PASS%
Barber						
English	176	157	53%	148	328	31%
Spanish	44	26	63%	32	129	20%
Vietnamese	0	1	0%	0	1	0%
Cosmetology						
English	106	57	65%	89	78	53%
Korean	1	1	50%	1	1	50%
Spanish	239	112	68%	208	397	34%
Vietnamese	2	7	22%	3	3	50%
Electrology						
English	0	2	2%	0	2	0%
TOTAL	568	363	61%	481	939	34%

As shown above, the pass rate for the written portion of the examination for the apprentice program is only 34%. In addition, the data shows that most cosmetologists who are enrolling into the apprentice program are Spanish-speaking.

On-Going Issues

Additional issues associated with the apprentice program other than the low pass rates for the exam are:

- Apprentices are often found working without supervision in establishments.
- Apprentices do not have text books.
- Apprentices are not provided information on the examination translation guide.
- The Board has no authority to prevent trainers or establishments from continuing in the apprentice program when they have been found in violation of their responsibilities.
- There is little to no enforcement by DAS
- No tracking or verification of apprentice’s progress (operations or hours).

Oversight

The Board shares dual oversight of the apprentice program with the Division of Apprenticeship Standards (DAS) which is a division under the Department of Industrial Relations.

The DAS approves apprenticeship program sponsors as does the Board. Section 7333 of the Business and Professions Code states:

The apprentice training program shall be conducted in compliance with the Shelley-Maloney Apprentice Labor Standards Act of 1939, Chapter 4 (commencing with Section 3070) of Division 3 of the Labor Code, according to apprenticeship standards approved by the administrator of apprenticeship. A copy of the act shall be maintained on file with the board.

Section 913(a) and (b) of the California Code of Regulations states:

- (a) A joint apprenticeship committee, unilateral management or labor apprenticeship committee, or an individual employer wishing to conduct apprenticeships in barbering, cosmetology, electrology, skin care, or nail care shall be known as apprenticeship program sponsors.
- (b) An applicant seeking board approval as an apprenticeship program sponsor to conduct apprenticeships in barbering, cosmetology, skin care, nail care, or electrology shall:
 - (1) Submit a written request for board approval of its apprenticeship program and identify the subject matter of the apprenticeship. The request for apprenticeship approval shall be signed by the individual employer or, where the program sponsor is not an individual, by a responsible officer of the organization.
 - (2) Submit proof that the program sponsor is approved by the California Apprenticeship Council to offer the apprenticeship.
 - (3) Submit a detailed outline of the proposed training program which demonstrates compliance with the apprenticeship regulations contained in this article.
 - (4) Submit a copy of the agreement between the program sponsor and the apprentice (hereafter know as the "apprenticeship agreement"). The apprenticeship agreement shall comply with the provisions of the Shelley-Maloney Apprenticeship Labor Standards Act of 1939 (Labor Code section 3070 et seq.) and the regulations adopted pursuant thereto.

The DAS approval of the Program Sponsor is much more extensive than what the Board approves. The DAS must approve the apprentice sponsors standards. The requirements of these standards can be found in **Attachment 1**.

Action

Board staff believes there are two options.

Option 1: Eliminate the apprenticeship program and develop a license type that allows for on-the job training as the dual oversight is not conducive to success for apprentices in this industry.

Option 2: Revise the regulations to allow for clearer understanding of what is required of trainers and owners and promulgate regulations that will allow increased oversight of a program sponsor.

Recommendation

Attachment 2 contains recommended changes should the Board choose option 2. Each numbered item is an explanation of a change that corresponds with the same number on the attachment.

1. Section 913: Clearly identify responsibility of program sponsors and remove the words skin care and nail care.

Reason: Board staff often find that there is no ongoing oversight of apprentices from the program sponsor. Often, the apprentice is left without direction from the sponsor and they are left to navigate the program alone. The Board does not have apprentice programs for skin care or nail care, so this language is irrelevant.

2. Section 913.1: Add language that clarifies the Board can take action against an approved program sponsor for the sponsor failing to maintain their responsibilities.

Reason: Staff have experienced sponsors that have not filed appropriate paperwork and are not ensuring the apprentice is being properly trained in the establishment. Staff have also received complaints from apprentices that they have not been trained. This section clarifies that the Board can take action if sponsors are not adhering to their responsibilities.

3. Section 914.1: Add a new section (b) that states the apprentice shall hold only one license in one scope at a given time.

Reason: The Board often receives applications for a single person to be licensed in both barbering and cosmetology. Each program consists of 3200 hours and 2 years, which makes it impossible to complete two separate programs simultaneously.

4. Section 914.2 (a): add a reference to a newly developed section on discontinuance.

Reason: This is for clarity on the discontinuance process.

5. Section 915: Remove references to skin and nails and create a separate section for electrology.

Reason: the Board does not have an apprenticeship program for skin or nails. Electrology should be separate as it is not part of cosmetology.

6. Section 917: Clarify what is required in the pre-apprentice training and add the health and safety course.

Reason: All apprentices are required to complete 39 hours of pre-apprentice training prior to providing services. Staff believe that what is included in this training should be clarified so a potential apprentice understands the length of the program and that it ultimately leads to qualifying for the licensure exam.

In addition, section 7389 establishes the Health and Safety Course. This information is valuable to apprentices as it provides labor law information that is valuable to an employee.

7. Section 918: Re-write this section on approved trainers.

Reason: This section regarding qualifications to be an approved trainer has been re-written to clearly define a trainer's responsibilities.

8. Section 918.1: Add a new section that clearly defines the responsibilities of a trainer.

Reason: Board staff believe that many trainers are not providing training to the apprentice and this is resulting in the apprentice being unable to pass the licensure examination.

9. Section 919: Re-write this section on approved establishments.

Reason: This section for qualifications to be an approved establishment has been re-written to clearly define an establishment license holder's responsibilities.

10. Section 919.1: Add a new section that clearly defines the responsibility of the establishment license holder.

Reason: Board staff are aware of many circumstances where an apprentice is left running an establishment on their own and providing services. This section will clarify an establishment's responsibility and hold them accountable.

11. Section 920 (a) and (b): Section (a) changes allow for technical clean-up and section (b) is created to require the program sponsor to collect and review the daily work of the apprentice.

Reason: Board staff often find that there is no verification done on the daily work that an apprentice completes as records are often unavailable. This section will now require those records be reviewed and available to the board.

12. Section 921 through 921.2: Amend these sections for technical clean-up only.

13. Section 922: amend this section to clarify that an apprentice transfer request must be submitted and note the specified information.

Reason: Staff have found little to no documentation on what an apprentice has completed when a transfer is submitted. This will help ensure the correct documentation of completed training for an apprentice.

14. Section 924: Amend this section to remove discontinuance and to clarify that this section is a requirement for what shall be included when an apprentice completes the program.

Reason: Board staff feel it is important to establish separate sections for completion and for discontinuance of the apprentice program for clarity.

15. Section 924.1: Create a section that provides the requirements of a discontinuance from the apprentice program.

Reason: Board staff feel it is important to establish separate sections for the completion and discontinuance of the apprentice program for clarity.

16. Section 925: Remove this section.

Reason: This section is now irrelevant as the information is included in the re-written section 918.

17. Section 926: Re-write section (a) for clarity.

Reason: This recommendation is for clarity only and section (a)(4) is now placed under section 924.

18. Section 927: Create new section that allows for an apprentice program credit to be valid for 3 years after completion.

Reason: An apprentice who has not been able to pass the examination but has completed the apprentice program.

California Code of Regulations Division 1, Chapter 2, Subchapter 1, Article 4, Section 212

Apprenticeship programs shall be established by written apprenticeship standards which must be approved by the Chief DAS under Section 212.2. In order to be approved, the standards must cover all work processes within the apprenticeable occupation. The standards must contain:

(a) A statement of:

(1) the occupation(s) and an outline of the work processes in which the apprentice will receive supervised work experience and training on the job, and the allocation of the approximate time to be spent in each major process;

(2) the parties to whom the standards apply, the program sponsor's labor market area, as defined by Section 215 appendix 2(l), for purposes of meeting equal employment opportunity goals in apprenticeship training and the program's geographic area of operation as defined by section 205(n);

(3) the duties of the apprentice;

(4) the apprentice's working conditions unique to the program;

(5) the progressively increasing wage, employee benefits and other compensation of the apprentice, as set by Section 208;

(6) the ratio of apprentices to journeymen, or the number of apprentices to be employed and the method used to determine the ratio whether by job site, workforce, department or plant;

(7) the local education agency which has agreed to provide the related and supplemental instruction, and a description of the courses to be provided;

(b) Provisions for:

(1) establishment of an apprenticeship committee, if applicable;

(2) administration of the standards;

(3) establishment of rules and regulations governing the program. An apprenticeship program's standards or rules may provide for a period of probation which may not be for more than the combination of 1,000 hours of employment and 72 hours of related instruction;

(4) determining the qualifications of employers if other than single employer programs and an orientation, workshop, or other educational session for employers to explain the apprenticeship program's standards and the operation of the apprenticeship program;

(5) determining the qualifications of apprentice applicants and fair and impartial treatment of applicants for apprenticeship selected through uniform selection procedures, which shall be an addendum to the standards, pursuant to Section 215;

(6) the incorporation of the provisions of the standards into the apprentice agreement either directly or by reference;

(7) a procedure to be utilized for the recording and maintenance of all records concerning apprenticeship and otherwise required by law including a system for recording the apprentice's worksite job progress and progress in related and supplemental instruction and a system for the periodic review and evaluation of the apprentice's progress in job performance and related instruction;

(8) discipline of apprentices for failure to fulfill their obligations on-the-job or in related instruction, including provisions for fair hearings;

(9) terminating, or recommending the cancellation of, apprentice agreements in accordance with section 207;

(10) recommending issuance of State Certificates of Completion of Apprenticeship pursuant to Section 224;

(11) training and supervision, both on the job and in related instruction, in first aid, safe working practices and the recognition of occupational health and safety hazards;

(12) training in the recognition of illegal discrimination and sexual harassment;

(13) approval of the standards, and revisions to the standards, by the Chief DAS;

(14) an adequate mechanism to be used for the rotation of the apprentice from work process to work process to assure the apprentice of complete training in the apprenticeable occupation including mobility between employers when essential to provide exposure and training in various work processes in the apprenticeable occupation; and an adequate mechanism that will be used to provide apprentices with reasonably continuous employment in the event of a lay-off or the inability of one employer to provide training in all work processes as outlined in the standards;

(15) the on-going evaluation of the interest and capacity of individual employers to participate in the apprenticeship program and to train apprentices on-the-job and provisions for the evaluation of on-the-job training and related and supplemental instruction;

(16) compliance with training criteria where such have been adopted pursuant to Section 212.01; and

(17) meaningful representation of the interests of apprentices in the management of the program, which is shown where:

(A) In a joint labor-management sponsored program, the apprentices participating in that program are represented by a labor organization pursuant to one of the following: National Labor Relations Act, the Railway Labor Act, the California Public Employee Relations Act, Agricultural Labor Relations Act, the Meyers-Milias Brown Act;

(B) In a program sponsored by more than one employer or an association of employers, the apprentices participating in that program are at least equally represented on an advisory panel established by the apprenticeship committee responsible for the operation of the program. The apprentices shall be represented on the advisory panel by at least three representatives of the apprentices' choice who shall have full voice and vote on the panel except as to financial matters or matters that relate to the administration or structure of an employee benefit plan or the administration or operation of a trust fund. The representatives of the apprentices shall be selected by way of a secret ballot election among the apprentices conducted by the apprenticeship program not less than once every two (2) years. This advisory panel shall meet not less than once every quarter to address issues and concerns raised by and affecting the apprentices in the program.

(c) The names and signatures of the parties.

Article 3. Apprenticeship**Title 16, Division 9, California Code of Regulations
Board of Barbering and Cosmetology****1.****913. Approval of Apprentice Training Programs**

(a) A joint apprenticeship committee, unilateral management or labor apprenticeship committee, or an individual employer wishing to conduct apprenticeships in barbering, cosmetology, electrology, skin care, or nail care shall be known as apprenticeship program sponsors. All approved sponsors shall:

- 1) Maintain records of all licensed apprentices which shall include:
 - A) Daily tracking of on the job Practical Operations and Practical Training.
 - B) Daily tracking of all related classroom training.
- 2) Ensure the apprentice takes and completes the required pre-apprentice training and the Board's Health and Safety Course prior to starting any On the job training.
- 3) Require all apprentices to have in their possession an approved textbook and an approved examination translation guide.
- 4) The approved program sponsor shall provide daily tracking documentation to a Board representative upon request.

(b) An applicant seeking board approval as an apprenticeship program sponsor to conduct apprenticeships in barbering, cosmetology, ~~skin care, nail care~~, or electrology shall:

- (1) Submit a written request for board approval of its apprenticeship program and identify the subject matter of the apprenticeship. The request for apprenticeship approval shall be signed by the individual employer or, where the program sponsor is not an individual, by a responsible officer of the organization.
- (2) Submit proof that the program sponsor is approved by the California Apprenticeship Council to offer the apprenticeship.
- (3) Submit a detailed outline of the proposed training program which demonstrates compliance with the apprenticeship regulations contained in this article.
- (4) Submit a copy of the agreement between the program sponsor and the apprentice (hereafter known as the "apprenticeship agreement"). The apprenticeship agreement shall comply with the provisions of the Shelley-Maloney Apprenticeship Labor Standards Act of 1939 (Labor Code section 3070 et seq.) and the regulations adopted pursuant thereto.

(c) An apprenticeship program sponsor shall notify the board within 10 days of any changes to the information filed with the board in accordance with subsection (b) of this section for board approval.

(d) The board shall inform every person applying for approval to act as an apprenticeship program sponsor in writing, within ten (10) days of receipt of their request for approval whether the application is complete or deficient and what specific information is required.

(1) When the information for a deficient application is returned to the board, the board shall decide within five (5) days of receipt whether the application is complete.

(2) If the application remains deficient, the board shall inform the applicant in writing, within five (5) days of receipt, of what specific information is required.

(e) The board shall notify the applicant, in writing, within thirty-five (35) days after the completed application has been received, whether the applicant meets the requirements for approval.

(f) The minimum, median and maximum times for processing a request for approval of an apprentice training program, from the time of receipt of the application until the Board of Barber Examiners decided to issue the approval based upon actual performance of the board during the two years preceding the proposal of this section, were as follows:

(1) Minimum: 1 day

(2) Median: 15 days

(3) Maximum: 48 days

NOTE: Authority cited: Section 7312, Business and Professions Code and Section 15376, Government Code. Reference: Section 7333, Business and Professions Code; Sections 3070 and 3078, Labor Code and Section 15376, Government Code.

2.

913.1 Withdrawal of Approval: Apprenticeship Program Sponsor

(a) The board may withdraw or otherwise limit its approval of an apprenticeship program sponsor who is not conducting its apprenticeship program in compliance with the provisions of the laws and regulations of the Barbering and Cosmetology Act (Business and Professions Code sections 7301 et seq.), **who is not following the Standards approved by the Division of Apprenticeship Standards or who fails to maintain their responsibilities as a program sponsor or who fails to adhere to regulations as outlined in this chapter.**

(b) (1) A proceeding to withdraw or limit the board's approval of an apprenticeship program sponsor shall be initiated by serving the apprenticeship program sponsor with a notice to show cause. The notice to show cause shall be in writing, shall describe with particularity the nature of the violations, including specific reference to the provisions of law or regulations determined to be violated, and shall contain a proposed order to withdraw or limit the board's approval of the apprenticeship program sponsor.

(2) Where appropriate, a notice to show cause may contain an order of abatement fixing a reasonable time for the abatement of the violations. Where a program sponsor complies with the order of abatement within the time specified, the board shall withdraw its notice to show cause.

(3) In fixing the disciplinary order or order of abatement for a notice to show cause, the board shall give due consideration to the appropriateness of the order with respect to such factors as the gravity of the violations, its impact upon the apprentices participating in the apprenticeship program sponsor's apprenticeship program, its impact on the public, the good faith of the apprenticeship program sponsor, and the history of previous violations.

(c) A notice to show cause shall inform the apprenticeship program sponsor that if it desires a hearing to contest any portion of the notice to show cause, a hearing shall be requested by written notice to the board's executive officer within 30 days of the date of service of the notice to show cause. If a hearing is not requested pursuant to this subsection, the order contained in the notice to show cause shall go into effect on the date specified in the notice to show cause.

(d) A hearing to contest a notice to show cause shall be conducted within 60 days of the board's receipt of the program sponsor's written request for a hearing. Such a hearing shall be before a committee selected by the board. At the conclusion of the hearing, the committee shall prepare or have prepared a written decision of its findings, determinations and order. Such a decision shall be mailed to the program sponsor within 45 days after the conclusion of the hearing.

NOTE: Authority cited: Section 7312, Business and Professions. Reference: Section 7333, Business and Professions Code

914. Filing of Apprenticeship Application; Processing Time

(a) A prospective apprentice must file with the board an application for apprenticeship. Application shall be made on Form 35A-03, Application for Licensure as a Licensed Apprentice and for Approval of Trainers and Establishments, Revised 5/94.

(b) The board shall inform every person applying for licensure as an apprentice, in writing, within ten (10) days of receipt of the application (Form #35A-03, Application for Licensure as a Licensed Apprentice and for Approval of Trainers and Establishments, Revised 5/94), whether the application is complete or deficient and what specific information is required.

(1) When the information for a deficient application is returned to the board, the board shall decide within five (5) days of receipt whether the application is complete.

(2) If the application remains deficient, the board shall inform the applicant in writing, within five (5) days of receipt, of what specific information is required.

(c) The board shall notify the applicant, in writing, within thirty-five (35) days after the completed application has been received, whether the applicant meets the requirements for approval.

(d) The minimum, median and maximum times for processing an application for licensure as an apprentice, from the time of receipt of the application until the Board of Barber Examiners decided to issue the license based upon actual performance of the board during the two years preceding the proposal of this section, were as follows:

(1) Minimum: 1 day

(2) Median: 15 days

(3) Maximum: 48 days

NOTE: Authority cited: Section 7312, Business and Professions Code and Section 15376, Government Code. Reference: Section 7334, Business and Professions Code; and Section 15376, Government Code.

3.

914.1 Filing of Apprenticeship Application; Eligibility

(a) If an applicant for an apprentice license has previously applied for and qualified for the licensing examination in a particular discipline, the applicant is ineligible to apply for the apprenticeship program in the same discipline.

(b) An apprentice shall hold only one license in one scope of practice at a given time.

Note: Authority cited: Section 7312, Business and Professions Code. Reference: Section 7334, Business and Professions Code.

4.

914.2 Filing of Apprenticeship Application; Re-enrollments

(a) The term of an apprenticeship is 2 years. If at any time the apprentice discontinues enrollment in the apprenticeship program, the Board shall be notified by the apprentice program sponsor within 10 days of the ~~dis-enrollment~~ discontinuance **pursuant to section 924.1**.

(b) If after the 2-year period the apprentice has not completed the required 3,200 hours and Related Training, and the Board has been notified of the cancellation of enrollment, and the apprentice license has been surrendered to the Board as required by section 923 of this article, the applicant may re-enroll once to complete the program. After 2 enrollments into the apprenticeship program the applicant is no longer eligible to participate in the program.

Note: Authority cited: Section 7312, Business and Professions Code. Reference: Section 7334, Business and Professions Code.

5.

915. Related Training

(a) Every apprenticeship approved by the board shall consist of an on the job training component and a classroom component of Related Training.

(b) Related Training for barber apprentices must provide a minimum of 216 hours of **classroom** instruction over a two year period. ~~A minimum of 144 of these hours shall cover the theory of barbering and a maximum of 72 hours may be elective training. The 72 hours of elective training may be conducted by classroom instruction or by a seminar or by demonstrations relating to barbering. The elective training shall be verified by course completion certificates or registration records.~~ These hours shall cover the following topics:

(c) Related Training for cosmetology, ~~skin care, nail care or electrology~~ apprenticeships must provide a minimum of 220 hours of classroom instruction over a two-year period. These hours shall cover the following subjects:

(1) The Related Training for a cosmetology apprenticeship shall cover the following subjects as they relate to cosmetology: cosmetology chemistry, health and safety and hazardous substances, theory of electricity, disinfection and sanitation, bacteriology, anatomy and

physiology, wet hair styling, thermal hair styling, permanent waving, chemical straightening, haircutting, hair coloring and bleaching, scalp and hair treatment, facials, eyebrow arching and hair removal, makeup, manicuring and pedicuring.

~~(2) The related training for skin care shall cover the following subjects as they relate to skin care: cosmetology chemistry, health and safety and hazardous substances, theory of electricity, disinfection and sanitation, bacteriology, anatomy, physiology, skin analysis and conditions, facials, eyebrow arching and hair removal, and make-up.~~

~~(3) The related training for nail care shall cover the following subjects as they relate to nail care: cosmetology chemistry, health and safety and hazardous substances, disinfection and sanitation, bacteriology, anatomy and physiology, water and oil manicures, including hand and arm massage, complete pedicure, and application of artificial nails.~~

~~(4) The related training for electrolysis shall cover the following subjects as they relate to electrolysis: health and safety and hazardous substances, disinfection and sanitation and sterilization, bacteriology, anatomy and physiology, electricity, electrolysis, thermolysis, and high frequency and galvanic currents.~~

(d) Related Training for electrology apprentices must provide a minimum of 220 hours of classroom instruction over a 2-year period. These hours shall cover the following subjects:

(1) The Related Training for electrolysis shall cover the following subjects as they relate to electrolysis: health and safety and hazardous substances, disinfection, sanitation, sterilization, bacteriology, anatomy, physiology, electricity, electrolysis, thermolysis, high frequency and galvanic currents.

NOTE: Authority cited: Section 7312, Business and Professions Code. Reference: Sections 7333 and 7334, Business and Professions Code.

916. Training Hours and Schedule

(a) The two years referred to in Section 7335 of the Business and Professions Code means a minimum of thirty-two hundred (3,200) hours of apprenticeship. Full-time apprenticeship means employment and training in an approved program for at least 32 hours per week. No more than eight and one-half hours credit will be allowed for any one work day nor will credit be allowed for more than five days in one week. The maximum training hours shall not exceed 42-1/2 hours per week.

(b) The two year apprenticeship program begins with the issuance of an apprenticeship license by the board.

NOTE: Authority cited: Section 7312, Business and Professions Code. Reference: Sections 7333, 7334, and 7345, Business and Professions Code.

6.

917. Pre-apprentice Training and Health and Safety Course Prior to Serving the Public

(a) The minimum hours of pre-apprentice training referred to in Section 7334 of the Business and Professions Code shall be thirty-nine (39) hours of instruction **in the following areas:** ~~laws and regulations of the board, basic patron protection and sanitation and disinfection procedures. An~~

~~applicant for licensure as an apprentice shall complete the pre-apprenticeship training prior to being licensed as an apprentice.~~

- 1) ~~Disinfection and Sanitation including but not limited to, proper procedures to protect the health and safety of consumers as well as the licensee, proper disinfection procedures for equipment used in establishments.~~
- 2) ~~Laws and Regulations of the Board which shall include a review of the Barbering and Cosmetology Act and the Board's Regulations with special emphasis on Article 12 Health and Safety.~~

~~(b) All apprentices shall complete the Boards Health and Safety Course described in Business and Professions Code section 7389 prior to any on the job training and prior to servicing the public.~~

NOTE: Authority cited: Section 7312, Business and Professions Code. Reference: Section 7334, Business and Professions Code.

7.

~~§ 918. Apprentice Trainers~~

~~a) No licensee shall train an apprentice unless his or her license includes the scope of practice of the apprentice's license.~~

~~b) A licensee is allowed to have under his or her supervision a maximum of two apprentices at any given time.~~

Note: Authority cited: Section 7312, Business and Professions Code. Reference: Sections 7332 and 7336, Business and Professions Code.

918. Board Approved Apprentice Trainers

A licensee who wishes to train an apprentice shall obtain Board approval before employing or training an apprentice. An application for Approval to Train shall be made on a form provided by the Board.

a) Qualifications for apprentice trainer approval

(1) Licensee shall possess a current, valid license issued by the Board.

(2) Licensee shall have no disciplinary actions pending against him/her nor be on probation resulting from past disciplinary action within the two year period immediately preceding his/her application to serve as apprentice trainer.

(3) Licensee is not subject to denial pursuant to Section 480.

(4) The licensee has no unpaid fine issued pursuant to Article 12 of Chapter 10 of Division 3 of the Business and Professions Code.

(5) The licensee may only train an apprentice whose apprentice license is in the same discipline as the trainer's license.

(6) A licensee may only have a maximum of 2 apprentices approved to be under his/her supervision at any time.

(7) The licensee who is approved to train must have held their license in good standing for three years prior to becoming an apprentice trainer.

8.

918.1 Trainer Responsibilities

A licensee that has been approved by the Board to train an apprentice shall have the following responsibilities:

1. Maintain daily records on a form prescribed by the Board of the training that the apprentice received.
2. Provide Practical Training to the licensed apprentice.
3. Ensure the apprentice is supervised at all times.
4. Ensure the apprentice's licenses is visibly displayed at the station where the apprentice is performing services.
5. Ensure the apprentice is not working more than 40-hours a week.
6. Ensure the apprentice is never in the establishment alone.
7. Ensures that no training shall begin until the Board has issued an apprentice license.
8. Ensure that the apprentice has completed the pre-apprentice training and the Board's Health and Safety Course prior to servicing the public.

9.

~~919. Board Approved Trainers and Establishments~~

~~(a) A licensee who wishes to train an apprentice shall obtain board approval before employing or training an apprentice. An establishment wishing to train an apprentice in multiple location establishments which are under common ownership may request to participate in multiple location training. Common ownership includes corporate chains, individually owned multiple establishments, and franchise groups or partnerships. Application for approval of trainers and establishments shall be made on a form provided by the board (Form #35A-03, Application for Licensure as a Licensed Apprentice and for Approval of Trainers and Establishments, Rev. 5/94).~~

~~(1) Establishments participating in training an apprentice in multiple locations under common ownership shall provide as part of the application process, a list of the establishment names, locations, board issued license numbers, names of officers and or owners.~~

~~(b) Qualifications for apprentice trainer approval:~~

~~(1) Licensee shall possess a current, valid license issued by the board.~~

~~(2) Licensee shall have no disciplinary actions pending against him/her nor be on probation resulting from a board disciplinary action nor have completed probation resulting from past disciplinary action within the two year period immediately preceding his or her application to serve as an apprentice trainer.~~

~~(3) Licensee is not subject to denial pursuant to Section 480.~~

~~(4) The licensee has no unpaid fine issued pursuant to Article 12 of Chapter 10 of Division 3 of the Business and Professions Code.~~

~~(c) No apprentice shall work or train in an establishment until it has been approved by the board. Application for establishment approval shall be made on the same form specified in subdivision (a).~~

~~(d) Qualifications for establishment approval are:~~

~~(1) Establishment shall possess a current, valid license issued by the board.~~

~~(2) Establishment shall have no disciplinary actions pending against it nor be on probation resulting from a board disciplinary action nor have completed probation resulting from past disciplinary action within the two year period immediately preceding its application for establishment approval.~~

~~(3) Is not subject to denial pursuant to Section 480.~~

~~(4) The licensee has no unpaid fine issued pursuant to Article 12 of Chapter 10 of Division 3 of the Business and Professions Code.~~

~~(5) If the establishment is participating to train an apprentice in multiple locations under common ownership, there shall be an agreement between the establishments to employ the apprentice.~~

~~(e) The board shall inform every person applying for approval to act as an apprentice trainer or an apprentice establishment in writing, within ten (10) days of receipt of the application (Form #35A-03, Application for Licensure as a Licensed Apprentice and for Approval of Trainers and Establishments, Revised 5/94), whether the application is complete or deficient and what specific information is required.~~

~~(1) When the information for a deficient application is returned to the board, the board shall decide within five (5) days of receipt whether the application is complete.~~

~~(2) If the application remains deficient, the board shall inform the applicant in writing, within five (5) days of receipt, of what specific information is required.~~

~~(f) The board shall notify the applicant, in writing, within thirty-five (35) days after the completed application has been received, whether the applicant meets the requirements for approval.~~

~~(g) The minimum, median and maximum times for processing a request for approval, from the time of receipt of the application until the Board of Barbering and Cosmetology decided to issue the license based upon actual performance of the board during the two years preceding the proposal of this section, were as follows:~~

~~(1) Minimum: 1 day~~

~~(2) Median: 15 days~~

~~(3) Maximum: 48 days~~

919. Board Approved Establishments

An establishment owner that wishes to employ an apprentice shall obtain Board approval prior to employing an apprentice. An application for approval shall be completed and attached to an apprentice license application. A new application for establishment approval shall be submitted for all new apprentice applications.

(a) Qualifications for apprentice establishment approval:

(1) Establishment shall possess a current, valid establishment license issued by the Board.

(2) Establishment shall have no disciplinary actions pending against it or be on probation resulting from a board disciplinary action nor have completed probation resulting from past disciplinary action within the two year period immediately preceding the application for apprentice establishment approval.

(3) Is not subject to denial pursuant of Section 480

(4) The establishment licensee had no unpaid fine issued pursuant to Article 12 of Chapter 10 of Division 3 of the Business and Professions Code.

(5) The establishment shall offer all the services within the scope of the apprentice's license.

(6) The apprentice may not hold ownership in the establishment where they are seeking approval for.

(b) An establishment wishing to train an apprentice in multiple locations which are under common ownership may request to participate in multiple location training. Common ownership includes corporate chains, individually owned multiple establishments, and franchise groups or partnerships. Application for approval to train apprentices in multiple locations shall be on a form provided by the Board.

(1) Establishments participating in training an apprentice in multiple locations under common ownership shall provide, as part of the application process, a list of the establishment names, locations, board issued license numbers, and names of officers and/or owners.

10.

919.1 Board Approved Establishment Responsibilities

1. Ensure the apprentice has a designated station and all required supplies to complete services in the licensed scope of practice. For cosmetology apprentices this includes, but is not limited to, a hair stations, facial station and a manicuring station.
2. Ensure that the apprentice is receiving training from the approved training.
3. Ensure the apprentice is supervised at all times by their approved trainer.
4. Ensure the apprentice's licenses is visibly displayed at the station where the apprentice is performing services.
5. Ensure the apprentice is not working more than 40-hours a week.
6. Ensure the apprentice is never in the establishment alone.
7. Ensures that no training shall begin until the Board has issued an apprentice license.
8. Ensure that the apprentice has completed the pre-apprentice training and the Board's Health and Safety Course prior to servicing the public.
9. Ensure compliance with sections a, b, c, d and e of section 3078 of the Labor Code.

NOTE: Authority cited: Section 7312, Business and Professions Code. Reference: Sections 7332, 7333, 7334 and 7336, Business and Professions Code.

11.

920. Record of Apprentice Training

(a) The apprentice trainer shall present a copy of apprentice daily work records to the board or its representatives upon demand. These work records shall include the name of the apprentice employed, the dates the apprentice worked, the number of **Practical Training** hours ~~worked~~ **earned** and the ~~work processes—~~**Practical Operations** performed on those dates, and the trainer's name.

(b) Apprentice program sponsors shall collect the apprentice daily work records which are signed by the trainer and the apprentice monthly. The apprentice program sponsor will evaluate the apprentice daily work records to validate the current Practical Training hours and Practical Operations and maintain a copy of these records in the apprentice file at the program headquarters. The Apprentice program sponsor shall make all records available to a Board representative upon request.

NOTE: Authority cited: Section 7312, Business and Professions Code. Reference: Sections 7333 and 7334, Business and Professions Code.

12.

921. Curriculum for Barber Apprentice Course

a) The curriculum for an apprentice enrolled in a barbering apprenticeship course shall consist of thirty-two hundred (3200) hours of ~~technical instruction and Practical training covering all practices~~ **Practical Operations and Practical Training** of a barber pursuant to Section 7316 of the Barbering and Cosmetology Act.

(b) For the purpose of this section, ~~technical instruction shall mean instruction by demonstration, lecture, classroom participation, or examination;~~ Practical Operations shall mean the actual performance by the student of a complete service on another person or on a mannequin. Practical Training shall mean the time it takes to perform a Practical Operation. ~~Technical instruction and~~ **Practical** Training shall include the following hours:

(1) 2800 Hours of ~~Technical Instruction and~~ Practical Training in Hair Dressing

The required subjects of instruction in Hair Dressing shall be completed with the minimum hours of ~~technical instruction~~ **Practical** Training and Practical Operations for each subject-matter as follows:

Hairstyling (95 hours of ~~Technical Instruction~~ **Practical Training** and 450 Practical Operations):

The subject of Hairstyling shall include, but is not limited to, the following techniques and procedures: Hair analysis, shampooing, finger waving, pin curling, comb outs, straightening, waving, curling with hot combs and hot curling irons and blower styling.

Permanent Waving and Chemical Straightening (40 hours of ~~Technical Instruction~~ **Practical Training** and 120 Practical Operations):

The subject of Permanent Waving and Chemical Straightening shall Include, but is not limited to, the following techniques and procedures: Hair analysis, acid and alkaline permanent waving, chemical straightening including the use of sodium hydroxide and other base solutions.

Hair Coloring and Bleaching (65 hours of ~~Technical Instruction~~ **Practical Training** and 50 Practical Operations):

The subject of Hair Coloring and Bleaching shall include, but is not limited to, the following techniques and procedures (also including, the use of semi-permanent, demi-permanent and temporary colors): Hair analysis, predisposition and strand tests, safety precautions, formula mixing, tinting, bleaching, high and low lights, and the use of dye removers.

Hair Cutting (20 hour of ~~Technical Instruction~~ **Practical Training** and 300 Practical Operations):

The subject of Hair Cutting shall include, but is not limited to, the following techniques and procedures: Use of scissors, razor (shaper), electrical clippers/trimmers, and thinning (tapering) shears for wet and dry cutting.

(2) 200 Hours of ~~Technical Instruction~~ **Practical Training** and Practical Operations in Shaving

The required subjects of instruction in Shaving shall be completed with the minimum hours of technical instruction and Practical Operations for each subject-matter as follows:

Preparation and Performance (100 hours of ~~Technical Instruction~~ **Practical Training** and 40 Practical Operations)

The subject of Preparation and Performance shall include, but is not limited to the following techniques and procedures: Preparing the client's hair for shaving, assessing the condition of the client's skin, performing shaving techniques, applying after-shave antiseptic following facial services, massaging the client's face and rolling cream massages.

(3) 200 Hours of ~~Technical Instruction~~ **Practical Training** in Health and Safety

The required subjects of instruction in Health and Safety shall be completed with the minimum hours of ~~technical instruction~~ **Practical Training** for each subject-matter as follows:

Laws and Regulations (20 hours of ~~Technical Instruction~~ **Practical Training**)

The subjects of Laws and Regulations shall include, but is not limited to, the following issues: The Barbering and Cosmetology Act and the Board's Rules and Regulations.

Health and Safety Considerations (45 hours of ~~Technical Instruction~~ **Practical Training**)

Health and Safety/hazardous substances including training in chemicals and health in establishments, material safety data sheets, protection from hazardous chemicals and preventing chemical injuries, health and safety laws and agencies, bacteriology and preventing communicable diseases including HIV/AIDS and Hepatitis B.

Disinfection and Sanitation (20 hours of ~~Technical Instruction~~ **Practical Training**)

The subject of Disinfection and Sanitation shall include, but is not limited to the following techniques and procedures: Disinfection and sanitation including proper procedures to protect the health and safety of the consumer as well as the technician, and proper disinfection procedures for equipment used in establishments.

Disinfection shall be emphasized throughout the entire training period and must be performed before use of all instruments and equipment.

Anatomy and Physiology (15 hours of ~~Technical Instruction~~ Practical Training)

The subjects of Anatomy and Physiology shall include, but is not limited to the following issues:
Human Anatomy, Human Physiology.

(c) The Board recommends that schools apprentice program sponsors provide training in the area of communication skills that includes professional ethics, salesmanship, client record-keeping, decorum, and basic tax information relating to booth renters, independent contractors, employees, and employers.

Note: Authority cited: Sections 7312 and 7334(f), Business and Professions Code. Reference: Sections 7316(a), 7321.5(d) (2), 7362(b), 7362.5(a) and 7389, Business and Professions Code; and Section 3078, Labor Code.

921.1 Curriculum for Cosmetology Apprenticeship Course

(a) The curriculum for an apprentice enrolled in a cosmetology apprenticeship course shall consist of thirty-two hundred (3,200) hours of ~~technical instruction and Practical training~~ Practical Operations and Practical Training covering all practices constituting the art of cosmetology pursuant to Section 7316 of the Barbering and Cosmetology Act.

(b) For the purpose of this section, ~~technical instruction shall mean instruction by demonstration, lecture, classroom participation, or examination;~~ Practical Operations shall mean the actual performance by the student of a complete service on another person or on a mannequin. Practical Training shall mean the time it takes to perform a Practical Operation. ~~Technical instruction and~~ Practical Training and Practical Operations shall include the following hours:

(1) 2600 Hours of ~~Technical Instruction and~~ Practical Training in Hair Dressing

The required subjects of instruction in Hair Dressing shall be completed with the minimum hours of ~~technical instruction~~ Practical Training and Practical Operations for each subject-matter as follows:

Hairstyling (95 hours of ~~Technical Instruction~~ Practical Training and 450 Practical Operations):

The subject of Hairstyling shall include, but is not limited to, the following techniques and procedures: Hair analysis, shampooing, finger waving, pin curling, comb outs, straightening, waving, curling with hot combs and hot curling irons, and blower styling.

Permanent Waving and Chemical Straightening (40 hours of ~~Technical Instruction~~ Practical Training and 210 Practical Operations):

The subject of Permanent Waving and Chemical Straightening shall Include, but is not limited to, the following techniques and procedures: Hair analysis, acid and alkaline permanent waving, chemical straightening including the use of sodium hydroxide and other base solutions.

Hair Coloring and Bleaching (65 hours ~~Technical Instruction~~ Practical Training and 215 Practical Operations):

The subject of Hair Coloring and Bleaching shall include, but is not limited to, the following techniques and procedures (also including, the use of semi-permanent, demi-permanent and temporary colors): Hair analysis, predisposition and strand tests, safety precautions, formula mixing, tinting, bleaching, high and low lights, and the use of dye removers

Hair Cutting (20 hour ~~Technical Instruction~~ **Practical Training** and 300 Practical Operations):

The subject of Hair Cutting shall include, but is not limited to, the following techniques and procedures: Use of scissors, razor (shaper), electrical clippers/trimmers, and thinning (tapering) shears for wet and dry cutting.

(2) 200 Hours of ~~Technical~~ **Practical Training** in Health and Safety

The required subjects of instruction in Health and Safety shall be completed with the minimum hours of technical instruction for each subject-matter as follows:

Laws and Regulations (20 Hours of ~~Technical Instruction~~ **Practical Training**):

The subjects of Laws and Regulations shall include, but is not limited to, the following issues: The Barbering and Cosmetology Act and the Board's Rules and Regulations.

Health and Safety Considerations (45 Hours of ~~Technical Instruction~~ **Practical Training**):

The subject of Health and Safety shall include, but is not limited to, the following techniques and procedures: Cosmetology chemistry including the chemical composition and purpose of cosmetic, nail, hair and skin care preparations. Elementary chemical makeup, chemical skin peels, and chemical and physical changes of matter. Hazardous substances including training in chemicals and health in establishments, protection from hazardous chemicals and preventing chemical injuries, ergonomics, theory of electricity in cosmetology, bacteriology, communicable diseases, including HIV/AIDS, Hepatitis B, and staph and Material Safety Data Sheets.

Disinfection and Sanitation (20 Hours of ~~Technical Instruction~~ **Practical Training**):

The subject of Disinfection and Sanitation shall include, but is not limited to the following techniques and procedures: Disinfection and sanitation including proper procedures to protect the health and safety of the consumer as well as the technician. Proper disinfection procedures for equipment used in establishments.

Disinfection shall be emphasized throughout the entire training period and must be performed before use of all instruments and equipment.

Anatomy and Physiology (15 Hours of ~~Technical Instruction~~ **Practical Training**):

The subjects of Anatomy and Physiology shall include, but is not limited to the following issues: Human Anatomy, Human Physiology.

(3) 200 Hours of and Practical Training in Esthetics

The required subjects of instruction in Esthetics shall be completed with the minimum hours of technical instruction and Practical Operations for each subject-matter as follows:

Manual, Electrical and Chemical Facials (25 Hours of ~~Technical Instruction~~ **Practical Training** and 65 Practical Operations):

The subject of manual, electrical and chemical facials shall include, but is not limited to the following techniques and procedures: Manual Facials including cleansing, scientific manipulations, packs, and masks. Electrical Facials include the use of electrical modalities, dermal lights and electrical apparatus for facials and skin care purposes; however, machines capable of producing an electrical current shall not be used to stimulate so as to contract, or for the purpose of contracting, the muscles

of the body or face. Chemical Facials include chemical skin peels, packs, masks and scrubs. Training shall emphasize that only the non-living, uppermost layers of facial skin, known as the epidermis, may be removed, and only for the purpose of beautification. All Practical Operations must be performed in accordance with Section 992 regarding skin exfoliation.

Eyebrow Beautification and Make-up (25 hours ~~Technical Instruction~~ **Practical Training** and 55 Practical Operations):

The subject of Eyebrow Beautification shall include, but is not limited to the following issues: Eyebrow Arching and Hair Removal, including the use of wax, tweezers, electric or manual, and depilatories for the removal of superfluous hair.

The subject of Makeup shall include, but is not limited to, the following issues: skin analysis, complete and corrective makeup, lash and brow tinting, and the application of false eyelashes.

(4) 200 Hours of ~~Technical Instruction~~ and Practical Training in Manicuring and Pedicuring

The required subjects of instruction in Manicuring and Pedicuring shall be completed with the minimum hours of ~~technical instruction~~ **Practical Training** and Practical Operation for each subject-matter as follows:

Manicuring and Pedicuring (10 hours ~~Technical Instruction~~ **Practical Training** and 34 Practical Operations):

The subject of Manicuring and Pedicuring shall include, but are not limited to, the following issues: Water and oil manicure, including nail analysis, and hand/foot and arm/ankle massage.

Artificial Nails and Wraps (25 hours ~~Technical Instruction~~ **Practical Training** and 120 (nails) Practical Operations):

Artificial nails including acrylic: liquid and powder brush-ons, artificial nail tips, and nail wraps and repairs.

(c) The Board recommends that ~~schools~~ **apprentice program sponsors** provide training in the area of communication skills that includes professional ethics, salesmanship, decorum, record keeping, and client service records.

Note: Authority cited: Sections 7312 and 7334(f), Business and Professions Code. Reference: Sections 7316(b), 7321(d) (5), 7362(b), 7362.5(b) and 7389, Business and Professions Code; and Section 3078, Labor Code.

921.2. Curriculum for Electrolysis Apprenticeship Course

(a) The curriculum for an apprentice enrolled in an electrology apprenticeship course shall consist of thirty-two hundred (3200) hours of ~~technical instruction~~ **Practical Operations** and Practical Training covering all practices constituting the art of electrology pursuant to section 7316 of the Barbering and Cosmetology Act.

(b) For the purpose of this section, ~~technical instruction shall mean instruction by demonstration, lecture, classroom participation, or examination;~~ Practical Operations shall mean the actual performance by the student of a complete service on another person. Practical Training shall

mean the time it takes to perform a Practical Operation. ~~Technical Instruction~~ **Practical Operations** and Practical Training shall include the following hours:

(1) 400 Hours of ~~Technical Instruction~~ and Practical Training in Electrolysis, Thermolysis, Blend/Dual Modality and Electricity

The required subjects of instruction in electrolysis, thermolysis, blend/dual modality and electricity shall be completed with the minimum hours of technical instruction and Practical Operations for each subject-matter as follows:

Electrolysis (45 hours of ~~Technical Instruction~~ **Practical Training** and 120 Practical Operations)

The subject of Electrolysis shall include the study of epilation using single and multiple-needle insertion techniques, the use of galvanic current, skin reactions and anaphoresis and cataphoresis, and evaluating a client's health history for compatibility with electrolysis treatments.

Thermolysis (45 hours of ~~Technical Instruction~~ **Practical Training** and 120 Practical Operations)

The subject of Thermolysis shall include the study of epilation using automatic and manual thermolysis equipment, insertion techniques, the use of high frequency current in both high and low intensities, skin reactions, and evaluating a client's health history for compatibility with thermolysis treatments.

Blend/Dual Modality (45 hours of ~~Technical Instruction~~ **Practical Training** and 120 Practical Operations)

The subject of Blend/Dual Modality shall include the study of epilation using a combination of high frequency and galvanic currents, insertion techniques, skin reactions and anaphoresis and cataphoresis, and evaluating a client's health history for compatibility with Blend/Dual Modality treatments.

Electricity (15 hours of ~~Technical Instruction~~ **Practical Training**)

The subject of Electricity shall include the nature of electrical current; principles of operating electrical devices; various safety precautions to be applied when operating electrical equipment, and proper maintenance of equipment.

(2) 200 Hours of ~~Technical Instruction~~ **Practical Training** in Health and Safety

The required subjects of instruction in Health and Safety shall be completed with the minimum hours of technical instruction for each subject-matter as follows:

Laws and Regulations (20 Hours of ~~Technical Instruction~~ **Practical Training**)

The subject of Laws and Regulations shall include, but is not limited to, the following issues: The Barbering and Cosmetology Act and the Board's Rules and Regulations.

Health and Safety Considerations (45 Hours of ~~Technical Instruction~~ **Practical Training**)

The subject of Health and Safety shall include, but is not limited to, bacteriology, and HIV/AIDS, hepatitis, herpes, staphylococcal infections and other communicable diseases and their prevention, ergonomics, electrical safety, and material safety data sheets.

Sterilization (25 Hours of ~~Technical Instruction~~ **Practical Training**)

The subject of Sterilization shall include, but is not limited to, the study of proper procedures and techniques for protecting the health and safety of the consumer as well as the technician, and sanitizing equipment used in establishments.

Sterilization and sanitation shall be emphasized throughout the entire training period and must be performed on all instruments and equipment before use. Sterilization times and dates should be monitored and recorded.

Anatomy and Physiology (25 Hours of ~~Technical Instruction~~ Practical Training)

The subjects of Anatomy and Physiology shall include but is not limited to human anatomy and physiology, dermatology and the analysis of skin and hair, and the study of the circulatory, nervous, and endocrine systems.

(c) The Board recommends that ~~schools~~ **apprentice program sponsors** provide training in the area of communication skills that includes professional ethics, consultation, pre- and post-treatment care, salesmanship, decorum, record keeping, client service records, business skills, and basic tax information relating to independent contractors, employees and employers.

Note: Authority cited: Sections 7312 and 7334(f), Business and Professions Code. Reference: Sections 7316(f), 7330(d)(3), 7362(b), 7366 and 7389, Business and Professions Code; and Section 3078, Labor Code.

13.

922. Transfers

An apprentice may request from the program sponsor, a transfer from one approved ~~related training class to another or from one approved~~ establishment and trainer to another. The apprentice and the program sponsor shall notify the board within five days of any transfer by submitting an Apprentice Establishment Transfer Request which includes the apprentice's current number of earned Practical Training hours and the number of Practical Operations completed at the time of transfer.

NOTE: Authority cited: Section 7312, Business and Professions Code. Reference: Sections 7333 and 7336, Business and Professions Code.

923. Surrender of License

Apprentices who successfully pass the licensing examination or terminate their enrollment in the apprentice training program or whose apprentice enrollment expires shall return to the board any apprentice license and identification photograph previously issued to them.

NOTE: Authority cited: Section 7312, Business and Professions Code. Reference: Section 7335, Business and Professions Code.

14.

924 Completion of Apprenticeship Training Program

- (a) Upon successful completion ~~or discontinuance~~ of an apprenticeship program, the apprenticeship program sponsor shall issue to the apprentice, and to the Board a Certificate of Apprenticeship Completion ~~or discontinuance~~. The Certificate of Apprenticeship Completion ~~or discontinuance~~ shall be signed by the ~~instructor~~ trainer, the apprentice and the apprenticeship program sponsor. The Certificate of Apprenticeship Completion shall be on a form provided by the Board.
- (b) The Certificate of Apprenticeship Completion ~~or discontinuance~~ shall be a document prepared by the program sponsor that contains all of the following:
- (1) Course title.
 - (2) The apprentice's name, address, telephone number and date of birth.
 - (3) The apprentice license number and social security number.
 - (4) The program sponsor name and sponsor code issued by the board.
 - (5) The total number of Related Training hours completed.
 - (6) The date the apprentice training was completed ~~or discontinued~~.
 - (7) The total number of hours of ~~on-the-job training~~ Practical Training and Practical Operations the apprentice has completed designated by subject matter.
 - (8) Any training received in a prior board-approved apprenticeship program.
 - (9) A statement confirming that the apprentice has ~~or has not~~ met the course curriculum requirements.
 - (10) A statement, dated and signed under penalty of perjury that all the information on the document is true and correct. The statement shall be worded as follows:
"We, the undersigned, certify under penalty of perjury under the laws of the state of California, that all the information contained herein is true and correct."
- (c) Apprentices shall submit the certificate of apprenticeship completion and all other qualifying documents with their application to take the licensing examination.
- (d) Upon completion of the thirty-two hundred (3,200) hour apprenticeship training course, a valid Certificate of Completion or Discontinuance for each enrollment period must accompany the application for examination.

15.

924.1 Discontinuance of Apprenticeship Training Program

- (a) Upon discontinuance of the apprenticeship program, the apprentice program sponsor shall issue to the apprentice and the Board a Certificate of Apprenticeship Discontinuance. The Certificate of Apprenticeship Discontinuance shall be signed by the trainer, the apprentice and the program sponsor and shall be a form provided by the Board.
- (b) The Certificate of Apprenticeship Discontinuance shall be a document prepared by the program sponsor that contains all of the following:

- (1) Course title.
- (2) The apprentice's name, address, telephone number and date of birth.
- (3) The apprentice license number and social security number.
- (4) The program sponsor name and sponsor code issued by the board.
- (5) The total number of Related Training hours completed.
- (6) The date the apprentice training was ~~completed~~ or discontinued.
- (7) The total number of hours of ~~on-the-job training~~ **Practical Training and Practical Operations** the apprentice has completed designated by subject matter.
- (8) Any training received in a prior board-approved apprenticeship program.
- (9) A statement confirming that the apprentice ~~has~~ or has not met the course curriculum requirements.
- (10) A statement, dated and signed under penalty of perjury that all the information on the document is true and correct. The statement shall be worded as follows:
"We, the undersigned, certify under penalty of perjury under the laws of the state of California, that all the information contained herein is true and correct.

NOTE: Authority cited: Section 7312, Business and Professions Code. Reference: Sections 7321, 7321.5, 7324, 7326, 7330, 7333 and 7337, Business and Professions Code.

16.

925. Statement of Trainer Responsibilities

~~The owner of the establishment where the apprenticeship is being conducted shall inform, in writing, an employee who is an apprentice trainer of the employee's responsibilities as a trainer. The statement of trainer responsibilities shall include, but not be limited to, those provisions specified in subdivisions (a), (b), (c), (d) and (e) of Section 3078 of the Labor Code. The statement of trainer responsibilities shall be signed by the establishment owner and the apprentice trainer and maintained on the premises of the establishment. The statement of trainer responsibilities shall be presented to the board or its representative upon request.~~

~~Note: Authority cited: Section 7312, Business and Professions Code. Reference: Sections 7332, 7333 and 7336, Business and Professions Code.~~

17.

926. Apprenticeship Credit for Prior Training

- (a) ~~An apprentice who desires to establish eligibility for examination pursuant to Sections 7321 through 7330 of the Business and Professions Code for a license in this state based in part on training received in a prior California apprenticeship program shall furnish proof of his or her qualifications as follows:~~
 - (a) An apprentice who wishes to apply previously earned hours and Operations received in a prior California based apprenticeship program to complete the requirements under a new apprenticeship program shall furnish proof of his or her qualifications as follows:

(1) The prior training must have taken place in an apprenticeship program approved by the board.

(2) The prior training must have taken place within three years immediately preceding re-enrollment in an apprenticeship program approved by the board.

(3) A valid Certificate of Completion or Discontinuance signed by the apprentice, trainer, school representative and program sponsor must be presented to the enrolling program sponsor before prior credit can be granted.

~~(4) Upon completion of the thirty-two hundred (3,200) hour apprenticeship training course, a valid Certificate of Completion or Discontinuance for each enrollment period must accompany the application for examination.~~

(b) An apprentice must leave the approved program in good standing to obtain credit for the training received. Good standing is defined as:

(1) Has not been terminated from employment for inappropriate activity.

(2) Has returned the apprentice license to the program sponsor for forwarding to the board.

(3) Has attended related and supplemental training classes pursuant to section 915 CCR.

NOTE: Authority cited: Section 7312, Business and Professions Code. Reference: Sections 7333, 7334 and 7345 Business and Professions Code.

18.

927. Apprenticeship Eligibility for Examination

(a) Upon Completion of the apprentice program, apprentice hours will remain valid for 3 years. The apprentice may present a Certificate of Completion with an Application for Examination within 3 years of the date of completion to be evaluated for exam eligibility.



MEMORANDUM

DATE December 7, 2020

TO: Members, Board of Barbering and Cosmetology

FROM: Kristy Underwood, Executive Officer

SUBJECT: Legislative Update

AB 2113 (Low) – Refugees, Asylees, and Special Immigrant Visa Holders

Approved by the Governor. Chaptered by Secretary of State - Chapter 186, Statutes of 2020.

This bill requires DCA boards to expedite and assist the initial licensure process for an applicant who supplies satisfactory evidence that they are a refugee, have been granted asylum, or have a special immigrant visa, as specified. The bill would authorize programs to adopt regulations necessary to administer these provisions.

The Department of Consumer Affairs (DCA) will assist with implementation of new forms and application language.

SB 878 (Jones) – License Application Processing Timeframes

Approved by the Governor. Chaptered by Secretary of State. Chapter 131, Statutes of 2020.

Beginning July 1, 2021, this bill would require each board and bureau within DCA that issues licenses to prominently display on their websites, and update on a quarterly basis, either (1) the current average timeframe for processing initial and renewal license applications, or (2) the combined current average timeframe for processing both initial and renewal license applications. This bill would also require each board or bureau to post on their websites, and update on a quarterly basis, either (1) the current average processing timeframe for each licensing type administered by the program, or (2) the combined current average timeframe for processing all licensing types administered by the program.

DCA will provide this information quarterly through the online Open Data Portal, which we will link to on our website.

SB 1474 (Committee on Business, Professions and Economic Development) – Sunset

Approved by the Governor. Chaptered by Secretary of State. Chapter 312, Statutes of 2020.

This bill extends the Board's operations to January 1, 2022.

An addendum to the Sunset review report was approved with modifications by the Board at the November 19, 2020 board meeting.



MEMORANDUM

DATE December 7, 2020

TO: Members, Board of Barbering and Cosmetology

FROM: Kristy Underwood, Executive Officer

SUBJECT: Regulations Update

The following regulation packages are under final internal review by DCA/Agency:

- Title 16, CCR section 965.2 (Personal Service Permit)
- Title 16, CCR sections 970 and 971 (Substantial Relationship Criteria, Criteria for Rehabilitation)

The following regulation packages are under internal review by DCA/Agency:

- Title 16, CCR Section 950.10 (Transfer of Credit or Training)
- Title 16, CCR Section 961 (Instructional Materials-NIC Guides)
- Title 16, CCR Sections 962, 962.1 and 962.2 (Externs)
- Title 16, CCR Section 972 (Disciplinary Guidelines)
- Title 16, CCR Section 974.1 (Disciplinary Review Committee)

HOW TO – Join – DCA WebEx Event

The following contains instructions on how to join a WebEx event hosted by the Department of Consumer Affairs (DCA).

NOTE: The preferred audio connection to our event is via telephone conference and not the microphone and speakers on your computer. Further guidance relevant to the audio connection will be outlined below.

1. Navigate to the WebEx event link provided by the DCA entity (an example link is provided below for reference) via an internet browser.

Example link:

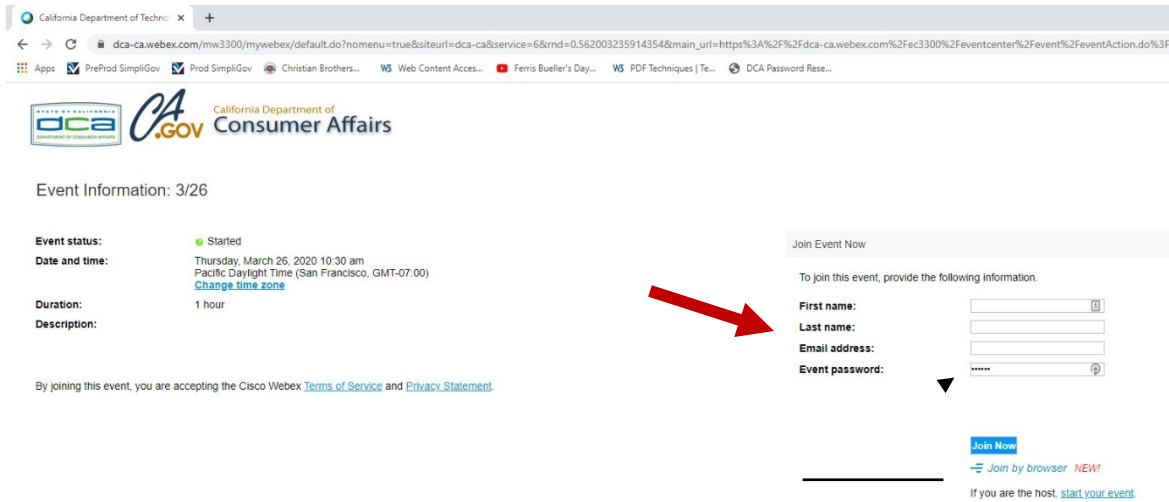
<https://dca-ca.webex.com/dca-ca/onstage/g.php?MTID=eb0a73a251f0201d9d5ef3aaa9e978bb5>

The screenshot shows a web browser window displaying a WebEx event page. The browser's address bar shows the URL: <https://dca-ca.webex.com/dca-ca/onstage/g.php?MTID=eb0a73a251f0201d9d5ef3aaa9e978bb5>. The page header includes the California Department of Consumer Affairs logo and name. The main content is divided into two columns. The left column, titled 'Event Information: 3/26', lists the following details: Event status: Started; Date and time: Thursday, March 26, 2020 10:30 am Pacific Daylight Time (San Francisco, GMT-07:00) with a link to 'Change time zone'; Duration: 1 hour; and Description: (empty). Below this information is a link: 'By joining this event, you are accepting the Cisco Webex Terms of Service and Privacy Statement.' The right column, titled 'Join Event Now', contains a form with the text 'To join this event, provide the following information.' and four input fields: 'First name:', 'Last name:', 'Email address:', and 'Event password:'. Below the form is a blue 'Join Now' button, a link 'Join by browser NEW!', and a note: 'If you are the host, start your event.'

2. The details of the event are presented on the left of the screen and the required information for you to complete is on the right.

NOTE: If there is a potential that you will participate in this event during a Public Comment period, you must identify yourself in a manner that the event Host can then identify your line and unmute it so the event participants can hear your public comment. The 'First name', 'Last name' and 'Email address' fields do not need to reflect your identity. The department will use the name or moniker you provide here to identify your communication line should you participate during public comment.

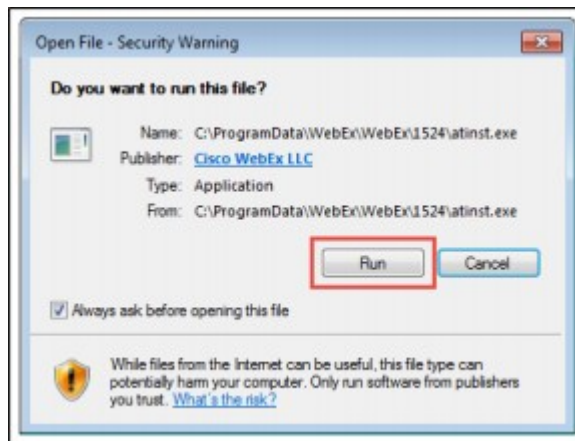
HOW TO – Join – DCA WebEx Event



3. Click the 'Join Now' button.

NOTE: The event password will be entered automatically. If you alter the password by accident, close the browser and click the event link provided again.

4. If you do not have the WebEx applet installed for your browser, a new window may open, so make sure your pop-up blocker is disabled. You may see a window asking you to open or run new software. Click 'Run'.



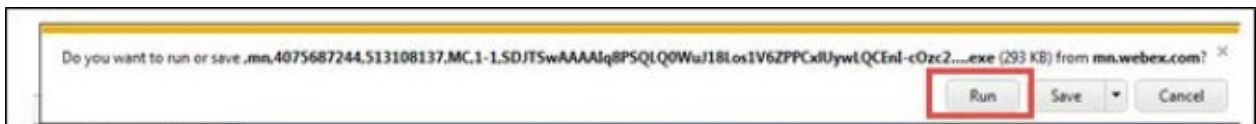
Depending on your computer's settings, you may be blocked from running the necessary software. If this is the case, click 'Cancel' and return to the browser tab that looks like the window below. You can bypass the above process.

Starting Webex...



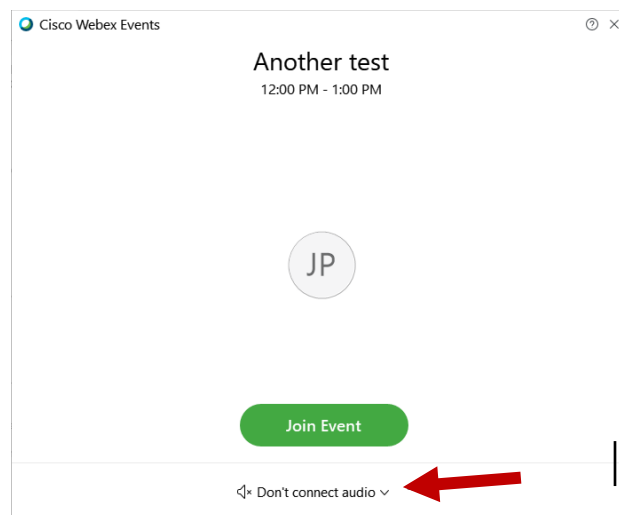
Still having trouble? [Run a temporary application](#) to join this meeting immediately.

5. To bypass step 4, click 'Run a temporary application'.
6. A dialog box will appear at the bottom of the page, click 'Run'.



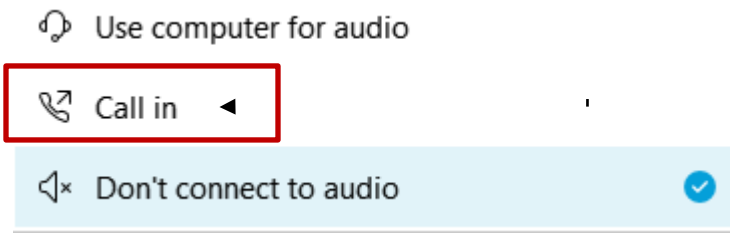
The temporary software will run, and the meeting window will open.

7. Click the audio menu below the green 'Join Event' button.

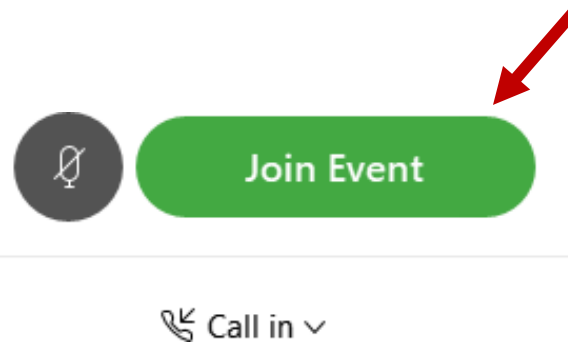


8. When the audio menu appears click 'Call in'.

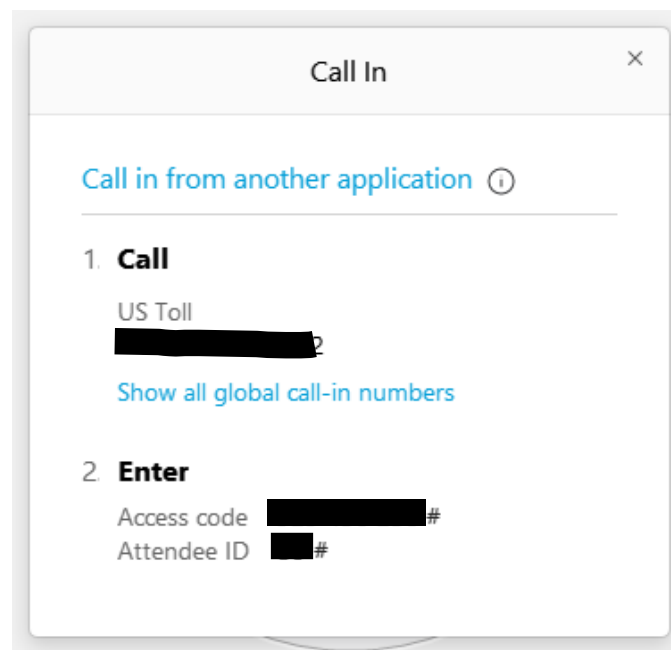
HOW TO – Join – DCA WebEx Event



9. Click 'Join Event'. The audio conference call in information will be available after you join the Event.



10. Call into the audio conference with the details provided.

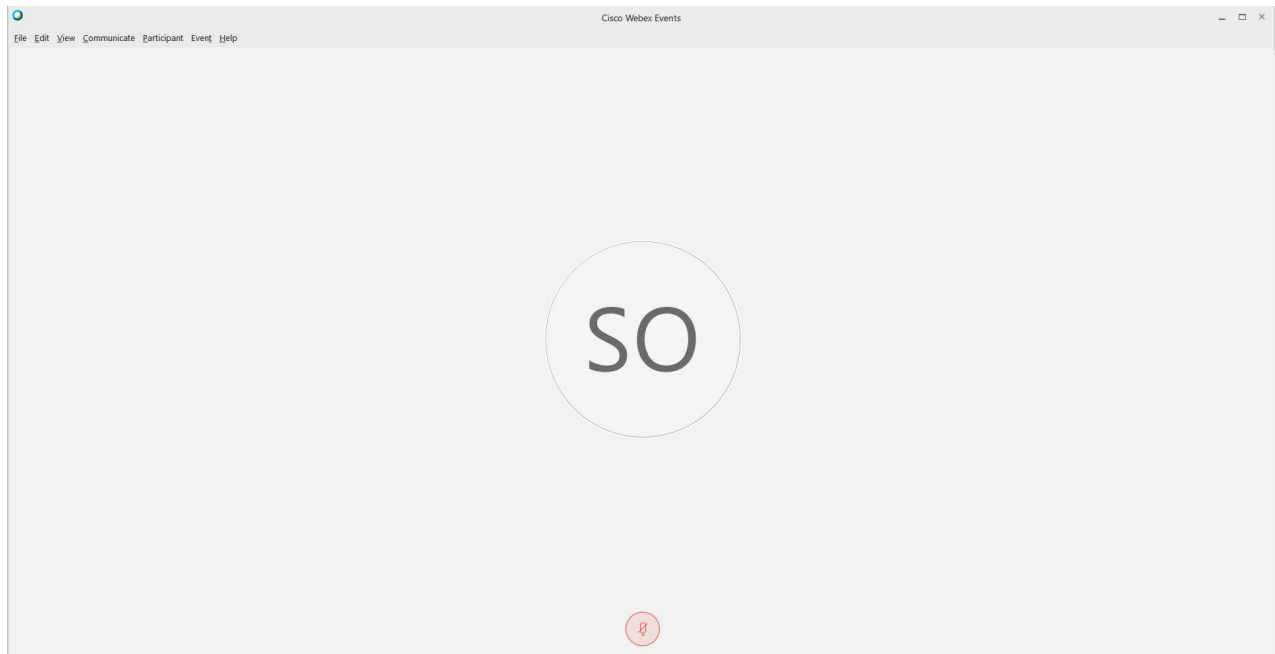


NOTE: The audio conference is the preferred method. Using your computer's microphone and speakers is not recommended.

HOW TO – Join – DCA WebEx Event

Once you successfully call into the audio conference with the information provided, your screen will look like the screen below and you have joined the event.

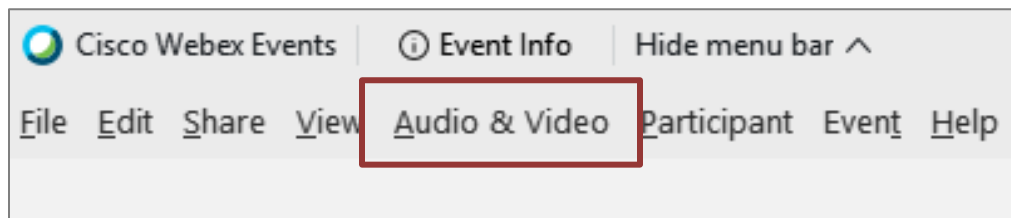
Congratulations!



NOTE: Your audio line is muted and can only be unmuted by the event host.

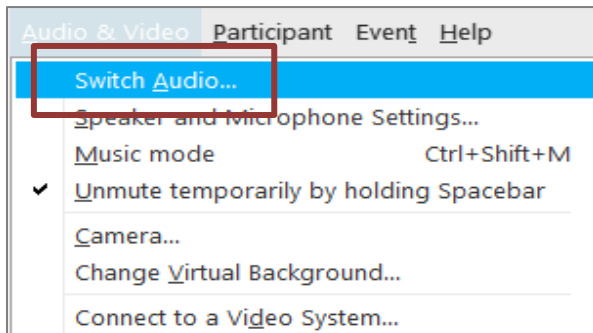
If you join the meeting using your computer's microphone and audio, or you didn't connect audio at all, you can still set that up while you are in the meeting.

1. Select 'Audio & Video' from the menu bar at the top of your screen.

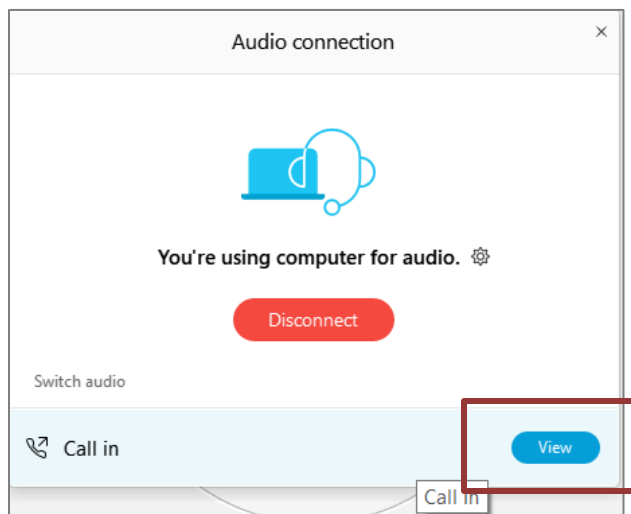


HOW TO – Join – DCA WebEx Event

2. Select “Switch Audio” from the drop-down menu.



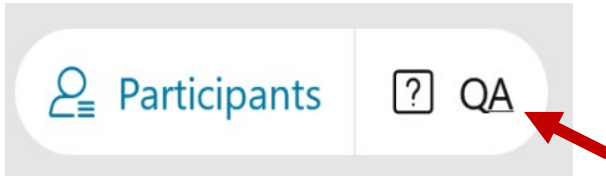
3. The ‘Call In’ information can be displayed by selecting ‘View’



You will then be presented the dial in information for you to call in from any phone.

Participating During a Public Comment Period

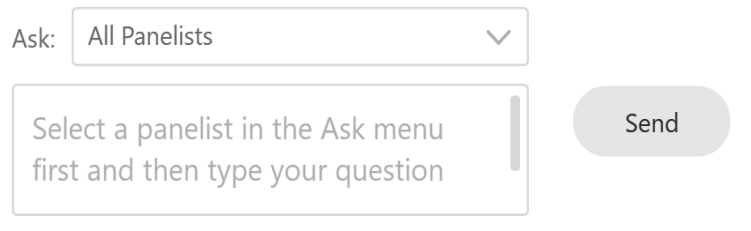
At certain times during the event, the facilitator may call for public comment. If you would like to make a public comment, click on the 'Q and A' button near the bottom, center of your WebEx session.



This will bring up the 'Q and A' chat box.

NOTE: The 'Q and A' button will only be available when the event host opens it during a public comment period.

To request time to speak during a public comment period, make sure the 'Ask' menu is set to 'All panelists' and type 'I would like to make a public comment'.



Attendee lines will be unmuted in the order the requests were received, and you will be allowed to present public comment.

NOTE: Your line will be muted at the end of the allotted public comment duration. You will be given a warning that your time is about to expire.