

**CALIFORNIA
BOARD OF BARBERING AND COSMETOLOGY**



FEBRUARY 26, 2024

BOARD MEETING

**Department of Consumer Affairs
1625 North Market Boulevard
HQ1 Hearing Room 102
Sacramento, CA 95834**

and

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:
Calimay Pham,
President
Tonya Fairley, Vice
President
Megan Ellis
Kellie Funk
Reese Isbell
Yolanda Jimenez
Colette Kavanaugh
Tamika Miller
Danielle Munoz
Jacob Rostovsky
Steve Weeks

February 26, 2024

**Department of Consumer Affairs
HQ1 Hearing Room #102
1625 North Market Blvd
Sacramento, CA 95834**

**9:00am - Until Completion of
Business
AMENDED**

This will be a teleconference meeting. The majority of members will be gathered at the noticed location above. The public may participate virtually or in-person. Information on how to participate virtually can be found on the last page of the agenda.

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 (**Calimay Pham**)
2. Board President's Welcome (**Calimay Pham**)
3. Board Member Updates – Informational only
4. Department of Consumer Affairs (DCA) Update Which May Include Updates on DCA's Administrative Services, Human Resources, Enforcement, Information Technology, Communications and Outreach, and Legislative, Regulatory, or Policy Matters.
5. Annual Election of Officers

6. Appointment of Board Members to Standing Committees for 2024
 - a) Disciplinary Review Committee
 - b) Diversity, Equity, and Inclusion Committee
 - c) Education and Outreach Committee
 - d) Enforcement and Inspection Committee
 - e) Legislative and Budget Committee
 - f) Health and Safety Advisory Committee
 - g) Licensing and Examination Committee
7. Review and Possible Approval of 2024 Board Member Guidelines and Procedures Manual
8. Discussion and Possible Approval of the July 17, 2023, Board Meeting Minutes
9. Executive Management Reports (**Kristy Underwood**)
 - a) Administration and Operations
 - b) Licensing, Examinations, and Disciplinary Review Appeals
 - c) Enforcement, Inspections, and Cite and Fine
 - d) Outreach
 - e) Legislative Update:
 - i. AB 1328 (Gipson) Cosmetology Licensure Compact
 - ii. SB 451 (Nguyen) Worker classification: employees and independent contractors: licensed manicurists
 - iii. SB 817 (Roth) Barbering and cosmetology: application, examination, and licensing fees
 - f) Strategic Plan Update
10. Discussion and Possible Action on Proposed Legislation:
 - a) AB 2412 (Reyes) Healing arts: California Body Contouring Council: practitioners
 - b) AB 2444 (Lee) Barbering and cosmetology: licensees: manicurists
 - c) SB 1084 (Nguyen) Barbering and cosmetology: Hairstyling License
11. Discussion and Possible Action Regarding Interpreters for the Licensing Exam
12. Report on the September 11, 2023, and January 22, 2024, Licensing and Examination Committee Meetings
 - a) Review, Discussion, and Possible Action Regarding Committee Recommendation on Establishment Ownership Types
 - b) Review, Discussion, and Possible Action Regarding Implementing a 90-day Retention Schedule for Out of State License Certifications
13. Report on the September 11, 2023, Education and Outreach Committee Meetings
14. Report on the September 11, 2023 and January 22, 2024, Enforcement and Inspections Committee Meetings
15. Report on the September 11, 2023, January 22, 2024, and February 20, 2024, Legislative and Budget Committee Meetings
 - a) Review, Discussion, and Possible Action Regarding Committee Recommendation on SB992 (Bradford) Hair Types and Textures
 - b) Review, Discussion, and Possible Action Regarding Committee Recommendation on AB2166 (Weber) Hair Types and Textures

16. Report on the September 11, 2023 and January 22, 2024, Diversity, Equity, and Inclusion Committee Meeting

17. Report on the January 22, 2024, Health and Safety Advisory Committee Meeting

18. Discussion and Possible Action Regarding Rulemaking Proposals:

- a) 1. Discussion and Possible Action to Consider Comments Received During the 45-Day Public Comment Period and Proposed Responses Thereto for the Board's Rulemaking to Amend Title 16, California Code of Regulations (CCR) sections 904, 909, 931, 932, 937, 962, and 998, and Repeal sections 928, 934, 950.1, 950.2, 950.3, and 950.4 (SB 803 Clean Up)
2. Discussion and Consideration of Proposed Regulation to Amend Title 16, California Code of Regulations (CCR) sections 904, 909, 931, 932, 937, 962, and 998, and Repeal sections 928, 934, 950.1, 950.2, 950.3, and 950.4 (SB 803 Clean Up)
- b) Update Regarding Rulemaking Proposal to Amend Title 16, CCR sections 913, 913.1, 914.1, 914.2, 915, 917, 918, 918.1, 919, 919.1, 920, 921, 921.1, 921.2, 922, 924, 924.1, 925, 926, 927 (Apprenticeship)
- c) Discussion and Possible Action to Initiate a Rulemaking and Amend Title 16, CCR section 917 (Pre-Apprenticeship Training)
- d) Update Regarding Rulemaking Proposal to Amend Title 16, CCR sections 940, 941, 950.10, 950.12, 962, 962.1, 962.2 (Schools and Externs)
- e) Update Regarding Rulemaking Proposal to Amend Title 16, CCR section 972 (Disciplinary Guidelines)
- f) Update Regarding Rulemaking Proposal to Amend Title 16, CCR section 977 et seq. (Health and Safety)

19. 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, 1125.7(a))

20. Suggestions for Future Agenda Items

21. **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

22. 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/>. If you wish to participate or to have a guaranteed opportunity to observe, please plan to attend at a physical location. Adjournment, if it is the only item that occurs after a closed session, may not be webcast.

*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 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: Natalie Mitchell at (916) 244-6644, email: natalie.mitchell@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.

Virtual/Teleconference instructions and information: If you would like to participate virtually via WebEx Events, you may find the instructions to connect to the meeting can be [HERE](#).

If you would like to join us using the website, please enter your full name and email address and use the information below:

<https://dca-meetings.webex.com/dca-meetings/j.php?MTID=m47850febed3fd7cfdccef971ba4bb410>

Webinar number: 2492 855 3042

Webinar password: BBC226

If you would like to join us by using the phone to call in, please enter your full name and email use the following information:

If joining by phone

+1-415-655-0001 US Toll

Access code: 2492 855 3042

Passcode: 222226

Agenda Items

No. 1-5

No Attachments



BUSINESS, CONSUMER SERVICES, AND HOUSING AGENCY • GAVIN NEWSOM, GOVERNOR
DEPARTMENT OF CONSUMER AFFAIRS • BOARD OF BARBERING AND COSMETOLOGY
P.O. Box 944226, Sacramento, CA 94244-2260
Phone : (800) 952-5210 Email: barbercosmo@dca.ca.gov
Website: www.barbercosmo.ca.gov



MEMORANDUM

DATE February 26, 2023

TO: Members, Board of Barbering and Cosmetology

FROM: Kristy Underwood, Executive Officer

SUBJECT: Appointment of Board Members to Standing Committees for 2024

Action Required:

The Board by motion, will need to establish which Board Members will participate in the following committees:

- Disciplinary Review
- Diversity, Equity, and Inclusion
- Education and Outreach
- Enforcement and Inspections
- Health and Safety Advisory
- Legislative and Budget
- Licensing and Examination

DISCIPLINARY REVIEW COMMITTEE

The purpose of the Disciplinary Review Committee is to conduct informal administrative citation review hearings and renders decisions regarding disputed citations. The committee has authority to affirm, modify or dismiss the citations including any fine amounts. The Board President shall annually appoint members of the committee; the appointments will be made concurrently with the annual election of officers. The Board President shall select the dates and locations of the informal citation review hearings held before the disciplinary review committee. The Board may find a need to have an alternate member for the convenience of those members who cannot attend.

DIVERSITY, EQUITY, AND INCLUSION COMMITTEE

The purpose of the Diversity, Equity, and Inclusion Committee is to provide the Board with recommendations on ways to strengthen policies, enhance training, and provide opportunities for employee engagement.

EDUCATION AND OUTREACH COMMITTEE

The purpose of the Education and Outreach Committee is to provide recommendations to the Board on the development of informational brochures and other publications, planning of outreach events for consumers and licensees, preparing articles for submission in trade magazines and attending trade shows.

ENFORCEMENT AND INSPECTIONS COMMITTEE

The purpose of the Enforcement and Inspections Committee is to advise the Board on policy matters that relate to protecting the health and safety of consumers. This includes recommendations on how inspections are conducted, the types of violations issued, maintenance of disciplinary guidelines, and other recommendations on the enforcement of the Board's statutes and regulations.

HEALTH AND SAFETY ADVISORY COMMITTEE

The purpose of the Health and Safety Advisory Committee is to provide the Board with advice and recommendations on health and safety issues, as well as ensuring licensees are aware of basic labor laws.

LEGISLATIVE AND BUDGET COMMITTEE

The purpose of the Legislative and Budget Committee is to review and track legislation that affects the Board. The committee shall make recommendations on what position the Board should take on legislation that could potentially affect the operation of the Board, the health and safety of consumers and the Board's licensees. In addition, the committee provides information and recommendations to the Board on potential policy matters relating to the budget.

LICENSING AND EXAMINATION COMMITTEE

The purpose of the Licensing and Examination Committee is to advise the Board on policy matters relating to the examining and licensing of individuals who want to practice barbering and cosmetology in California. The committee may also provide information and recommendations to the Board on issues relating to curriculum and school approval, exam appeals, laws and regulations.



BUSINESS, CONSUMER SERVICES, AND HOUSING AGENCY • GAVIN NEWSOM, GOVERNOR
DEPARTMENT OF CONSUMER AFFAIRS • BOARD OF BARBERING AND COSMETOLOGY
P.O. Box 944226, Sacramento, CA 94244-2260
Phone: (800) 952-5210 Email: barbercosmo@dca.ca.gov
Website: www.barbercosmo.ca.gov



2023 BOARD COMMITTEES

DISCIPLINARY REVIEW COMMITTEE

- Megan Ellis
- Tonya Fairley
- Kellie Funk
- Reese Isbell
- Yolanda Jimenez
- Collette Kavanaugh
- Danielle Munoz
- Calimay Pham
- Jacob Rostovsky
- Steve Weeks

All members serve on DRC and staff coordinates attendance of 3 members per hearing.

DIVERSITY, EQUITY, AND INCLUSION COMMITTEE

- Jacob Rostovsky, Chairperson
- Tonya Fairley
- Reese Isbell
- Danielle Munoz

EDUCATION AND OUTREACH COMMITTEE

- Tonya Fairley, Chairperson
- Megan Ellis
- Reese Isbell
- Yolanda Jimenez
- Colette Kavanaugh

ENFORCEMENT AND INSPECTIONS COMMITTEE

- Danielle Munoz, Chairperson
- Tonya Fairley
- Kellie Funk
- Jacob Rostovsky
- Steve Weeks

HEALTH AND SAFETY ADVISORY COMMITTEE

- Calimay Pham, Chairperson
- Reese Isbell
- Danielle Munoz

LEGISLATIVE AND BUDGET COMMITTEE

- Reese Isbell, Chairperson
- Megan Ellis
- Colette Kavanaugh
- Calimay Pham

LICENSING AND EXAMINATION COMMITTEE

- Steve Weeks, Chairperson
- Tonya Fairley
- Yolanda Jimenez
- Colette Kavanaugh
- Jacob Rostovsky

All Committees are limited to a maximum of 6 members.

Board Member

.....
GUIDELINES AND PROCEDURE MANUAL
(2024)



Table of Contents

Section 1: Background Information 1

- Introduction 1**
- The Board 3**
- The Board President 7**
- The Executive Officer..... 8**
- Board Committees 9**
- Security Procedures 13**
- Resources..... 14**

Section 2: Training..... 15

- Board Member Orientation Training 15**
- Online Training..... 15**

Section 3: Travel and Per Diem 16

- General Travel Information..... 16**
- Per Diem 17**
- Travel Arrangements 18**



Section 1: Background Information

Introduction

OVERVIEW

Both the Board of Barbering Examiners and the Board of Cosmetology were established in 1927. In 1990, legislation was enacted that merged the two boards, creating the Board of Barbering and Cosmetology. The Board was sunset in 1996 and became a Bureau within the Department of Consumer Affairs (DCA). In 2003, legislation re-established the Board of Barbering and Cosmetology (Board). The Board is one of many within the DCA, part of the State and Consumer Services Agency under the aegis of the Governor. The Department is responsible for consumer protection and representation through the regulation of licensed professionals and the provision of consumer services. While the DCA provides administrative oversight and support services, the Board has policy autonomy and sets its own policies, procedures, and regulations.

This procedure manual is provided to Board members as a ready reference of important laws, regulations, DCA policies, and Board policies in order to guide the actions of the Board members and ensure Board effectiveness and efficiency.

DEFINITIONS

Agencies:

AGO	Attorney General's Office
BPPE	Bureau for Private Postsecondary Education
DCA	Department of Consumer Affairs
OAH	Office of Administrative Hearings
OAL	Office of Administrative Law

Codes:

B&P/BPC	Business and Professions Code
CAC	California Administrative Code
CCR	California Code of Regulations
CGC	California Government Code

Organizations:

AACS	American Association of Cosmetology Schools
ACT	Associated Cosmetology Teachers
AEA	American Electrology Association
CAPPS	California Association of Private Postsecondary Schools
CCA	California Cosmetology Association
CCC	California Community Colleges
CEA	Cosmetology Educators of America
NABBA	National Association of Barber Boards of America
NACCAS	National Accrediting Commission of Cosmetology Arts and Sciences

NCA	National Cosmetology Association
NIC	National Interstate Council of State Boards and Cosmetology
PBFC	Professional Beauty Federation of California

Titles:

AG	Attorney General
ALJ	Administrative Law Judge
DA	District Attorney
DAG	Deputy Attorney General
EO	Executive Officer

LICENSE TYPES AND SCOPES

Barbers are licensed to shave and trim the beard, cut hair, give facial and scalp massages, shampoo hair, chemically wave or relax hair, dye hair, style hair, and apply cosmetic preparations to the scalp, face, or neck.

Cosmetologists are licensed to provide hair, skin, and nail care. They can provide the same services as hairstylists, estheticians, and manicurists, in addition to chemical hair services such as permanent waving, relaxing, bleaching, dyeing, coloring or hair.

Hairstylists are licensed to arrange, blow dry, shampoo, cut, style, curl, or nonchemically straighten hair. They cannot use chemicals which alter the hair structure (such as bleach, dye, perm solutions, etc.). This new license type was added by statute in 2022.

Estheticians are licensed to provide skin care. This includes providing facials, massaging and cleansing the face, scalp, neck, hands, arms, feet, legs, or upper part of the human body. Estheticians may also tint and perm eyelashes/brows, provide eyelash extensions, and remove hair by tweezers, waxing, or other depilatory products. They cannot provide medical services.

Manicurists are licensed to provide nail care. This includes trimming, polishing, manicuring, pedicuring the nails, and massaging/cleansing from the elbow to the fingertips or from the knees to the toes of any person. They cannot cut/shave calluses or treat ingrown toenails.

Electrologists provide electrolysis, which is the practice of removing/destroying hair on the human body by the use of an electric needle. Only electrologists may provide electrolysis.

Establishments are the locations in which board services are provided (e.g., barbershops, beauty salons, nail salons, spas).

Apprentices are barbering, cosmetology, or electrology trainees that earn a wage while working under the supervision of a trainer in an establishment.

Mobile Units are establishments on wheels (e.g., trailer, bus, motorhome) which travel to consumers to provide barbering or cosmetology services inside the mobile unit.

A **Personal Service Permit** allows a barber, cosmetologist, manicurist, or esthetician to provide limited services outside of an establishment (such as at a hotel or a consumer's home) if they meet certain requirements.

The Board

COMPOSITION

(B&P section 7303(b))

The Board is comprised of thirteen members. Seven members shall be public members and six members shall represent the industry professions. The Governor shall appoint five of the public members and six industry professions members. The Senate Committee on Rules and the Speaker of the Assembly shall each appoint one public member. Members shall be appointed for a term of four years, with the exception of the members appointed by the governor, (two public members and two professions members) these members shall be appointed for an initial term of two years. Members may not serve longer than two consecutive terms.

OFFICERS

(Board Policy-Adopted July 24, 2006)

The Board shall annually elect from its members a President and a Vice President each of whom shall hold office for a term of one year. An officer shall not serve in a particular officer position for more than two consecutive terms.

Elections shall take place at the first scheduled board meeting of each year. All officers may be elected on one motion or ballot as a slate of officers unless objected to by a Board member.

If the office of the President becomes vacant, the Vice President shall assume the office of the President. If the office of the Vice President becomes vacant, an election shall be held at the next scheduled Board meeting. Elected officers shall then serve the remainder of the term.

MEETINGS

(Board Policy-Adopted July 24, 2006)

The entire Board will convene four times a year and may meet more often if it is determined necessary. Only the Board President may authorize special meetings, setting the date, time and place.

The Board will endeavor when possible, to hold meetings in different geographical areas throughout the state as a convenience to the public and licensees.

BOARD MEMBER ATTENDANCE AT BOARD MEETINGS

(Board Policy Adopted July 24, 2006)

Board members shall attend each meeting of the Board. If a member is unable to attend, they are requested to contact the Board President or the Executive Officer.

BOARD MEMBER PARTICIPATION

(Board Policy Adopted July 24, 2006)

The Board President may ascertain from members whose level of participation is below standard and whether the member is no longer able to continue serving as an active member of the Board. In such a case, the President may suggest that the member resign. If such resignation is not forthcoming within a reasonable time, the Board, by resolution, may request the appointing authority to have the member replaced. However, the member shall be given the opportunity to present to the Board their arguments against the resolution prior to such a resolution being adopted by the Board. A 50% or greater absence rate shall constitute below-standard participation.

QUORUM

Seven members of the Board constitutes a quorum of the Board. When a quorum of the Board is not present, Board members may discuss noticed agenda items of business but may not take any action. A majority of the quorum shall constitute a majority of the entire Board.

AGENDA ITEMS

(Board Policy-Adopted July 24, 2006)

Any Board member may submit items for a Board meeting agenda to the Executive Officer 20 days prior to the meeting. The Board meeting agenda will be provided to all Board members 10 days prior to the meeting and the agenda packet will be provided no later than 7 days prior to the meeting.

The Board President, Board members, or Executive Officer may not alter or prevent agenda items from being added to the agenda by another Board member.

RECORD OF MEETINGS

(Board Policy-Adopted July 24, 2006)

Board meeting minutes are a summary and not a transcript. Minutes are prepared for every Board meeting. The minutes and assignments of Board directives shall be prepared by Board staff. Board minutes shall be approved at the next scheduled Board meeting and serve as the official record of the meeting. Approved minutes of the open session are available for distribution to the public and shall be posted on the Board's website within 30 days following Board approval.

DIVERSITY, EQUITY, AND INCLUSION

(Board Policy-Adopted April 17, 2023)

The Board supports the efforts of the Diversity, Equity, and Inclusion Steering Committee at the Department of Consumer Affairs and commits to fostering inclusive engagement in its policy decisions, and promoting diversity, equity, and inclusion in the Board's publications and procedures.

RECORDING

(Board Policy-Adopted July 24, 2006)

Public Board meetings are to be recorded. Recordings shall be retained until final meeting minutes have been approved. Closed session proceedings shall be recorded at the discretion of the Board.

MEETING RULES

(Board Policy-Adopted July 24, 2006)

Board meetings will be conducted under an informal simplified version of Robert's Rules of Order (Rosenberg's Rules of Order: https://www.calcities.org/docs/default-source/get-involved/rosenberg's-rules-of-order-simple-parliamentary-procedures-for-the-21st-century.pdf?sfvrsn=d3f73e91_3) to the extent that it does not conflict with the Bagley-Keene Open Meeting Act.

COMMUNICATION

(Board Policy-Adopted July 24, 2006)

The Board President or the Executive Officer shall serve as the media spokesperson on Board actions or policies. Any written or oral communications concerning Board matters of a sensitive nature shall be made only by the Board President or the Executive Officer.

All written communications of the Board President on behalf of the Board shall be copied to the Executive Officer and the Executive Officer shall forward the communication to all Board members.

The Board President may not represent the entire Board in any communication unless given expressed authority by the majority of the Board to do so. The Board President may speak for the Board if requested to testify to the Legislature or Administration on behalf of the Board without advance approval.

CORRESPONDENCE

(Board Policy-Adopted July 24, 2006)

Original documents of all correspondence received shall be maintained in the Board's office files. Only copies of such correspondence shall be given to the Executive Officer and/or Board members as requested.

ETHICS TRAINING

(CGC section 11146 et seq.)

(Board Policy-Adopted July 24, 2006)

Ethics training for continuing and new Board members will be accomplished in accordance with the law and DCA procedures.

BOARD MEMBER ORIENTATION

(B&P section 453)

Every Board member shall complete a training and orientation program offered by the DCA within one year of assuming office.

SEXUAL HARASSMENT POLICY TRAINING

(DCA-SHP EEO 09-02)

(Board Policy-Adopted April 8, 2013)

In accordance with the Department of Consumer Affairs (DCA) Sexual Harassment Prevention (SHP) Policy (EEO 09-02), and to ensure compliance with Assembly Bill (AB) 1825 (Reyes, Chapter 933, Statutes of 2004), all DCA employees are required to receive biennial Sexual Harassment Prevention training. The Supervisory Sexual Harassment Prevention Training is mandatory for Board members.

BOARD MEMBER REMOVAL

(B&P section 106)

The appropriate appointing authority (Governor, Senate Rules Committee or Speaker of the Assembly) has the power to remove from office at any time, any member of the Board, appointed by him for continued neglect of duties required by law, for incompetence or unprofessional or dishonorable conduct.

RESIGNATION OF BOARD MEMBERS

(GC section 1750)

If a Board member resigns, the resigning member shall send a letter to the appropriate appointing authority (Governor, Senate Rules Committee, or Speaker of the Assembly) with the effective date of the resignation. State law requires written notification. A copy of this letter shall also be sent to the director of DCA, the Board President, and the Executive Officer.

CONFLICT OF INTEREST

(GC section 87100)

No Board member may make, participate in making or in any way attempt to use their official position to influence a governmental decision in which they have a direct financial interest. Any Board member who has a direct financial interest shall disqualify themselves from making or attempting to use their official position to influence the decision. Any Board member who feels they are entering a situation where there is a potential for a conflict of interest should immediately consult the EO or the Board's legal counsel.

The Board President

SUPERVISION OF THE EXECUTIVE OFFICER

(Board Policy-Adopted July 24, 2006)

The Board President is the immediate supervisor of the Executive Officer. Specific instructions for work on Board policy matters by the Executive Officer from Board members shall be coordinated through the Board President.

The incoming Board President shall assume all delegated duties at the close of the annual election meeting, including supervision of the Executive Officer.

PERFORMANCE APPRAISAL OF EXECUTIVE OFFICER

(Board Policy-Adopted July 24, 2006)

The Board President shall request from each Board member input to the performance appraisal and salary administration of the Executive Officer prior to their draft preparations.

The performance appraisal of the Executive Officer shall be presented in draft form to the Board, by the Board President, at the annual election meeting and shall be noticed on the meeting agenda.

Matters relating to the performance of the Executive Officer shall be discussed in closed session unless they request that it be discussed in open session.

The Executive Officer

APPOINTMENT

(B&P section 7303 (c))

The Board shall appoint an Executive Officer who is exempt from civil service and who shall serve at the pleasure of the Board. The Executive Officer shall exercise the powers and perform the duties delegated by the Board. The appointment of the Executive Officer is subject to approval of the Director of the Department of Consumer Affairs.

ROLE

(Board Policy-Adopted July 24, 2006)

The Executive Officer is the Board's chief administrative officer who implements the policies developed by the Board.

RECRUITMENT OF AN EXECUTIVE OFFICER

(Board Policy-Adopted July 24, 2006)

The Board shall institute an open recruitment plan to obtain a pool of qualified candidates. The Board shall also work with the DCA's Human Resources Office for recruitment procedures.

SELECTION

(Board Policy-Adopted July 24, 2006)

The selection of an Executive Officer shall be included as an item of business, which must be included in a publicly noticed agenda and transacted at a public Board meeting.

BOARD STAFF

(Board Policy-Adopted July 24, 2006)

Employees of the Board, with the exception of the Executive Officer, are civil service employees. Their employment, pay, benefits, discipline, terminations, and conditions of employment are governed by a myriad of civil service laws and regulations and often by collective bargaining labor agreements. Because of this complexity, it is appropriate that the Board delegate all authority and responsibility of the civil service staff to the Executive Officer. No Board member may provide direction to civil service staff, unless consent of the majority of the Board is obtained during a public meeting of the Board. When consent of the majority of the Board is obtained, direction must go through the Executive Officer. Board members shall not intervene or become involved in specific day-to-day personnel transactions or activities.

Board Committees

CAPACITY

(Board Policy-Adopted July 24, 2006)

Committees are advisory and recommend actions to the Board. Recommendations and reports shall be submitted to the Board for consideration and approval.

STANDING COMMITTEE APPOINTMENTS

(Board Policy-Adopted July 24, 2006)

The Board President shall appoint, subject to approval of a majority of the Board, the members to fill positions of each standing committee. Members may volunteer to serve on a specific committee. Terms for all standing committees shall be 1 year and shall begin with the election of a new Board President. Committee member assignments shall take place immediately following the election of the Board President. The assignment of committee members may take place immediately following the election of the Board President, if duly noted on the Board meeting agenda, or may take place at the next scheduled Board meeting.

The establishment of all committees shall be included as an item of business, which must be included in a written agenda and transacted at a public meeting. The Board President, or any member of the Board, may not appoint or remove any committee members unless so acted upon at an open meeting and voted on by the majority of the Board.

STANDING COMMITTEES

(Board Policy-Adopted April 17, 2023)

The Board has **seven** standing committees:

- Disciplinary Review Committee
- Education and Outreach Committee
- Enforcement and Inspections Committee
- Health and Safety Advisory Committee
- Legislative and Budget Committee
- Licensing and Examination Committee
- Diversity, Equity, and Inclusion Committee

Internal organization of each committee is at its discretion except as specified in this manual.

DISCIPLINARY REVIEW COMMITTEE

(CCR section 974.1)

The purpose of the Disciplinary Review Committee is to conduct informal administrative citation review hearings and renders decisions regarding disputed citations. The committee has authority to affirm, modify or dismiss the citations including any fine amounts. The Board President shall annually appoint members of the committee; the appointments will be made

concurrently with the annual election of officers. The Board President shall select the dates and locations of the informal citation review hearings held before the disciplinary review committee. The Board may find a need to have an alternate member for the convenience of those members who cannot attend.

EDUCATION AND OUTREACH COMMITTEE

(Board Policy-Adopted July 24, 2006)

The purpose of the Education and Outreach Committee is to provide recommendations to the Board on the development of informational brochures and other publications, planning of outreach events for consumers and licensees, preparing articles for submission in trade magazines and attending trade shows.

ENFORCEMENT AND INSPECTIONS COMMITTEE

(Board Policy-Adopted July 24, 2006)

The purpose of the Enforcement and Inspections Committee is to advise the Board on policy matters that relate to protecting the health and safety of consumers. This includes recommendations on how inspections are conducted, the types of violations issued, maintenance of disciplinary guidelines, and other recommendations on the enforcement of the Board's statutes and regulations.

HEALTH AND SAFETY ADVISORY COMMITTEE

(B&P 7314.3)

The purpose of the Health and Safety Advisory Committee is to provide the Board with advice and recommendations on health and safety issues, as well as ensuring licensees are aware of basic labor laws.

LEGISLATIVE AND BUDGET COMMITTEE

(Board Policy-Adopted April 17, 2023)

The purpose of the Legislative and Budget Committee is to review and track pending legislation that affects the Board. The committee shall make recommendations on what position the Board should take on pending legislation that could potentially affect the operation of the Board, the health and safety of consumers and the Board's licensees. In addition, the committee provides information and recommendations to the Board on potential policy matters relating to the budget.

LICENSING AND EXAMINATION COMMITTEE

(Board Policy-Adopted July 24, 2006)

The purpose of the Licensing and Examination Committee is to advise the Board on policy matters relating to the examining and licensing of individuals who want to practice barbering and cosmetology in California. The committee may also provide information and

recommendations to the Board on issues relating to curriculum and school approval, exam appeals, laws and regulations.

DIVERSITY, EQUITY, AND INCLUSION

(Board Policy-Adopted April 17, 2023)

The purpose of the Diversity, Equity, and Inclusion Committee is to provide the Board with recommendations on ways to strengthen policies, enhance training, and provide opportunities for employee engagement.

AD HOC COMMITTEES

(Board Policy-Adopted July 24, 2006)

The Board may establish ad hoc committees as needed. The establishment of an ad hoc committee must be included in a written agenda and transacted at a public meeting in which a quorum of the board is present and consent is obtained by the majority of the Board.

TASK FORCES AND WORKING GROUPS

(Board Policy-Adopted July 24, 2006)

Any Board member may request, subject to approval of the full Board, that a task force/working group be established. The task force/working group will be charged with an in-depth review of a specific issue and a final recommendation to the full Board.

In an urgent situation (i.e. examination appeal) the Board President may make a recommendation on members of a two-person committee without approval of the full Board.

COMMITTEE AGENDAS

(Board Policy-Adopted July 24, 2006)

Agendas shall focus on the specific tasks assigned by the Board and include:

- Public Comment
- Time for committee members to recommend new areas of study to be brought to the Board's attention for possible assignment.
- Only those information items dealing with subjects assigned to the respective committee.

Committee chairs shall confer with the Board President prior to including any agenda item that is not clearly within that committee's assigned purview.

If more than two Board members will be in attendance at a Committee meeting, the agenda shall contain the statement: "Notice of Board meeting indicates that three or more members of the Board are present. While the law requires the Board to notice this also as a Board meeting, it is not the intent to take action as a Board at this meeting."

ATTENDANCE AT COMMITTEE MEETINGS

(Board Policy-Adopted July 24, 2006)

If a Board member wished to attend a meeting of a committee of which they are not a member, that Board member shall notify the Board President and Executive Officer.

Board members who attend a meeting of a committee of which they are not a member shall sit in the audience and not participate in the meeting discussion.

DUAL MEMBERSHIP

(Board Policy-Adopted July 24, 2006)

A Board member may serve on multiple committees but may not chair more than one committee.

COMMITTEE MEETING RULES

(Board Policy-Adopted July 24, 2006)

Meetings will be conducted under the Robert's Rules of Order to the extent that it does not conflict with the Bagley-Keene Open Meeting Act.

RECORD OF COMMITTEE MEETINGS

(Board Policy-Adopted July 24, 2006)

The minutes are a summary, not a transcript of each committee meeting. Committee minutes shall be prepared by Board staff and submitted for review by the committee members within 30 working days after the committee meeting. Committee minutes shall be approved at the next scheduled committee meeting and serve as the official record of the meeting. Approved minutes of the open session are available for distribution to the public and shall be posted on the Board's website.

STAFF ASSISTANCE

(Board Policy-Adopted July 24, 2006)

Board staff provides advice, consultation, and support to the committees. Committee members shall contact the Executive Officer to request staff assistance.

RECORD KEEPING

(Board Policy-Adopted July 24, 2006)

Public meetings are recorded. Recordings shall be retained until final meeting minutes have been approved. Closed session proceedings shall be recorded at the committee's discretion.

Security Procedures

REQUEST FOR RECORDS ACCESS

(Board Policy-Adopted July 24, 2006)

No Board member may access a licensee's or candidate's file without the Executive Officer's knowledge and approval of the conditions of access. A notation of the Board member's access shall be entered in the file. Records or copies shall not be removed from the Board's office.

CONTACT WITH CANDIDATES, LICENSEES, COMPLAINTANTS, RESPONDENTS

(Board Policy-Adopted July 24, 2006)

Board members shall not intervene on behalf of a licensee for any reason. They should forward all contacts or inquiries to the Executive Officer.

Board members shall not directly participate in complaint handling and resolution or investigations, unless authorized by a majority vote of the Board at a duly called public meeting. If a Board member is contacted by a respondent, or their attorney, they shall refer the individual to the Executive Officer.

GIFTS FROM CANDIDATES

(Board Policy-Adopted July 24, 2006)

Gifts of any kind to Board members or staff from candidates for licensure with the Board shall not be permitted.

Resources

DCA BOARD MEMBER RESOURCE CENTER

The Department of Consumer Affairs has dedicated a website to resources available to Board Members. To access information on member information, appointment information, training or publications, please visit:

https://www.dca.ca.gov/about_us/board_members/index.shtml.

DRAFT

Section 2: Training

Board Member Orientation Training

Board Members are required to complete Board Member Orientation Training **within one year** of appointment **and** re-appointment to a board. This is a one-day in-person training which details the functions and responsibilities of board members. To complete this training, please choose from the dates available and complete the online registration form at: <https://dca.csod.com/>

Online Training

- ***Ethics Training:*** Board Members are required to complete the State Officials ethics training within six months of being appointed at <http://oag.ca.gov/ethics>.
- ***Supervisory Sexual Harassment Prevention Training:*** Board Members are required to complete this interactive training every two years. It takes approximately 2 hours to complete and is available at: <https://dca.csod.com/>.
- ***Defensive Driver Training:*** Board Members are required to complete this interactive training once every four years. The Defensive Driver training is takes approximately 2.5 hours to complete and is available at: <https://ddt.dgs.ca.gov/>
- ***Form 700 – Statement of Economic Interest & Conflict of Interest Filing:*** Board Members are required to file the Form 700. DCA utilizes NetFile to electronically file Form 700s directly with the Fair Political Practices Commission. For NetFile account questions, please email OHR.Requests@dca.ca.gov.

Upon completion of any training, please provide copies of completion certificates to DCA at MemberRelations@dca.ca.gov and to Kristy Underwood at:

BBC
Attn: Kristy Underwood
P.O. Box 944226
Sacramento, CA 94244-2260

If you have any questions, please contact Kristy Underwood or Board Analyst Natalie Mitchell.

Kristy Underwood, Executive Officer
Phone: (916) 471-0722
Email: Kristy.Underwood@dca.ca.gov

Natalie Mitchell, Board Analyst
Phone: (279) 244-6644
Email: Natalie.Mitchell@dca.ca.gov

Section 3: Travel and Per Diem

General Travel Information

TRAVEL

(Board Policy-Adopted July 24, 2006)

Board members notify the Board President and Executive Officer of all travel except for regularly scheduled Board, Committee and Task Force/Work Group meetings to which the Board member is assigned. The Board President shall relay any travel approvals to the Executive Officer. The Executive Officer shall report to the full Board on any additional travel conducted by Board members.

No member of the Board shall attend any function in which the member is representing the Board without approval from the Board President and the notification of the Executive Officer. This includes speaking engagements, trade shows, etc.

TRAVEL ARRANGEMENTS

(Board Policy Adopted January 12, 2015)

Board members are responsible for making their own travel arrangements with the assistance of the Cal Travel Store.

TRAVEL CLAIMS

(Board Policy Adopted January 12, 2015)

Board staff will compile (in consultation with member) and submit all travel claims to the Travel Unit. Board members must submit travel information and receipts to Board staff for the compilation of the travel claim. If a travel claim requires amending, Board staff will consult with the Board Member before making amendments and submitting corrected claims to the DCA's Travel Unit and provide the Board member with a corrected copy.

Travel reimbursement processing times range from 4-6 weeks.

Per Diem

BOARD MEMBER PAY

(Board Policy-Adopted April 8, 2013)

Board members receive \$100 for each day worked on Board related matters. Board Analyst Shelby Edmiston completes the Time and Attendance Report (STD 672) on behalf of Board members.

If you have any questions, please contact Kristy Underwood or Board Analyst Shelby Edmiston.

Kristy Underwood, Executive Officer
Office: (916) 471-0722
Email: Kristy.Underwood@dca.ca.gov

Shelby Edmiston, Board Analyst
Office: (279) 278-5082
Email: Shelby.Edmiston@dca.ca.gov

DRAFT

Travel Arrangements

For in-depth information of current travel rules, please review the Consumer Affairs Travel Guide at https://www.dca.ca.gov/about_us/board_members/resources.shtml.

The State provides reimbursement of actual and necessary out of pocket expenses when traveling on State business. The mode of transportation for which the State incurs expenses should be that which is in the best interest of the State. So, when determining the most economical mode of transportation, the following costs should be considered: employee's time, expenses for transportation (airline, car, train, taxi, parking, shuttle, tolls, etc.), expenses for meals, incidentals, lodging and any other State business expense, the urgency of the situation, if the employee must carry specialized equipment, the number of stops, the number of persons to be transported, driving time one-way (is it over 2 hours?), availability of transportation to and from the destination, and overtime wages.

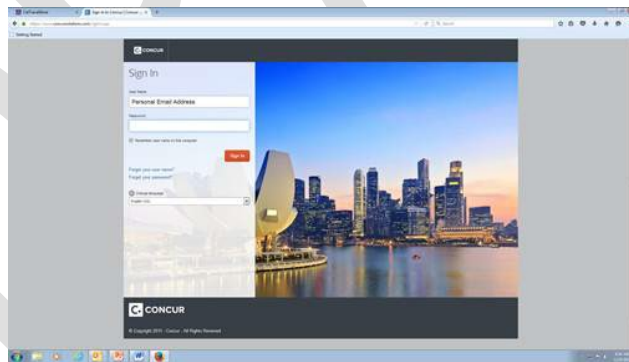
To view the Statewide Travel Program, visit <https://www.dgs.ca.gov/OFAM/Travel>.

CAL TRAVEL STORE

All travel arrangements (hotel, airfare reservations and car rental) must be made through the CalTravelStore website: <http://www.caltravelstore.com/>.

Instructions on how to make a reservation are on the DCA Travel/CalATERS Home Page.

The "username: will be your personal email address. You can reset your password by clicking on "Forgot your password" link.



After Hours Travel Emergencies (additional fees apply) (877) 454-8785 – Press 1

All Travel Expense Claim Transmittals that require receipts to be attached must be signed by DCA's Deputy Director of the Office of Board and Board Relations. The original signature is required.

DCA's airfare contract is with Southwest Airline. When booking a flight, only select "Want to Get Away." You will want to make sure you have a Southwest Rapids Rewards account. In addition, when booking a hotel reservation, please advise the Travel Store if you participate in any hotel reward programs.

Southwest Airlines

To create a Rapid Rewards Account, go to: www.southwest.com

1. Click Rapid Rewards (at the top of the home page)
2. Click on Sign Up
3. Fill in requested information and click Create Account

Your Rapid Rewards Enrollment card will appear on the screen. **Print your Rapid Rewards and save the number for your records, this will be the only card you will receive.**

CAR RENTAL

The State's rule of thumb is if the trip is over 50 miles round trip, you should rent a car. Do not use your personal vehicle as the travel unit will not reimburse you for the full amount.

DCA's car rental contract is with Enterprise Rent-A-Car. Loss Damage waiver is included in the State's daily rate. Additional charges for insurance will not be reimbursed by DCA. You are not required to drop off your rental car at the location you rented it from. You may drop the car off at the airport or other Enterprise location.

You are not required to refuel the rental car vehicle prior to returning. When refueling the rental car, the employee must submit a detailed gasoline receipt for reimbursement. Gasoline receipts must show the date of purchase, method of payment, and an expense breakdown: number of gallons, price per gallon, and extended total purchased amount. Prepaid fuel receipts are not acceptable for reimbursement.

Submit your car rental receipt, showing full payment and any gasoline receipts (if applicable) to Board staff.

USING YOUR PERSONAL VEHICLE

You have the option of using your personal vehicle if you can prove that it is a cost savings for the State to do so (usually this includes trips that are less than 50 miles round trip).

A cost comparison (DPA 599.626.1) is required whenever an employee selects an alternate mode of transportation that is not typical for the length, destination, and purpose of the trip, or is not in the best interest of the State. Request a Cost Comparison Form from Natalie Mitchell, Natalie.Mitchell@dca.ca.gov to assist in determining the amount of reimbursement.

- Mileage reimbursement is currently .67 cents per mile.
- Sacramento International Airport Maximum daily economy parking lot rate is \$10.00 per day and \$2.00 per half hour or any portion thereof beginning on the second day, with a maximum daily rate of \$10.00.
- All parking while on state business require the purpose of the trip and an itemized receipt if over \$10.00.

TAXIS/TRANSPORTATION/TOLLS

Taxis or transportation network companies (such as Uber or Lyft) may be used for trips that are not over a 10-15-mile radius. Receipts are required for taxi expenses of \$10.00 and over. You may receive reimbursement for tips up to \$2.00 or 20%, whichever amount is greater. Tolls or parking charges under \$10.00 do not require a receipt.

MEALS

Reimbursement is allowed for actual costs up to the maximum reimbursement for each meal incurred while on travel status. Board members should retain the meal receipts, for tax purposes. If no meal amounts are provided to the analyst preparing your travel claim, it will be assumed that you have used the maximum reimbursement amount, and the Board member travel claim shall reflect that assumption.

Meals & Incidental	Maximum Reimbursement	Qualifying Time Frame
Breakfast	Up to \$ 13.00	Begins before or at 6 a.m. Ends at or after 8 a.m.
Lunch	Up to \$15.00	Begins before or at 11 a.m. Ends at or after 2 p.m.
Dinner	Up to \$ 26.00 (\$25 or more, receipt required)	Begins before or at 5 p.m. Ends at or after 7 p.m.
Incidental	Up to \$ 5.00	Reimbursement is allowed only for a full 24 hours of travel.

Note: *Incidental expenses can include expenses for: laundering, pressing clothes, fees, tips, business phone calls, postage charges, facsimiles and emergency purchases.*

TRAVEL CLAIMS

To make the position of Board member a little more pleasant, Board staff will process Board member travel claims. After each Board meeting, Board Analyst Natalie Mitchell will email a request for information which asks for:

- The date and time you began and ended your trip.
- The mode of transportation (flight, personal vehicle, train, etc.).
- If you used your personal vehicle (if yes, provide your license plate number).
- The date and how many miles you traveled using your personal vehicle.
- Your starting location if you started anywhere other than your residence.
- Receipts.
- Actual meal costs, if under the maximum reimbursement allowance.

Please provide a brief note if there are any unusual circumstances regarding your trip. Staff will need all receipts (except meal receipts). All hotel/vehicle receipts should show a zero-balance due and hotel receipts must state a room rate and room tax amount. Staff will compile the travel claim, email it to the Board member for review and approval, and then submit the travel claim to the Department of Consumer Affairs for reimbursement.

DRAFT
**CALIFORNIA STATE BOARD
OF
BARBERING AND COSMETOLOGY**

BOARD MEETING

MINUTES OF JULY 17, 2023

BOARD MEMBERS PRESENT

Calimay Pham, President
Tonya Fairley, Vice President
Megan Ellis
Kellie Funk
Reese Isbell
Yolanda Jimenez
Colette Kavanaugh
Danielle Munoz
Jacob Rostovsky
Steve Weeks

STAFF MEMBERS PRESENT

Kristy Underwood, Executive Officer
Carrie Harris, Deputy Executive Officer
Alex Torkelson, Admin and Licensing Chief
Sabina Knight, Board Legal Counsel
Allison Lee, Board Project Manager
Natalie Mitchell, Board Analyst

1. AGENDA ITEM #1, CALL TO ORDER/ROLL CALL/ESTABLISHMENT OF QUORUM

Calimay Pham, Board President, called the meeting to order at approximately 9:00 a.m. and confirmed the presence of a quorum.

2. AGENDA ITEM #2, PETITION FOR REINSTATEMENT HEARIN

- Frian Yamat, Petition for Reinstatement of License, Barber License #B80381

CLOSED SESSION

a. Pursuant to Government Code Section 11126(c) (3), the Board will meet in Closed Session to Deliberate on Disciplinary Matters.

The Board met in closed session as permitted by law to deliberate on disciplinary matters.

b. Adjourn Closed Session and Reconvene Open Session.

President Pham reconvened the meeting at approximately 11:00 a.m.

3. AGENDA ITEM #3, BOARD PRESIDENT'S WELCOME (Calimay Pham)

President Pham started her remarks by announcing that the hairstylist licensing type became effective as of July 1, 2023 and applicants may now apply for the licensing exam or reciprocity. She expressed her excitement and hope that it would reduce barriers to entry into the industry.

4. AGENDA ITEM #4, BOARD MEMBER UPDATES

Board Member Steve weeks commended President Pham for being president, practicing law, teaching at a university, and now welcoming a baby.

5. AGENDA ITEM #5, DISCUSSION AND POSSIBLE APPROVAL OF THE April 17, 2023, BOARD MEETING MINUTES

Board Member Reese Isbell proposed adding “office” after “city” on page 9, second paragraph, third sentence. Board Member Yolanda Jimenez proposed fixing the misspelling of “Carrie Harris” on page 2.

Motion: Mr. Weeks moved to approve April 17, 2023, Board Meeting Minutes with the two amendments mentioned above. Board Member Yolanda Jimenez seconded.

No comments were received from the public.

Motion to approve April 17, 2023, Board Meeting Minutes carried; 10 yes, 0 no, and 0 abstain, per roll call vote as follows:

The following Board Members voted “Yes”: Calimay Pham, Tonya Fairley, Megan Ellis, Kellie Funk, Reese Isbell, Yolanda Jimenez, Colette Kavanaugh, Danielle Munoz, Jacob Rostovsky, Steve Weeks.

6. AGENDA ITEM #6, EXECUTIVE MANAGEMENT REPORTS (KRISTY UNDERWOOD)

Ms. Underwood announced that the contractor that usually prepares the meeting minutes decided to close, so the Board is in the process of finding a new vendor. The next meeting minutes may be prepared by staff. Ms. Underwood introduced the chiefs and managers in attendance and thanked them for keeping the board functioning.

a) Administration and Operations

Ms. Underwood mentioned new staff for budgets and regulations. The Board’s budget is strong, and the next board meeting will have the full fiscal year budget. Board staff are continuing to review fees, but the fee analysis has not been completed at this time. It is likely that the re-examination fee will decrease.

b) Licensing, Examinations, and Disciplinary Review Appeals

Ms. Underwood reported that the Board has lost licensing staff due to promotions. Hiring is still an issue in the state, not just the Board. Emails continue to stay at a high number as staff must balance processing applications and answering emails.

Board Member Tonya Fairley asked if anything is being done to reduce barriers for candidates applying for state positions. Ms. Underwood answered that there aren’t many barriers for the licensing positions. They are typically entry level positions and there a continuous exam. Also, even though Staff Services Analyst positions no longer require a college degree, there has not been an increase in applications.

Board Member Jacob Rostovsky asked if there are flyers that can be shared, to which Ms. Underwood stated she would provide those to board members.

Mr. Weeks asked about the progress on the Board having its own call center as it is important and a need for the Board. Ms. Underwood explained it is being worked on, but it is difficult to hire staff.

Ms. Underwood shared that the Board has implemented the hairstylist license, but only a small number of schools requested approval for the hairstylist program.

Ms. Underwood reported that the Board is continuing to look at pass rates. She has had conversations with the National Accrediting Commission of Career Arts and Sciences (NACCAS) about accredited schools with low pass rates, and an update will be provided at the next board meeting.

Mr. Isbell stated that the number of people who took the exam in Simplified Chinese shows how many people were in need and he was proud of staff for making this happen. Ms. Underwood shared that quite a few people previously applied for the exam and the Board allowed them to wait and take the exam in Simplified Chinese.

Mr. Weeks thanked staff for the new statistics on pass rates by exam attempt number. He asked if there was a statutory time to wait between taking exams. Ms. Underwood answered no and stated that the Board is caught up on processing re-examination applications. She would like to see if taking the exam again quickly after helps increase the pass rate, however it is up to candidates to choose when to schedule their re-examination.

Ms. Underwood directed the attention to the new chart showing examination and re-examination applications received per month indicating that the Board is busiest in June. She believes this is because state government's fiscal year ends in June and many schools tend to end in June.

Ms. Underwood shared that apprentice passing rates continue to be low and she has continued to have conversations with the Department of Consumer Affairs (DCA) and the Division of Apprenticeship Standards. She is waiting for a follow up meeting.

Ms. Underwood stated that the number of pending appeals is the lowest she has seen in all her years as the Executive Officer. She believes this indicates that the inspections program has improved in education licensees more. The Board is still seeing several practice of medicine cases. She will be meeting with DCA and other Executive Officers to discuss the overlapping issue of medical spas, body slimming, and what they can do – she will have an update at the next board meeting.

c) Enforcement, Inspections, and Cite and Fine

Ms. Underwood noted that the Board has 3 new analysts and 2 special investigators. The special investigators have a higher level of enforcement as they can interview consumers that have been harmed, interview establishments/licensees, and work with expert consultants. She stated that this quarter had the highest number of complaints received.

d) Outreach

Ms. Underwood has attended various outreach events. Recently she held a class in Las Vegas about the state of the industry for esthetics. There were new publications introduced and several email blasts were sent to promote upcoming events and townhall meetings. The first two townhalls were successful and the Board plans to hold them quarterly. Board Member Kellie Funk expressed that she was impressed with the social media posts, as were Mr. Isbell and Mr. Rostovsky.

e) SB 803 (Roth) Implementation Plan

Ms. Underwood noted that this would be the last time board members saw this section as the items are either fully implemented or discussed in other sections of the board meeting.

f) Strategic Plan Update

Ms. Underwood stated that the Board is working on the strategic plan tasks and each unit reports to her and Deputy Executive Officer Carrie Harris about their progress monthly.

g) Legislative Update:

- i. **AB 1328 (Gipson) Cosmetology Licensure Compact**
- ii. **SB 247 (Wilk) Alcoholic beverages: licensing exemptions: barbering and cosmetology services**
- iii. **SB 384 (Bradford) Barbering and Cosmetology**
- iv. **SB 451 (Nguyen) Worker classification: employees and independent contractors: licensed manicurists**
- v. **SB 544 (Laird) Bagley-Keene Open Meeting Act: teleconferencing**
- vi. **SB 817 (Roth) Barbering and cosmetology: application, examination, and licensing fees**

Ms. Underwood stated that the new format was borrowed from another Board as this simplified report is easier to see that status for bills the Board has already taken positions on.

Ms. Underwood anticipates AB 1328 will have a hearing in the fall. This would be the first compact bill in occupational licensing, so she believes Senator Roth wants to take a longer look at this bill and get more information on how compacts work. Ms. Underwood stating that SB 247 continues to move. SB 384 has had a positive response through the entire process, so she hopes it gets to the Governor’s office soon. SB 451 is a two-year bill. SB 544 continues to move, but there may be some amendments soon. SB 817 is to clarify that the Board has an application fee for the hairstylist license type.

Public Comment:

- Wendy Cochran with the California Aesthetics Alliance stated the townhalls were handled greatly by Ms. Underwood and Ms. Harris. She stated social media engagement is positive and hopes to have more posts clarifying different

services and specific devices. She also stated that Sunset is coming up and the Board needs control of schools.

7. AGENDA ITEM #7, OVERVIEW OF THE ESTHETICS SCOPE OF PRACTICE

Ms. Underwood provided an overview of esthetics. The memo provided the scope and listed some services estheticians may and may not provide. She will be meeting with other Boards and DCA to come up with a plan to address esthetics crossing over into the medical field.

Ms. Funk expressed her love of microdermabrasion because the effectiveness and minimal risk to the vast majority is huge.

Public Comment:

- Wendy Cochran recommended that the Board should receive esthetic services to understand what they are like. She stated the future of esthetics and Electrology should allow for medical oversight so licensees can collaborate with medical professionals.

8. AGENDA ITEM #8, DISCUSSION OF THE DIVERSITY, EQUITY, AND INCLUSION COMMITTEE'S ROLE AND FOCUS

Ms. Underwood explained that the last board meeting established the Diversity, Equity, and Inclusion (DEI) Committee, but members wanted to talk about the purview and direction of the committee. She would like the Committee to think of messages to share with schools about teaching textured hair.

Ms. Fairley and Mr. Isbell questioned how we would know which underrepresented communities to direct attention to. Ms. Munoz suggested inviting licensees and individuals from communities to meetings. Mr. Rostovsky stated the Committee should first assess the need.

Ms. Underwood stating staff would move forward with setting the meeting date so the Committee could further discuss.

Public Comment:

- Jaime Schrabek, Precision Nails, stated that as a licensee and salon owner, it would be useful if the Board would educate about gender pricing, making establishments accessible to disabled persons, and other existing state and federal laws about preventing discrimination in businesses.

9. AGENDA ITEM #9, DISCUSSION AND UPDATE REGARDING RULEMAKING PROPOSALS:

- a) **Discussion and Possible Action to Consider Changes to Previously Proposed Text and Reauthorization of a Regular Rulemaking to Amend Title 16, California Code of Regulations (CCR) sections 904, 909, 931, 932, 937, 962, and 988, and Repeal sections 928, 934, 950.1, 950.2, 950.3, and 950.4 (SB 803 Clean Up)**
- b) **Update Regarding Rulemaking Proposal to Amend Title 16, CCR sections 913, 913.1, 914.1, 914.2, 915, 917, 918, 918.1, 919, 919.1, 920, 921, 921.1, 921.2, 922, 924, 924.1, 925, 926, 927 (Apprenticeship)**
- c) **Update Regarding Rulemaking to Amend Title 16, CCR section 950.10 (Transfer of Credit)**
- d) **Update Regarding Rulemaking Proposal to Amend Title 16, CCR sections 940, 941, 950.10, 950.12, 962, 962.1, 962.2 (Schools and Externs)**
- e) **Update Regarding Rulemaking Proposal to Amend Title 16, CCR section 972 (Disciplinary Guidelines)**

Ms. Underwood stated that staff and regulation counsel made additional edits to the SB-803 package. The updated language and forms were provided. Processing times were removed, “good standing” was defined, pre-applications were removed, language was added to the interpreter application regarding consent to record, along with other minor changes.

Motion: Ms. Munoz moved to rescind the Board’s prior January 23, 2023 motion and approve the proposed regulatory text and changes for Title 16, CCR sections 904, 909, 931, 932, 937, 962, 998, 928, 934, 950.1, 950.2, 950.3, and 950.4 as provided in the meeting materials at Attachment 2, direct staff to submit the text to the Director of the Department of Consumer Affairs and the Business, Consumer Services, and Housing Agency for review and if no adverse comments are received, authorize the Executive Officer to take all steps necessary to initiate the rulemaking process, make any non-substantive changes to the package, and set the matter for a hearing if requested. If no adverse comments are received during the 45-day comment period and no hearing is requested, authorize the Executive Officer to take all steps necessary to complete the rulemaking and adopt the proposed regulations at Sections 904, 909, 931, 932, 937, 962, and repeal sections 928, 934, 950.1, 950.2, 950.3, 950.4 and 998 as noticed. Ms. Fairley seconded.

Public Comment

- Jaime Schrabek, Precision Nails, stated that mobile units should be required to have a ramp and it should not be an option.

Board Regulation Counsel, Kristy Schieldge, clarified that the language regarding mobile unit ramps was already existing text.

Motion to rescind the Board’s prior January 23, 2023 motion and approve the proposed regulatory text and changes for Title 16, CCR sections 904, 909, 931, 932, 937, 962,

998, 928, 934, 950.1, 950.2, 950.3, and 950.4 as provided in the meeting materials at Attachment 2, direct staff to submit the text to the Director of the Department of Consumer Affairs and the Business, Consumer Services, and Housing Agency for review and if no adverse comments are received, authorize the Executive Officer to take all steps necessary to initiate the rulemaking process, make any non-substantive changes to the package, and set the matter for a hearing if requested. If no adverse comments are received during the 45-day comment period and no hearing is requested, authorize the Executive Officer to take all steps necessary to complete the rulemaking and adopt the proposed regulations at Sections 904, 909, 931, 932, 937, 962, and repeal sections 928, 934, 950.1, 950.2, 950.3, 950.4 and 998 as noticed carried; 10 yes, 0 no, and 0 abstain, per roll call vote as follows:

The following Board Members voted "Yes": Calimay Pham, Tonya Fairley, Megan Ellis, Kellie Funk, Reese Isbell, Yolanda Jimenez, Colette Kavanaugh, Danielle Munoz, Jacob Rostovsky, Steve Weeks.

Ms. Underwood noted that the apprenticeship, schools and externs, and disciplinary guidelines packages were being worked on by staff. The Transfer of Credit package was submitted to the Office of Administrative Law (OAL) on June 29, 2023, and OAL has 30 working days to review.

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

Alexander Krainiy, a Ukrainian and Russian Interpreter, stated that he has interpreted for 6 exams and had to decline others because the Board's two-year restriction for interpreters. The only justification he has received is that this requirement is to prevent coaching/cheating, but he would like the Board to review this policy.

11. AGENDA ITEM #11, SUGGESTIONS FOR FUTURE AGENDA ITEMS

Mr. Rostovsky proposed adding a discussion regarding interpretation of exams. President Pham reminded staff to add discussion of trends at Disciplinary Review Committee hearings.

No comments from the public were received.

12. AGENDA ITEM #12, ADJOURNMENT

There being no further business to discuss, the meeting adjourned at approximately 12:49 p.m.



BUSINESS, CONSUMER SERVICES, AND HOUSING AGENCY • GAVIN NEWSOM, GOVERNOR
DEPARTMENT OF CONSUMER AFFAIRS • BOARD OF BARBERING AND COSMETOLOGY
P.O. Box 944226, Sacramento, CA 94244-2260
Phone: (800) 952-5210 Email: barbercosmo@dca.ca.gov
Website: www.barbercosmo.ca.gov



MEMORANDUM

DATE	February 26, 2024
TO	Board of Barbering and Cosmetology
FROM	Maria Le, Admin and Operations Manager
SUBJECT	Agenda Item 9a Administration/Operations Report

Staffing

The Administration/Operations Unit is fully staffed.

Moving the Office

The Board is preparing for our office to move to the Department of Consumer Affairs Headquarters. The Board is process of destructing all records that have met the record retention schedule and preparing for the move with all the current files and supplies. All equipment that is no longer in use has been surveyed to ensure proper disposal. A contract vendor has been identified; a contract with a detailed scope of work has been submitted for approval. The anticipated move date to Department of Consumer Affairs Headquarters is March 25, 2024.

Budget Projection Reports and Fund Condition

Below is the Budget Report Fiscal Year (FY) 2023-24. Expenditure Projections based on Fiscal Month 6 (FM) (January 2024). Based on these projections, the Board is scheduled to revert \$2,346,259 back into the Board's Fund.

**Board of Barbering and Cosmetology
FM 6 Fiscal Year 2023/24
Projected Expenditures as of January 2024**

Personal Services	Budget	BBC Projected Expenditures	Projected Year End Balance
5100 Permanent	\$6,008,000	\$4,938,587	\$1,069,413
5100 Temporary	\$587,000	\$398,169	\$188,831
5105-5108 Per Diem, Overtime, & Lump Sum	\$0	\$29,900	(\$29,900)
5150 Staff Benefits	\$3,634,000	\$3,270,609	\$363,391
Total Of Personal Services	\$10,229,000	\$8,637,265	\$1,591,735

Operating Expenses & Equipment (OE&E)	Budget	BBC Projected Expenditures	Projected Year End Balance
5301 General Expense	\$166,000	\$100,539	\$65,461
5302 Printing	\$250,000	\$513,179	(\$263,179)
5304 Communications	\$21,000	\$46,890	(\$25,890)
5306 Postage	\$232,000	\$43,510	\$188,490
5308 Insurance	\$4,000	\$21,199	(\$17,199)
53202-204 Travel In-State	\$73,000	\$70,000	\$3,000
53206-208 Travel, Out-Of-State	\$0	\$72	(\$72)
5322 Training	\$11,000	\$4,000	\$7,000
5324 Facilities Operations	\$1,022,000	\$388,697	\$633,303
53402-53403 Attorney General, OAH, C&P Services Interdept	\$1,672,000	\$733,150	\$938,851
53404-53405 Consultant & Professional Svcs. - External	\$1,646,000	\$2,204,621	(\$558,621)
5342 DCA Pro Rata	\$6,382,000	\$6,382,000	\$0
5342 Interagency Services	\$1,000	\$56,094	(\$55,094)
5344 Consolidated Data Centers	\$68,000	\$35,701	\$32,299
5346 Information Technology	\$35,000	\$43,447	-\$8,447
5362-5368 Equipment	\$95,000	\$229,411	(\$134,411)
5390 Other Items of Expense & Vehicles	\$43,000	\$78,967	(\$35,967)
54 Special Items of Expense & Equipment	\$0	\$15,000	(\$15,000)
Operating Expenses & Equipment	\$11,721,000	\$10,966,476	\$754,524
Total Expenses	\$21,950,000	\$19,603,741	\$2,346,259
Schedule Reim. Other	(\$57,000)	(\$57,000)	
Net Appropriation	\$21,893,000	\$19,546,741	\$2,346,259
		SURPLUS/(DEFICIT)	10.72%

The below analysis of the Board’s Fund Condition projects to have 6.6 months in reserve for FY 2023-24. This means the Board would be able to continue to operate for 6.6 months without collecting any additional revenue. The Board will experience a drop in reserve this fiscal year due to the loan of \$15 million to the General Fund per the direction of Budget Act 2023. It is projected that the Board will receive a \$25 million loan repayment scheduled for June 2025 per Budget Act 2020.

0069 - Barbering and Cosmetology Contingency Fund Analysis of Fund Condition
(Dollars in Thousands)

Prepared 1.30.2024

2024-25 Governor's Budget With FM 6 Projections

	ACTUAL 2022-23	CY 2023-24	BY 2024-25	BY +1 2025-26	BY +2 2026-27
BEGINNING BALANCE	\$ 26,587	\$ 24,775	\$ 12,534	\$ 37,850	\$ 38,120
Prior Year Adjustment	\$ 333	\$ -	\$ -	\$ -	\$ -
Adjusted Beginning Balance	\$ 26,920	\$ 24,775	\$ 12,534	\$ 37,850	\$ 38,120
REVENUES, TRANSFERS AND OTHER ADJUSTMENTS					
Revenues					
4121200 - Delinquent fees	\$ 289	\$ 1,294	\$ 1,332	\$ 1,332	\$ 1,332
4127400 - Renewal fees	\$ 3,307	\$ 13,508	\$ 13,542	\$ 13,542	\$ 13,542
4129200 - Other regulatory fees	\$ 2,501	\$ 2,567	\$ 2,645	\$ 2,645	\$ 2,645
4129400 - Other regulatory licenses and permits	\$ 5,052	\$ 5,201	\$ 5,357	\$ 5,357	\$ 5,357
4143500 - Miscellaneous Services to the Public	\$ 10	\$ 7	\$ -	\$ -	\$ -
4163000 - Income from surplus money investments	\$ 638	\$ 380	\$ 199	\$ 563	\$ 557
4170400 - Capital Asset Sales Proceeds	\$ 30	\$ -	\$ -	\$ -	\$ -
4171400 - Escheat of unclaimed checks and warrants	\$ 17	\$ 13	\$ 12	\$ 12	\$ 12
4172500 - Miscellaneous revenues	\$ 4	\$ 4	\$ 8	\$ 8	\$ 8
Totals, Revenues	\$ 11,848	\$ 22,974	\$ 23,095	\$ 23,459	\$ 23,453
Loan Repayment from the General Fund (0001) to the Barbering and Cosmetology Contingent Fund (0069) per Item 1111-011-0069, Budget Act of 2020	\$ -	\$ -	\$ 25,000	\$ -	\$ -
Loan from the Barbering and Cosmetology Contingent Fund (0069) to the General Fund (0001) per Control Section 13.40, Budget Act of 2023	\$ -	\$ -15,000	\$ -	\$ -	\$ -
Totals, Transfers and Other Adjustments	\$ -	\$ -15,000	\$ 25,000	\$ -	\$ -
TOTALS, REVENUES, TRANSFERS AND OTHER ADJUSTMENTS	\$ 11,848	\$ 7,974	\$ 48,095	\$ 23,459	\$ 23,453
TOTAL RESOURCES	\$ 38,768	\$ 32,749	\$ 60,629	\$ 61,309	\$ 61,573
Expenditures:					
1111 Department of Consumer Affairs Regulatory Boards, Bureaus, Divisions (State Operations)	\$ 18,124	\$ 19,539	\$ 21,986	\$ 22,646	\$ 23,325
9892 Supplemental Pension Payments (State Operations)	\$ 316	\$ 316	\$ 250	\$ -	\$ -
9900 Statewide General Administrative Expenditures (Pro Rata) (State Operations)	\$ 1,197	\$ 360	\$ 543	\$ 543	\$ 543
Less funding provided by the General Fund (State Operations)	\$ -5,644	\$ -	\$ -	\$ -	\$ -
TOTALS, EXPENDITURES AND EXPENDITURE ADJUSTMENTS	\$ 13,993	\$ 20,215	\$ 22,779	\$ 23,189	\$ 23,868
FUND BALANCE					
Reserve for economic uncertainties	\$ 24,775	\$ 12,534	\$ 37,850	\$ 38,120	\$ 37,705
Months in Reserve	14.7	6.6	19.6	19.2	19.0

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
 P.O. Box 944226, Sacramento, CA 94244-2260
 Phone: (800) 952-5210 Email: barbercosmo@dca.ca.gov
 Website: www.barbercosmo.ca.gov



MEMORANDUM

DATE	February 26, 2024
TO	Board of Barbering and Cosmetology
FROM	Priscilla Rivera Licensing and Operations Chief
SUBJECT	Agenda Item 9b Licensing, Exams, and Disciplinary Review Committee Report

LICENSING

Staffing Update

Current Number of Positions Allocated	Current Number of Vacant Positions
16	5

The Board is also seeking to hire four positions on a limited term basis to establish a telephone/e-mail center.

Emails

There are approximately 1,800 pending emails in the inbox and the response time is about 9 business days. The Board is seeing an increase in emails, which is believed to be in response to the transition of sending deficiency letters via email instead of paper mail.

Performance Measures**Applications Received****Quarterly Applications Received Fiscal Year 23/24**

License Type	Jul-Sep	Oct-Dec	Jan-Mar	Apr-June	YTD
Personal Service Permit	24	13			37
Establishment	2,090	1,902			3,992
Mobile Unit	9	3			12
Barber					-
Initial Application	1,036	1,020			2,056
Re-Exam	1,329	1,015			2,344
<i>Sub-Total</i>	<u>2,365</u>	<u>2,035</u>	-	-	4,400
Reciprocity	53	40			93
Apprentice	390	312			702
Cosmetology					-
Initial Application	2,352	2,226			4,578
Re-Exam	1,884	1,938			3,822
<i>Sub-Total</i>	<u>4,236</u>	<u>4,164</u>	-	-	8,400
Reciprocity	562	506			1,068
Apprentice	230	207			437
Electrology					-
Initial Application	19	23			42
Re-Exam	23	10			33
<i>Sub-Total</i>	<u>42</u>	<u>33</u>	-	-	75
Reciprocity	1	4			5
Apprentice	-	-			-
Esthetician					-
Initial Application	2,091	1,897			3,988
Re-Exam	1,035	906			1,941
<i>Sub-Total</i>	<u>3,126</u>	<u>2,803</u>	-	-	5,929
Reciprocity	223	209			432
Manicurist					-
Initial Application	1,302	1,249			2,551
Re-Exam	809	641			1,450
<i>Sub-Total</i>	<u>2,111</u>	<u>1,890</u>	-	-	4,001
Reciprocity	274	239			513
Hairstylist					-
Initial Application	1	13			14
Re-Exam	-	-			-
<i>Sub-Total</i>	<u>1</u>	<u>13</u>	-	-	14
Reciprocity	17	12			29
Total	15,754	14,385	-	-	30,139

Examinations

Spanish pass rates continue to be the overall lowest pass rate out of all the languages for each license type.

Written Exam Results**October 1, 2023 - December 31, 2023**

Barber	Passed	Failed	Total	Pass Rate
Chinese	0	1	1	0%
English	1,002	1,104	2,106	48%
Korean	0	0	0	0%
Spanish	86	195	281	31%
Vietnamese	16	19	35	46%
Total	1,104	1,319	2,423	46%

Cosmo	Passed	Failed	Total	Pass Rate
Chinese	169	165	334	51%
English	1,519	1,409	2,928	52%
Korean	19	29	48	40%
Spanish	115	641	756	15%
Vietnamese	100	188	288	35%
Total	1,922	2,432	4,354	44%

Esthetician	Passed	Failed	Total	Pass Rate
Chinese	117	63	180	65%
English	1,674	706	2,380	70%
Korean	6	10	16	38%
Spanish	9	44	53	17%
Vietnamese	95	123	218	44%
Total	1,901	946	2,847	67%

Manicurist	Passed	Failed	Total	Pass Rate
Chinese	64	17	81	79%
English	570	218	788	72%
Korean	1	3	4	25%
Spanish	33	51	84	39%
Vietnamese	553	426	979	56%
Total	1,221	715	1,936	63%

Electrologist	Passed	Failed	Total	Pass Rate
Chinese	0	0	0	0%
English	16	14	30	53%
Korean	0	0	0	0%
Spanish	0	0	0	0%
Vietnamese	0	0	0	0%
Total	16	14	30	53%

Hairstylist	Passed	Failed	Total	Pass Rate
Chinese	0	0	0	0%
English	2	0	2	100%
Korean	0	0	0	0%
Spanish	0	0	0	0%
Vietnamese	0	0	0	0%
Total	2	0	2	100%

Written Exam Results by Educational Background

Exam passing scores for candidates coming from California school programs continue to be much higher than scores of candidates coming from apprentice programs and out-of-country school backgrounds.

**Written Exam Results October 1, 2023 - December 31, 2023
Comparison of Schools, Apprentice Programs, and Out of Country**

Written Exam Results - Apprentice Program

License Type	Passed	Failed	Total	Pass Rate
Barber	272	466	738	37%
Cosmetologist	142	539	681	21%
Electrology	0	0	0	0%
Total	414	1,005	1,419	29%

Written Exam Results - Out of Country

License Type	Passed	Failed	Total	Pass Rate
Barber	14	47	61	23%
Cosmetologist	168	209	377	45%
Electrologist	1	2	3	33%
Esthetician	52	30	82	63%
Hairstylist	2	0	2	100%
Manicure	27	29	56	48%
Total	264	317	581	45%

Written Exam Results - School Program

License Type	Passed	Failed	Total	Pass Rate
Barber	818	806	1,624	50%
Cosmetologist	1,612	1,684	3,296	49%
Electrologist	15	12	27	56%
Esthetician	1,849	916	2,765	67%
Manicurist	1,194	686	1,880	64%
Total	5,488	4,104	9,592	57%

Written Exam Results by Language

Candidates that attended a California school continue to have a much better average pass rate overall no matter what language as compared to students from out of the country or from apprentice programs.

**Written Exam Results by Language October 1, 2023 to December 31, 2023
Comparison of Schools, Apprentice Programs, and Out of Country**

Apprentice Programs

Barber	Passed	Failed	Total	Pass Rate
Chinese	0	0	0	0%
English	240	377	617	39%
Spanish	30	87	117	26%
Vietnamese	2	2	4	50%
Total	272	466	738	37%

Cosmo	Passed	Failed	Total	Pass Rate
Chinese	3	5	8	38%
English	66	98	164	40%
Korean	0	1	1	0%
Spanish	68	411	479	14%
Vietnamese	5	24	29	17%
Total	142	539	681	21%

Out of Country Schools

Barber	Passed	Failed	Total	Pass Rate
English	4	14	18	22%
Korean	0	0	0	0%
Spanish	10	33	43	23%
Total	14	47	61	23%

Cosmetologist	Passed	Failed	Total	Pass Rate
Chinese	112	78	190	59%
English	43	54	97	44%
Korean	1	6	60	2%
Spanish	6	60	66	9%
Vietnamese	6	11	17	35%
Total	168	209	377	45%

Electrology	Passed	Failed	Total	Pass Rate
English	1	2	3	33%
Total	1	2	3	33%

Esthetician	Passed	Failed	Total	Pass Rate
Chinese	25	8	33	76%
English	26	22	48	54%
Korean	1	0	1	100%
Spanish	0	0	0	0%
Vietnamese	0	0	0	0%
Total	52	30	82	63%

Manicurist	Passed	Failed	Total	Pass Rate
Chinese	9	0	9	100%
English	11	18	29	38%
Korean	0	0	0	0%
Spanish	0	1	1	0%
Vietnamese	7	10	17	41%
Total	27	29	56	48%

Hairstylist	Passed	Failed	Total	Pass Rate
English	2	0	2	100%
Total	2	0	2	100%

School Programs

Barber	Passed	Failed	Total	Pass Rate
Chinese	0	1	1	0%
English	758	713	1,471	52%
Korean	0	0	0	0%
Spanish	46	75	121	38%
Vietnamese	14	17	31	45%
Total	818	806	1,624	50%

Cosmo	Passed	Failed	Total	Pass Rate
Chinese	54	82	136	40%
English	1,410	1,257	2,667	53%
Korean	18	22	40	45%
Spanish	41	170	211	19%
Vietnamese	89	153	242	37%
Total	1,612	1,684	3,296	49%

Electrologist	Passed	Failed	Total	Pass Rate
English	15	12	27	56%
Total	15	12	27	56%

Esthetician	Passed	Failed	Total	Pass Rate
Chinese	92	55	147	63%
English	1,648	684	2,332	71%
Korean	5	10	15	33%
Spanish	9	44	53	17%
Vietnamese	95	123	218	44%
Total	1,849	916	2,765	67%

Manicurist	Passed	Failed	Total	Pass Rate
Chinese	55	17	72	76%
English	559	200	759	74%
Korean	1	3	4	25%
Spanish	33	50	83	40%
Vietnamese	546	416	962	57%
Total	1,194	686	1,880	64%

Licenses Issued

The total number of licenses issued has increased from 8,190 to 8,905, a 9% increase from the last quarter.

Licenses Issued Fiscal Year 23/24

License Type	Jul-Sep	Oct-Dec	Jan-Mar	Apr-June	YTD
Barber	701	898			1,599
Barber Apprentice	271	405			676
Cosmetology	2,001	2,018			4,019
Cosmetology Apprentice	201	221			422
Electrology	26	16			42
Electrology Apprentice	--	--			-
Esthetician	2,070	1,934			4,004
Manicurist	1,367	1,363			2,730
Hairstylist	2	8			10
Establishment	1,521	2,023			3,544
Mobile Unit	2	3			5
Personal Service Permit	28	16			44
Totals	8,190	8,905			17,095

Licenses Issued Last 5 Years

17,095 licenses have been issued in FY 23/24.

Licenses Issued Last 5 Years

License Type	FY 19/20	FY 20/21	FY 21/22	FY 22/23	FY23/24
Barber	1,691	1,085	3,036	1,952	1,599
Barber Apprentice	810	874	1,422	1,398	676
Cosmetology	4,810	3,153	6,901	6,246	4,019
Cosmetology Apprentice	642	584	963	1,035	422
Electrology	30	26	66	62	42
Electrology Apprentice	0	0	0	0	0
Esthetician	3,699	2,887	7,505	7,601	4,004
Manicurist	3,437	2,065	4,581	4,350	2,730
Hairstylist	-	-	-	-	10
Establishment	6,937	6,302	6,604	6,351	3,544
Mobile Unit	5	8	12	11	5
Personal Service Permit			16	116	44
Totals	22,061	16,976	31,090	29,122	17,095

License Population

Compared to the previous quarter, the license population has increased from 632,226 to 636,441, a 0.66% increase.

License Population

Barber	37,514
Barber Apprentice	2,500
Cosmetology	301,273
Cosmetology Apprentice	1,758
Electrology	1,586
Electrology Apprentice	-
Esthetician	105,399
Manicurist	127,950
Hairstylist	10
Personal Service Permit	180
Establishment	58,196
Mobile Unit	75
Total	636,441

DISCIPLINARY REVIEW COMMITTEE

Staffing Update

Current Positions Allocated to the Disciplinary Review Committee Unit: 3
 Current Number of Vacant Positions: 0

Disciplinary Review Committee Appeals

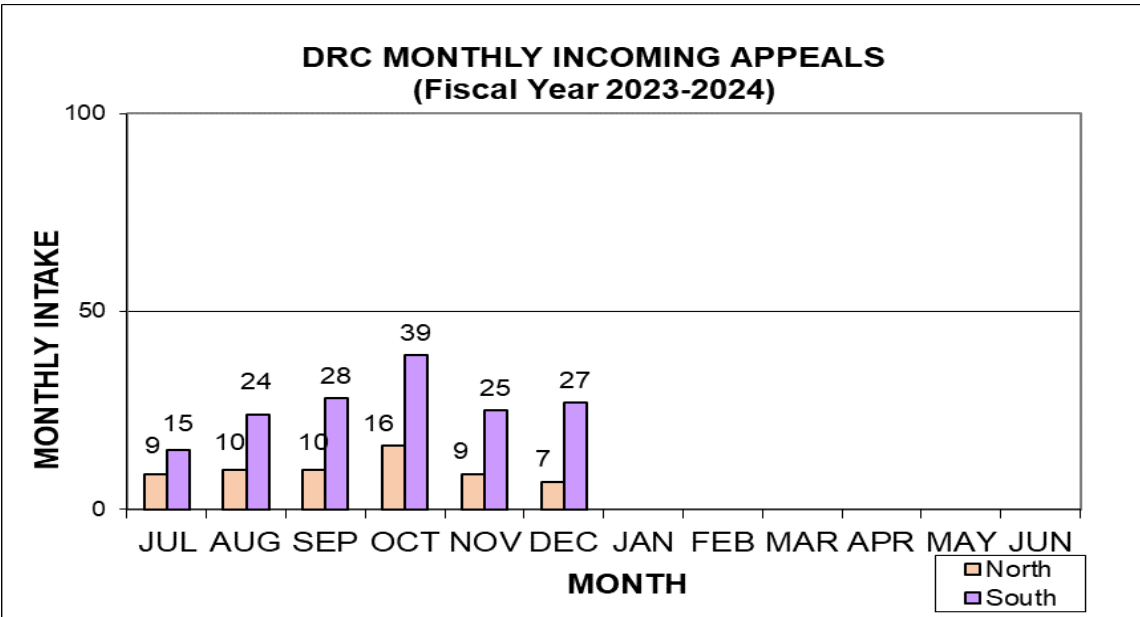
Compared to the previous quarter, for the North, the number of appeals received has increased by 10% and the amount pending has increased by 70%. Compared to the previous quarter, for the South, the number of appeals received has increased by 36% and the amount of pending has increased by 23%.

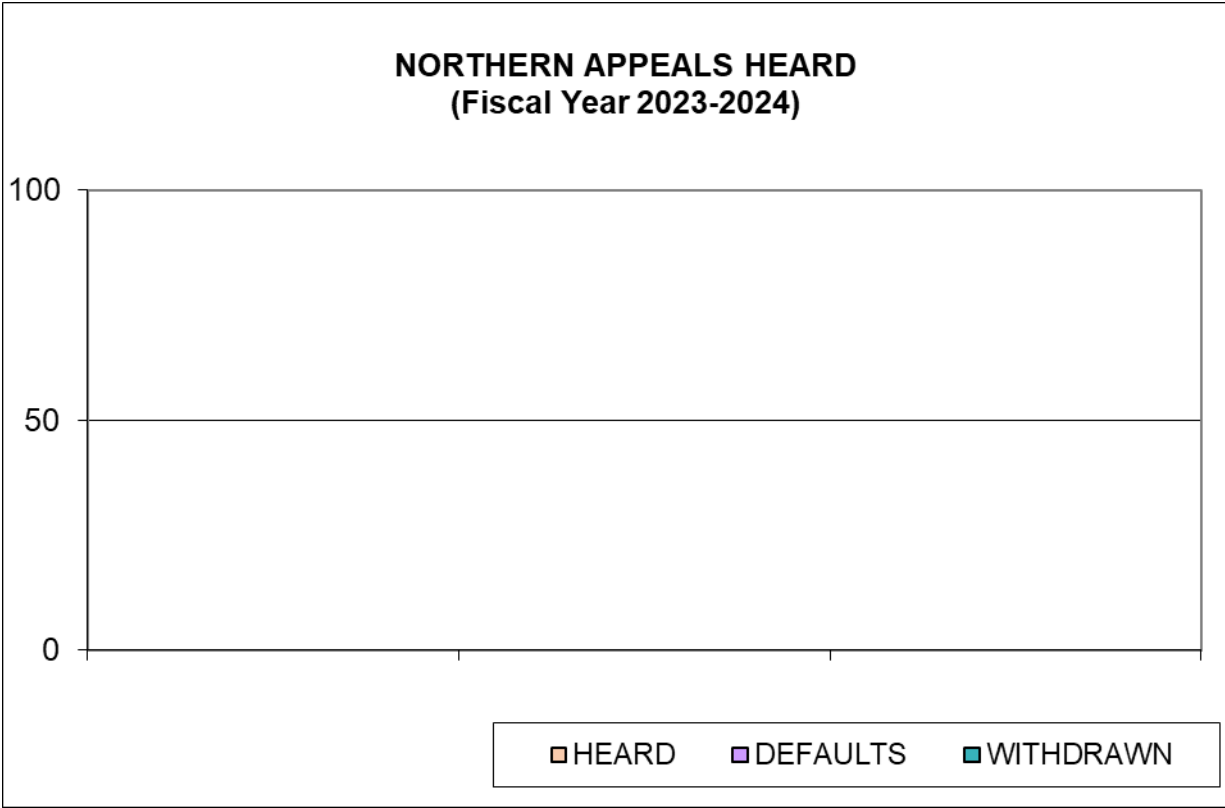
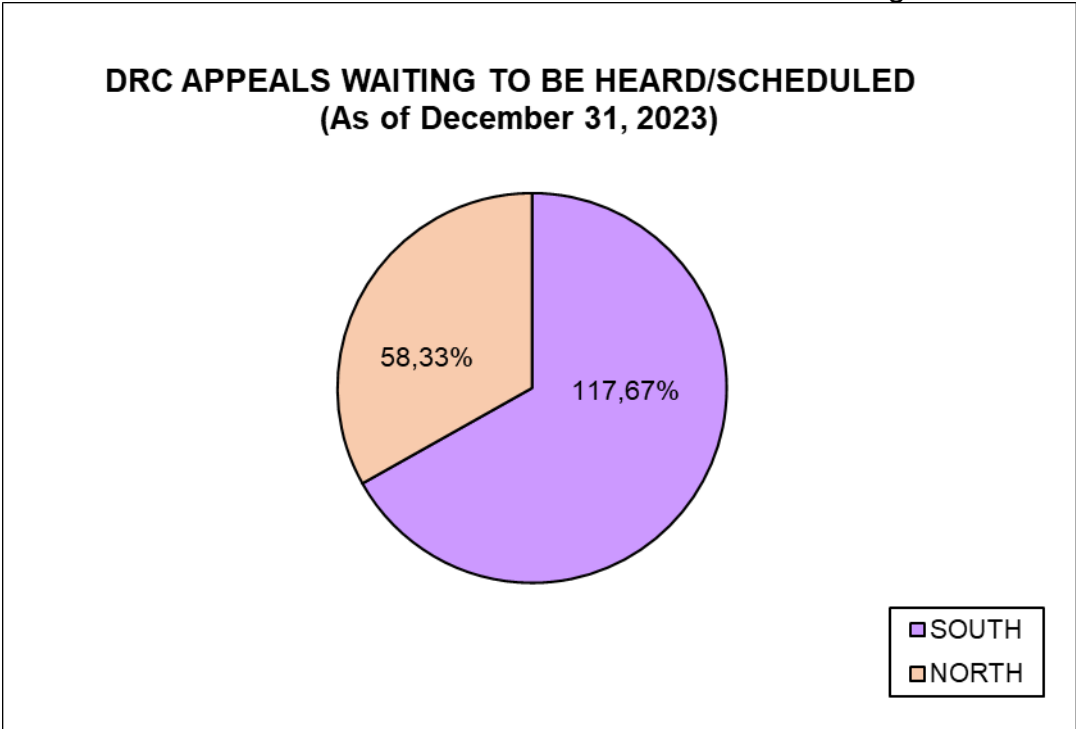
Disciplinary Review Committee Appeals Fiscal Year 23/24

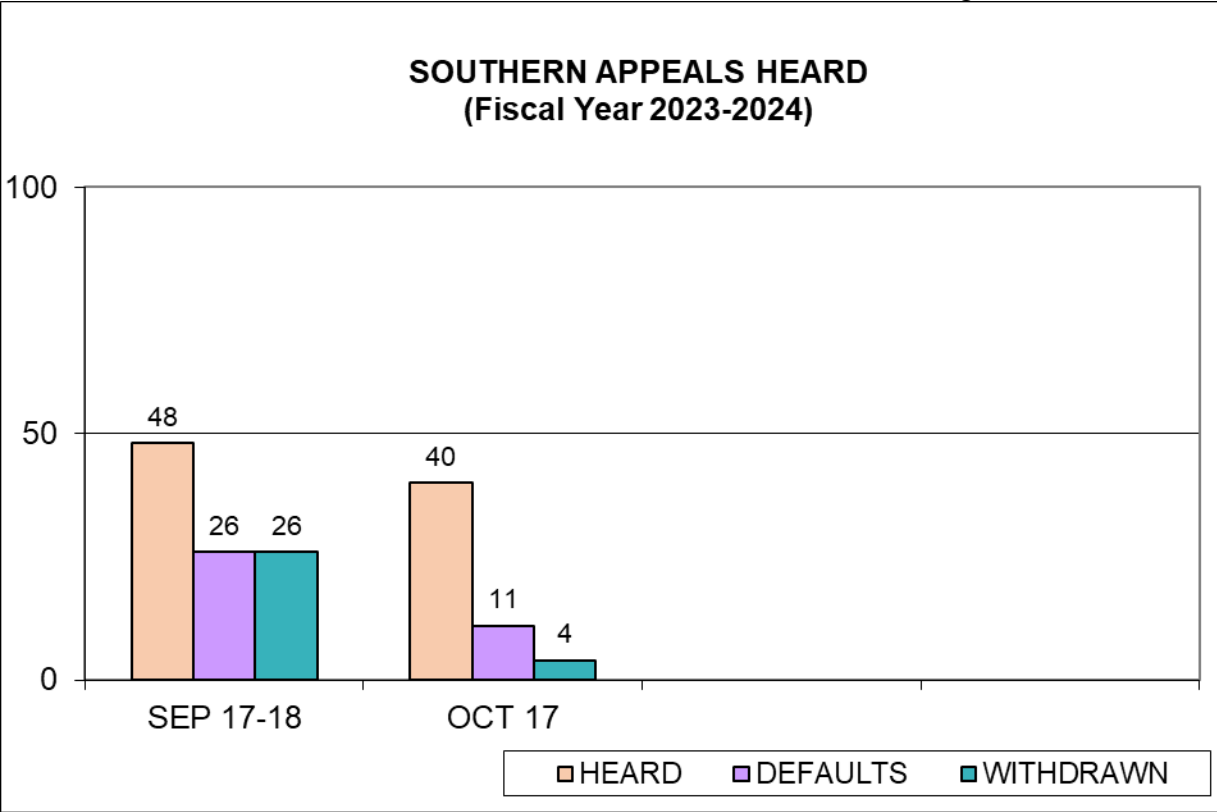
Northern	Jul - Sep	Oct - Dec	Jan - Mar	Apr - Jun	YTD
Heard	0	0			0
Received	29	32			61
Pending ¹	34	58			58 ²

Southern	Jul - Sep	Oct - Dec	Jan - Mar	Apr - Jun	YTD
Heard	107	58			165
Received	67	91			158
Pending ¹	95	117			117 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 12/31/2023.









BUSINESS, CONSUMER SERVICES, AND HOUSING AGENCY • GAVIN NEWSOM, GOVERNOR
 DEPARTMENT OF CONSUMER AFFAIRS • BOARD OF BARBERING AND COSMETOLOGY
 P.O. Box 944226, Sacramento, CA 94244-2260
 Phone: (800) 952-5210 Email: barbercosmo@dca.ca.gov
 Website: www.barbercosmo.ca.gov



MEMORANDUM

DATE	February 26, 2024
TO	Board of Barbering and Cosmetology
FROM	Addison Beach, Enforcement Manager Denise Murata, Enforcement Manager
SUBJECT	Agenda Item 9c Enforcement Report

STAFFING UPDATE

Current Number of Positions Allocated	Current Number of Vacant Positions
20.5	1

Probation

The probation desk currently has 115 open cases. There are currently 77 active cases and 35 cases that are tolled because the licensee is not working. There are currently two Immediate Suspension cases open.

Attorney General's Office

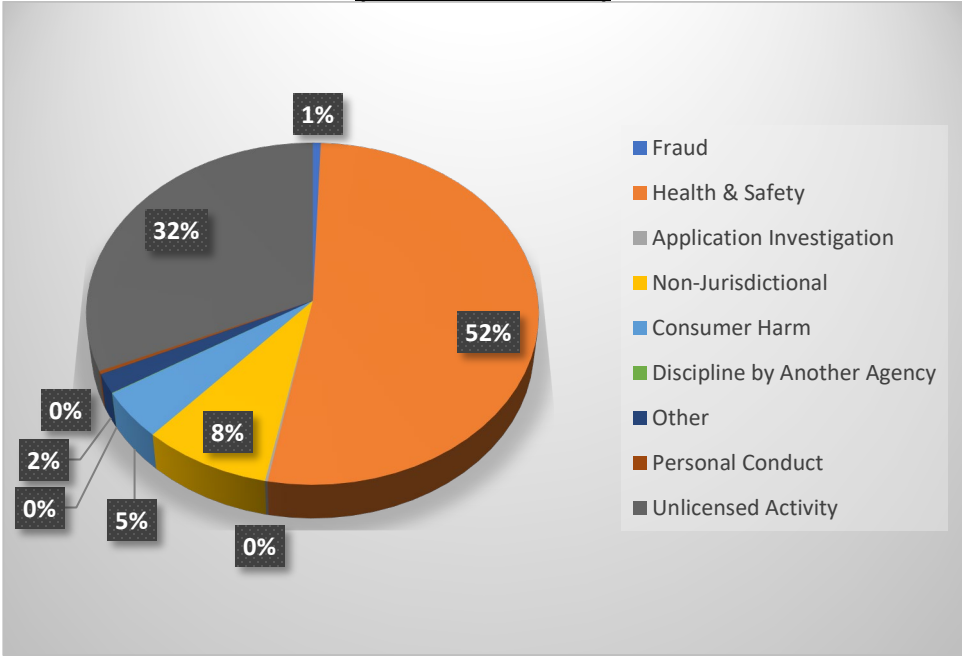
The number of cases referred to the Attorney General's Office in the second quarter of FY 2023/24 is 12. The Board currently has 54 cases at the Attorney General's Office.

Complaint Intake

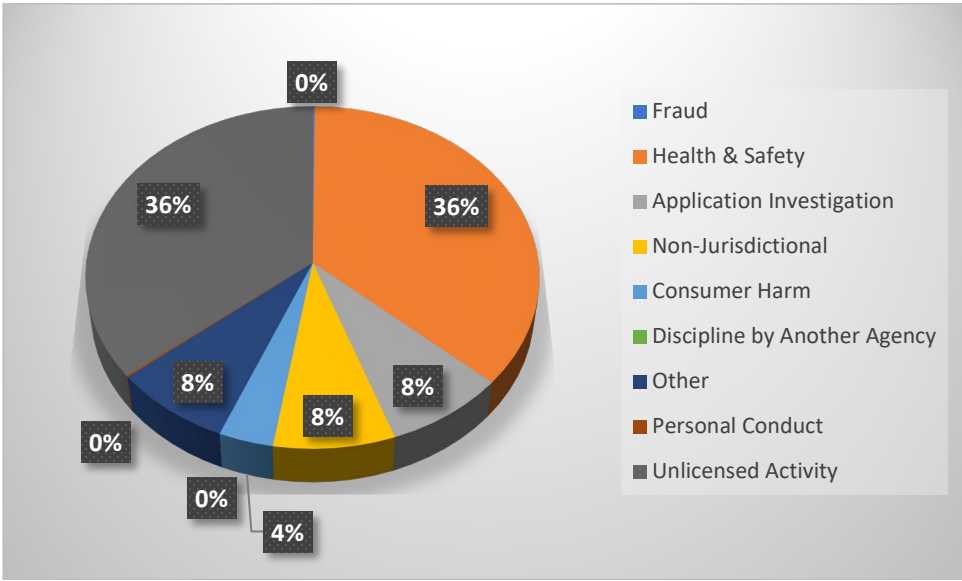
The number of complaints received in the second quarter of FY 23/24 is 1,321. The Enforcement Division has received a total of 2,808 complaints for the first half of the fiscal year.

COMPLAINTS RECEIVED				
FY 2023/24				
Jul-Sept	Oct-Dec	Jan- Mar	Apr-Jun	YTD
1,487	1,321			2,808

Complaints Received by Complaint Type – December 2018 through December 2023
(Last Five Years)



Complaints Received by Complaint Type – October 1, 2023, through December 31, 2023



Enforcement Statistics

COMPLAINTS							
	FY2021/22	FY2022/23	FY2023/24				
	YTD	YTD	Jul-Sept	Oct-Dec	Jan-Mar	Apr-Jun	YTD
Complaints Received	4,467	5,153	1,487	1,319			2,806
Referred to DOI	17	59	5	13			18
Complaints Closed	4,542	4,052	1,440	1,877			3,317
Total Complaints Pending	1,356	2,502	2,577	2,033			2,033
Average Days to Close (Quarterly)	110	127	181	138			160

APPLICATION INVESTIGATIONS							
	FY2021/22	FY2022/23	FY2023/24				
	YTD	YTD	Jul-Sept	Oct-Dec	Jan-Mar	Apr-Jun	YTD
Received	16	20	1	2			3
Pending	6	54	5	4			4
Closed	10	15	2	4			6

ATTORNEY GENERAL							
	FY2021/22	FY2022/23	FY2023/24				
	YTD	YTD	Jul-Sept	Oct-Dec	Jan-Mar	Apr-Jun	YTD
Referred	29	74	8	12			20
Accusations Filed	18	43	11	11			22
Statement of Issues Filed	2	4	1	1			2
Total Pending Cases	26	73	59	53			53

DISCIPLINARY PROCESS							
	FY2021/22	FY2022/23	FY2023/24				
	YTD	YTD	Jul-Sept	Oct-Dec	Jan-Mar	Apr-Jun	YTD
Proposed Decisions	3	3	1	2			3
Default Decision	2	5	5	8			13
Stipulation	5	11	5	2			7

DISCIPLINARY OUTCOMES							
	FY2021/22	FY2022/223	FY2023/24				
	YTD	YTD	Jul-Sept	Oct-Dec	Jan-Mar	Apr-Jun	YTD
Revocation	9	8	6	9			15
Revoke, Stay, Probation	3	5	0	0			0
Revoke, Stay, Suspend/Prob	2	5	3	1			4
Revocation, Stay w/ Suspend	0	0	0	0			0
Probation Only	0	1	0	1			1
Suspension Only	0	0	0	0			0
Suspension & Probation	0	0	0	0			0
Suspension, Stay, Probation	2	0	0	0			0
Surrender of License	3	2	1	0			1
Public Reprimands	0	0	0	1			1
License Denied	0	0	1	0			1
Other	0	2	0	0			0
Total	20	23	11	12			23

PROBATION							
	FY2021/22	FY2022/23	FY2023/24				
	YTD	YTD	Jul-Sept	Oct-Dec	Jan-Mar	Apr-Jun	YTD
Active	112	97	83	77			77



BUSINESS, CONSUMER SERVICES, AND HOUSING AGENCY • GAVIN NEWSOM, GOVERNOR
 DEPARTMENT OF CONSUMER AFFAIRS • BOARD OF BARBERING AND COSMETOLOGY
 P.O. Box 944226, Sacramento, CA 94244-2260
 Phone: (800) 952-5210 Email: barbercosmo@dca.ca.gov
 Website: www.barbercosmo.ca.gov



MEMORANDUM

DATE	February 26, 2024
TO	Board of Barbering and Cosmetology
FROM	Tiffany Moore, Cite and Fine, Inspections Manager Ashwin Mehta, Cite and Fine, Inspections Manager
SUBJECT	Agenda Item 9c Schools, Inspections, and Cite and Fine Report

Staffing Update

	Inspections Unit	Cite & Fine Unit
Current Number of Positions Allocated	21	12
Current Number of Vacant Positions	1	1

Schools

The Board currently has 264 approved schools and 31 open school cases. The Board received 50 cases in quarter two of FY 2023/24.

Externs

The chart below indicates how many schools are participating in the extern program and how many establishments externs are working in.

Extern Programs						
	2020	2021	2022	2023	2024	Total
Number of Schools	12	10	13	16	4	55
Number of Establishments	56	74	62	94	4	290

Inspections and Citations Statistics

CITATIONS							
	FY2021/22	FY2022/23	FY2023/24				
	YTD	YTD	Jul-Sept	Oct-Dec	Jan-Mar	Apr-Jun	YTD
Establishments	3,262	3,646	774	593			1,367
Barber	276	355	73	65			138
Barber Apprentice	83	71	21	9			30
Cosmetologist	542	751	183	112			295
Cosmetologist Apprentice	19	29	9	0			9
Electrologist	0	1	0	0			0
Electrologist Apprentice	0	0	0	0			0
Manicurist	399	719	145	130			275
Esthetician	132	139	33	50			83
Unlicensed Est.	315	364	69	78			147
Unlicensed Individual	267	299	71	78			149
Total	5,295	6,374	1,378	1,115			2,493

INSPECTIONS							
	FY2021/22	FY2022/23	FY2023/24				
	YTD	YTD	Jul-Sept	Oct-Dec*	Jan-Mar	Apr-Jun	YTD
Establishments w/ violations	4,479	4,868	1,524	707			2,231
Establishments w/o violations	2,119	1,211	276	243			519
Total	6,598	6,079	1,800	950			2,750

*Inspections updated through November 2023

Inspections

OUT OF BUSINESS and CLOSED ON CALL

	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	FYTD
Out of Business	115	117	152	151	138								673
Closed on Call	203	199	193	258	220								1,073
TOTAL ISSUED	318	316	345	409	358								1,746

ESTABLISHMENT INSPECTIONS REPORTS ISSUED

	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	FYTD
Establishments w/ violations	587	523	414	410	297								2,231
Establishments w/o violations	98	89	89	100	143								519
TOTAL ISSUED	685	612	503	510	440								2,750

*Inspections Conducted through November 2023.

Citations

As of February 6, 2024, the Cite and Fine Unit is at a 60 day turn-around time frame from when an inspection is completed to when the citation is mailed out to the establishment or licensee. This is a 27 day increase from last quarter which was a 33 day turn-around time frame. Between the first and second quarter we have filled all but one of our vacant inspector positions, this has resulted in an increase in the number of inspections conducted. As a result there has been a rise in the workload for the Cite and Fine analysts increasing the processing time frame for citations.

	Jul-23	Aug-23	Sep-23	Oct-23	Nov-23	Dec-23	Jan-24
Number of Inspectors	15	16	16	16	18	17	19
Number of Inspections	754	737	830	916	831	865	1102
Inspection Reports Processed	765	1008	758	906	571	937	942
Number of Days to Process Citations	28	31	25	32	35	39	60

Citations Issued

	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	FYTD
Establishment	237	277	261	228	152	222							1377
Individual	136	181	147	119	93	154							830
Unlicensed Establishments	24	28	17	34	21	22							146
Unlicensed Individuals	25	25	21	40	17	21							149
TOTAL ISSUED	422	511	446	421	283	419	0	0	0	0	0	0	2,502

Request For Payment Notices

BBC is actively sending request for payment notices to establishments and individuals that have outstanding fines. First request for payment notices is sent about 30 days after the fine was due. Second request for payment notices are sent approximately 30 days after the first notice. Third request for payment notices are sent via certified mail approximately 30 days after the second notice. Citations for licensees that have not paid their fine in full after the third request for payment notice are sent to the Franchise Tax Board. Citations for unlicensed individuals that have not paid their fine in full after the third request for payment notice, are referred to a collection agency.

REQUEST FOR PAYMENT NOTICES SENT - FY 2023-2024					
	July-Sept	Oct-Dec	Jan-Mar	Apr-Jun	Total
Request for Payment Notice 1	374	1,022			1,396
Request for Payment Notice 2	276	220			496
Request for Payment Notice 3	191	98			289
Referred to Collections	0	6			6
Referred to FTB	0	3			3
Grand Total	841	1,349*			2,190

*During the second quarter of FY 2023-2024 the Cite and Fine unit filled the vacant Program Technician II position whose duty is to process the aged outstanding citations. As a result, there has been an increase in the amount of Request for Payment Notices sent between quarter one and two.

Payment Plans

Per B&P 7408.1 and CCR 974.3 the Board may enter a payment plan for citations with administrative fines that exceed five hundred dollars (\$500.00). Of the 279 payment plans created, 156 citations have been paid in full giving a success rate of 56%. It is taking an average of 272 days for the fines to be paid in full. The average fine amount is \$1,247.52 for payment plans.

PAYMENT PLANS - FY 2023-2024					
	July – September	October - December	January- March	April- June	Total
Payment Plan Requested	49	50			99
Payment Plan Developed	33	12			45
Paid in Full	26	3			29
Payment Plan Cancelled	56	9			65
Total Pending Payment Plans	108	87			87
Initial Fine Amount Total:	\$124,800.00	\$122,125.00			\$122,125.00
Total Amount Paid	\$44,198.17	\$46,290.67			\$46,290.67
Current Total Balance:	\$80,601.83	\$75,834.33			\$75,834.33



MEMORANDUM

DATE	February 26, 2024
TO	Members, Board of Barbering and Cosmetology
FROM	Kristy Underwood, Executive Officer
SUBJECT	Agenda Item 9d – Outreach Update

Recent Outreach Events

- October 22, 2023, Kristy Underwood (Executive Officer), Carrie Harris (Deputy Executive Officer), and Natalie Mitchell (Executive Analyst) attended Jazz Z Beauty & Barber Show in Anaheim.
- October 25, 2023, Natalie Mitchell and Shelby Edmiston (HR Liaison) attended Encina High School College & Career Fair in Sacramento.
- November 6, 2023, Kristy Underwood and Carrie Harris attended National Aesthetic Spa Network (NASN) Pro Event Confirmation in Walnut Creek.
- December 7, 2023, Kristy Underwood and Carrie Harris spoke at Fountain Valley Historical Society and gave a presentation on the requirements opening salon establishments.
- January 25, 2024, Natalie Mitchell and Shelby Edmiston held a virtual outreach event with four Stockton High schools – Franklin, Stagg, Edison, and Stockton High/Weber.
- February 15, 2024, Natalie Mitchell and Shelby Edmiston held a virtual outreach event with two Stockton High schools – Chavez and Jane Frederick.



Listserv Emails

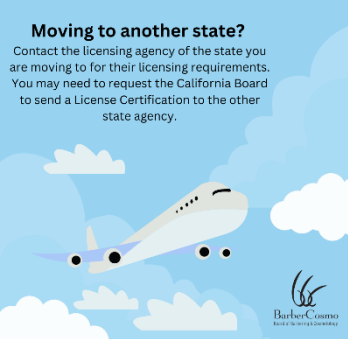

- October 13, 2023, the Board Send an email to Licensees regarding a DEI Survey.
- October 13, 2023, the board emailed Interested Parties regarding Notice of Proposed Rulemaking – SB 803 Clean-Up.
- October 20, 2023, the Board emailed Schools regarding Notice of BBC Transfer of Credit Approved Rulemaking





- November 13, 2023, the Board emailed Interested Parties and Licensees regarding the Board’s new holiday campaign, Hair Dos for the Holidays.
- November 15, 2023, the Board emailed Licenses about avoiding services that are considered to be practice of medicine or an invasive procedure.
- December 27, 2023, the Board emailed Interested Parties and Licensees about the new issue of The BarberCosmo Update.
- January 12, 2024, the Board emailed Interested Parties regarding the agendas for the January 22, 2024, Committee Meetings.
- February 8, 2024, the Board emailed Interested Parties regarding the agenda for the February 20, 2024, Legislative and Budget Committee Meeting.
- The Board will continue to send (at minimum) a monthly email blast to licensees and interested parties.




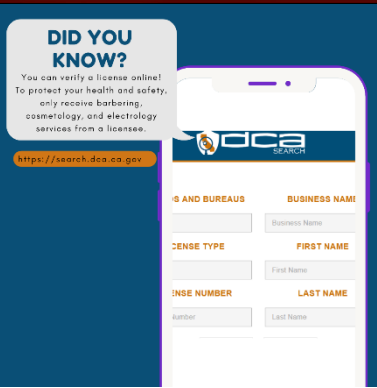
Social Media Outreach








Below are the social media posts the Board has made thus far.






Image	Caption	Date
	<p>During Domestic Violence Awareness Month, you can learn how to be an effective and supportive ally to survivors. #EmpoweringSurvivorsofDV #DVAM2023 #silencehidesviolence</p>	<p>10/18/23</p>
	<p>Come see the Board today at the Jazz Z Beauty & Barber Tradeshow! Location: Sheraton Park Hotel 1855 South Harbor Blvd. Anaheim, CA 92802 See you there!!!</p>	<p>10/22/23</p>





	<ul style="list-style-type: none"> • Monday, October 23 from 4-6 p.m. Supported Decision-Making in Educational Settings • Tuesday, October 24 from 4-6 p.m. Supported Decision-Making in I/DD Services Settings • Wednesday, October 25 from 4-6 p.m. Supported Decision-Making in Legal or Judicial Settings • Thursday, October 26 from 4-6 p.m. Supported Decision-Making in Medical or Healthcare Settings • Friday, October 27 from 4-6 p.m. Supported Decision-Making in Financial Settings <p>If you have questions, need additional support, need language translation, or are unable to attend any of the conversations and want to provide feedback directly, please email the SDM-TAP team at sdmtap@scdd.ca.gov. https://conta.cc/455pxwi</p>	
	<p>Contact the licensing agency of the state you are moving to for their licensing requirements. You may need to request the California Board to send a License Certification to the other agency.</p>	<p>10/31/23</p>
	<p>Please join the Board of Barbering and Cosmetology in celebrating Native American Heritage Month!</p> <p>Be sure to look for Native American events in your area! It is a great way to bring the community together and create working bonds. You never know, you may just find your new barber, cosmetologist, electrologist, or esthetician!!</p> <p>You can support Native American communities by donating your time or money to organizations.</p> <p>Check out this website https://www.nativeamericanheritagemonth.gov for information on workshops, speaking engagements, family activities, and more!</p>	<p>11/3/23</p>


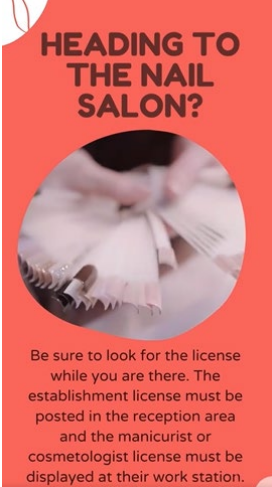


 <p>JOIN OUR TEAM</p> <p>Check out our website for all available positions! barbercosmo.ca.gov</p>	<p>Ever thought about joining the California State Board of Barbering and Cosmetology's team?! Check out our available positions! For more information visit: https://www.barbercosmo.ca.gov/about_us/jobs.shtml</p>	<p>11/7/23</p>
 <p>To all who served, THANK YOU FOR YOUR SERVICE Happy Veterans Day</p> <p>BarberCosmo Board of Barbering and Cosmetology</p>	<p>The Board will be closed Friday, November 10, 2023 in observance of Veteran's Day.</p>	<p>11/9/23</p>
 <p>Hair Dos For The Holidays</p> <p>BarberCosmo Board of Barbering and Cosmetology</p> <p>#HairDosForTheHolidays</p>	<p>The Board of Barbering and Cosmetology (the Board) is proud to launch our “Hair Dos for the Holidays” campaign. During this time, BBC will share safety tips to keep in mind when getting your hair done in licensed establishment this holiday season. #HairDosForTheHolidays2023</p>	<p>11/13/23</p>
 <p>Hazardous Ingredients in Personal Care Products - Data Reported to the California Safe Cosmetics Program 2009-2022</p> <p>Including the First Year of Reporting Under the Cosmetic Fragrance and Flavor Ingredient Right to Know Act</p> <p>CDPH California Department of Public Health September 2023</p>	<p>Thanks to California’s Cosmetic Fragrance and Flavor Ingredients Right to Know Act of 2020, you can now look up your personal care products in the California Safe Cosmetic Products Database to see if they contain reported ingredients—even fragrance ingredients typically hidden from the label can be found there.</p> <p>Visit https://cscpsearch.cdph.ca.gov/ to look up your products and https://bit.ly/CSCP2023DataReport to see more highlights from our new report, “Hazardous Ingredients in Personal Care Products – Data Reported to the California Safe Cosmetics Program 2009-2022.”</p>	<p>11/14/23</p>




	<p>Remember, shampooing and blow-drying services must be provided by a licensed barber or cosmetologist. #HairDosForTheHolidays2023</p>	<p>11/20/23</p>
	<p>The Board will be closed the 23rd and 24th of November 2023, in observance of Thanksgiving.</p>	<p>11/22/23</p>
	<p>Never let a barber, hairstylist, or cosmetologist use soiled tools on your hair. Soiled tools shall be placed in a container labeled "Dirty," "Soiled," or "Contaminated." #HairDosForTheHolidays2023</p>	<p>11/27/23</p>
	<p>You can verify a license online! To protect your health and safety, only receive barbering, cosmetology, and electrology services from a licensee.</p>	<p>11/30/23</p>





 <p>FEDERAL PROFESSIONAL LICENSE PORTABILITY AND STATE REGISTRATION</p> <p>www.dca.ca.gov/military</p> 	<p>The federal Servicemembers Civil Relief Act authorizes servicemembers or their spouses who currently hold a valid out-of-state license in good standing to practice in California if they relocate to California due to military orders. Learn more at https://dca.ca.gov/military/federal.shtml.</p>	<p>12/1/23</p>										
 <p>Always Verify A License</p> <p>BarberCosmo Board of Barbering & Cosmetology</p> <p>#HairDosForTheHolidays</p> 	<p>Are you getting ready to book your next hair appointment for the holidays? Always verify a license before making an appointment by visiting search.dca.ca.gov #HairDosForTheHolidays2023</p>	<p>12/4/23</p>										
 <p>NEW! HAIRSTYLISTS LICENSE</p> <p>THESE ARE COMMON SERVICES HAIRSTYLISTS LICENSED BY THE CALIFORNIA BOARD OF BARBERING AND COSMETOLOGY MAY OR MAY NOT PROVIDE</p> <table border="0"> <tr> <td><input checked="" type="checkbox"/> BLOWDRYING HAIR</td> <td><input type="checkbox"/> BLEACHING HAIR</td> </tr> <tr> <td><input checked="" type="checkbox"/> HAIRCUTTING</td> <td><input type="checkbox"/> CHEMICALLY RELAXING HAIR</td> </tr> <tr> <td><input checked="" type="checkbox"/> HAIRSTYLING</td> <td><input type="checkbox"/> DYEING HAIR</td> </tr> <tr> <td><input checked="" type="checkbox"/> SHAMPOOING HAIR</td> <td><input type="checkbox"/> PERMANENT WAVING HAIR</td> </tr> <tr> <td><input checked="" type="checkbox"/> WAVING OR STRAIGHTENING WITH A TOOL</td> <td></td> </tr> </table> <p>FOR FULL LIST, PLEASE VISIT HTTP://WWW.BARBERCOSMO.CA.GOV</p>	<input checked="" type="checkbox"/> BLOWDRYING HAIR	<input type="checkbox"/> BLEACHING HAIR	<input checked="" type="checkbox"/> HAIRCUTTING	<input type="checkbox"/> CHEMICALLY RELAXING HAIR	<input checked="" type="checkbox"/> HAIRSTYLING	<input type="checkbox"/> DYEING HAIR	<input checked="" type="checkbox"/> SHAMPOOING HAIR	<input type="checkbox"/> PERMANENT WAVING HAIR	<input checked="" type="checkbox"/> WAVING OR STRAIGHTENING WITH A TOOL		<p>If you are interested in getting your Hairstylist license, contact a school in your area to see if they offer the hairstyling program! For more information about the Hairstylist license, visit our website - https://barbercosmo.ca.gov</p>	<p>12/7/23</p>
<input checked="" type="checkbox"/> BLOWDRYING HAIR	<input type="checkbox"/> BLEACHING HAIR											
<input checked="" type="checkbox"/> HAIRCUTTING	<input type="checkbox"/> CHEMICALLY RELAXING HAIR											
<input checked="" type="checkbox"/> HAIRSTYLING	<input type="checkbox"/> DYEING HAIR											
<input checked="" type="checkbox"/> SHAMPOOING HAIR	<input type="checkbox"/> PERMANENT WAVING HAIR											
<input checked="" type="checkbox"/> WAVING OR STRAIGHTENING WITH A TOOL												
 <p>Make Sure The Establishment is Clean</p> <p>BarberCosmo Board of Barbering & Cosmetology</p> <p>#HairDosForTheHolidays</p> 	<p>Visiting the hair salon this holiday season? Make sure the establishment is clean and following health and safety standards. #HairDosForTheHolidays2023</p>	<p>12/11/23</p>										
 <p>CALIFORNIA DEPARTMENT OF CONSUMER AFFAIRS</p> <p>CONSUMER PROTECTION WEEK</p>	<p>Our friends at the Department of Consumer Affairs are celebrating #ConsumerProtectionWeek, a time when you can learn how DCA boards and bureaus protect all Californians. Check out this video from DCA and follow @CaliforniaDCA for tips all week long!</p>	<p>12/11/23</p>										




	<p>Knowledge is power! For #ConsumerProtectionWeek, the Department of Consumer Affairs @CaliforniaDCA wants you to be an informed consumer. Learn how to verify a license issued by a DCA board/bureau, access consumer resources, & more in 7 languages! https://www.dca.ca.gov/consumers/index.shtml</p>	<p>12/13/23</p>
	<p>Day 4 of #ConsumerProtectionWeek is all about participation! DCA's Boards and Bureaus hold meetings that are open to the public and you can get involved by participating. We'll show you how here: https://thedcapage.blog/2023/12/14/participating-with-a-dca-board-or-bureau-is-easier-than-you-think/</p>	<p>12/14/23</p>
	<p>#ConsumerProtectionWeek has come to an end, but you can follow @CaliforniaDCA for tips all year long, and remember:</p> <ol style="list-style-type: none"> 1. Know your Resources. 2. Look for the license. 3. Knowledge is power. 4. Participate. 5. Connect with DCA. <p>Download the booklet here: https://thedcapage.blog/2023/12/15/5-things-you-need-to-know-about-the-california-department-of-consumer-affairs/</p>	<p>12/15/23</p>
	<p>Talk to your cosmetologist/barber about your desired results at your next chemical hair service appointment. Share the condition of your hair such as if you have color or other chemicals on your hair. This information is vital to your hair's health. #HairDosForTheHolidays2023</p>	<p>12/18/23</p>
	<p>The Board will be closed December 25, 2023 in observance of Christmas.</p>	<p>12/21/23</p>

	<p>Look for the License when receiving hair services. Hair services should be provided by licensed Barbers, Cosmetologists, or Hairstylists. Remember hairstylists cannot perform chemical hair services. #HairDosForTheHolidays2023</p>	<p>12/27/23</p>
	<p>The Board of Barbering and Cosmetology's newsletter, The BarberCosmo Update, is now available. It contains information for licensees, establishment owners, consumers, and anyone else interested in the barbering and beauty industry. Please read the latest issue on the Board's website at https://www.barbercosmo.ca.gov/.../newsletter_fall_2023.pdf</p>	<p>12/27/23</p>
	<p>Be sure to check out the Board's resources on Diversity, Equity, and Inclusion (DEI)! The Board offers great resources like educational videos and organizations to check out to help educate licensees and consumers on various aspects of DEI. Click the link for more: https://www.barbercosmo.ca.gov/licensees/dei_fact.shtml</p>	<p>12/28/23</p>
	<p>The Board will be closed January 1, 2024 in observance of New Years.</p>	<p>12/29/23</p>

 <p>Reminders for Licensees</p> <table border="1"> <thead> <tr> <th>✓ DO</th> <th>✗ DON'T</th> </tr> </thead> <tbody> <tr> <td>POST YOUR LICENSE AT YOUR STATION</td> <td>PROVIDE OUT OF SCOPE SERVICES</td> </tr> <tr> <td>PROPERLY DISINFECT TOOLS</td> <td>ALLOW DUST, HAIR, OR NAIL CLIPPINGS TO ACCUMULATE</td> </tr> <tr> <td>LABEL CONTAINERS</td> <td>CONTAMINATE PRODUCTS BY DOUBLE DIPPING</td> </tr> <tr> <td>THROW AWAY DISPOSABLE ITEMS AFTER USE</td> <td>CARRY SUPPLIES OR TOOLS ON OR IN YOUR CLOTHING</td> </tr> </tbody> </table> <p>https://barbercosmo.ca.gov</p>	✓ DO	✗ DON'T	POST YOUR LICENSE AT YOUR STATION	PROVIDE OUT OF SCOPE SERVICES	PROPERLY DISINFECT TOOLS	ALLOW DUST, HAIR, OR NAIL CLIPPINGS TO ACCUMULATE	LABEL CONTAINERS	CONTAMINATE PRODUCTS BY DOUBLE DIPPING	THROW AWAY DISPOSABLE ITEMS AFTER USE	CARRY SUPPLIES OR TOOLS ON OR IN YOUR CLOTHING	<p>Licensees make sure you are in compliance with the Board's regulations!</p> <p>Check out some helpful tools on our website - https://www.barbercosmo.ca.gov/licensees/index.shtml</p>	<p>1/3/2024</p>
✓ DO	✗ DON'T											
POST YOUR LICENSE AT YOUR STATION	PROVIDE OUT OF SCOPE SERVICES											
PROPERLY DISINFECT TOOLS	ALLOW DUST, HAIR, OR NAIL CLIPPINGS TO ACCUMULATE											
LABEL CONTAINERS	CONTAMINATE PRODUCTS BY DOUBLE DIPPING											
THROW AWAY DISPOSABLE ITEMS AFTER USE	CARRY SUPPLIES OR TOOLS ON OR IN YOUR CLOTHING											
 <p>HEADING TO THE NAIL SALON?</p> <p>Be sure to look for the license while you are there. The establishment license must be posted in the reception area and the manicurist or cosmetologist license must be displayed at their work station.</p>	<p>Heading to the nail salon? Be sure to look for the license while you are there. The establishment license must be posted in the reception area and the manicurist or cosmetologist license must be displayed at their work station.</p>	<p>1/9/24</p>										
 <p>Martin Luther King Jr. Day</p> <p>The Board will be closed Monday, January 15, 2024, in observance of Martin Luther King Jr. Day.</p>	<p>The Board will be closed Monday, January 15, 2024, in observance of Martin Luther King Jr. Day.</p>	<p>1/12/24</p>										
 <p>UPCOMING MEETING</p> <p>The Board will be holding the following Committee Meetings virtually and in-person on Monday, January 22, 2024 starting at 9:00am:</p> <ul style="list-style-type: none"> Licensing and Examination Committee Enforcement and Inspection Committee Legislation and Budget Committee Diversity, Equity, And Inclusion (DEI) Committee Health and Safety Committee <p>For information about attending virtually or in-person, please refer to the agendas on the Board's website at: https://www.barbercosmo.ca.gov/about_us/meetings/index.shtml You can also watch the Live Webcasts at: https://thedcapage.blog/webcasts/</p>	<p>The Board will be holding the following Committee Meetings virtually and in-person on Monday, January 22, 2024 starting at 9:00am: Licensing and Examination Committee Enforcement and Inspection Committee Legislation and Budget Committee Diversity, Equity, And Inclusion (DEI) Committee Health and Safety Committee For information about attending virtually or in-person, please refer to the agendas on the Board's website at: https://www.barbercosmo.ca.gov/about_us/meetings/index.shtml You can also watch the Live Webcasts at: https://thedcapage.blog/webcasts/</p>	<p>1/12/24</p>										

 <p>BARBERS LICENSE THESE ARE COMMON SERVICES BARBERS LICENSED BY THE CALIFORNIA BOARD OF BARBERING AND COSMETOLOGY MAY OR MAY NOT PROVIDE</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> BEARD OR MUSTACHE TRIM <input checked="" type="checkbox"/> HAIR MASKS <input checked="" type="checkbox"/> BEARD SHAVE <input checked="" type="checkbox"/> HAIR RELAXING <input checked="" type="checkbox"/> BLOWDRYING HAIR <input checked="" type="checkbox"/> HAIRSTYLING <input checked="" type="checkbox"/> CURLING HAIR <input checked="" type="checkbox"/> MASSAGING FACE/SCALP <input checked="" type="checkbox"/> DYEING HAIR <input checked="" type="checkbox"/> PERMANENT WAVING <input checked="" type="checkbox"/> HAIRCUT <input checked="" type="checkbox"/> WAXING <p>FOR FULL LIST, PLEASE VISIT HTTP://WWW.BARBERCOSMO.CA.GOV</p>	<p>Barbers are trained in shaving and trimming beards, giving facial and scalp massages or treatments, singeing, shampooing, arranging, dressing, curling, waving, chemical waving, hair relaxing, dyeing the hair, applying hair tonics, hairstyling, and in applying cosmetic preparations to the scalp, face, or neck.</p> <p>To read more about the full scope, visit our website - https://www.barbercosmo.ca.gov/</p>	<p>1/17/2024</p>
 <p>COMMITTEE MEETINGS JANUARY 22, 2024 9:00 AM - UNTIL COMPLETION OF BUSINESS</p> <p>DEPARTMENT OF CONSUMER AFFAIRS 1747 NORTH MARKET BOULEVARD HQ2 HEARING ROOM #186 SACRAMENTO, CA 95834</p> <p>FOR INFORMATION ABOUT ATTENDING VIRTUALLY OR IN-PERSON, SEE AGENDAS ON THE BOARD'S WEBSITE WWW.BARBERCOSMO.CA.GOV</p>	<p>The Board will be holding the following Committee Meetings on Monday, January 22, 2024 starting at 9:00am:</p> <p>Licensing and Examination Committee Education and Outreach Committee Enforcement and Inspection Committee Legislative and Budget Committee Diversity, Equity, And Inclusion (DEI) Committee</p> <p>Location: Department of Consumer Affairs 1747 North Market Boulevard HQ2 Hearing Room 186 Sacramento, CA 95834</p> <p>For agendas, meeting materials, and meeting links, visit the Board's website at: https://www.barbercosmo.ca.gov/about_us/meetings/index.shtml</p> <p>You can also watch the Live Webcasts at: https://thedcapage.blog/webcasts/</p>	<p>1/19/24</p>
 <p>COMMITTEE MEETINGS JANUARY 22, 2024 9:00 AM - UNTIL COMPLETION OF BUSINESS</p> <p>DEPARTMENT OF CONSUMER AFFAIRS 1747 NORTH MARKET BOULEVARD HQ2 HEARING ROOM #186 SACRAMENTO, CA 95834</p> <p>FOR INFORMATION ABOUT ATTENDING VIRTUALLY OR IN-PERSON, SEE AGENDAS ON THE BOARD'S WEBSITE WWW.BARBERCOSMO.CA.GOV</p>	<p>The Board will be holding the following Committee Meetings on Monday, January 22, 2024 starting at 9:00am:</p> <p>Licensing and Examination Committee Education and Outreach Committee Enforcement and Inspection Committee Legislative and Budget Committee Diversity, Equity, And Inclusion (DEI) Committee</p> <p>Location: Department of Consumer Affairs 1747 North Market Boulevard HQ2 Hearing Room 186 Sacramento, CA 95834</p> <p>For agendas, meeting materials, and meeting</p>	<p>1/22/24</p>

	<p>links, visit the Board's website at: https://www.barbercosmo.ca.gov/about_us/meetings/index.shtml</p> <p>You can also watch the Live Webcasts at: https://thedcapage.blog/webcasts/</p>																															
 <p>COSMO VS. HAIRSTYLIST</p> <table border="1"> <thead> <tr> <th>Hair Styling Services</th> <th>Cosmetologist</th> <th>Hairstylist</th> </tr> </thead> <tbody> <tr><td>Bleaching Hair</td><td>☑</td><td></td></tr> <tr><td>Blowdrying Hair</td><td>☑</td><td>☑</td></tr> <tr><td>Chemically Relaxing Hair</td><td>☑</td><td></td></tr> <tr><td>Dyeing Hair</td><td>☑</td><td></td></tr> <tr><td>Haircutting</td><td>☑</td><td>☑</td></tr> <tr><td>Hairstyling</td><td>☑</td><td>☑</td></tr> <tr><td>Permanent Waving Hair</td><td>☑</td><td></td></tr> <tr><td>Shampooing Hair</td><td>☑</td><td>☑</td></tr> <tr><td>Waving or Straightening</td><td>☑</td><td>☑</td></tr> </tbody> </table> <p>FOR MORE FULL LIST, VISIT WWW.BARBERCOSMO.CA.GOV</p>	Hair Styling Services	Cosmetologist	Hairstylist	Bleaching Hair	☑		Blowdrying Hair	☑	☑	Chemically Relaxing Hair	☑		Dyeing Hair	☑		Haircutting	☑	☑	Hairstyling	☑	☑	Permanent Waving Hair	☑		Shampooing Hair	☑	☑	Waving or Straightening	☑	☑	<p>Ever wondered what the difference is between the new hairstylist license and the cosmetologist license? Visit our website to see all of the scope of practice flyers. www.barbercosmo.ca.gov/licenses</p>	<p>1/24/2024</p>
Hair Styling Services	Cosmetologist	Hairstylist																														
Bleaching Hair	☑																															
Blowdrying Hair	☑	☑																														
Chemically Relaxing Hair	☑																															
Dyeing Hair	☑																															
Haircutting	☑	☑																														
Hairstyling	☑	☑																														
Permanent Waving Hair	☑																															
Shampooing Hair	☑	☑																														
Waving or Straightening	☑	☑																														
 <p>ESTHETICIANS LICENSE THESE ARE COMMON SERVICES ESTHETICIANS LICENSED BY THE CALIFORNIA BOARD OF BARBERING AND COSMETOLOGY MAY OR MAY NOT PROVIDE</p> <table border="1"> <tbody> <tr><td>☑ DERMAPLANING</td><td>☒ BODY CONTOURING</td></tr> <tr><td>☑ EYELASH EXTENSIONS</td><td>☒ CAVITATION</td></tr> <tr><td>☑ FACIALS</td><td>☒ DERMAROLLING</td></tr> <tr><td>☑ HYDRAFACIALS</td><td>☒ ELECTROLYSIS</td></tr> <tr><td>☑ MAKEUP APPLICATION</td><td>☒ HYALURONPEN</td></tr> <tr><td>☑ MICRODERMABRASION</td><td>☒ LASER OF ANY KIND</td></tr> <tr><td>☑ TWEEZING HAIR</td><td>☒ MICRONEEDLING</td></tr> <tr><td>☑ WAXING/SUGARING</td><td>☒ SKIN TAG REMOVAL</td></tr> </tbody> </table> <p>FOR FULL LIST, PLEASE VISIT HTTP://WWW.BARBERCOSMO.CA.GOV</p>	☑ DERMAPLANING	☒ BODY CONTOURING	☑ EYELASH EXTENSIONS	☒ CAVITATION	☑ FACIALS	☒ DERMAROLLING	☑ HYDRAFACIALS	☒ ELECTROLYSIS	☑ MAKEUP APPLICATION	☒ HYALURONPEN	☑ MICRODERMABRASION	☒ LASER OF ANY KIND	☑ TWEEZING HAIR	☒ MICRONEEDLING	☑ WAXING/SUGARING	☒ SKIN TAG REMOVAL	<p>Esthetics is the practice of giving facials, massaging, exfoliating, cleansing, or beautifying the upper part of the human body by the use of hands, esthetic devices, lotions, or creams for the purpose of improving the appearance of well-being of the skin.</p> <p>To read more about the full scope, visit our website – http://www.barbercosmo.ca.gov/</p>	<p>1/30/24</p>														
☑ DERMAPLANING	☒ BODY CONTOURING																															
☑ EYELASH EXTENSIONS	☒ CAVITATION																															
☑ FACIALS	☒ DERMAROLLING																															
☑ HYDRAFACIALS	☒ ELECTROLYSIS																															
☑ MAKEUP APPLICATION	☒ HYALURONPEN																															
☑ MICRODERMABRASION	☒ LASER OF ANY KIND																															
☑ TWEEZING HAIR	☒ MICRONEEDLING																															
☑ WAXING/SUGARING	☒ SKIN TAG REMOVAL																															
 <p>The Board of Barbering and Cosmetology celebrates</p> <p>BLACK HISTORY MONTH</p> <p>February 1 - March 1</p>	<p>Please join the Board of Barbering and Cosmetology in celebrating Black History Month!</p> <p>Be sure to look for events in your area. It is a great way to bring the community together and create working bonds. You never know, you may just find your new barber, cosmetologist, electrologist, manicurist, or esthetician.</p> <p>Check out this website www.blackhistorymonth.gov for more information, national events, and historical articles.</p>	<p>2/1/24</p>																														
 <p>Attention</p> <p>Products sold at California tradeshows may not be within your scope of practice or may be illegal to use in your establishment.</p> <p>BarberCosmo California Board of Barbering and Cosmetology</p>	<p>When attending California tradeshows, please be aware that products sold may not be within your scope of practice. The Board does not have jurisdiction over the sale of equipment and products in the barbering and beauty industry. Licensees are responsible to know what they can use within their scope of practice.</p>	<p>2/2/2024</p>																														

	<p>*Repost*</p> <p>When attending California tradeshows, please be aware that products sold may not be within your scope of practice. The Board does not have jurisdiction over the sale of equipment and products in the barbering and beauty industry. Licensees are responsible to know what they can use within their scope of practice.</p>	<p>2/5/24</p>
	<p>Manicuring is the practice of trimming, polishing, coloring, tinting, cleansing, manicuring, or pedicuring the nails of any person or massaging, cleansing, or beautifying from the elbow to the fingertips or the knee to the toes of any person.</p> <p>To read more about the full scope, visit our website - http://www.barbercosmo.ca.gov</p>	<p>2/7/24</p>
	<p>Lunar New Year is a celebration of the arrival of spring and the beginning of a new year on the lunisolar calendar. Those who celebrate consider it the time of the year to reunite with immediate and extended family.</p>	<p>2/9/24</p>



MEMORANDUM

DATE	February 26, 2024
TO	Members, Board of Barbering and Cosmetology
FROM	Kristy Underwood, Executive Officer
SUBJECT	Agenda Item 9e – Legislative Update

2024 Legislative Calendar and Deadlines

- February 16, Last day for bills to be introduced.
- March 21, Spring Recess begins upon adjournment of session.
- April 1, Legislature Reconvenes from Spring Recess.
- April 26, Last day for policy committees to hear and report to fiscal committees fiscal bills introduced in their house.
- May 3, Last day for policy committees to hear and report to the floor non-fiscal bills introduced in their house.
- May 10, Last day for policy committees to meet prior to May 28.
- May 17, Last day for fiscal committees to hear and report to the floor bills introduced in their house.
- May 20-24, Floor Session only, No committees, other than conferences or Rules committees, may meet for any purpose.
- May 24, Last day for each house to pass bills introduced in that house.
- May 28, committee meetings may resume.
- June 15, Budget Bill must be passed by midnight.
- June 27, Last day for a legislative measure to qualify for the Nov 5 General Election ballot.
- July 3, Last day for policy committees to meet and report bills, and Summer Recess begins upon adjournment provided Budget Bill has been passed.
- August 5, Legislature Reconvenes from Summer Recess.
- August 16, Last day for fiscal committees to meet and report bills.
- August 19-31, Floor Session only, No committees, other than conference and Rules committees, may meet for any purpose.
- August 23, Last day to amend on the floor.
- August 31, Last day for each house to pass bills, Final Recess begins upon adjournment

2023 Bills with Support Position

- **AB 1328 (Gipson) Cosmetology Licensure Compact**

Location: Senate

Status: 06/06/2023 From committee chair, with author's amendments: Amend, and re-refer to committee. Read second time, amended, and re-referred to Committee on Business, Professions and Economic Development. This bill is now a 2-year bill.

Summary: This bill would enact the Cosmetology Licensure Compact to facilitate the interstate practice and regulation of cosmetology. The compact would require the board to grant a multistate license to practice cosmetology to an applicant meeting specified requirements.

- **SB 451 (Nguyen) Worker classification: employees and independent contractors: licensed manicurists**

Location: Senate

Status: Inactive Bill - died on 02/01/2024, returned to Secretary of Senate pursuant to Joint Rule 56.

Summary: This bill would extend the inoperative date of the Borello exemptions to January 1, 2030.

- **SB 817 (Roth) Barbering and cosmetology: application, examination, and licensing fees**

Location: Assembly

Status: 07/11/2023 From committee: Do pass and re-refer to Committee on Appropriations. Held in Appropriations, this is now a 2-year bill.

Summary: This bill would require that the hairstylist application and examination fee be the actual cost to the board for developing, purchasing, grading, and administering the examination, and limit a hairstylist's initial license fee to \$50.

Bill Text

The text version of Assembly Bill 1328 is available online at
https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202320240AB1328&firstNav=tracking

The text version of Senate Bill 451 is available online at
https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202320240SB451&firstNav=tracking

The text version of Senate Bill 817 is available online at
https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202320240SB817&firstNav=tracking

Board of Barbering and Cosmetology Strategic Plan Objective Tracker 2022-2027

Goal 1: Board Administration			
1.1	Establish and implement a comprehensive training plan for managers and staff to strengthen and develop their customer service skills in the workplace and improve the experience of stakeholders and consumers when interacting with the Board.		
Success Measure:	Completed training, improved Consumer Satisfaction Survey responses.		
Objectives/Tasks		Target Completion	Current Status
1.1.1	Research training opportunities.	Q1 2023 and Ongoing Quarterly	Completed and Ongoing
	<ul style="list-style-type: none"> • Continuing to look at trainings that benefit the staff. • SOLID customer service training completed 4/6/2023 and 2/5/2024. 		
1.1.2	Review training emails from CalHR, CPS, and SOLID for customer service class opportunities.	Q1 2023 and Ongoing Monthly	Completed and Ongoing
	<ul style="list-style-type: none"> • Customer service and DEI trainings scheduled with SOLID. 		
1.1.3	Create a quarterly calendar of potential classes for each unit.	Q1 2023 and Ongoing Quarterly	Completed and Ongoing
	<ul style="list-style-type: none"> • Spreadsheet of classes created and scheduled. 		
1.1.4	Spot check email responses sent for tone and correct information.	Q1 2023 and Ongoing Monthly	Completed and Ongoing
	<ul style="list-style-type: none"> • Reviewing staff emails a few times a week and addressing items with staff as needed. 		
1.1.5	Spot check letters sent for tone and correct information.	Q1 2023 and Ongoing Monthly	Completed and Ongoing
	<ul style="list-style-type: none"> • Reviewing attached letters in BreEZe as well as when managers shadow staff. • Reviewing letters and will plan a future project to refine the templates that are currently being used. 		
1.1.6	Managers deliver tips at monthly unit meetings.	Q1 2023 and Ongoing Monthly	Completed Ongoing
	<ul style="list-style-type: none"> • Managers started dedicating an agenda item on each monthly unit meeting to customer service in 2022. 		
1.1.7	Share a successful customer service story in each quarter in the newsletter.	Q1 2023 and Ongoing Quarterly	Completed Ongoing
	<ul style="list-style-type: none"> • Managers are asking staff for customer service stories in monthly meetings. • The first successful customer service story was shared in the April 2023 monthly newsletter. 		
1.1.8	Create a customer satisfaction survey.	Q2 2023	Completed
	<ul style="list-style-type: none"> • Customer satisfaction survey added to BarberCosmo signatures. 		
1.1.9	Conduct annual training for the team.	Q3 2023 and Ongoing	Completed Ongoing
	<ul style="list-style-type: none"> • Conducted quarterly safety training and customer service training for all staff. 		

1.2	Establish and implement internal communications to notify board members and staff of industry issues, health and safety concerns, trends, and products for the furtherance of consumer protection and safety.		
Success Measure:	Report created; newsletters contain reports.		
Objectives/Tasks		Target Completion	Current Status
1.2.1	Continue to highlight issues, concerns, trends, products in monthly newsletter. • Started Industry Trends/Concerns section in September 2021.	Q4 2022 and Ongoing	Completed Ongoing
1.2.2	Unit Managers (especially enforcement) report to EO and AEO of trends observed in industry. • Trends reported on monthly reports to chiefs and shared at manager meetings.	Q1 2023 and Ongoing	Completed Ongoing
1.2.3	Enhance reporting in newsletter data to show increases, decreases, and trends. • Managers started reporting trends in February 2023 (comparing the number of calls and emails received, complaints received, establishments inspected, enforcement cases assigned to analysts, and more to the previous month to show increase/decrease).	Q1 2023 and Ongoing	Completed Ongoing
1.2.4	Engage Health & Safety Advisory Committee to get industry input on trends being observed in the field. • Will be discussed at the October 2024 committee meeting.	Q3 2023 and Ongoing	Pending
1.3	Fill staff vacancies to improve operational effectiveness.		
Success Measure:	Vacancy rate remains under 15%.		
Objectives/Tasks		Target Completion	Current Status
1.3.1	Submit RPA package to DCA OHR as soon as vacancies are available. • Staff currently submits RPA packages when notified of vacancies, refills, and reclassifications.	Q1 2023 and Ongoing	Completed Ongoing
1.3.2	Get applications scored as they become available. • Managers score applications within one week of receiving them.	Q1 2023 and Ongoing	Completed Ongoing
1.3.3	Interview promptly. • Managers schedule interviews within one week of scoring the applications.	Q1 2023 and Ongoing	Completed Ongoing
1.3.4	Management complete hiring process as quickly as possible. • Reference checks and Official Personnel File reviews are completed as soon as managers are aware of eligibility and then the required documents are submitted to the HR Liaison.	Q1 2023 and Ongoing	Completed Ongoing
1.3.5	Create and train on written procedures for all hiring managers with timelines. • Onboarding checklist updated with timeframes and shared with hiring managers.	Q1 2023 and Ongoing	Completed Ongoing

1.3.6	Post job openings on social media, Indeed, and other sources. • Staff post on social media, Indeed, and Handshake as of December 2022.	Q1 2023 and Ongoing	Completed Ongoing
1.3.7	Track data on 'where did you hear about this position?' • Staff track the supplemental surveys submitted through SurveyMonkey asking how they heard about the position.	Q1 2023 and Ongoing	Completed Ongoing
1.3.8	Include job announcements on website promptly. • Once vacancies are posted on CalHR, Board staff submits tickets to OIS to post job announcements on the Board's website within 2 days.	Q1 2023 and Ongoing	Completed Ongoing
1.4	Develop a plan to work with community and state colleges to increase employment pipelines to recruit effective staff.		
Success Measure:	Vacancy rate remains under 15%.		
Objectives/Tasks		Target Completion	CurrentStatus
1.4.1	Work with Sac State and campus clubs on outreach events and opportunities. • "Meet the Employer" events held in 2022 and 2023 with CSUS and ARC. • Virtual "Meet the Employer" events scheduled for 2024.	Q4 2022 and Ongoing	Completed Ongoing
1.4.2	Find other colleges and campus clubs to partner with on outreach events and opportunities. • Staff reached out to the Los Rios Community College District, UC Davis, and junior colleges in the area. • Posting on Sierra College's virtual job bulletin board.	Q2 2023 and Ongoing	Completed Ongoing
1.4.3	Seek out career fairs and other outreach events/opportunities with multiple colleges. • Staff reached out to the Los Rios Community College District and other junior colleges in the area.	Q2 2023 and Ongoing	Completed Ongoing
1.5	Enhance board member training with industry and staff presentations to bridge the gap between licensed and public board members.		
Success Measure:	Increased engagement from Public Board members.		
Objectives/Tasks		Target Completion	CurrentStatus
1.5.1	Present flow charts/information on internal processes. • Flowcharts were presented at the October 24, 2022, board meeting.	Q4 2022	Completed
1.5.2	Update board member manual to include info on license types and scopes of practice. • Updated approved by the Board at the 04/17/2023 board meeting.	Q4 2022	Completed
1.5.3	Provide industry presentations at board meetings that cover specific license types. • April 2023 board meeting had electrology presentation. • July 2023 board meeting will have esthetics presentation. • October 2023 board meeting tentatively scheduled for hairstyling presentation.	Q1 2023 and Ongoing	Completed Ongoing

1.6	Utilize existing board sub-committees on a regular schedule to discuss larger issues and provide more resources for the Board to make informed decisions.		
Success Measure:	Committees make recommendations to full Board on larger issues.		
Objectives/Tasks		Target Completion	CurrentStatus
1.6.1	Schedule committee meetings.	Q4 2022 and Ongoing	Completed Ongoing
	<ul style="list-style-type: none"> Schedule created and sent to board members annually. 		
1.6.2	Provide background info on topics going before committees.	Q4 2022 and Ongoing	Completed Ongoing
	<ul style="list-style-type: none"> Committee members receive memorandums with background information. 		
1.6.3	Encourage committee chairs to provide direct ideas and actionable suggestions.	Q1 2023 and Ongoing	Completed Ongoing
	<ul style="list-style-type: none"> "Action Needed" and questions to lead discussion are provided on memorandums. 		
Goal 2: Legislation and Regulation			
2.1	Review policies and regulations that advocate for and support consumer protection to ensure consumer safety.		
Success Measure:	Regulations and procedures are updated and current.		
Objectives/Tasks		Target Completion	CurrentStatus
2.1.1	Find out if inspectors are noticing any trends.	Q1 2023 and ongoing	Completed Ongoing
	<ul style="list-style-type: none"> Topic added to all inspector meeting agendas and quarterly trainings. Manager will watch for trends while reviewing inspection reports. 		
2.1.2	Review enforcement processes to ensure consumer safety is being provided.	Q3 2023 and Ongoing	
2.1.3	Review and update health & safety regulations.	Q4 2023	
	<ul style="list-style-type: none"> Regulation updates drafted. Staff working with Reg Counsel. 		
2.1.4	Update school regulation pertaining to health & safety.	Q4 2023	Pending
	<ul style="list-style-type: none"> Staff reviewing schools and externs language. 		
2.2	Establish relationships with legislators to educate them on industry topics and advance Board interests.		
Success Measure:	At least one meeting held.		
Objectives/Tasks		Target Completion	CurrentStatus
2.2.1	Generate a list of potential legislators on B&P (or others).	Q2 2023 and Ongoing	Completed
	<ul style="list-style-type: none"> List generated and provided to EO. 		

2.2.2	Develop and provide a Fact Sheet to hand out to legislators. <ul style="list-style-type: none"> • Fact Sheet developed and provided to EO. 	Q2 2023 (updated annually)	Completed
2.2.3	Reach out to legislators to set up meetings. <ul style="list-style-type: none"> • One meeting held – will continue to reach out to legislators. 	Q2 2023	Completed
2.2.4	Hold meetings with legislators. <ul style="list-style-type: none"> • Met with Senator Bradford's Office and Assembly Member Carillo 	Q2 2023	Completed
2.3	Implement Senate Bill 803 with thoroughly vetted regulations to remain in compliance with the law and support the industry.		
Success Measure:	Regulations are adopted; Hair Stylist and Pre-Apprentice licenses implemented.		
Objectives/Tasks		Target Completion	CurrentStatus
2.3.1	Develop and implement SB 803 regulations. <ul style="list-style-type: none"> • Regulations in process – comment response will be approved at February 2024 board meeting. 	Q3 2023	Pending
2.3.2	Develop and implement new hair stylist license. <ul style="list-style-type: none"> • Applications drafted and posted on website. • Exam available as of July 1, 2023. 	Q3 2023	Completed
2.3.3	Develop and implement pre-apprentice training. <ul style="list-style-type: none"> • Staff reviewing final version of training course. 	Q3 2023	Pending
2.4	Establish schedule of regular legislative and budget committee meetings to remain current with industry related issues and policies.		
Success Measure:	Meetings are scheduled.		
Objectives/Tasks		Target Completion	CurrentStatus
2.4.1	Create calendar for regular Legislative and Budget committee meetings. <ul style="list-style-type: none"> • Monthly meetings scheduled. 	Q4 2022	Completed
2.5	Develop regulation packages for on-going regulations that affect the industry to provide clarity on state statutes.		
Success Measure:	Updated regulations filed with OAL.		
Objectives/Tasks		Target Completion	CurrentStatus
2.5.1	Review statutes & regulations to determine if there are regulations that need to be updated. <ul style="list-style-type: none"> • Staff reviewed regulations for updates. 	Q4 2023	Completed
2.5.2	Make recommendation to the Board of any findings.	Q1 2024	Pending
2.5.3	Depending on board response, pursue a regulation package.	Q1 2024	Pending

3.1	Explore and develop a list of ongoing educational options for licensees to increase consumer awareness and safety.		
Success Measure:	Completion of all educational option tasks at least once.		
Objectives/Tasks	Target Completion	CurrentStatus	
3.1.1	Post on social media.	Q4 2022 and Ongoing	Completed Ongoing
	<ul style="list-style-type: none"> Staff are posting on social media weekly at a minimum. 		
3.1.2	Listserv email blast.	Q4 2022 and Ongoing	Completed Ongoing
	<ul style="list-style-type: none"> Email blasts are sent monthly. 		
3.1.3	Coordinate attendance at in-person trade shows.	Q4 2022 and Ongoing	Completed Ongoing
	<ul style="list-style-type: none"> Staff attended in-person trade shows. 		
3.1.4	Explore mass text messages.	Q1 2023	Completed
	<ul style="list-style-type: none"> Education and Outreach Committee decided to table this until fee study is completed. As of 2024, there is a budget freeze. 		
3.1.5	Hold more town hall meetings.	Q4 2023	Completed
	<ul style="list-style-type: none"> Cosmetology and Barber townhalls with PSI held. Held three virtual townhalls for licensees. 		
3.1.6	Make informational videos.	Q4 2023	Completed
	<ul style="list-style-type: none"> Staff creating Reels for social media. 		
3.2	Explore additional technology options to make the application process more efficient for licensees.		
Success Measure:	BreEZe changes are implemented.		
Objectives/Tasks	Target Completion	CurrentStatus	
3.2.1	Determine BreEZe process and need for future streamlining (e.g. make attach button bigger).	Q4 2024 and Ongoing	Completed
	<ul style="list-style-type: none"> BreEZe meetings held every Friday to discuss opportunities for Breeze improvements. Multiple BreEZe improvements have been made and more are in the works. 		
3.2.2	Implement BreEZe enhancement to allow all applications to be submitted electronically.	Q4 2023	Pending
	<ul style="list-style-type: none"> Several BreEZe tickets submitted. 		
3.3	Review language used in board materials and communications to ensure that the language is accessible to licensees.		
Success Measure:	Board materials have been updated.		
Objectives/Tasks	Target Completion	CurrentStatus	
3.3.1	Review all Board materials, determine what needs to be updated.	Q1 2024	Pending
	<ul style="list-style-type: none"> Staff reviewing website for items to be updated. 		

3.3.2	Use more inclusive language (e.g., pronouns, non-English – include translation services).	Q1 2024	Pending
3.3.3	Implement changes identified.	Q4 2024	Pending
Goal 4: Inspections			
4.1	Increase inspector wages to attract and retain quality inspectors.		
Success Measure:	Inspector pay-scales are increased.		
Objectives/Tasks		Target Completion	CurrentStatus
4.1.1	Work with DCA HR to increase wages. • Completed for Inspector I position.	Q4 2023	Completed
4.2	Conduct yearly updated training with Board inspectors to develop language skills, cultural competency, customer service, report writing, and inspectors’ industry-specific knowledge to increase competency and consistency.		
Success Measure:	Monthly training plan has been implemented.		
Objectives/Tasks		Target Completion	CurrentStatus
4.2.1	Research and develop monthly training plan for inspectors monthly meeting. • Managers provide training in every meeting on relevant topics.	Q2 2023 and Ongoing	Completed
4.2.2	Research and develop more in-depth quarterly training. • Managers provide training on safety in the field and Excel. • Continuing to research additional training opportunities.	Q2 2023 and Ongoing	Completed
4.3	Increase technology for inspections to streamline the process for inspectors and licensees.		
Success Measure:	Mobile inspection process available to inspectors.		
Objectives/Tasks		Target Completion	CurrentStatus
4.3.1	Attend vendor demos for mobile inspector report. • Attended several demonstrations.	Q1 2023	Completed
4.3.2	Select a vendor. • Vendor selected.	Q1 2023	Completed
4.3.3	Work with vendor on configuration and implementation. • Configuration will begin within the next couple of months.	Q4 2023	Pending
4.3.4	Develop training materials for inspectors.	Q4 2023	Pending

Goal 5: Enforcement			
5.1	Obtain special investigator positions to increase the efficiency of investigating consumer harm complaints.		
Success Measure:	Special investigator positions obtained.		
Objectives/Tasks		Target Completion	CurrentStatus
5.1.1	Create and submit package to re-classify inspector positions to special investigator. • Completed and two positions filled.	Q4 2022	Completed
5.1.2	Recruit for new special investigator positions. • Special Investigator positions posted in March 2023 and filled.	Q2 2023	Completed
5.2	Collaborate with the Bureau of Private Post-Secondary Education (BPPE) to conduct quality school investigations, to improve the qualifications of applicants and consumer protection.		
Success Measure:	Joint inspections held.		
Objectives/Tasks		Target Completion	CurrentStatus
5.2.1	Establish regular meetings with BPPE.	Q4 2022 and Ongoing	Completed Ongoing
5.2.2	Schedule and conduct joint inspections of schools.	Q1 2023 and Ongoing	On Hold
5.3	Investigate unlicensed activity in licensed and unlicensed locations (including phone application/web-based on-demand services) to increase consumer protection.		
Success Measure:	Procedures have been updated and implemented.		
Objectives/Tasks		Target Completion	CurrentStatus
5.3.1	Create and update procedures for investigating unlicensed activity done outside of establishments.	Q1 2023 and Ongoing	Completed Ongoing
5.3.2	Create and update procedures for forwarding cases to DOI for investigation. • Met with DCA's Division of Investigation January 2023. Updating procedures.	Q1 2023 and Ongoing	Pending
5.4	Explore and collaborate with industry booking platforms to require license verification to enhance consumer protection.		
Success Measure:	Met with at least one booking platform contact.		
Objectives/Tasks		Target Completion	CurrentStatus
5.4.1	Research which booking platforms for industry services exist. • Researching what booking sites/application platforms are available. • Next plan of action will be to review enforcement complaints for social media to see what is commonly used.	Q1 2024	Pending

5.4.2	Determine contacts for booking platforms.	Q1 2024	Pending
5.4.3	Develop standardized language for contacting booking platforms.	Q1 2024	Pending
5.4.4	Attempt to hold meetings with booking platforms contact person.	Q1 2024	Pending
5.4.5	Present request for booking platforms to require license.	Q1 2024	Pending
5.5	Review probationary process and existing remedial education information to ensure remedial education procedure and communication is clear.		
Success Measure:	Report delivered to the Board.		
Objectives/Tasks		Target Completion	CurrentStatus
5.5.1	Review the remedial education procedures.	Q4 2023	Pending
5.5.2	Review the orientation materials for probationers including remedial education.	Q4 2023	Pending
5.5.3	Review probationary process.	Q4 2023	Pending
5.5.4	Develop and update to the Board.	Q1 2024	Pending
5.6	Develop remedial education material to assist in probationer compliance.		
Success Measure:	Recommendation made to the Board.		
Objectives/Tasks		Target Completion	CurrentStatus
5.6.1	Review existing remedial education requirements.	Q4 2023	Pending
5.6.2	Develop materials to present to the Board.	Q4 2023	Pending
5.6.3	Make recommendation to the Board on new remedial education program for probationers.	Q3 2023	Pending

Goal 6: Outreach			
6.1	Ensure outreach communication is at an accessible level to increase public understanding.		
Success Measure:	Outreach communication is updated.		
Objectives/Tasks		Target Completion	Current Status
6.1.1	Review existing outreach communication.	Q1 2023	Completed
6.1.2	Determine what materials need to be updated.	Q1 2023	Completed
6.1.3	Use more inclusive language (pronouns, non-English, etc.).	Q1 2023	Completed
6.1.4	Present recommendations to the Outreach Committee.	Q2 2023	Completed
6.1.5	Implement changes identified.	Q2 2023	Completed
6.2	Explore different avenues for outreach and engagement to encourage self-development of licensees and awareness/engagement of the public.		
Success Measure:	Annual completion of tasks.		
Objectives/Tasks		Target Completion	Current Status
6.2.1	Look to update/develop handouts and website information.	Q4 2022 and Ongoing	Completed Ongoing
6.2.2	Develop monthly email blasts.	Q4 2022 and Ongoing	Completed Ongoing
6.2.3	Post on social media.	Q4 2022 and Ongoing	Completed Ongoing
6.2.4	Hold town halls.	Q4 2022 and Ongoing	Completed Ongoing
6.2.5	Attend trade shows.	Q4 2022 and Ongoing	Completed Ongoing
6.2.6	Publish quarterly newsletter.	Q4 2022 and Ongoing	Completed Ongoing
	<ul style="list-style-type: none"> • Issue 1 published October 2022. Issue 2 published March 2023. Issue 3 published June 2023. 		

6.3	Assess current engagement levels on Board’s website, newsletters, social media, mailers, etc. to better utilize resources and determine if they are reaching the proper audiences.		
Success Measure:	Engagement levels have been assessed.		
Objectives/Tasks		Target Completion	CurrentStatus
6.3.1	Pull website analytics, compare to previous year(s).	Q4 2022 and Ongoing	Completed Ongoing
6.3.2	Conduct more surveys/polls (about email, social media, website, mail).	Q1 2024 and Ongoing	Completed
6.3.3	Ask for feedback/conduct a feedback survey.	Q1 2024 and Ongoing	Completed
6.3.4	Explore analytics from social media sites (Facebook, Instagram). • Followers have increased due to increased frequency of posts.	Q1 2024 and Ongoing	Completed
6.4	Solicit feedback from licensees on a more continuous basis to engage with licensees.		
Success Measure:	Feedback has been received; increased survey responses.		
Objectives/Tasks		Target Completion	CurrentStatus
6.4.1	Continue sending postcard surveys after inspections done and re-examine questions. • Reviewing and updating the postcard survey questions.	Q1 2023 and Ongoing	Pending
6.4.2	Determine if there is a QR code to issue after complaint closed.	Q1 2023 and Ongoing	Pending
6.4.3	Identify topics of interest. • Created a SurveyMonkey link for the public to complete after their interactions with the Board by email and this will be implemented soon. Also exploring the option of an automated phone survey and sending surveys by mail or posting a link to the website.	Q2 2023 and Ongoing	Pending
6.4.4	Explore adding a survey QR code to email signatures.	Q1 2024 and Ongoing	Completed
6.4.5	Explore offering a rating of how phone calls went (CIC or Admin).	Q1 2024 and Ongoing	Pending
6.4.6	Request feedback about program area effectiveness.	Q1 2024 and Ongoing	Pending
6.4.7	Conduct surveys/polls by all formats	Q1 2024 and Ongoing	Pending
6.4.8	Conduct a post-town hall survey on the topic addressed, desire for future events.	Q1 2024 and Ongoing	Pending

6.5	Encourage the public to participate in online Board activities to inform, educate, and collaborate.		
Success Measure:	Increased public participation in online Board activities		
Objectives/Tasks		Target Completion	CurrentStatus
6.5.1	Reach out to schools about upcoming events. <ul style="list-style-type: none"> Schools notified of upcoming board meetings by email. 	Q4 2022 and Ongoing	Completed Ongoing
6.5.2	Distribute board meeting reminders by email, flyers, mail, etc. <ul style="list-style-type: none"> Post on social media about upcoming board meetings. 	Q4 2022 and Ongoing	Completed Ongoing
6.5.3	Distribute town hall reminders by email, flyers, mail, etc.	Q4 2023 and Ongoing	Completed
6.5.4	In career outreach activities, include information about other board events.	Q4 2023 and Ongoing	Completed
6.5.5	Add info to the call tree options. <ul style="list-style-type: none"> Reviewing phone tree to see where information can be clarified and added. 	Q4 2023 and Ongoing	Completed
6.5.6	Explore more non-industry consumer events (state fairs, etc.). <ul style="list-style-type: none"> The State Fair does not offer complimentary booths. The Bridal Showcase at Cal Expo will no longer be held. The International Wedding Festival does not want the Board at their event. Staff will continue to research other consumer events. 	Q4 2023 and Ongoing	Completed
6.6	Provide information at high schools, occupational schools, and public outreach events on the industry and how to become licensed to increase licensed activity and engage with potential licensees.		
Success Measure:	Completion of events and increased applications for licensure.		
Objectives/Tasks		Target Completion	CurrentStatus
6.6.1	Post information on social media.	Q4 2022 and Ongoing	Completed Ongoing
6.6.2	Include schools in email blasts <ul style="list-style-type: none"> Start including schools in email blasts to licensees and interested parties. 	Q1 2023	Completed
6.6.3	Ask schools to post info internally (website, bulletin boards, etc.). <ul style="list-style-type: none"> What to Know Before Choosing a Barber and Cosmetology School pamphlets emailed and mailed to multiple high school districts. Information shared at school outreach events for them to post and distribute to students. 	Q4 2023 and Ongoing	Completed

6.6.4	Hold more outreach events at approved industry schools.	Q4 2023 and Ongoing	Completed
6.6.5	Identify contacts at high schools, occupational schools. • Contacts identified and contacted.	Q1 2024	Completed
6.6.6	Identify venues (bridal shows, state fairs, etc.) to attend. • The State Fair does not offer complimentary booths. • The Bridal Showcase at Cal Expo will no longer be held. • The International Wedding Festival does not want the Board at their event. • Staff will continue to research other consumer events.	Q1 2024	Completed
6.6.7	Hold more outreach events at high schools, occupational schools, county job fairs, etc. • Outreach event on March 22, 2023, at two high schools in the Stockton Unified School District. • Outreach event on March 30, 2023, at Highlands High School Career Day. • Staff will research opportunities with county job fairs and other events.	Q3 2024	Completed
6.7	Explore within the outreach committee to create Board-specific outreach/media to expand access of information to the public and licensees.		
Success Measure:	Outreach plan has been developed and implemented.		
Objectives/Tasks		Target Completion	Current Status
6.7.1	Ask committee to provide more specific direction on which concerns to prioritize to raise awareness. • Discussed at 3/13 Education and Outreach Committee meeting. • Will promote scope of practice, how to become licensed, how to stay in compliance.	Q2 2023	Completed
6.7.2	Request additional topic to parallel Safe Sandal Season. • Discussed at 3/13 Education and Outreach Committee meeting. • Will promote scope of practice, how to become licensed, how to stay in compliance.	Q2 2023	Completed
6.7.3	Develop an outreach plan based on Committee input. • Started posting more Did You Know and Enforcement Reminders as recommended by the Education and Outreach committee.	Q4 2023	Completed
6.7.4	Re-evaluate outreach plan annually.	Q1 2025 and Ongoing	Pending



BUSINESS, CONSUMER SERVICES, AND HOUSING AGENCY • GAVIN NEWSOM, GOVERNOR
 DEPARTMENT OF CONSUMER AFFAIRS • BOARD OF BARBERING AND COSMETOLOGY
 P.O. Box 944226, Sacramento, CA 94244-2260
 Phone: (800) 952-5210 Email: barbercosmo@dca.ca.gov
 Website: www.barbercosmo.ca.gov



MEMORANDUM

DATE	February 26, 2024
TO	Members, Board of Barbering and Cosmetology
FROM	Kristy Underwood, Executive Officer
SUBJECT	Agenda Item 10 – Discussion and Possible Action Regarding Proposed Legislation

Review, Discussion, and Possible Action Regarding Proposed Legislation

Note: These bills were introduced after the deadline to add them to the Legislation and Budget Committee agenda and therefore are being presented to the full Board.

- a) AB 2412 (Reyes) Healing arts: California Body Contouring Council: practitioners
- b) AB 2444 (Lee) Barbering and cosmetology: Licensees: manicurists
- c) SB 1084 (Nguyen) Barbering and cosmetology: Hairstyling License

BOARD OF BARBERING & COSMETOLOGY

BILL ANALYSIS

Author: Assemblymember Reyes

Subject: California Body Contouring Council

Bill Number: AB 2412

Version: Introduced, February 12, 2024

Status: Read first time, to print.

Existing Law

The Massage Therapy Act, regulates massage practitioners and therapists who administer massage, defined as the scientific manipulation of the soft tissues, for compensation. Existing law creates the California Massage Therapy Council. Existing law specifies that it is an unfair business practice for a person to hold oneself out or to use the title of “certified massage therapist” or “certified massage practitioner” unless that person currently holds an active and valid certificate issued by the council pursuant to these provisions.

This bill:

This bill, establishes the California Body Contouring Practitioner Act, would define body contouring as noninvasive, nonmedical treatment intended to shape or contour the fatty areas of the body, as specified. The bill would create the California Body Contouring Council (council) for the purpose of regulating the practice of body contouring.

The bill would require the council to be governed by a board of directors comprised of 4 individuals:

1. A president,
2. A vice president,
3. A California licensed physician, appointed by the Medical Board of California, who shall also perform the following functions by serving as all the following:
 - a. The council’s Medical Director.
 - b. A professional liaison to the Medical Board of California.
 - c. The council’s curriculum adviser.
4. A California licensed cosmetologist

The bill would establish an advisory board comprised of 14 members who shall serve a term of three years and would be responsible for advising the board of directors. The members shall represent California’s diverse communities and cultures and shall be selected for their expertise in the fields of medicine, cosmetology, personal services, personal services equipment, curriculum creation, training and education, California state law, and the practice of body contouring. Members of the board of directors shall be selected, as follows:

1. Each of the following entities shall select one member:
 - a. The Department of Consumer Affairs.
 - b. The Assembly Business and Professions Committee.
 - c. The Senate Business, Professions and Economic Development Committee.
2. Eleven advisory board members shall be selected by the council.

This bill would require the council to develop and make available to students five online, 40-hour educational modules composing a 5-week, 200-hour, physician-approved course in the practice of body contouring, with a fee that shall not exceed \$125.00. The bill would require a student who

successfully completes the course of instruction to receive a certificate of completion issued by the council for the purpose of qualifying that person for a permit to practice body contouring. Practitioner permits would require a specified physical location, and mobile permits, as required.

To become a practitioner of body contouring, the bill would require an applicant to submit an application to the council and provide the council with satisfactory evidence that they have met prescribed requirements, including payment of fees that cover the council's reasonable regulatory cost of administering the program, initial fee shall not exceed \$495.00. Permits to practice body contouring, premises permits, and mobile permits are to be renewed annually, fees shall not exceed \$295.00, with a \$25.00 penalty for every month it is not renewed.

The bill would require practitioners to comply with specified requirements, including, submitting to inspection and investigation by the council, adhering to the ethical standards prescribed by the council, and not exceeding the legal scope of their permit, among other things. The bill would make it unlawful for any person to falsely advertise that they or any other individual is a California Certified and Permitted Body Contouring Practitioner and deem engaging in that or other prohibited behavior unfair competition pursuant to other specified provisions of law.

Author's submission to Legislative Council for AB 2412:

Assemblymember Reyes office declares more than 1,000,000 people from all segments of society perform body contouring treatments to willing consumers in California and throughout the world. Currently, there is no official training, vetting, scope of practice, agency, establishment, registry, or system, and no accountability, for a person who performs body contouring treatment. Therefore, persons engaging in this type of service are using techniques that they have learned via demonstrations on the internet, YouTube, Instagram, or Facebook, or from other practitioners.

Aspiring body contourists seek training from persons who claim to be experts in the field. This training can range in price from \$1,500 to \$2,500, or more for online or in-person instruction. Many Californians are paying for this type of training because no official training exists. Because there is no official training or defined scope of practice, persons who wish to perform these procedures are confused, and often misinformed, about what equipment or applications they can safely and effectively use. In many instances, according to the Medical Board of California, contourists use medical-grade equipment and practice medicine without a license. Without clear, lawfully approved training, a place to make official inquiries, ongoing education, and a process for receipt and investigation of consumer complaints, these individuals are operating without a scope of practice or accountability through no fault of their own.

By offering a standard, physician-approved curriculum, the intent is that the California Body Contouring Council will eliminate price gouging affecting persons seeking to learn how to perform body contouring and ensure that those persons are sufficiently trained. The intent is that training curriculum be developed, approved, and overseen by an advisory board.

It is the intent that the California Body Contouring Council embrace this new, growing industry by providing consumer safety and specialized, all-inclusive training to ensure both clients and body contourists are working in harmony for an in-demand and marketable vocation. Job creation faces many barriers, the council recognizes this dilemma and provides an innovative model of education, implementation, training, a clear scope of practice, and accountability.

Analysis:

The Barbering and Cosmetology Act (Act) defines the scope of practice of cosmetology and its specialty branch of skin care, California Business and Profession Code, section 7316 (b) and (c). A person licensed as a cosmetologist or esthetician is required to limit their practice and services rendered to the public to only those areas for which they are licensed, California Business and Professions Code, section 7317. The Act confers no authority to practice medicine or surgery, California Business and Professions code, section 7320. The Board's regulations specifically prohibit invasive procedures which results in the removal, destruction, incision, or piercing of a client's skin beyond the epidermis or the application of electricity which visibly contracts the muscle, Title 16, California Code of Regulations, section 991. Licensed cosmetologists and estheticians are cautioned not to engage in any invasive procedures.

The Board has seen an ongoing trend of invasive procedure manufacturers promoting their products as approved products for cosmetologists and estheticians. The Board has issued citations to licensees for providing invasive procedures and/or the practice of medicine. To combat the growing trends in the beauty industry the Board has issued no less than 4 social media posts regarding invasive procedures over the past 12 months. In almost every town hall the Board has hosted, the topic of invasive procedures equipment is brought up. The Board continues to direct licenses to what is in regulations, in addition staff has created Scope of Practice fliers to hand out to cosmetologist and estheticians at trade shows and other events around the state to combat the misinformation of what is within scope of practice and what is prohibited.

This bill, AB 2412, proposes to create the California Body Contouring Council and requiring a California Licensed cosmetologist to be on the Board of Directors and a cosmetologist on the advisory board. The requirement of a cosmetologist on the California Body Contouring Council may lead to a misunderstanding that this practice is included in the cosmetologist scope of practice, which currently it is not. Should cosmetologists seek additional licensure through California Body Contouring Council, their use of that scope would not be overseen by the Board of Barbering and cosmetology. Additional education may be needed to clearly communicate which license allows contouring and which do not.

The Board has held discussions with the Department of Consumer Affairs as well as various allied health boards including the Medical Board of California, the Osteopathic Medical Board, the Board of Registered Nursing etc. During these meetings, it was agreed that body contouring is the practice of medicine. Body contouring is often treating conditions such as obesity and cellulite. Treating of any medical conditions is considered the practice of medicine.

The Board has reached out to the author's office, though unfortunately have not received a response in time for this analysis.

Fiscal Impact:

No fiscal impact to the Board

AB 2412 text, available online:

https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=202320240AB2412#99INT

Staff Recommendation:

Watch

Action Required: The Board may discuss and make a motion to take a position on the bill.

Position options:

- Watch
- Support
- Support if amended
- Neutral
- Neutral if amended
- Oppose
- Oppose unless amended

BOARD OF BARBERING & COSMETOLOGY

BILL ANALYSIS

Author: Assemblymember Lee

Subject: Labor Laws for Manicurists

Bill Number: AB 2444

Version: Introduced, February 13, 2024

Status: Read first time, to print.

Existing Law

Existing law, the Barbering and Cosmetology Act provide for the licensure and regulation of barbers and cosmetologists by the State Board of Barbering and Cosmetology (the board) in the Department of Consumer Affairs. Existing law requires the board to establish a Health and Safety Advisory Committee to provide the board with advice and recommendations on health and safety issues before the board that impact licensees, including how to ensure licensees are aware of basic labor laws and how to ensure licensees have awareness about physical and sexual abuse their clients may be experiencing. Existing law defines “basic labor laws” for this purpose, and the definition includes the wage and hour rights of an hourly employee.

Existing law requires a 3-part test, commonly known as the “ABC” test, to determine if workers are employees or independent contractors for purposes of the Labor Code, the Unemployment Insurance Code, and the wage orders of the Industrial Welfare Commission. Under the ABC test, a person providing labor or services for remuneration is considered an employee rather than an independent contractor unless the hiring entity demonstrates that the person is free from the control and direction of the hiring entity in connection with the performance of the work, the person performs work that is outside the usual course of the hiring entity’s business, and the person is customarily engaged in an independently established trade, occupation, or business. Existing law exempts specified occupations and business relationships from the application of the ABC test. Existing law, instead, provides that these exempt relationships are governed by the multifactor test previously adopted in the case of *S. G. Borello & Sons, Inc. v. Department of Industrial Relations* (1989) 48 Cal.3d 341. These exemptions include services provided by a licensed manicurist, subject to the manicurist meeting specified conditions. Existing law makes this exemption for licensed manicurists inoperative on January 1, 2025.

This bill:

This bill would add to the definition of “basic labor Laws’ the right to sick pay.

This bill commencing January 1, 2026, would require the board to require all board-licensed establishment owners to view a video on basic labor laws as condition of receiving a license or license renewal.

This bill would require the board, in consultation with the Department of Industrial Relations, to develop and, by July 1, 2025, disseminate, a notification to all board-licensed establishments and licensed manicurists that include specified statements to inform those licensees of a change in law relating to the employment classification of manicurists and of he legal consequences of employment classification as an employee or misclassification of a worker.

This bill would also require the board, in consultation with the Department of Industrial Relations and community-based organizations, to develop a language-appropriate and culturally appropriate educational video or videos on basic labor laws, as prescribed, and post the video or videos on the board's internet website or other accessible platform.

Analysis:

The Board currently oversees the licensing and enforcement of seven license types, including manicurists and establishments. In addition, the board provides the curriculum for Health and Safety topics required within the training for all license types which includes the topic of employee rights, sick leave and determining employee status vs that of an independent contractor.

The board is currently providing the health and safety training curriculum and all its documents in English, Korean, Spanish, and Vietnamese. The board is currently working to expand its translated documents to include Simplified Chinese. The Board is also in the process of updated the Health and Safety curriculum.

The Department of Industrial Relations (DIR) and Employment Development Department (EDD) currently hosts regular employer seminars, on basic labor laws that include sick leave and a discussion on the determination on employee vs an independent contractor. These seminars are offered free of charge. However, these seminars are live events and are often at full capacity making it hard to ensure accessibility to the establishments as required per this bill. There is currently no video on these topics currently available through DIR.

While the content of the video may be pulled from the board's health and safety curriculum and the information covered in the DIR seminars, funds will need to be provided to combine the information and develop a comprehensive training course, create the storyboard, produce the video and ensure its availability in the required languages. The board recently produced a pre-apprenticeship training course with an initial contract cost of \$36,000.

The Board's primary goal, as stated in Business and Professions Code section 7303.1 and 7312 is consumer protection and while the Board does develop a health and safety curriculum, discussions should be had on if it is within the Board's expertise or purview to be the developer and provider of a video that pertains to the Department of Industrial Relations (labor laws).

Currently establishment renewals are an automated process that requires minimal staffing time. Should this bill pass, the board would need to suspend the automated renewals to ensure compliance with the requirement that all establishments complete a video course on basic labor laws prior to renewal. Currently the board licenses approximately 58,178 establishments, with approximately 8,000 new establishments processed annually. The board does not differentiate the types of establishments seeking licensure and would have to apply this requirement to all establishments. In order to meet the requirement of this bill the board would once the video production has been completed, notify all relevant establishments of its availability and their obligation to watch the video. This communication will have costs associated with it pertaining to the printing and mailing of the notices. In addition, the licensing system BreEze, will need to be amended to flag all establishments renewals for review and add the ability to upload a certificate of completion for the training. Staff time will be required to review renewal applications to ensure the validity of the certificates.

Discussion Points:

- Is it the Boards responsibility to be creating media on labor laws or should this responsibility lie solely with the Department that regulates labor laws.
- An individual establishment holder (i.e. a solo suite) would be required to view the video on labor rights when they will never have employees.
- The Board is not able to determine how many establishments are employee/employer based and believe the majority to be independent contractor based.
- The Board cannot absorb the additional workload that would be required to process renewals.

Fiscal Impact:

The fiscal impacts are substantial.

This bill was introduced on February 13, 2024 and therefore staff has not had sufficient time to fully obtain an accurate fiscal impact, however, it is known that the following would be needed:

- BreEze modifications.
- New applications.
- Regulations
- Video Development
- Maintenance of the platform to view video
- Increase workload/staffing

AB 2444 text, available online:

https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202320240AB2444

Staff Recommendation:

Oppose

Action Required: The Board may discuss and make a motion to take a position on the bill.

Position options:

- Watch
- Support
- Support if amended
- Neutral
- Neutral if amended
- Oppose
- Oppose unless amended

BOARD OF BARBERING & COSMETOLOGY

BILL ANALYSIS

Author: Senator Nguyen

Subject: Hairstyling License

Bill Number: SB 1084

Version: Introduced, February 12, 2024

Status: Read first time, to print.

Existing Law

The Barbering and Cosmetology Act provides for the licensure and regulation of the practice of barbering, cosmetology, and hairstyling by the State Board of Barbering and Cosmetology (Board) and makes liable for a misdemeanor a person, firm, association, or corporation that violates the act unless a specific penalty is otherwise provided.

Requires the Board to admit to examination for a license as a hairstylist to practice hairstyling a person who has made application to the Board in proper form, paid the fee required by the act, and meets certain qualifications, including that the person completed a course in hairstyling from a school approved by the board.

The act includes in the practice of barbering to include certain practices including shampooing, arranging, dressing, curling, and waving and the practice of hairstyling of all textures of hair by standard methods that are current at the time of the hairstyling. The act includes in the practice of cosmetology certain practices, including arranging, dressing, curling, waving, cleansing, shampooing, beautifying, or otherwise treating the hair of a person.

This bill:

This bill would repeal those provisions relating to the license as a hairstylist and would make conforming changes.

This bill would remove the practices of shampooing, arranging, dressing, curling, waving, cleansing, shampooing, beautifying from inclusion in the practices of barbering and cosmetology, respectively. These listed practices would be free from licensure or oversight by the state.

The bill would require a person who engages in the practices of arranging, beautifying, cleansing, curling, dressing, shampooing, or waving the hair of a person at an establishment to provide notice to consumers of the person's licensure status.

By expanding the scope of the crime of violating the act, the bill would impose a state-mandated local program.

Analysis:

SB 803 (Roth), 2021 established the Hairstyling license, which requires the completion of a 600-hour program. AB 2196 (Maienschein) 2022, further clarified the scope of work and practice of the Hairstyling license. This bill SB 1084 (Nguyen) 2024 will repeal all language associated with a Hairstyling license.

This bill is potentially the first step in de-regulation of the cosmetology and barbering industry by breaking up the scope of practices. Removing the services of shampooing and styling places consumers at risk of receiving services. This bill would likely increase unlicensed practice as individuals would offer services that do not require a license, but provide those services such as chemical straightening, coloring and perming to increase profit.

The Board issued its first hairstylist license on 08/22/2023. The Board currently, as of 02/16/2024, has issued 16 Hairstylist licenses, and has 45 in processing. Many schools have just began offering this program. The elimination of the hairstylist license would mean that these students paid for a course, completed 600 hours of education, took the examination and received a license that is no longer valid.

The Board currently offers the national examination for cosmetology and barbering. The reduction of scope would mean that the Board would no longer be able to offer the national examination and would have to develop their own CA specific examinations for barbering and cosmetology. This would also cause CA to lose reciprocity with other states.

Fiscal Impact:

Substantial

The Board has not had sufficient time to determine the full fiscal impact but believe the following:

- Development of new cosmetology and barbering examinations
- Update the BreEze system
- Update all publications
- Regulations
- Update website and forms

AB 1084 text, available online:

https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=202320240SB1084

Staff Recommendation:

Oppose

Action Required: The Board may discuss and make a motion to take a position on the bill.

Position options:

- Watch
- Support
- Support if amended
- Neutral
- Neutral if amended
- Oppose
- Oppose unless amended



MEMORANDUM

DATE	February 26, 2024
TO	Members, Board of Barbering and Cosmetology
FROM	Kristy Underwood, Executive Officer
SUBJECT	Agenda Item 11 – Discussion and Possible Action Regarding Interpreters for the Licensing Exam

California Code of Regulations section 931(g) currently states:

A person shall be allowed to act as an Interpreter or Interpreter/Model only once in two (2) years in any examination.

Interpreters have asked the Board of Barbering and Cosmetology (Board) to allow interpreters to act as interpreters more than once every two years. Many exam candidates move to California from other states and countries, so besides speaking a language that the exam is not offered in, they often have limited resources to find an interpreter that is familiar with barbering and cosmetology terminology. Allowing interpreters to interpret more often would decrease barriers to entry and allow individuals requiring an interpreter to apply for a re-examination sooner.

Board staff found that the California Contractors State License Board allows interpreters to act as an interpreter again after one year.

PSI adheres to the Board’s requirements for interpreted exams. PSI does not have their own requirements in the DCA contract; however, PSI requires interpreter exams to be administered in a private room and a PSI test center administrator to be present for the duration of the exam. PSI agrees that one year would be acceptable.

Action Needed: The Board shall discuss the requirements to act as an interpreter and may request that staff provide proposed regulatory change at the next meeting.



MEMORANDUM

DATE February 26, 2024

TO: Members, Board of Barbering and Cosmetology

FROM: Steve Weeks, Committee Chairperson

SUBJECT: Agenda Item 12 - Report on the September 11, 2023, and January 22, 2024, Licensing and Examination Committee Meetings

- a) Review, Discussion, and Possible Action Regarding Committee Recommendation on Establishment Ownership Types
- b) Review, Discussion, and Possible Action Regarding Implementing a 90-day Retention Schedule for Out of State License Certifications

The Licensing and Examination Committee (Committee) discussed renters within licensed establishments. Board staff stated that the Board can do more to help licensees inside licensed establishments as they are operating as their own business. Booth renters and independent contractors operate as their own business as well; however, they sometimes use the establishment's equipment, such as shampoo bowls. The Board asked the legislature for booth renting certificates previously but were unsuccessful with getting this added in statute. Many other states have a booth renter certification or license and have established common areas. Board staff believe suites that have a separate room with a separate business and their own tools/equipment should not fall under an establishment's license as it is not fair to hold businesses responsible if an inspector cannot inspect an individual's room that is solely their business. The Committee agreed with this sentiment. Board staff will research this matter further and bring proposed regulatory language back to the Committee.

The Committee also discussed establishment ownership types. Many years ago, the Board determined that an LLC can be an establishment ownership type. It has come to the Board's attention recently that a professional service cannot be offered by an LLC unless it states such in statute. Board staff recommended asking the legislature to get this clarified in language. The Committee recommends the following language to the full Board for consideration as a legislative proposal:

Section 7347 is amended to read:

(a) Any person, firm, ~~or~~ corporation, *or limited liability company* desiring to operate an establishment shall make an application to the board for a license accompanied by the fee prescribed by this chapter. The application shall be required whether the person, firm, ~~or~~ corporation, *or limited liability company* is operating a new establishment or obtaining ownership of an existing establishment. The application shall include a signed acknowledgment that the applicant understands that establishments are responsible for compliance with any applicable labor laws of the state and that the applicant understands

the informational materials on basic labor laws, as specified in Section 7314.3, the applicant is provided by the board with the application. Every electronic application to renew a license shall include a signed acknowledgment that the renewal applicant understands that establishments are responsible for compliance with any applicable labor laws of the state and that the applicant understands the informational materials on basic labor laws, as specified in Section 7314.3, that the renewal applicant is provided by the board with the renewal application. If the applicant is obtaining ownership of an existing establishment, the board may establish the fee in an amount less than the fee prescribed by this chapter. The applicant, if an individual, or each officer, director, and partner, if the applicant is other than an individual, shall not have committed acts or crimes which are grounds for denial of licensure in effect at the time the new application is submitted pursuant to Section 480. A license issued pursuant to this section shall authorize the operation of the establishment only at the location for which the license is issued. Operation of the establishment at any other location shall be unlawful unless a license for the new location has been obtained upon compliance with this section, applicable to the issuance of a license in the first instance.

Action Needed: The Board may make a motion to pursue the above language for consideration as a legislative proposal.

Lastly, the Committee discussed implementing a 90-day retention schedule for out-of-state license certifications. The Board currently receives certifications for individuals who do not submit a reciprocity application with the Board until several months later, during which time there could have been action against their license. The Committee recommends the following language to the full Board for consideration as a regulatory package:

California Code of Regulations Section 911 is adopted to read:

§ 911. License Certification

An applicant applying for a license based on possessing a current license in another state shall have a license certification from the licensing state sent to the board. The certification shall be submitted from the licensing state directly to the board by mail or email and not be submitted from the applicant. The certification shall be kept in the Board's office for 90 days from the date it is received by the Board. If after 90 days the license has not been issued, a new certification must be received from the licensing state.

Action Needed: The Board may make a motion to approve the proposed regulatory text for Section 911, direct staff to submit the text to the Director of the Department of Consumer Affairs and the Business, Consumer Services, and Housing Agency for review and if no adverse comments are received, authorize the Executive Officer to take all steps necessary to initiate the rulemaking process, make any non-substantive changes to the package, and set the matter for a hearing if requested. If no adverse comments are received during the 45-day comment period and no hearing is requested, authorize the Executive Officer to take all steps necessary to complete the rulemaking and adopt the proposed regulations at Section 911 as noticed.



BUSINESS, CONSUMER SERVICES, AND HOUSING AGENCY • GAVIN NEWSOM, GOVERNOR
DEPARTMENT OF CONSUMER AFFAIRS • BOARD OF BARBERING AND COSMETOLOGY
P.O. Box 944226, Sacramento, CA 94244-2260
Phone: (800) 952-5210 Email: barbercosmo@dca.ca.gov
Website: www.barbercosmo.ca.gov



MEMORANDUM

DATE February 26, 2024

TO: Members, Board of Barbering and Cosmetology

FROM: Tonya Fairley, Committee Chairperson

SUBJECT: September 11, 2023, Education and Outreach Committee Meeting Update

Board staff provided copies of the new scope of practice publications to the Education and Outreach Committee (Committee) and stated that they have been well received at outreach events.

Board staff asked for recommendations regarding outreach opportunities and priorities. The Committee directed staff to continue to promote "Dos and Don'ts" and suggested making Instagram Reels about what to look for in establishments. Board staff suggested working with the Department of Consumer Affairs on a themed holiday outreach plan.

No action required.



MEMORANDUM

DATE February 26, 2024

TO: Members, Board of Barbering and Cosmetology

FROM: Danielle Munoz, Committee Chairperson

SUBJECT: Report on the September 11, 2023, and January 22, 2024, Enforcement and Inspections Committee Meetings

The Enforcement and Inspections Committee (Committee) discussed the criteria for citing practice of medicine. Board staff explained that there has been an increase in body sculpting. The Board has a statute that licensees do not have authority to practice medicine or surgery. The Board held a meeting with the Department of Consumer Affairs and other boards to discuss this issue. Body slimming popularity is growing and being targeted to licensees from manufacturers. The Board is trying to educate licensees on first offenses then follow up if they continue to provide this service. The Committee recommended that staff continue to post on social media about scope of practice reminders and look into sending scope reminders with renewed licenses. The Committee will discuss ways to educate consumers on licensees' scopes of practice.

Board staff brought to the Committee's attention that there is a new school enforcement webpage at https://barbercosmo.ca.gov/schools/school_enforcement.shtml. The Board took formal action against a school in April 2023 and is working on a few other school cases. The Board wants schools to see that the Board takes action against schools that are not following the school requirements.

No action required.



MEMORANDUM

DATE February 26, 2024

TO: Members, Board of Barbering and Cosmetology

FROM: Reese Isbell, Committee Chairperson

SUBJECT: Report on the September 11, 2023, and January 22, 2024, February 20, 2024
Legislative and Budget Committee Meetings

On September 11, 2023, and January 22, 2024, the Legislative and Budget Committee received an update regarding the fee study. Board staff reviewed processing times for examination and re-examination applications (both paper and online) to calculate the costs to the Board. After considering the processing times and costs for the mailroom and cashiering, staff found that the Board should be charging higher examination application fees. Due to the current budget, there is no need to increase fees at this time.

On February 20, 2024, the Committee reviewed and discussed proposed legislation:

- a) SB 992 (Bradford) Hair Types and Textures
- b) AB 2166 (Weber) Hair Types and Textures

Attached to this memo are the bill analyses.

BOARD OF BARBERING & COSMETOLOGY

BILL ANALYSIS

Author: Senator Bradford

Subject: Barbering and cosmetology:
Hair Types and Textures

Bill Number: SB 992

Version: Introduced, January 31, 2024

Status: Referred to Committee on Rules,
February 1, 2024.

Existing Law

Existing law specifies the content and hours that schools must teach for each of the Board's licensing types. The following is the current requirements for services regarding hair under each license type:

Barbering

Two hundred hours in chemical hair services, which includes coloring, straightening, waving, bleaching, hair analysis, predisposition and strand tests, safety precautions, formula mixing, and the use of dye removers.

Two hundred hours in hairstyling services, which includes arranging, blow drying, cleansing, curling, dressing, hair analysis, shampooing, waving, and nonchemical straightening, and hair cutting, including the use of shears, razors, electrical clippers and trimmers, and thinning shears, for wet and dry cutting.

Cosmetology

Two hundred hours in chemical hair services, which includes coloring, straightening, waving, bleaching, hair analysis, predisposition and strand tests, safety precautions, formula mixing, and the use of dye removers.

Two hundred hours in hairstyling services, which includes arranging, blow drying, cleansing, curling, dressing, hair analysis, shampooing, waving, and nonchemical straightening, and hair cutting, including the use of shears, razors, electrical clippers and trimmers, and thinning shears, for wet and dry cutting.

Hairstyling

Two hundred hours in hair styling services, which includes arranging, blow drying, cleansing, curling, dressing, hair analysis, shampooing, waving, and nonchemical straightening, and hair cutting including the use of shears, razors, electrical clippers and trimmers, and thinning shears, for wet and dry cutting.

This bill:

This bill specifies that for barbering and cosmetology:

Instruction in chemical hair services shall include instruction regarding the provision of services to individuals with all hair types and textures, including but not limited to, various curl or wave patterns, hair strand thickness, and volumes of hair.

Instruction in hairstyling services shall include instruction regarding the provisions of services to individuals with all hair types and textures, including but not limited to, various curl or wave patterns, hair strand thickness, and volumes of hair.

The bill specifies for hairstyling:

Instruction in hairstyling services shall include instruction regarding the provisions of services to individuals with all hair types and textures, including but not limited to, various curl or wave patterns, hair strand thickness, and volumes of hair.

This bill also states that the written test shall determine the applicant's skill in, knowledge of, providing services to individuals with varying hair types and textures, as applicable to the practice for which the applicant has applied for licensure.

Analysis:

The coalition for Creating a Respectful and Open World of Natural Hair known as The Crown Act is the coalition that created the law to prohibit race-based hair discrimination. The CROWN Act has been implemented in 23 states, including California. In July 2019, Governor Newsom signed into law Senate Bill 188 which amended the Education Code of California to prohibit discrimination in schools and in the workplace pertaining traditional hairstyles and amended the definition of race to include traits historically associated with race, including but not limited to, hair texture and defined protective styles to include braids, locks, and twists.

In 2023, the state of New York implemented legislation, Senate Bill 2023-S6528, requiring all cosmetology schools to provide education on textured hair as part of their cosmetology course curriculum as well as include questions on license examinations as a condition of licensure.

The two textbooks that are used in California both have sections that include textured hair; however, it is not clear that this is taught in all schools. This bill would require schools to modify their curriculum to ensure students are taught skills in textured hair. It is assumed that many schools already include textured hair services, but some do not.

Fiscal Impact:

The fiscal impact of this bill would be minimal. Should this bill be signed into law, the Board would notify schools of the requirement.

Industry Feedback

The Professional Beauty Federation of California (PBFC) states that their position is to "support if amended" and states that schools are continuing to struggle with the impact of SB 803 and the reduction of hours. The PBFC supports the intent of the bill but asks that hours be amended for barbering and cosmetology to 1000 hours and 1500 hours, respectively.

SB 992 text, available online:

https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=202320240SB992

Committee Position Recommendation: Support

Action Required: The Board may discuss and make a motion to take a position on the bill.

Position options:

- Watch
- Support
- Support if amended
- Neutral
- Neutral if amended
- Oppose
- Oppose unless amended

BOARD OF BARBERING & COSMETOLOGY

BILL ANALYSIS

Author: Assemblymember Weber

Subject: Barbering and cosmetology:
Hair Types and Textures

Bill Number: AB 2166

Version: Introduced, February 6, 2024

Status: Read first time, to print.

Existing Law

Existing law specifies the content and hours that schools must teach for each of the Board's licensing types. The following is the current requirements for services regarding hair under each license type:

Barbering

Two hundred hours in chemical hair services, which includes coloring, straightening, waving, bleaching, hair analysis, predisposition and strand tests, safety precautions, formula mixing, and the use of dye removers.

Two hundred hours in hairstyling services, which includes arranging, blow drying, cleansing, curling, dressing, hair analysis, shampooing, waving, and nonchemical straightening, and hair cutting, including the use of shears, razors, electrical clippers and trimmers, and thinning shears, for wet and dry cutting.

Cosmetology

Two hundred hours in chemical hair services, which includes coloring, straightening, waving, bleaching, hair analysis, predisposition and strand tests, safety precautions, formula mixing, and the use of dye removers.

Two hundred hours in hairstyling services, which includes arranging, blow drying, cleansing, curling, dressing, hair analysis, shampooing, waving, and nonchemical straightening, and hair cutting, including the use of shears, razors, electrical clippers and trimmers, and thinning shears, for wet and dry cutting.

Hairstyling

Two hundred hours in hair styling services, which includes arranging, blow drying, cleansing, curling, dressing, hair analysis, shampooing, waving, and nonchemical straightening, and hair cutting including the use of shears, razors, electrical clippers and trimmers, and thinning shears, for wet and dry cutting.

This bill:

This bill specifies that for barbering and cosmetology:

Instruction in chemical hair services shall include instruction regarding the provision of services to individuals with all hair types and textures, including but not limited to, various curl or wave patterns, hair strand thickness, and volumes of hair.

Instruction in hairstyling services shall include instruction regarding the provisions of services to individuals with all hair types and textures, including but not limited to, various curl or wave patterns, hair strand thickness, and volumes of hair.

The bill specifies for hairstyling:

Instruction in hairstyling services shall include instruction regarding the provisions of services to individuals with all hair types and textures, including but not limited to, various curl or wave patterns, hair strand thickness, and volumes of hair.

This bill also states that the written test shall determine the applicant's skill in, knowledge of, providing services to individuals with varying hair types and textures, as applicable to the practice for which the applicant has applied for licensure.

Analysis:

The coalition for Creating a Respectful and Open World of Natural Hair known as The Crown Act is the coalition that created the law to prohibit race-based hair discrimination. The CROWN Act has been implemented in 23 states, including California. In July 2019, Governor Newsom signed into law Senate Bill 188 which amended the Education Code of California to prohibit discrimination in schools and in the workplace pertaining traditional hairstyles and amended the definition of race to include traits historically associated with race, including but not limited to, hair texture and defined protective styles to include braids, locks, and twists.

In 2023, the state of New York implemented legislation, Senate Bill 2023-S6528, requiring all cosmetology schools to provide education on textured hair as part of their cosmetology course curriculum as well as include questions on license examinations as a condition of licensure.

The two textbooks that are used in California both have sections that include textured hair; however, it is not clear that this is taught in all schools. This bill would require schools to modify their curriculum to ensure students are taught skills in textured hair. It is assumed that many schools already include textured hair services, but some do not.

Fiscal Impact:

The fiscal impact of this bill would be minimal. Should this bill be signed into law, the Board would notify schools of the requirement.

Industry Feedback

The Professional Beauty Federation of California (PBFC) states that their position is to "support if amended" and states that schools are continuing to struggle with the impact of SB 803 and the reduction of hours. The PBFC supports the intent of the bill but asks that hours be amended for barbering and cosmetology to 1000 hours and 1500 hours, respectively.

AB 2166 text, available online:

https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=202320240AB2166

Committee Position Recommendation: Support

Action Required: The Board may discuss and make a motion to take a position on the bill.

Position options:

- Watch
- Support
- Support if amended
- Neutral
- Neutral if amended
- Oppose
- Oppose unless amended



PROFESSIONAL BEAUTY
FEDERATION OF CALIFORNIA

www.beautyfederation.org

February 14, 2024

Senator Steven Bradford
1021 O Street, Suite 7210
Sacramento, CA 95814-4900

Sent Via Leg Portal

Re: SB 992 (Bradford) — SUPPORT If Amended

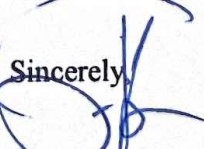
Dear Senator Bradford,

The *Professional Beauty Federation of California* is a broad-based trade association formed in 1999 to support and represent every sector of California's diverse beauty and barbering industry, including hair, skin and nail professionals (currently numbering over 600,000 individuals) and establishments (over 55,000).

We support the intent of this measure, which is consistent with what New York recently mandated. But we are concerned about the timing and policy conflict of any new curricular and testing mandates coming on the heels of SB 803 (Roth) — which dramatically reduced curricular hours, the state's curricular micromanagement, and the scope of our licensure exam.

Our beauty/barbering colleges are still struggling to cut-back their instruction in what has become the predictable, competitive race to meet the lowered bar of SB 803 without lowering their educational standards. We have a growing compilation of data that shows this isn't working well for students struggling to master the licensure exam content and become successful behind-the-chair professionals. And yet the very policymakers who set up this rush to the bottom will continue to mandate their chosen priorities upon our schools and students, as this bill is the first in the post-SB 803 world to illustrate, but will certainly not be the last.

While the PBFC believes all schools should be teaching those skills necessary to prepare each graduate to be safe and successful licensed professionals in our ethnically diverse marketplace, we humbly request you and your legislative colleagues reconsider SB 803's lowering educational bar and the harm it is doing to stymied students before or in conjunction with any new, statutorily-imposed curricular mandates. We therefore request your bill be amended to include your expanded curriculum in conjunction with raising the minimum threshold of curricular hours of barbering and cosmetology to 1200 and 1500, respectively, up from SB 803's 1,000 hours — which would bring California back in line with national norms and provide the necessary time to meet this new mandate.

Sincerely,


FRED JONES
PBFC Counsel & Advocate



MEMORANDUM

DATE February 26, 2024

TO: Members, Board of Barbering and Cosmetology

FROM: Jacob Rostovsky, Committee Chairperson

SUBJECT: Report on the September 11, 2023, and January 22, 2024, Diversity, Equity, and Inclusion Committee Meetings

The Diversity, Equity, and Inclusion Committee (Committee) discussed data staff collected through a voluntary survey. Board staff will use the data to ensure social media posts address underrepresented communities.

Staff shared the new DEI webpage on the Board's website:
https://barbercosmo.ca.gov/licenses/dei_fact.shtml.

Executive Officer Kristy Underwood shared that there may be a bill related to adding textured hair to school curriculums. The Board is also looking into translating regulations into Russian and Ukrainian. The Committee recommended to do more outreach events at community colleges.

No action required.



MEMORANDUM

DATE February 26, 2024

TO: Members, Board of Barbering and Cosmetology

FROM: Calimay Pham, Committee Chairperson

SUBJECT: Report on the January 22, 2024, Health and Safety Advisory Committee Meeting

The Board of Barbering and Cosmetology's Health and Safety Course became available in 2019. It was based off the first edition of the Health and Safety for Hair Care and Beauty Professionals – A Curriculum on Hazards at Work, created by occupational health professionals from the Labor Occupational Health Program, based at the School of Public Health, University of California, Berkeley. Pursuant to Business and Professions Code section 7389, the health and safety course shall be taught in schools approved by the Board. The Health and Safety Advisory Committee discussed a plan to update the Health and Safety Course.

Staff anticipates an updated version will be provided at the first board meeting in 2025.

No action required.



BUSINESS, CONSUMER SERVICES, AND HOUSING AGENCY • GAVIN NEWSOM, GOVERNOR
 DEPARTMENT OF CONSUMER AFFAIRS • BOARD OF BARBERING AND COSMETOLOGY
 P.O. Box 944226, Sacramento, CA 94244-2260
 Phone : (800) 952-5210 Email: barbercosmo@dca.ca.gov
 Website: www.barbercosmo.ca.gov



MEMORANDUM

DATE February 26, 2024

TO: Members, Board of Barbering and Cosmetology

FROM: Kristy Underwood, Executive Officer

SUBJECT: Agenda Item 18 - Discussion and Possible Action Regarding Rulemaking Proposals:

- a) 1. Discussion and Possible Action to Consider Comments Received During the 45-Day Public Comment Period and Proposed Responses Thereto for the Board's Rulemaking to Amend Title 16, California Code of Regulations (CCR) sections 904, 909, 931, 932, 937, 962, and 998, and Repeal sections 928, 934, 950.1, 950.2, 950.3, and 950.4 (SB 803 Clean Up)
2. Discussion and Consideration of Proposed Regulation to Amend Title 16, California Code of Regulations (CCR) sections 904, 909, 931, 932, 937, 962, and 998, and Repeal sections 928, 934, 950.1, 950.2, 950.3, and 950.4 (SB 803 Clean Up)
- b) Update Regarding Rulemaking Proposal to Amend Title 16, CCR sections 913, 913.1, 914.1, 914.2, 915, 917, 918, 918.1, 919, 919.1, 920, 921, 921.1, 921.2, 922, 924, 924.1, 925, 926, 927 (Apprenticeship)
- c) Discussion and Possible Action to Initiate a Rulemaking and Amend Title 16, CCR section 917 (Pre-Apprenticeship Training)
- d) Update Regarding Rulemaking Proposal to Amend Title 16, CCR sections 940, 941, 950.10, 950.12, 962, 962.1, 962.2 (Schools and Externs)
- e) Update Regarding Rulemaking Proposal to Amend Title 16, CCR section 972 (Disciplinary Guidelines)
- f) Update Regarding Rulemaking Proposal to Amend Title 16, CCR section 977 et seq. (Health and Safety)

Item 18.a.1. Discussion and Possible Action to Consider Comments Received During the 45-Day Public Comment Period and Proposed Responses Thereto for the Board's Rulemaking to Amend Title 16, California Code of Regulations (CCR) sections 904, 909, 931, 932, 937, 962, and 998, and Repeal sections 928, 934, 950.1, 950.2, 950.3, and 950.4 (SB 803 Clean Up)

Background

In 2021, Senate Bill (SB) 803 (Chapter 648, Statutes of 2021) was enacted, which among other things, reduced the number of hours required for courses in barbering and cosmetology to 1,000 hours, codified in statute the minimum amount of instruction that

must be included for various subjects in a course for barbering, cosmetology, hairstyling, skin care, and nail care, repealed the Board's preapplication program for schools and apprenticeships and added a new "hairstyling" license type and eliminated the requirement that an applicant for licensure pass a practical examination. Notably, SB 803 repealed provisions in Business and Professions Code section 7362 that expressly authorized the Board to adopt rules to set the required subjects of instruction to be completed in all approved courses, including the minimum hours of technical instruction and minimum number of practical operations for each subject, and how much training is required before a student may begin performing services on paying patrons.

As a result of the foregoing, the Board proposed at its July 17, 2023 Board meeting to amend its current regulations to make them consistent with the changes enacted by SB 803 including the proposed repeal of CCR sections 950.1 (curriculum for barbering course), 950.2 (curriculum for cosmetology course), 950.3 (curriculum for skin care course), and 950.4 (curriculum for nail care course) as provided in Attachment 2. The proposed regulations were filed with the Office of Administrative Law on October 3, 2023 and noticed to the public for review and comment on October 13, 2023 with a 45-day public comment period ending on November 28, 2023. The Board received an adverse comment letter from a member of the public, which is summarized below.

Summary of, and Response to, Comment Received During the 45-day Comment Period on the Original Language

The following individual submitted written comments to the Board on the proposed rulemaking during the 45-day public comment period:

- Justin Kachadoorian, CounselOne Professional Corporation (by letter sent via email and dated November 28, 2023, see **Attachment 1**)

Comment (A) from Justin Kachadoorian: Justin Kachadoorian expressed concern over the Board's interpretation of Senate Bill (SB) 803 (Chapter 648, Statutes of 2021). The commenter does not believe this law enacted by the legislature removed the Board's authority to prescribe by regulations a minimum number of practical operations corresponding to the curriculum now delineated by statute. The commenter urges the Board to reconsider eliminating the practical operations requirement entirely and to instead continue to specify a number of practical operations corresponding to the current curriculum in regulations based upon various legal arguments for why the Board still retains this rulemaking authority, including, for the following reasons:

(1) The requirement for schools to provide students with a minimum number of practical operations dates back to at least 1942 and was probably adopted by the former Board of Cosmetology (BC) soon after the first Cosmetology Act was passed in 1927. It has been a feature of California law ever since.

(2) Before 1990 (when BPC section 7362 was first enacted giving this Board express authority to set the minimum number of practical operations), these statutory provisions did not explicitly mention "practical operations" at all but BC's regulations prescribing a definite number of

operations to be performed in each subject still satisfied review under the Administrative Procedure Act because they were “reasonably necessary to effectuate the purpose of the statute” – here, providing practical training to prepare students for careers in the field. See Cal. Gov. Code § 11342.2 (state agency may adopt regulation pursuant to “the express or implied terms of any statute” where regulation is “consistent and not in conflict with the statute and reasonably necessary to effectuate the purpose of the statute.”).

(3) Current BPC § 7362 still gives the Board the power to approve schools and “a course of instruction approved by the board.” Further, BPC § 7362.1(c) requires schools to “maintain a course of practical training and technical instruction for the full cosmetology course **as specified in this chapter and in board regulations.**” (Emph. added.)

(4) Current BPC § 7334(f), relating to apprenticeship programs, specifies that “[a]pprentices shall be required to obtain at least ... **[the] minimum number of practical operations for each subject as specified in board regulations for courses taught in schools approved by the board[.]**” (Emph. added.) SB 803 did not amend or revise this provision.

(5) The practical operations requirement is important for a number of reasons including, that the purpose of this training is to learn how to perform services on actual people, with supervision and evaluation by competent instructors. The requirement for schools to ensure that students perform a definite number of practical operations, and maintain records documenting such performance, guarantees students the practical experience for which they are paying.

(6) The removal of the practical-operation requirement will give schools free rein to provide as much or as little of these practical-operation opportunities to students as they desire with the result that the students will be less qualified and the public will receive services from this stock of less qualified students.

Response (A): The Board acknowledges the comment from Justin Kachadoorian. However, due to the passage of SB 803 (2021) which was brought about due to the recent joint sunset review oversight of the BBC by the Senate Committee on Business, Professions, and Economic Development and Assembly Committee on Business and Professions, the Board believes those legislative amendments have been accurately reflected in this rulemaking package. As discussed further below, Sections 950.1, 905.2, 950.3 and 950.4 are being repealed to reflect the amendments made to BPC sections 7338 and 7362 including striking the requirement for administration of a practical examination and removal of the Board’s authority to determine by regulation the required subjects of instruction to be completed in all approved courses, including the minimum number of practical operations for each subject, and the authority to determine how much training is required before a student may begin performing services on paying patrons. Therefore, the regulations regarding the curriculum for barbering, cosmetology, skin care or nail care courses are superseded by these changes to the Board of Barbering and Cosmetology Act and are no longer applicable to the Board.

Regulations Counsel provides the following analysis:

The practical examination was eliminated by SB 803 along with the Board's express authority to set minimum standards for the number of practical operations that must be performed as part of curriculum in schools.

In 2021, BPC section 7338 stated, in part:

“The examination of applicants for a license shall include both a practical demonstration and a written test and shall embrace subjects typically taught in a program approved by the board.”

To support the objective of preparing applicants to take and pass the Board's practical demonstration examination, the Board adopted Sections 950.1-950.4, which set minimum standards for the number of practical operations that must be performed as part of the curriculum offered for a barbering, cosmetology, skin care or nail care course.

However, with the enactment of SB 803, the practical examination was eliminated, and BPC section 7338 currently reads:

(a) The examination of applicants for a license shall **consist of a written examination** that evaluates competency in protecting the health and safety of consumers of the services provided by licensees.

(b) The examination shall include written tests to determine the applicant's skill in, and knowledge of, the practice of the occupation for which a license is sought and shall include written tests in antisepsis, disinfection, and the use of mechanical apparatus and electricity as applicable to the practice for which the applicant has applied for licensure.” (Emphasis added.)

In a legislative bill analysis for SB 803, the California Assembly on Business and Professions noted that “the elimination of the practical exam would remove a major barrier to entry into the profession and likely reduce costs to those seeking licensure.” (See, Underlying Data, “Assembly Committee Analysis, Assembly Committee on Business and Professions,” p. 11). Further, following analysis of this Board's recommendations to reduce hourly requirements for curriculum, the Committee noted the following:

“[T]he BBC's sunset background paper stated that ‘the Committees may wish to decrease the amount of hours required for licensure in order to allow individuals a swifter path to completing necessary curriculum that will lead to safe beautification services practice.’ This bill implements that recommendation by reducing the required number of hours for courses in both barbering and cosmetology to 1,000 and **codifying course content requirements** to align with that change.” (Emphasis added, p. 11 Committee Analysis.)

SB 803 therefore codified these new curriculum content requirements at BPC sections 7362.5, 7363, 7364, and 7365 (and BPC section 7366 added later by AB 2196 (Stats. 2022, ch. 57), which did not include specified minimum requirements for the number of practical operations.

In 2021, BPC section 7362 read (as provided in Stats. 2013, ch. 333, sec. 9 (SB 308)), in part, as follows:

(a) A school approved by the board is one that is first approved by the board and subsequently approved by the Bureau for Private Postsecondary Education or is a public school in this state, and provides a course of instruction approved by the board. However, notwithstanding any other law, both the board and the Bureau for Private Postsecondary Education may simultaneously process a school's application for approval.

(b) The board shall determine by regulation the required subjects of instruction to be completed in all approved courses, including the minimum hours of technical instruction and minimum number of practical operations for each subject, and shall determine how much training is required before a student may begin performing services on paying patrons. (Emphasis added)

(c) Notwithstanding any other law, the board may revoke, suspend, or deny approval of a school, in a proceeding that shall be conducted in accordance with Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code, when an owner or employee of the school has engaged in any of the acts specified in paragraphs (1) to (8), inclusive...."

Following enactment of SB 803 (Stats. 2021, ch. 648) effective January 1, 2022, BPC section 7362 was revised as follows:

(a) A school approved by the board is one that is first approved by the board and subsequently approved by the Bureau for Private Postsecondary Education or is a public school in this state, and provides a course of instruction approved by the board. However, notwithstanding any other law, both the board and the Bureau for Private Postsecondary Education may simultaneously process a school's application for approval.

~~***(b) The board shall determine by regulation the required subjects of instruction to be completed in all approved courses, including the minimum hours of technical instruction and minimum number of practical operations for each subject, and shall determine how much training is required before a student may begin performing services on paying patrons. (Emphasis added)***~~

(e~~b~~) Notwithstanding any other law, the board may revoke, suspend, or deny approval of a school, in a proceeding that shall be conducted in accordance with Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code, when an owner or employee of the school has engaged in any of the acts specified in paragraphs (1) to (8), inclusive.

(1) Unprofessional conduct which includes, but is not limited to, any of the following:

(A) Incompetence or gross negligence, including repeated failure to comply with generally accepted standards for the practice of barbering, cosmetology, or electrology, or disregard for the health and safety of patrons.

(B) Repeated similar negligent acts.

(C) Conviction of any crime substantially related to the qualifications, functions, or duties of the owner of an approved school, in which case, the records of conviction or a certified copy thereof shall be conclusive evidence of the conviction.

- (2) Repeated failure to comply with the rules governing health and safety adopted by the board and approved by the State Department of Public Health, for the regulation of board-approved schools.
- (3) Repeated failure to comply with the rules adopted by the board for the regulation of board-approved schools.
- (4) Continued practice by a person knowingly having an infectious or contagious disease.
- (5) Habitual drunkenness, or habitual use of, or addiction to the use of, any controlled substance.
- (6) Obtaining or attempting to obtain practice in any occupation licensed and regulated under this chapter, or money, or compensation in any form, by fraudulent misrepresentation.
- (7) Refusal to permit or interference with an inspection authorized under this chapter.
- (8) Any action or conduct that would have warranted the denial of a school approval.

“Regulations that alter or amend the statute, or enlarge or impair its scope, are invalid.” (*Delta Stewardship Council Cases* (2020) 48 Cal.App.5th 1014). 11342.2. Government Code section 11342.2 also provides that, “Whenever by the express or implied terms of any statute a state agency has authority to adopt regulations to implement, interpret, make specific or otherwise carry out the provisions of the statute, no regulation adopted is valid or effective unless consistent and not in conflict with the statute and reasonably necessary to effectuate the purpose of the statute.”

As demonstrated above, the Board’s authority to administer a practical examination and to determine by regulation the minimum practical operations for each subject was repealed effective January 1, 2022. When the Legislature repeals a statute, all authority exercised pursuant to that statute is likewise annulled or revoked (“[the] effect of repealing a statute is ‘to obliterate it as completely from the records of the parliament as if it had never passed; and it must be considered as a law that never existed, except for the purpose of those actions which were commenced, prosecuted, and concluded while it was an existing law.’” (*People v. Pinedo* (2021) 66 Cal.App.5th 608, 619 quoting *Spears v. County of Modoc* (1894) 101 Cal. 303, 305).

As a result, the Board must reject the commenter’s recommendation since the Board is without authority to supersede the revisions enacted by the Legislature as noted above. The Board is obligated to enforce the law as written and according to the legislative purpose outlined in the Committee analysis for SB 803. Retaining these requirements as recommended by the commenter would be inconsistent with the express actions taken by the Legislature to repeal the Board’s authority to both administer a practical examination and to adopt rules to prescribe the minimum number of practical operations for each subject.

Comment (B) from Justin Kachadoorian: Justin Kachadoorian also expressed concern about other failures to meet apparent qualitative standards for the approval of schools, including:

What is happening at some beauty schools, however, is the excess teaching of “theory” – including rote learning of subjects tested on the licensing exam – to the exclusion of practical training on real persons. Students are given insufficient opportunities to perform on live models and must often perform operations on mannequins where live models would be preferred. Often little or no supervision or evaluation occurs during the performance of these operations at Board-approved schools.”

Response (B): The Board acknowledges the comment. However, the qualitative standards for the approval of schools are not the subject of, and therefore outside the scope of, this proposed rulemaking.

Action Needed:

After review of the attachments for this item including the written comments in Attachment 1 and the proposed responses noted above, the Board may consider any of the following actions:

Option No. 1 (If the members agree with the staff recommended responses):

Direct staff to proceed as recommended to reject comments as specified and provide the responses to the comments as indicated in the meeting materials.

Option No. 2: (If the members have any edits to the recommended responses or disagree with staff and wish to accept any comments or make any other changes to its responses):

Direct staff to accept the following comments and make the following edits to the text: [identify comments to accept and text to change here], but otherwise proceed as recommended to reject comments as specified and provide the responses to the comments as indicated in the meeting materials.

Item 18.a.2. Discussion and Consideration of Proposed Regulation to Amend Title 16, California Code of Regulations (CCR) sections 904, 909, 931, 932, 937, 962, and 998, and Repeal sections 928, 934, 950.1, 950.2, 950.3, and 950.4 (SB 803 Clean Up).

If the Board rejects the previously discussed comments and makes no further changes to the proposed text, staff recommends the Board consider the motion described in Option 1 to complete the rulemaking process and adopt the proposed text:

Option No. 1: If the Board agrees with the staff recommended responses and there are no changes to the proposed text, move to:

Direct staff to take all steps necessary to complete the rulemaking process including the filing of the final rulemaking package with the Office of Administrative Law, authorize the Executive Officer to make any non-substantive changes to the proposed regulations and the rulemaking documents, and adopt the proposed regulations as noticed for Title 16 CCR sections: 904, 909, 931, 932, 937, 962, and 998, and Repeal sections 928, 934, 950.1, 950.2, 950.3, and 950.4.

Option No. 2: If the Board decides it wishes to make changes to the originally proposed and noticed text, the Board may use the following motion:

To approve the proposed modified regulatory text for sections: [text sections to be amended] that include the following changes [describe amendments here] and direct staff to take all steps necessary to complete the rulemaking process, including sending out the modified text with these changes for an additional 15-day comment period. If after the 15-day public comment period, no

adverse comments are received, authorize the Executive Officer to make any non-substantive changes to the proposed regulations and adopt the proposed regulations as described in the modified text notice for Title 16 CCR sections: 904, 909, 931, 932, 937, 962, and 998, and Repeal sections 928, 934, 950.1, 950.2, 950.3, and 950.4.

Documents included with this memo for Agenda Items 18a.1 and a.2 for reference:

1. Written comments received during the public comment period on originally proposed regulatory language.
2. Originally proposed regulatory language (Noticed to the Public on October 13, 2023).
3. Forms Proposed to be Repealed or Incorporated by Reference in the Originally Proposed Regulatory Language:
 - Mobile Unit Application (1994) (Old form to be repealed)
 - (1008) Application for Mobile Unit License (Form #F-BBC-05 (New 7/2023) (New form to be adopted)
 - Request for Use of an Interpreter or Interpreter/Model (Form #03B-125, Form G (Rev. 8/94)) and Form #03A-126, Form H (Rev. 8/94) (Old forms to be repealed)
 - Application to Use an Interpreter (Form #03A-126 (New 7/2023)) (New form to be adopted)
 - Proof of Training (Form F-BBC-05 (New 07/2023)) (New form to be adopted)

Item 18.c. Discussion and Possible Action to Initiate a Rulemaking and Amend Title 16, CCR section 917 (Pre-Apprenticeship Training)

The attached proposed regulatory language is being proposed to the Board to clarify the Pre-Apprenticeship Training requirements that staff recommend adopting as a result of amendments to the Barbering and Cosmetology Act by Assembly Bill (AB) 2196 (Stats. 2022, Ch. 527, Sec. 3. (AB 2196). Prior to January 1, 2023, applicants for an apprentice license were required to complete a minimum of 39 hours of pre-apprentice training in a facility approved by the Board pursuant to subdivision (c) of Business and Professions Code section 7334. AB 2196 amended Section 7334 to eliminate the minimum 39-hour requirement and instead require an applicant to “complete pre-apprentice training that is administered by the board for the length of time established by the board...”

The proposal at Attachment 4 to this memo would eliminate the existing 39-hour training requirement and instead establish by regulation a pre-apprentice training program developed by the Board that is 2 hours in length, given on-line by the Board in accordance with minimum applicant registration and completion requirements as set forth in Attachment 4, and required to be completed within the six-month period immediately prior to applying for an apprentice license.

The course content would include instruction in the laws and regulations of the Board and basic patron protection and sanitation and disinfection procedures. Basic patron protection and sanitation and disinfection procedures would include the following subjects: disinfecting procedures of tools, linens, and equipment, standard handwashing procedures, blood exposure guidelines, minimum standards for the protection of patrons from hazardous chemicals, common

violations and how to prevent them, physical and sexual abuse awareness, and professionalism. The training would be provided at no cost to the proposed apprentice applicant (since the Legislature did not authorize the Board to collect a fee to provide this training). If the applicant does not complete the training required by this section within the time period required by this section, the individual must re-take and complete the training as required by this section to qualify for issuance of an apprentice license.

Action Needed: Staff requests that the Board review the attached proposed regulatory language and, if no further changes are recommended, make the following motion:

To approve the proposed regulatory text for title 16, CCR Section 917 as set forth in Attachment 4, direct staff to submit the text to the Director of the Department of Consumer Affairs and the Business, Consumer Services, and Housing Agency for review and if no adverse comments are received, authorize the Executive Officer to take all steps necessary to initiate the rulemaking process, make any non-substantive changes to the package, and set the matter for a hearing if requested. If no adverse comments are received during the 45-day comment period and no hearing is requested, authorize the Executive Officer to take all steps necessary to complete the rulemaking and adopt the proposed regulations at Section 917 as noticed.

Documents included for Agenda Item 18.c. with this memo for reference:

4. Proposed Regulatory Language, Pre-Apprenticeship Training

The following regulation packages are being updated by staff:

- Title 16, CCR sections 913, 913.1, 914.1, 914.2, 915, 917, 918, 918.1, 919, 919.1, 920, 921, 921.1, 921.2, 922, 924, 924.1, 925, 926, 927 (Apprenticeship)
- Title 16, CCR sections 940, 941, 950.10, 950.12, 962, 962.1, 962.2 (Schools and Externs)
- Please note, this package is a new concept to combine proposed changes to the Board's extern regulations with a new proposal to address the Board's school approval process in accordance with Business and Professions Code section 7362.
- Title 16, CCR Section 972 (Disciplinary Guidelines)
- Title 16, CCR section 977 et seq. (Health and Safety)



Justin Kachadoorian
justin@counselonegroup.com

310.277.9945 Tel
424.277.3727 Fax

November 28, 2023

VIA EMAIL ONLY

Jennifer Huetter
2420 Del Paso Road, Suite 100
Sacramento, CA 95834
Jennifer.Huetter@dca.ca.gov

Dear Ms. Huetter:

I write to comment on the amendments proposed to 16 CCR §§ 950.1-950.4 as part of the SB 803 clean-up. These amendments would remove all aspects of curriculum for all approved courses, including the minimum number of practical operations. The Notice states that this change is necessary because SB 803's amendment to BPC § 7362 removed the Board's authority to determine by regulation the subjects of instruction to be completed, including the minimum number of practical operations for each subject. Although SB 803 did codify the curriculum for these courses, I do not believe that SB 803 removed the Board's authority to prescribe by regulation a minimum number of practical operations corresponding to the curriculum now delineated by statute.

As you know, I have been researching these sections, and although I have not completed my research, what is clear is that the requirement for schools to provide students with a minimum number of practical operations dates back to at least 1942 and was probably adopted by the former Board of Cosmetology (BC) soon after the first Cosmetology Act was passed in 1927. It has been a feature of California law ever since. BPC § 7362, which the Notice cites as having given the Board authority to prescribe the number of practical operations for each subject of the curriculum for each course of study, was not enacted until 1990, when the two boards merged. Before then, BC's stated statutory authority for prescribing the number of practical operations was former BPC § 7310, a catchall provision corresponding to the current BPC § 7312(a)(1) and authorizing the BC to adopt rules "[f]or carrying out the provisions of this chapter" including the "course to be followed by schools" (former BPC § 7394). Before 1990, these statutory provisions did not explicitly mention "practical operations" at all but BC's regulations prescribing a definite number of operations to be performed in each subject still satisfied review under the Administrative Procedure Act because they were "reasonably necessary to effectuate the purpose of the statute" – here, providing practical training to prepare students for careers in the field. *See* Cal. Gov. Code § 11342.2 (state agency may adopt regulation pursuant to "the express or implied terms of any statute" where regulation is "consistent and not in conflict with the statute and reasonably necessary to effectuate the purpose of the statute.").

The purpose of the Barbering and Cosmetology Act has not changed, and just as before it was enacted in 1990, it gives the Board authority to regulate the number of practical operations to ensure students receive an effective education at Board-approved schools. Current BPC § 7362 still gives the Board the power to approve schools and “a course of instruction approved by the board.” Further, BPC § 7362.1(c) requires schools to “maintain a course of practical training and technical instruction for the full cosmetology course *as specified in this chapter and in board regulations.*” (Emph. added.) Although SB 803 intended to codify the curricula for approved courses, it did not eliminate this important feature of California law. In fact, the entire statutory scheme seems to contemplate the continued regulation of the number of practical operations by the Board. Current BPC § 7334(f), relating to apprenticeship programs, specifies that “[a]pprentices shall be required to obtain at least ... *[the] minimum number of practical operations for each subject as specified in board regulations for courses taught in schools approved by the board[.]*” (Emph. added.) SB 803 amended section 7334 and the section was amended again the following year by AB 2196, and on either of these occasions the Legislature could have but did not change the requirement set forth in subdivision (f) that the Board shall prescribe the practical operations corresponding to the curriculum.

The practical-operations requirement is important for a number of reasons. Foremost, the members of the public the Board must protect in this regard are the students of these programs, who spend substantial sums of money to attend usually private, for-profit institutions to acquire a trade. The purpose of this training is to learn how to perform services on actual people, with supervision and evaluation by competent instructors. What is happening at some beauty schools, however, is the excess teaching of “theory” – including rote learning of subjects tested on the licensing exam – to the exclusion of practical training on real persons. Students are given insufficient opportunities to perform on live models and must often perform operations on mannequins where live models would be preferred. Often little or no supervision or evaluation occurs during the performance of these operations at Board-approved schools. The Internet, especially YouTube, and other forms of virtual instruction (e.g., proprietary video tutorials), are relied on heavily to provide instruction, in place of live demonstrations; and there is a concern that these forms of virtual learning may be used to provide a simulacrum of practical training and supplant the performance of practical operations. The requirement for schools to ensure that students perform a definite number of practical operations, and maintain records documenting such performance, guarantees students the practical experience for which they are paying. From a health and safety standpoint, merely learning about how to prevent the spread of disease or how to disinfect instruments loses some of its utility if not practiced in the context of actually performing services in a salon setting.

The removal of the practical-operation requirement will give schools free rein to provide as much or as little of these practical-operation opportunities to students as they desire. Indeed, by repealing section 950.1-4, the only requirement would be for schools to provide some form of “technical and practical instruction,” *see* BPC § 7362.5, which is not defined by statute. This could mean that schools, some of which have difficulty retaining qualified instructors and have an interest in cutting costs to increase profits, may dispense with practical operations almost entirely, especially operations that are supervised or evaluated, and they would be able to do so without consequence because without a required minimum number of practical operations students must perform there would be no accountability. Merely showing a student a video of a haircut could be considered “practical training” under the statute. The losers here are the students, who will be unqualified to perform services upon graduation even if they pass the licensing exam, which of course no longer

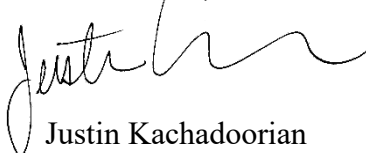
November 28, 2023

Page 3 of 3

even requires a practical component, and ultimately the public, who will receive services from this stock of less qualified students. At best, salons will have to teach these unprepared cosmetologists and absorb the cost of doing so, a cost that inevitably will be passed on to consumers, who essentially will have to pay twice for this substandard education, first in the form of tax dollars to subsidize loans taken out by students and then again in the form of increased prices at the salon. Because attending a cosmetology school reflects a large, one-time expense that can seriously affect the livelihoods of students attending such programs, this is not a circumstance where market corrections provide an appropriate remedy.

Consequently, I would urge the Board to reconsider eliminating the practical-operations requirement entirely. Instead, the regulations could continue to specify a definite number of practical operations corresponding to the now-statutory curriculum for each course of study, with due consideration given to recordkeeping relating to this requirement to ensure accountability of Board-approved schools.

Sincerely,
CounselOne, PC

A handwritten signature in black ink, appearing to read "Justin Kachadoorian", written in a cursive style.

Justin Kachadoorian

BOARD OF BARBERING AND COSMETOLOGY

Division 9, Title 16, of the California Code of Regulations.

SPECIFIC LANGUAGE

LEGEND

<u>Underlined</u>	Indicates proposed amendments or additions to the existing regulation.
Strikeout	Indicates proposed deletions to the existing regulation.

1. Amend Section 904, Title 16, California Code of Regulations as follows:

§ 904. Enforcement.

(a) Article 12 of the Bboard's regulations, within Title 16, Division 9 of the California Code of Regulations, contains the Bboard's "Health and Safety Rules".

(b) The holder or holders of an establishment license or a mobile unit license, and the person in charge of any such establishment or mobile unit, shall implement and maintain the Health and Safety Rules in such establishment or mobile unit individually and jointly with all persons in or employed by or working in or on the premises of such establishment or mobile unit.

(c) All licensed barbers, cosmetologists, hairstylists, estheticians, manicurists, electrologists, instructors, or apprentices shall individually implement and maintain the Health and Safety Rules.

(d) All persons performing acts of a barber, cosmetologist, hairstylist, esthetician, manicurist or electrologist, except students in schools, shall, upon request of an authorized representative of the Bboard, present satisfactory proof of identification. Satisfactory proof shall be in the form of a photographic driver's license or photographic identification card issued by any state, federal, or other recognized government entity.

(e) Failure to present valid proof of identification shall be grounds for disciplinary action.

(f) The executive officer and any authorized representative of the Bboard shall have access to and inspect all areas within an establishment, mobile unit, or school, including any room, closet, cabinet, drawer, container, or mobile or fixed storage or display unit.

Note: Authority cited: Section 7312, Business and Professions Code. Reference: Sections 7312, 7313, 7316 and 7404, Business and Professions Code.

2. Amend Section 909, Title 16, California Code of Regulations as follows:

(a) Every application for examination in which the applicant is using training received in a school in this state approved by the Board in order to qualify for examination must be accompanied by proof of that training.

(b) For the purpose of this section, Pproof of training shall be a completed form entitled "Proof of Training Document" (Form #F-BBC-05 New 07/2023), which is hereby incorporated by reference. The Proof of Training form shall be completed document, prepared by the school where the applicant completed the qualifying training, ~~that includes all of the following:~~

~~(1) The course title.~~

~~(2) The student's name, address, and date of birth.~~

~~(3) The school's name, address, and school code issued by the board.~~

~~(4) The date training started and the date training was completed at the school completing the training.~~

~~(5) The total number of hours of training the student received.~~

~~(6) If the applicant has done any one of the following, the document shall also include the information as specified for each:~~

~~(A) If the applicant has received any of the training at another school, the document must specify, for each school attended, the school's name and school code, the number of hours of training received, the date training started, and the last date of attendance.~~

~~(B) If the applicant has received credit from a course transfer, the document must specify the course and the number of hours of training received, the date training started and the last date of attendance before transferring, and the number of hours of credit received.~~

~~(C) If the applicant has received credit for holding a manicurist or cosmetician license issued by the board, the document must specify the type of license, the license number, its date of expiration, and the number of hours of credit received.~~

~~(D) If the applicant has received credit for out-of-state training and/or experience, a copy of the letter from the board granting that credit shall be attached to the document.~~

~~(7) A statement confirming that the student has met the course curriculum requirements as specified by regulation.~~

~~(8) A statement, dated and signed under penalty of perjury by the school and the student, 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.”~~

~~(9) The document must include the name and title of the individual signing for the school clearly printed or typed.~~

~~(c) The information contained in any proof of training document prepared by an approved school in this state must be clearly identified by the number and presented in the order specified in subdivision (b).~~

Note: Authority cited: Section 7312, Business and Professions Code. Reference: Sections 7321, 7321.5, 7322, 7324, 7326, 7330, 7331, 7337, 7362.5, 7363, 7364, 7365, 7367 and 7391, Business and Professions Code.

3. Repeal Section 928, Title 16, California Code of Regulations as follows:

~~§ 928. Preapplication for Examination.~~

~~(a) A preapplication for examination must be submitted to the board postmarked within 7 calendar days from the day the applicant completed 75 percent of the required course hours and curriculum requirements (60 percent for students of the manicurist course) from an approved barbering, cosmetology or electrology school, or any person licensed as an apprentice in barbering, cosmetology, skin care, or nail care who has completed at least 75 percent of the required apprenticeship training hours.~~

~~(b) A preapplication for examination shall be in writing, on a form prepared by the board (Form PRE1, Request for Pre-Application, Rev. 1/05).~~

~~(c) The preapplication form shall be submitted with the following:~~

~~(1) The required preapplication fee specified in Section 998;~~

~~(2) The application for examination, including the required fee and all proof of qualifications of the applicant for examination, except the proof of training document specified in Section 909 or (for apprentices) the certificate of apprenticeship completion specified in Section 924.~~

~~(3) A stamped envelope, addressed to the school from which the applicant completed training or to the apprentice program sponsor from which the applicant completed training.~~

~~(d) The preapplication form shall include an anticipated date that the student/apprentice shall complete his/her course of study/apprenticeship, and a statement, signed by the student/apprentice and the school/apprentice program sponsor and certified to under penalty of perjury, that the student/apprentice has completed the curriculum requirements and number of clock hours required to submit a preapplication.~~

~~(e) Within 30 calendar days of receipt of the preapplication the board shall notify the applicant in writing, at the school/apprentice program sponsor from which the applicant completed training, that the preapplication is either complete or is deficient and what information or documentation is required to complete the application.~~

~~(1) If the application is complete, the notification (that portion of form PRE1 filled out by the board) shall also contain the applicant's scheduled examination date.~~

~~(2) If a preapplication is deficient, the applicant shall not be scheduled for examination with the pre-application population until the deficiencies are corrected and the application is resubmitted.~~

~~(f) The proof of training document/certificate of apprenticeship completion and the portion of form PRE1 filled out by the board must be mailed to the board, postmarked within three working days after the applicant's anticipated date of course/apprenticeship completion. If this requirement is not met, the applicant will not be permitted to be examined on the scheduled date and the applicant will be scheduled for examination with the general application population.~~

~~(g) Within ten working days of receipt of the proof of training document/certificate of apprenticeship completion, the board shall notify the applicant in writing that it is either complete or is deficient and what information or documentation is required to complete the document.~~

~~(1) If the proof of training document/certificate of apprenticeship completion is complete, the board will mail an examination admission letter to the applicant.~~

~~(2) If the proof of training document/certificate of apprenticeship completion is deficient, the applicant will not be permitted to be examined on the scheduled~~

date and will be rescheduled for examinations at the time of receipt of a complete proof of training document/certificate of apprenticeship completion.

Note: Authority cited: Sections 7312 and 7337.5, Business and Professions Code.
Reference: Section 7337.5, Business and Professions Code.

4. Amend Section 931, Title 16, California Code of Regulations as follows:

§ 931. Interpreter and Interpreter/Model.

(a) An applicant for the barber, cosmetologist, hairstylist, esthetician, manicurist, or electrologist examination may use an Interpreter ~~or an Interpreter/Model~~ during examination if the applicant is unable to speak, read, or write in the English, Korean, Spanish, Vietnamese, or Simplified Chinese languages at a 10th grade level and, if the applicant and/or the interpreter complies with the requirements of subsections (c), (d), (f), (h), (i), and (j), as applicable.

(b) To request approval from the Board for an individual designated by the applicant to act as an Interpreter, the applicant shall file with the application for examination, or not later than thirty (30) days prior to the date of the examination, a notice of permission to use an Interpreter or Interpreter/Model on a form prescribed by the board a completed form entitled "Application to Use an Interpreter" (Form #03B-125, Form G, Request for Use of an Interpreter or Interpreter/Model, Rev. #03A-126 New 07/20238/94), which is hereby incorporated by reference, and executed by the applicant under penalty of perjury.

(c) ~~The person designated by the applicant to act as an Interpreter or an Interpreter/Model shall file with the board, not later than fifteen (15) days prior to the date of the examination and on a form prescribed by the board (Form #03A-126, Form H, Rev 8/94) and executed by the person under oath or penalty of perjury, a request to act as an interpreter or an interpreter/model, along with two 1 1/2 x 1 1/2 inch signed photographs of himself or herself.~~

(~~c~~) The Interpreter ~~or Interpreter/Model~~ shall be a person who is fluent both in English and in the native language of the applicant and must certify to this fact in writing under penalty of perjury.

(~~e~~) ~~An Interpreter may interpret only for the written portion of the examination.~~

(~~f~~) ~~An Interpreter/Model may interpret for the written and practical portions of the examination and shall serve as the model for the practical examination.~~

(~~g~~) ~~A person shall be allowed to act as an Interpreter or Interpreter/Model only once in two (2) years in any examination.~~

~~(h) An Interpreter shall not be used in the barber or cosmetology instructor examinations.~~

(ie) Disabled persons are entitled to access to examination activities in a manner that is equal to that offered non-disabled persons and reasonable accommodation will be provided all such persons with medically-certified documentation.

(jf) The following persons are prohibited from acting as an Interpreter ~~or Interpreter/Models~~:

(1) Persons less than 15 years of age.

(2) Persons who are current or former students in barbering, or any of the branches of cosmetology, hairstyling, electrology, nail care, or skin care.

(3) Persons who are currently or have been formerly licensed as an operator or an instructor by this state or any other state in barbering, or any of the branches of cosmetology, hairstyling, electrology, nail care, or skin care.

(4) Persons who are currently or have been formerly enrolled in a barber, cosmetologist, skin care, nail care, or electrology apprentice training program.

~~(5) Persons who are currently or have been formerly enrolled in a cosmetologist apprentice training program.~~

~~(6) Persons who have been formerly Junior Operators or Junior Electrologists.~~

~~(7)~~ Persons who are currently or have been formerly current or former owners or employees of any school of barbering, cosmetology, or electrology, hairstyling, nail care, or skin care.

~~(kg) For a period of one (1) year from the date that any person served as an Interpreter or Interpreter/Model, that person shall be ineligible to apply to the Board of Barbering and Cosmetology for a license in barbering, or any of the branches of cosmetology, hairstyling, electrology, nail care, or skin care from which he or she they provided Interpreter or Model services.~~

(~~h~~) If the Board determines that any of the information furnished pursuant to this section is false in a material respect, it ~~may~~ shall void the applicant's examination, if any.

~~(mi)~~ Persons who are only reading the examination to the applicant, but not interpreting to another language, will not be permitted to accompany the applicant into any examination.

(h) If the ~~B~~board determines that an Interpreter or ~~Interpreter/Model~~ is providing answers during the examination or any other material assistance to the applicant other than translating during the conduct of the examination, it shall disqualify the Interpreter or ~~Interpreter/Model~~ and void the applicant's examination.

Note: Authority cited: Section 7312, Business and Professions Code. Reference: Sections 7338 and 7340, Business and Professions Code.

5. Amend Section 932, Title 16, California Code of Regulations as follows:

§ 932. Passing Grades in Examinations.

(a) Examinations shall consist of ~~a practical demonstration and~~ a written test.

(b) An applicant must obtain a passing score on ~~both the practical demonstration and~~ the written test. The ~~B~~board will determine the passing scores using a criterion-referenced method and based on the recommendation of subject matter experts under the direction of the Board and the Board's examination contractor.

Note: Authority cited: Sections 7312, 7338 and 7340, Business and Professions Code. Reference: Sections 7338 and 7340, Business and Professions Code.

6. Repeal Section 934, Title 16, California Code of Regulations as follows:

~~§ 934. Examination Appeal.~~

~~(a) An applicant who has received a fail score on the written or practical examination shall be eligible to appeal to the board for a review of his or her examination results.~~

~~(b) The appeal shall be filed with the board within fifteen (15) days after the date of notification of his or her examination results. The appeal shall be made in writing, and it shall state the reason for appeal. The board shall only consider appeals regarding significant procedural error in or adverse environmental conditions during the test administration.~~

~~(c) The review of the appeal shall be conducted by one or more board members, or the board's designee, to determine if there is clear and convincing evidence to sustain the applicant's appeal. Such findings shall be subject to the approval of the board.~~

~~(d) Within thirty (30) days after the board has approved the determination on appeal, the applicant shall be notified in writing of the results of his or her appeal. In acting on appeals, the board may take such action as it deems appropriate, including the~~

~~issuance of a license where the board has determined that the applicant has demonstrated the required competence.~~

~~Note: Authority cited: Sections 7312 and 7340, Business and Professions Code.
Reference: Sections 7340 and 7341, Business and Professions Code.~~

7. Amend Section 937, Title 16, California Code of Regulations as follows:

§ 937. Licensing and Operation.

~~(a) An ~~application~~ applicant for a license to operate a mobile unit shall ~~be on a form prescribed and provided by the board~~ submit a completed application to the Board, which shall include a completed form entitled “(1008) Application for Mobile Unit License” (Form #03A-202, Application for License to Operate A Mobile Unit, Rev 1/93 #F-BBC-05 New 07/2023), which is hereby incorporated by reference, accompanied by the nonrefundable application fee and the initial inspection and license fee specified in section 998, and such evidence, statements, or documents as required by Section 7355(b) of the Business and Professions Code.~~

~~(b) The geographical boundaries within which the mobile unit is licensed to operate shall include only the cities and counties within which the mobile unit has permits to provide services, and shall extend no further than a 50 mile radius from the permanent base address from which the mobile unit operates.~~

~~(c) All Health and Safety Rules governing barbering and cosmetology establishments (as contained in Article 12 of these regulations) shall apply to mobile units unless otherwise specified.~~

~~(d) All storage cabinet doors shall have safety catches.~~

~~(e) All equipment which is not stored in storage cabinets shall be securely anchored to the mobile unit.~~

~~(f) No services shall be performed while the mobile unit is in motion.~~

~~(g) A ramp or lift shall be provided for access to the mobile unit if providing services for disabled individuals.~~

~~(h) The owners of mobile units shall be responsible for adherence to all local, state and federal laws and regulations regarding the operation of vehicles to be used as mobile units.~~

~~(i) An itinerary showing dates, locations, and times of service shall be made available, upon request, to an authorized representative of the Bboard.~~

(j) The ~~B~~board shall inform the applicant in writing that the application is either complete and accepted for filing or that it is deficient and what specific information or documentation is required to complete the application ~~after~~ within 10 calendar days of receipt of an application for a license to operate a mobile unit.

(k) The ~~B~~board shall inform the applicant in writing of its decision regarding an application, ~~within 21 calendar days from the date of filing of a completed application.~~ The decision is contingent upon the applicant scheduling an appointment with the ~~B~~board, or its representative, for an inspection of the mobile unit for final approval, pursuant to section 7355(a) of the Business and Professions Code, within seven (7) calendar days of receipt of the notice of a completed application. If the application is determined to be incomplete and the applicant fails to complete the application within the time specified in Business and Professions Code section 7345, the Board shall return the initial inspection and license fee to the applicant after the time period in Section 7345 expires.

(l) The inspection for final approval shall be conducted to ensure compliance with Sections 7345 and 7357(b) of the Business and Professions Code.

Note: Authority cited: Sections 7312 and 7357, Business and Professions Code.
Reference: Sections 7345, 7355 and 7357, Business and Professions Code.

8. Repeal Section 950.1, Title 16, California Code of Regulations as follows:

§ 950.1. Curriculum for Barbering Course.

(a) ~~The curriculum for students enrolled in a barbering course shall consist of fifteen hundred (1500) hours of technical instruction and practical training covering all practices 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) 1100 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 and practical operations for each subject-matter as follows:~~

~~Hairstyling (65 hours of Technical Instruction and 240 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 and 105 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 (60 hours of Technical Instruction 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 and 80 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 and Practical Training 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 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, rolling cream massages.~~

~~(3) 200 Hours of Technical Instruction 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)~~

~~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)~~

~~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)~~

~~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)~~

~~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 provide training in the area of communication skills that includes professional ethics, salesmanship, client record keeping, decorum, basic tax information relating to booth renters, independent contractors, employees, and employers.~~

~~Note: Authority cited: Sections 7312 and 7362(b), Business and Professions Code.
Reference: Sections 7316, 7321.5(d)(1), 7362.5(a) and 7389, Business and Professions Code.~~

9. Repeal Section 950.2, Title 16, California Code of Regulations as follows:

~~§ 950.2. Curriculum for Cosmetology Course.~~

~~(a) The curriculum for students enrolled in a cosmetology course shall consist of sixteen hundred (1600) hours of technical instruction 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 operation 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 and practical training shall include the following hours and/or operations:~~

~~(1) 1100 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 and practical operations for each subject-matter as follows:~~

~~Hairstyling (65 hours of Technical Instruction and 240 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 and 105 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 (60 hours of Technical Instruction 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 hours of Technical Instruction and 80 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 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)~~

~~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)~~

~~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)~~

~~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)~~

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

~~(3) 200 Hours of Technical Instruction 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 and 40 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 peeling.~~

~~Eyebrow Beautification and Make-up (25 hours of Technical Instruction and 30 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, the application of false eyelashes, and lash and brow tinting, if a product exists that is not disapproved, prohibited or banned by the U.S. Food and Drug Administration, the Occupational Safety and Health Administration, or the U.S. Environmental Protection Agency.~~

~~(4) 100 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 and practical operation for each subject-matter as follows:~~

~~Manicuring and Pedicuring (10 hours of Technical Instruction and 25 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 of Technical Instruction 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 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, 7362 and 7362.1(c), Business and Professions Code. Reference: Sections 7316(b), 7321(d)(1), 7362, 7362.5(b) and 7389, Business and Professions Code.~~

10. Repeal Section 950.3, Title 16, California Code of Regulations as follows:

~~§ 950.3. Curriculum for Skin Care Course.~~

~~(a) The curriculum for students enrolled in a skin care course shall consist of six hundred (600) hours of technical instruction and practical training covering all practices of an esthetician 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) 350 Hours of Technical Instruction and Practical Training in Facials~~

~~The required subjects of instruction in Facials shall be completed with the minimum hours of technical instruction and practical operations for each subject-matter as follows:~~

~~Manual, Electrical and Chemical Facials 70 Hours of Technical Instruction and 140 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 peeling.~~

~~Preparation (15 hours of Technical Instruction)~~

~~The subject of Preparation shall include, but not be limited to the following issues: Client consultation, intake procedures, contraindications, professionalism, client record keeping, pre and post operative care, CPR/AED, salon and spa skills.~~

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

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

~~Laws and Regulations (10 hours of Technical Instruction)~~

~~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 (40 hours of Technical Instruction)~~

~~The subject of Health and Safety shall include, but is not limited to, the following techniques and procedures: 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, communicable diseases including HIV/AIDS and Hepatitis B. Chemical composition and purpose of cosmetic and skin care preparation. Elementary chemical makeup, chemical skin peels, physical and chemical changes of matter. Electrical current, principles of operating electrical devices, and the various safety precautions used when operating electrical equipment.~~

~~Disinfection and Sanitation (10 hours of Technical Instruction)~~

~~The subject of Disinfection and Sanitation shall include, but is not limited to, the following techniques and procedures: Procedures to protect the health and safety of the consumer as well as the technician. Proper disinfection procedures.~~

~~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)~~

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

~~(3) 50 Hours of Technical Instruction and Practical Training in Hair Removal and Make-up~~

~~The required subjects of instruction in Hair Removal shall be completed with the minimum hours of technical instruction and practical operations for each subject-matter as follows:~~

~~Eyebrow Beautification (25 hours of Technical Instruction and 50 Practical Operations)~~

~~The subject of Eyebrow Beautification shall include, but is not limited to, the following issues: Eyebrow shaping and hair removal techniques, hair analysis, waxing, tweezing, manual or electrical depilatories.~~

~~Make-up (20 hours of Technical Instruction and 40 Practical Operations)~~

~~The subject of Make-up shall include, but is not limited to, the following issues: Skin analysis, basic and corrective application, application of false eyelashes.~~

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

~~Note: Authority cited: Sections 7312, 7362 and 7364, Business and Professions Code. Reference: Sections 7316(c)(1), 7324(d)(1), 7362, 7364 and 7389, Business and Professions Code.~~

11.Repeal Section 950.4, Title 16, California Code of Regulations as follows:

~~§ 950.4. Curriculum for Nail Care Course.~~

~~(a) The curriculum for students enrolled in a nail care course shall consist of not less than four hundred (400) hours of technical instruction and practical training covering all practices of a manicurist, 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) 300 Hours of Technical Instruction and Practical Training in Nail Care~~

~~The required subjects of instruction in Nail Care shall be completed with the minimum hours of technical instruction and practical operations for each subject matter as follows:~~

~~Manicures and Pedicures (60 hours of Technical Instruction, 60 Practical Operations and 180 nails)~~

~~The subject of Manicures and Pedicures shall include, but is not limited to, the following techniques and procedures: Water and oil manicures including hand and arm massage, complete pedicure including foot and ankle massage, application of artificial nails including liquid, gel, and powder brush-ons, nail tips, nail wraps and repairs, and nail analysis.~~

~~(2) 100 Hours of Technical Instruction and Practical Training in Health and Safety~~

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

~~Laws and Regulations (10 hours of Technical Instruction)~~

~~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 (25 hours of Technical Instruction)~~

~~The subject of Health and Safety shall include, but is not limited to, the following techniques and procedures: Chemistry pertaining to the practices of a manicurist~~

~~including the chemical composition and purpose of nail care preparations. 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, ergonomics, and communicable diseases, including HIV/AIDS and Hepatitis B.~~

~~Disinfection and Sanitation (20 hours of Technical Instruction and 10 Practical Operations)~~

~~The subject of Disinfection and Sanitation shall include, but is not limited to, the following techniques and procedures: Procedures to protect the health and safety of the consumer as well as the technician.~~

~~The ten required minimum operations shall entail performing all necessary functions for disinfecting instruments and equipment as specified in Sections 979 and 980. Disinfection shall be emphasized throughout the entire training period and must be performed before use of all instruments and equipment, with special attention given to pedicure foot spa and basin disinfection procedures detailed in Sections 980.1, 980.2 and 980.3.~~

~~Bacteriology, Anatomy and Physiology (10 hours of Technical Instruction)~~

~~The subjects of Anatomy and Physiology shall include, but is not limited to the following issues: Bacteriology, anatomy, physiology, and nail analysis and conditions.~~

~~(c) The Board recommends that schools provide training in the area of communication skills that includes professional ethics, salesmanship, decorum, record-keeping, client service record cards, basic tax responsibilities related to independent contractors, booth renters, employees, and employers.~~

~~Note: Authority cited: Sections 7312, 7362 and 7365, Business and Professions Code. Reference: Sections 7316(c)(2), 7326(d)(1), 7362, 7365 and 7389, Business and Professions Code.~~

**12. Amend Section 962, Title 16, California Code of Regulations as follows:
§ 962. Definitions.**

(a) For purposes of Section 7395.1 as specified in subdivision (c)(3) of the Business and Professions Code, the term “good standing” means the following:

(4) The licensee maintains a valid, current, active, and unrestricted barber, cosmetology, electrology, hairstyling, esthetician, or manicurist license issued by the Board of Barbering and Cosmetology.

~~(2)~~ There is no current or pending discipline against the license pursuant to Article 11 of the Barbering and Cosmetology Act.

~~(3)~~ The licensee has no unpaid fine issued pursuant to Article 12 of the Barbering and Cosmetology Act.

(b) For purposes of Section 7395.1 as specified in subdivision (g)(3) of the Business and Professions Code and this section, the term “appropriate training” means the student extern has completed ~~60~~25% of the required ~~minimum practical operations and~~ minimum hours of practical and technical instruction set forth in Sections ~~7362.5 950.2-950.4 of this division of the Business and Professions Code.~~

(c) For purposes of Section 7395.1 as specified in subdivision (g)(3) of the Business and Professions Code, the term “chemical treatment” means any product or procedure, including the preparation and/or application of the product, that alters or changes the molecular structure of the hair, skin or nails through the chemical treatments. These treatments may include, but are not limited to the following:

~~(1)~~ permanent waving

~~(2)~~ soft permanent waving

~~(3)~~ chemical straightening

~~(4)~~ sodium hydroxide and other base solutions

~~(5)~~ hair coloring and bleaching (semi-permanent and permanent)

~~(6)~~ chemical skin peel products

~~(7)~~ depilatory products

~~(8)~~ lash and brow tinting products

(d) For purposes of Section 7395.1 subdivision (g)(3) of the Business and Professions Code, the term “direct and immediate supervision” means the student extern may work on a paying client, only in an assisting capacity, when a designated licensee is present to oversee the work process. The tasks performed by the student extern must be within the scope of practice of the designated licensee who is supervising the student extern.

(e) For purposes of Section 7395.1 subdivision (g)(3) of the Business and Professions Code, the term “directly superviseds” means the student extern may perform those acts considered the practice of barbering or cosmetology as listed in Section 7316 of the

Business and Professions Code only not use or apply chemical treatments unless if a designated licensee is present to oversee those acts and the extern meets the requirements of this section. An extern shall not use or apply chemical treatments on any client unless the extern has received appropriate training in the application of those treatments from a barbering or cosmetology school the work process approved by the Board pursuant to section 941. The tasks performed by the student extern must be within the scope of practice of the designated licensee who is supervising the student extern.

Note: Authority cited: Section 7312, Business and Professions Code. Reference: Section 7316, 7362.5, 7395.1, Business and Professions Code.

13. Amend Section 998, Title 16, California Code of Regulations as follows:

998. Schedule of Fees.

The following fees (in dollars) shall be charged by the Board:

(a) Barbers:

(1) Preapplication fee	9
(2) Application and examination fee	75
(3) Initial license fee	50
(4) License renewal fee	50 ¹
(5) License renewal delinquency fee	25 ¹

(b) Cosmetologists:

(1) Preapplication fee	9
(2) Application and examination fee	75
(3) Initial license fee	50
(4) License renewal fee	50 ¹
(5) License renewal delinquency fee	25 ¹

(c) Estheticians:

(1) Preapplication fee	9
(2) Application and examination fee	75
(3) Initial license fee	40
(4) License renewal fee	50 ¹
(5) License renewal delinquency fee	25 ¹

(d) Manicurists:

(1) Preapplication fee	9
(2) Application and examination fee	75
(3) Initial license fee	35
(4) License renewal fee	50 ¹
(5) License renewal delinquency fee	25 ¹

(e) Electrologists:

(1) Preapplication fee	9
(2) Application and examination fee	75

(3 <u>2</u>) Initial license fee	50
(4 <u>3</u>) License renewal fee	50 ¹
(5 <u>4</u>) License renewal delinquency fee	25 ¹
(f) Apprentice application and license fee ²	25
(g) Establishments:	
(1) Application and initial license fee	50
(2) License renewal fee	40
(3) License renewal delinquency fee	20
(h) Mobile Units:	
(1) Application fee	50
(2) Initial inspection and license fee	100
(3) License renewal fee	40
(4) License renewal delinquency fee	20
(i) Personal Service Permit:	
(1) Initial License fee	25
(2) License renewal fee	10
(3) License renewal delinquency fee	5

¹ Fees effective for all licenses expiring on or after December 21, 2007.

² Licenses of apprentices are not renewable.

Note: Authority cited: Sections 7312, 7337.5(~~b~~a), and 7421, Business and Professions Code. Reference: Sections 7415, 7417, 7418, 7420, 7423, ~~7423.5~~, 7424~~1~~, and 7425, Business and Professions Code.



BOARD OF BARBERING AND COSMETOLOGY

P.O. BOX 944226
 SACRAMENTO, CA 94244-2260
 INFORMATION: (916) 445-7061 (916) 445-7008



Application for License to Operate a Mobile Unit

Please print In Ink or type)

1. Name of Appltoant(s) (If Indlvtdual, name of owner; If copartnerahlp, namee of all partners; If corporation, nam, and/or corporation: of corporation and all corporate officers.)

Name (F'lrst, Middle, Last) (see lnatructlons above)	Title (owner, officer, partner)	License No. (If llcenaed by board; If not wrlte "noneN.	Social Security NO. • (If corp., tax I.D. No.)

2. Permanent **base address** (Number and Street, City, **State**. Zip Code) Telephone Number

3. Name of person responsible for driving mobile unit (F'lrst, Middle, Last): - California Driver's License Number:

4. Have you, any partner, or corporate officer been convicted of a criminal offense, felony, or misdemeanor (or entered a plea of nolo coritendere) other than a minor traffic violation? _ Yes _ No
 If answer la "Yea", please llat actual conviction, doh of orltle, l>lace committed and sentence received for each:

(Attach sheet If addttlonol space ls requred)

5. Prior to flnol Inspection, will the mobile unit meet all requirement• set forth on the reverse side of this oppllcatlon? _ Yes _ No
 If answer la "No", gIve fu ll part lcu lara: _____

(Attach sheet If additional apace ls required)

6. The following must accompany this appllootlon:
- Detailed floor plan showing the locatlon of doors, windows, restrooms, focllltlea.sinks, lift or ramp , ventilation, equipment, and dimension of the ll10bble unit In compliance with this article;
 - Proof of purchase of the mobile unit and shop equipment.
 - Coples of appllcoble county and city **licenses** or permits to provide the •obile cosmetologlcal services In each county ond city of operation and the locations therein where the services will be offered.
 - Proof of compliance with applicable city. county and state plumbing, electrical., and fire laws.

(See dlsclosure Information on **reverse**)

I/Wecertify under penalty of perjury under the laws of the State of California that the Information provided on this JPI!cation Is true and correct to the best of my/our knowledge."

If Indlvtdual the owner: If cartnershp, all partners: If corooratlon, oresident or secretary)

Signature	Date	Signature	Date
Signature	Date	Signature	Date

\\lternote moiling If different than permanent base address of mobile unit (Number & Street, City, Zip Code)

To answer "yes" to tt5 on the reverse side, the mobile unit must meet all of the following requirements:

- The mobile unit must be a self-contained, self-supporting, enclosed mobile unit which is at least 24 feet in length. (Business & Professions Code Section 7354)

Equipment requirements (Business & Professions Code Section 7357):

- a self-contained, potable water supply, The potable water tanks shall be not less than 100 gallons, and the holding tanks shall be of adequate capacity,
- continuous, on-demand hot water tanks which shall be not less than six-gallon capacity.
- a self-contained, recirculating, flush chemical toilet with holding tank.
- covered containers for purposes of depositing hair clippings, refuse, and other-waste materials.
- a split lead generator with a remote starter, muffler, and a vent to the outside.
- a sealed combustible heater with an outside vent.

- Pursuant to Business & Professions Code Section 7355(c), after you receive initial approval of the application and floor plan from the board, you must schedule an appointment to show the mobile unit to the board, or representative of the board, for final approval. The inspection for final approval shall be made to ensure compliance with Sections 7354 and 7357 of the Business & Professions Code.

- Enclosed are copies of the Health and Safety Rules of the Board and excerpts from the Barbering and Cosmetology Act (Business & Professions Code) which relate to mobile units. - Become familiar with them -- you are responsible for compliance with all applicable laws and regulations.

Disclosure of your social security number is mandatory. Section of the Business and Professions Code and Pub.L. 94-455 (42 USCA 405(c) (2) (C)) authorizes collection of your social security number. Your social security number will be used exclusively for tax enforcement purposes and for purposes of compliance with any judgement or order for family support in accordance with Section 11350.6 of the Welfare and Institutions Code. If you fail to disclose your social security number, you will be reported to the Franchise Tax Board, which may assess a \$100 penalty against you. disclosure of the corporate tax identification number is voluntary.



(1008) APPLICATION FOR MOBILE UNIT LICENSE INSTRUCTIONS (\$50 Nonrefundable Application Fee and \$100 License and Inspection Fee)

Complete this form in accordance with the instructions below and include additional pages and documents as necessary. The California Board of Barbering and Cosmetology (Board) cannot process the document unless all applicable requested information is provided.

EXPEDITED APPLICATION PROCESSING

1. If you qualify for expedited application processing based on the criteria listed on the application, select the appropriate box. If this section does not apply, leave blank.

SECTION A – APPLICANT/OWNERSHIP INFORMATION

2. NAME: Provide the Last Name, First Name, and Middle Name (if applicable) of the applicant/owner of the mobile unit.
3. ADDRESS: Provide the permanent base address from which the mobile unit will operate.
4. MOBILE UNIT NAME: Provide the name under which the mobile unit will operate, if different than your legal name.
5. TELEPHONE NUMBER: Provide a current telephone number, including area code.
6. E-MAIL ADDRESS (OPTIONAL): Provide a current e-mail address if you would like to receive correspondence and updates from the Board.
7. CONTACT PERSON: Name of the person to contact with any questions concerning the application.
8. TELEPHONE NUMBER: Provide a current telephone number, including area code, for the contact person.

SECTION B – EMPLOYEE/OFFICER RESPONSIBLE FOR DRIVING THE MOBILE UNIT

9. NAME: Provide the full legal name of the individual who will be operating/driving the mobile unit.
10. DRIVER'S LICENSE: Provide the full California Driver's License Number for the individual who will be operating/driving the mobile unit.

SECTION C – FORM OF BUSINESS ORGANIZATION

11. Select **ONE** ownership option and complete the section which applies
 - a. **SOLE PROPRIETORSHIP/INDIVIDUAL OWNER**
 - i. NAME: Provide your Last Name, First Name, and Middle Name (if applicable).
 - ii. SOCIAL SECURITY NUMBER/INDIVIDUAL TAXPAYER IDENTIFICATION NUMBER: Provide your Social Security Number or Individual Taxpayer Identification Number.
 - iii. DATE OF BIRTH: Provide your date of birth (Month/Day/Year).

b. PARTNERSHIP

- i. FEDERAL EMPLOYER IDENTIFICATION NUMBER (FEIN): Provide the FEIN for the partnership.
- ii. NAME: Provide the Last Name, First Name, and Middle Name (if applicable) of all partners.
- iii. DATE OF BIRTH: Provide the date of birth of all partners (Month/Day/Year).

c. CORPORATION

- i. NAME OF CORPORATION: Provide the full legal name of the corporation.
- ii. SECRETARY OF STATE CORPORATE ENTITY REGISTRATION NUMBER: Provide the full California Corporation Number (7 or 12 digits). Note: Please provide a current and active California Secretary of State corporate entity registration number below. For questions regarding registration requirements, please contact the California Secretary of State; their information is available at www.sos.ca.gov.)
- iii. CORP. OFFICER TITLE: Provide the title for each controlling officer of the corporation (e.g., CEO, CFO, etc.). For the purposes of this application, “controlling officer” shall mean the principal individuals who are the officers, directors, managers or officials of the corporation who are responsible for the operations or management of the corporation.
- iv. NAME: Provide the Last Name, First Name, and Middle Name (if applicable) of each controlling officer of the corporation.
- v. CORP. OFFICER SOCIAL SECURITY NUMBER/ITIN: Provide the Social Security Numbers or Taxpayer Identification Number (ITIN) for each controlling officer of the corporation.
- vi. CORP. OFFICER DATE OF BIRTH: Provide the date of birth for each controlling officer of the corporation (Month/Day/Year).

SECTION D – BACKGROUND INFORMATION

12. Select “Yes” or “No” in response to the questions listed on the form and provide the information listed in Section E. 1. or 2, as applicable, if you select a “Yes” response.

- a. Question #1 – NOTE: Applicants are not required to disclose any of the following convictions in response to this question:
 - i. Convictions dismissed pursuant to Section 1203.4, 1203.4a, 1203.41, 1203.42, or 1203.425 of the Penal Code, or a comparable dismissal or expungement.
 - ii. Convictions for which the person has obtained a certificate of rehabilitation under Chapter 3.5 (commencing with Section 4852.01) of Title 6 of Part 3 of the Penal Code;
 - iii. Convictions for which the person has been granted clemency or a pardon by a state or federal executive;
 - iv. An arrest that resulted in a disposition other than a conviction including an infraction or citation
 - v. Convictions that were adjudicated in the juvenile court; or,
 - vi. Convictions under California Health and Safety Code sections 11357(b), (c), (d), (e), or section 11360(b) which are two years or older.

- b. Question #2 – NOTE: For the purposes of this application, “disciplined” shall mean suspended, revoked, placed on probation, public reproof, reprimand or any other form of restriction placed upon any other license, registration, certification or permit that the applicant held or currently holds. An applicant shall not be required to disclose any discipline that was based upon a conviction that has been dismissed pursuant to section 1203.4, 1203.4a, 1203.41, 1203.42, or 1203.425 of the Penal Code or a comparable dismissal or expungement.
- c. Question # 5 – NOTE: “Evidence” shall include:
 - i. Form I-94, arrival/departure record, with an admission class code such as “re” (refugee) or “ay” (asylee) or other information designating the person as a refugee or asylee.
 - ii. Special Immigrant Visa that includes the “si” or “sq”.
 - iii. Permanent resident card (Form I-551), commonly known as a “green card”, with a category designation indicating that the person was admitted as a refugee or asylee.
 - iv. An order from a court of competent jurisdiction or other documentary evidence that provides reasonable assurances to the Board that the applicant qualifies for expedited licensure per Business and Professions Code section 135.4.

SECTION E – FINAL CERTIFICATION

13. WHO MUST SIGN THE FORM (AS APPLICABLE):

- a. Sole Proprietor/Individual Owner
- b. If Partnership
 - i. ALL Partners
- c. If Corporation
 - i. Authorized Representative(s). This is the person or persons who have been authorized to complete the application on behalf of the corporation.

Notice to Applicants

The nonrefundable application fee of \$50 must accompany this application. In addition, the Board requires the initial inspection and license fee of \$100 to be submitted with this application or the application will be deemed incomplete. If the application is determined to be incomplete and the applicant fails to complete the application within one year after it has been filed, the Board shall return the initial inspection and license fee to the applicant after that one-year period expires.

APPLICATION FOR MOBILE UNIT SCHEDULE OF FEES

FEE TYPE	FEE AMOUNT
Application Fee (Nonrefundable)	\$50
Initial Inspection & License Fee	\$100
Renewal Fee	\$40
Delinquency Fee	\$20

INFORMATION COLLECTION, ACCESS, AND DISCLOSURE

***This statement is for your information.** The Information Practices Act, Section 1798.17 of the Civil Code, requires the following information to be provided when collecting information from individuals.

AGENCY NAME: Board of Barbering and Cosmetology

TITLE OF OFFICIAL RESPONSIBLE FOR INFORMATION MAINTENANCE: Executive Officer

ADDRESS: 2420 Del Paso Road, Suite 100, Sacramento, CA 95834

INTERNET ADDRESS: www.barbercosmo.ca.gov

TELEPHONE AND FAX NUMBERS: Phone: (916) 574-7570 Fax: (916) 575-7281

AUTHORITY WHICH AUTHORIZES THE MAINTENANCE OF THE INFORMATION: BPC Sections 30, 31, 494.5, 7355, 7357, and 7358 and CCR section 937.

CONSEQUENCES OF NOT PROVIDING ALL OR ANY PART OF THE REQUESTED INFORMATION: It is mandatory that you provide all information requested. Omission of any item of requested information will result in the application being rejected as incomplete.

PRINCIPAL PURPOSE(S) FOR WHICH THE INFORMATION IS TO BE USED: The information requested will be used to determine qualifications for licensure and to establish positive identification. Each individual has the right to review their files or records maintained on them by this agency, unless the records are exempted by section 1798.40 of the California Civil Code.

ANY KNOWN OR FORESEEABLE DISCLOSURES WHICH MAY BE MADE OF THE INFORMATION: Your completed application becomes the property of the Board and will be used by authorized personnel to determine your eligibility for a license. Information on your application may be transferred to other governmental or law enforcement agencies. Pursuant to the California Public Records Act (Gov Code Section 6250 et seq.) and the information Practices Act (Civ. Code Section 1798.61), if the application is approved and the license granted, the personal or business name of the applicant and the address information entered on the attached form(s) will become public information subject to disclosure. However, in addition to the name and address, except for the SSN, ITIN or FEIN, other information provided on this form may be disclosed to a member of the public, upon request, under the California Public Records Act or pursuant to a court order or subpoena.

SOCIAL SECURITY OR TAXPAYER IDENTIFICATION NUMBER (SSN/ITIN): Disclosure of your social security number or taxpayer identification number is mandatory. Section 30 of the Business and Professions Code and Public Law 94-455 [42 U.S.C.A. Section 405(c)(2)(C)] authorize collection of your social security number or taxpayer identification number. Your social security number or taxpayer identification number will be used exclusively for tax enforcement purposes, for purposes of compliance with any judgment or order for family support in accordance with section 17520 of the Family Code, or for verification of licensure or examination and where licensure is reciprocal with the requesting state. If you fail to disclose your social security number, you will be reported to the Franchise Tax Board, which may assess a \$100 penalty against you.

TAX OBLIGATION DISCLOSURE NOTICE: Under BPC sections 31 and 494.5, the California Department of Tax and Fee Administration (CDTFA) and the Franchise Tax Board (FTB) may share taxpayer information with the Board. You are required to pay your state tax obligation. This application may be denied, or your license may be suspended if you have a state tax obligation, and the state tax obligation is not paid, and your name appears on either the CDTFA or FTB certified list of top 500 tax delinquencies.



(1008) APPLICATION FOR MOBILE UNIT LICENSE
(\$50 Nonrefundable Application Fee and \$100 License and Inspection Fee)

Cashiering (1020) Use Only:	Entity #:	Receipt #:	Amount: \$
--	------------------	-------------------	-------------------

I qualify for expedited application processing based on one of the below criteria:
 Honorably Discharged Veteran of the United States Armed Forces or National Guard
 Admitted to the United States as a Refugee, Granted Asylum, or Have a Special Immigrant Visa Status

SECTION A: APPLICANT/OWNERSHIP INFORMATION

Full Legal Name of Applicant/Owner of Mobile Unit

Last Name <i>(please print clearly)</i>		First Name	Middle Name	
Permanent Base Address from which Mobile Unit Will Operate	Apt./Suite	City	State	Zip Code

Mobile Unit Name

Telephone Number (<input type="text"/> <input type="text"/> <input type="text"/>) <input type="text"/> <input type="text"/> <input type="text"/> - <input type="text"/> <input type="text"><input type="text"/><input type="text"/></input>	Email Address (optional)
Name of Contact Person for this Application:	Telephone Number (<input type="text"/> <input type="text"/> <input type="text"/>) <input type="text"/> <input type="text"/> <input type="text"/> - <input type="text"/> <input type="text"><input type="text"/><input type="text"/></input>

SECTION B: EMPLOYEE/OFFICER RESPONSIBLE FOR DRIVING THE MOBILE UNIT

Operator/Driver Full Name	California Driver's License Number <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>
---------------------------	---

SECTION C: FORM OF BUSINESS ORGANIZATION – Select ONE ownership option below and complete that section.

SOLE PROPRIETORSHIP/INDIVIDUAL OWNER **PARTNERSHIP** **CORPORATION**

SOLE PROPRIETORSHIP/INDIVIDUAL OWNER

Last Name	First Name	Middle Name
Social Security Number/Individual Taxpayer Identification Number <input type="text"/> <input type="text"/> <input type="text"/> - <input type="text"/> <input type="text"/> - <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>	Date of Birth <input type="text"/> <input type="text"/> - <input type="text"/> <input type="text"/> - <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> Month Day Year	

PARTNERSHIP

Federal Employer Identification Number

<input type="text"/>	<input type="text"/>	<input type="text"/>	-	<input type="text"/>	<input type="text"/>	-	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
----------------------	----------------------	----------------------	---	----------------------	----------------------	---	----------------------	----------------------	----------------------	----------------------

Last Name

First Name

Middle Name

Date of Birth

<input type="text"/>	<input type="text"/>	-	<input type="text"/>	<input type="text"/>	-	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Month		Day		Year						

Last Name

First Name

Middle Name

Date of Birth

<input type="text"/>	<input type="text"/>	-	<input type="text"/>	<input type="text"/>	-	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Month		Day		Year						

CORPORATION

Name of Corporation

Secretary of State Corporate Entity Registration Number

<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
----------------------	----------------------	----------------------	----------------------	----------------------	----------------------	----------------------	----------------------	----------------------	----------------------	----------------------	----------------------	----------------------	----------------------	----------------------	----------------------	----------------------	----------------------	----------------------	----------------------	----------------------

Corp. Officer Title

Last Name

First Name

Middle Name

Corp. Officer Social Security Number/ITIN

<input type="text"/>	<input type="text"/>	<input type="text"/>	-	<input type="text"/>	<input type="text"/>	-	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
----------------------	----------------------	----------------------	---	----------------------	----------------------	---	----------------------	----------------------	----------------------	----------------------	----------------------

Corp. Officer Date of Birth

<input type="text"/>	<input type="text"/>	-	<input type="text"/>	<input type="text"/>	-	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Month		Day		Year						

Corp. Officer Title

Last Name

First Name

Middle Name

Corp. Officer Social Security Number/ITIN

<input type="text"/>	<input type="text"/>	<input type="text"/>	-	<input type="text"/>	<input type="text"/>	-	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
----------------------	----------------------	----------------------	---	----------------------	----------------------	---	----------------------	----------------------	----------------------	----------------------

Corp. Officer Date of Birth

<input type="text"/>	<input type="text"/>	-	<input type="text"/>	<input type="text"/>	-	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Month		Day		Year						

Corp. Officer Title

Last Name

First Name

Middle Name

Corp. Officer Social Security Number/ITIN

<input type="text"/>	<input type="text"/>	<input type="text"/>	-	<input type="text"/>	<input type="text"/>	-	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
----------------------	----------------------	----------------------	---	----------------------	----------------------	---	----------------------	----------------------	----------------------	----------------------

Corp. Officer Date of Birth

<input type="text"/>	<input type="text"/>	-	<input type="text"/>	<input type="text"/>	-	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Month		Day		Year						

Corp. Officer Title

Last Name

First Name

Middle Name

Corp. Officer Social Security Number/ITIN

<input type="text"/>	<input type="text"/>	<input type="text"/>	-	<input type="text"/>	<input type="text"/>	-	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
----------------------	----------------------	----------------------	---	----------------------	----------------------	---	----------------------	----------------------	----------------------	----------------------

Corp. Officer Date of Birth

<input type="text"/>	<input type="text"/>	-	<input type="text"/>	<input type="text"/>	-	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Month		Day		Year						

SECTION D: BACKGROUND INFORMATION – Check YES or NO for each of the questions below.

1. Has the applicant, any partner, or controlling officer of the partnership or corporation ever been convicted of any crime or offense for which a license may be denied pursuant to BPC section 480, including:

- a. A criminal conviction for a serious felony under Penal Code section 1192.7;
- b. A criminal conviction that qualifies as a registerable offense under Penal Code section 290(d)(2) or (d)(3);
- c. A criminal conviction that occurred within the last seven (7) years preceding the application date;
- d. A criminal conviction for which the applicant or controlling officer is presently incarcerated; or,
- e. Any conviction for which the applicant or controlling officer was released from incarceration within the preceding seven (7) years?

**If YES, the applicant shall attach documents or a written statement on a separate sheet(s) of paper that contains the following information, as applicable:*

- (A) plea/conviction date,
- (B) incarceration date,
- (C) incarceration release date,
- (D) probation/parole release date,
- (E) arresting agency,
- (F) court name/location,
- (G) name of the case and case/docket number,
- (H) list of codes or laws violated,
- (I) explanation of the offense(s)/details of the crime(s), and,
- (J) a statement of any rehabilitation efforts or mitigating information that the applicant would like to submit.

Yes No

2. Within the preceding seven (7) years from the date of the application, has the applicant, or any partner officer or controlling officer of the business had a license, permit, registration, or certification (“license”) that was formally disciplined by a licensing board in or outside of California?

**If YES, the applicant shall attach copies of the disciplinary decision taken by the licensing board, agency, or other governmental organization (“board”) that contains the following information:*

- (A) the type of disciplinary action taken (e.g., revocation, suspension, probation),
- (B) the effective date of the disciplinary action,
- (C) the license type,
- (C) the license number,
- (D) the name and location of the licensing board, and
- (E) an explanation of the violations found by the licensing board.

Yes No

In addition, the applicant may submit a statement or documents showing the applicant’s rehabilitation efforts or any mitigating information that the applicant would like the Board to consider.

<p>3. Does the applicant hold any professional or vocational license(s) with a California Board?</p> <p><i>*If YES, list License Number(s), License Type, and Name of the Issuing California Board here:</i></p> <hr/>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>4. Are you serving in, or have you previously served in, the United States military? (BPC section 114.5)</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>5. If you answered “Yes” to Question No. 4 above, are you requesting expediting of this application for honorably discharged members of the U.S. Armed Forces? (BPC section 115.4)</p> <p><i>*If YES, attach a copy of your previous military service (DD214 – Certificate of Release or Discharge from Active Duty, or current military orders) for expedited review of your application.</i></p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>6. Do any of the following statements apply to you:</p> <ul style="list-style-type: none"> a. You were admitted to the United States as a refugee pursuant to section 1157 of Title 8 of the United States Code, b. You were granted asylum by the Secretary of Homeland Security or the Attorney General of the United States pursuant to section 1158 of Title 8 of the United States Code; or, c. You have a special immigrant visa and were granted a status pursuant to section 1244 of Public Law 110-181, Public Law 109-163, or section 602 (b) of Title VI of Division F of Public Law 111-8 [relating to Iraqi and Afghan translators/interpreters of those who worked for or on behalf of the United States Government]. <p><i>*If YES, you must attach evidence of your status as a refugee, asylee, or special immigrant visa holder as provided in the instructions page above. Failure to do so may result in application processing delays.</i></p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>7. Are you providing a detailed floor plan with this application showing the layout and dimensions of the mobile unit and the location of doors, windows, restrooms, sinks, lift or ramps, ventilation, and other necessary equipment in compliance with the Board’s health and safety regulations in Article 12 of Division 9 of the CCR (commencing with Section 977)?</p> <p><i>*If YES, please submit a copy of the floor plan with this application.</i></p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>8. Does the mobile unit have the required equipment in compliance with the Board’s mobile unit regulations in Article 5 of Division 9 of the CCR (commencing with Section 937(c))?</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>

<p>9. Are you providing proof of purchase (cancelled check or transaction receipt showing mobile unit purchase by the applicant or authorized representative) or lease (copy of lease agreement between the applicant and the mobile unit owner) of the mobile unit with this application?</p> <p><i>*If YES, please submit a copy of the proof of purchase or lease, as applicable, with this application.</i></p>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<p>10. Does the mobile unit have a self-contained potable water supply (if shampooing services are offered)?</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<p>11. Does the mobile unit have continuous, on-demand hot water tanks which shall not be less than six-gallon capacity?</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<p>12. Does the mobile unit have adequate ventilation (which includes at least one window capable of opening and a powered ventilation fan)?</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No

SECTION E: FINAL CERTIFICATION

I declare under penalty of perjury under the laws of the State of California that I am authorized to sign this application on behalf of the applicant, that I have read this application and the information provided herein along with any accompanying documents, and that the foregoing and all attachments are true and correct.

In signing this application, I further acknowledge receiving notice of the following:

BPC section 7359 states:

“It is unlawful for any person, firm or corporation to hire, employ, allow to be employed, or permit to work, in or about a mobile unit, any person who performs or practices any occupation regulated under this chapter who is not duly licensed by the board. Any person violating this section is guilty of a misdemeanor.”

Who must sign this form: Individual owner, or if Partnership – all partners, or if Corporation – authorized representative(s).

Signature	Printed Name	Title	Date (Month/Day/Year)
Signature	Printed Name	Title	Date (Month/Day/Year)
Signature	Printed Name	Title	Date (Month/Day/Year)
Signature	Printed Name	Title	Date (Month/Day/Year)



APPLICATION TO USE AN INTERPRETER INSTRUCTIONS

Complete this form in accordance with the instructions below and include additional pages and documents as necessary. The California Board of Barbering and Cosmetology (Board) cannot process the document unless all applicable requested information is provided. To request a designated interpreter's approval, this form must be completed in its entirety and submitted to the Board with the applicant's application for examination. Applicants shall complete **Section A** of this form first, and then the person designated by the applicant to act as an interpreter shall complete the rest of this form beginning at **Section B**.

APPLICATION TO USE AN INTERPRETER

SECTION A – APPLICANT INFORMATION (TO BE COMPLETED BY APPLICANT ONLY)

1. LICENSE TYPE: Check the box next to the type of license you are applying for.
2. SOCIAL SECURITY NUMBER/INDIVIDUAL TAXPAYER IDENTIFICATION NUMBER: Provide the last four (4) digits of your Social Security Number or Individual Taxpayer Identification Number.
3. DATE OF BIRTH: Provide your full date of birth (Month/Day/Year).
4. NAME: Provide your Last Name, First Name, and Middle Name (if applicable).
5. ADDRESS: Provide a mailing address where you would like to receive documents from the Board.
6. NATIVE LANGUAGE: Provide your native speaking language.
7. TELEPHONE NUMBER: Provide a current telephone number, including area code.
8. RECORDING CONSENT: Please indicate whether you agree that the Board may tape record the interpreting of the written examination and your conversation with the interpreter listed in Section B.
9. SIGNATURE OF APPLICANT: The applicant who completed **Section A** provides their signature and the date they signed the form (Month/Day/Year).

SECTION B – INTERPRETER INFORMATION (TO BE COMPLETED BY PROPOSED INTERPRETER ONLY)

10. NAME: Provide your Last Name, First Name, and Middle Name (if applicable).
11. ADDRESS: Provide a mailing address where you would like to receive documents from the Board.
12. DATE OF BIRTH: Provide your full date of birth (Month/Day/Year).
13. TELEPHONE NUMBER: Provide a current telephone number, including area code.

SECTION C – QUALIFYING CRITERIA (TO BE COMPLETED BY PROPOSED INTERPRETER ONLY)

14. QUALIFYING CRITERIA QUESTIONS: Check the box next to “Yes” or “No” in response to each of the questions listed in **Section C** to determine if you meet the Board's requirements to act as an interpreter for the applicant listed in **Section A**.
15. SIGNATURE OF PROPOSED INTERPRETER: The proposed interpreter who completed **Section B** and **Section C** provides their signature and the date they signed the form (Month/Day/Year).

Notice to Applicants

WHO CAN REQUEST AN INTERPRETER?

If an applicant has qualified for the barber, cosmetologist, manicurist, esthetician, or electrologist examination and cannot read, speak, or write in the English language at a 10th grade-level, the applicant may request authorization from the Board of Barbering and Cosmetology (Board) to use an interpreter for most languages except those languages in which the Board makes the written examination available (please see below section on “Korean, Spanish, Vietnamese, or Simplified Chinese Speaking Applicants”). An interpreter may be requested for the barber, cosmetologist, hairstylist, esthetician, electrologist and manicurist exams. The Board does NOT provide interpreters.

KOREAN, SPANISH, VIETNAMESE, OR SIMPLIFIED CHINESE SPEAKING APPLICANTS:

The examination for barbering, cosmetology, electrology, esthetician, and manicurist is available in English, Spanish, Korean, Vietnamese, and Simplified Chinese. An interpreter may not be used if the examination is available in the applicant’s native language.

THE FOLLOWING PERSONS ARE PROHIBITED FROM ACTING AS AN INTERPRETER:

- Persons less than 15 years of age.
- Persons who are current or former students in barbering, cosmetology, hairstyling, electrology, nail care, or skin care.
- Persons who are currently or have been formerly licensed as an operator or an instructor by this state or any other state in barbering, cosmetology, hairstyling, electrology, nail care, or skin care.
- Persons who are currently or have been formerly enrolled in a barber, cosmetologist, skin care, nail care, or electrology apprentice training program.
- Persons who are currently or have been formerly owners or employees of any school of barbering, cosmetology, electrology, hairstyling, nail care, or skin care.
- Persons who have acted as an interpreter within the past two years, regardless of the examination type.

WHAT FORMS MUST BE COMPLETED TO USE AN INTERPRETER?

The Board Application to use an Interpreter Form must be completed and sent to the Board with the application for examination. An applicant CANNOT use an interpreter if ANY of the following requirements are not met:

Applicant Requirements:

- Must fully complete **Section A** and submit to the Board with the application for examination.

Interpreter Requirements:

- Must fully complete **Section B**, fully complete and sign **Section C**, and return it to the applicant. By completing and signing this form, the interpreter is certifying under penalty of perjury under the laws of the State of California that he/she is fluent in both English and the native language of the applicant.

Upon the Board's evaluation and authorization of the request to use an interpreter, the Board will mail the applicant an admission letter that includes exam scheduling information that describes how the applicant may sign up for and schedule the licensing examination through the Board's examination administrator and return the last page of this form to the applicant who must present the form at the exam facility on the day of examination.

ON THE DAY OF THE EXAMINATION

At the examination facility, the applicant and the interpreter MUST:

- Each present one form of a current, government issued photographic identification (ID).
 - Acceptable forms of identification include:
 - Unexpired State Driver's License or Identification Card – any state
 - U.S. Military Identification Card, including:
 - Active Duty, Retiree, Reservist military ID card (DD Form 2 or 2 A)
 - Military Dependent ID Card
 - Unexpired Passport – any country
 - United States Citizenship and Immigration Services (USCIS) Issued Identification Card, including:
 - Employment Authorization Document (Form I-766)
 - Permanent Resident Card (Form I-551)
 - Certificate of United States Citizenship, including:
 - Form N-550, Certificate of Naturalization
 - Form N-560, Certificate of Citizenship

Applicants will not be able to take the exam without a current and unexpired ID for both the applicant and the interpreter.

IMPORTANT NOTES

- Interpreters are not permitted to read the examination to the applicant in English. The interpreter must interpret the examination in the applicant's native language.
- Interpreters may provide translation services ONLY. They may not help the applicant by providing "material assistance" including explaining, coaching, demonstrating, or giving answers. If it is determined that an interpreter is providing answers during the examination or any other material assistance to the applicant other than translating, the Board shall disqualify the interpreter and void the applicant's examination.
- For a period of one (1) year from the date that any person served as an Interpreter, that person shall be ineligible to apply to the Board of Barbering and Cosmetology for a license in barbering or any of the branches of cosmetology from which he or she provided Interpreter services.

INFORMATION COLLECTION, ACCESS, AND DISCLOSURE

***This statement is for your information.** The Information Practices Act, Section 1798.17 of the Civil Code, requires the following information to be provided when collecting information from individuals.

AGENCY NAME: Board of Barbering and Cosmetology

TITLE OF OFFICIAL RESPONSIBLE FOR INFORMATION MAINTENANCE: Executive Officer

ADDRESS: 2420 Del Paso Road, Suite 100, Sacramento, CA 95834

INTERNET ADDRESS: www.barbercosmo.ca.gov

TELEPHONE AND FAX NUMBERS: Phone: (916) 574-7570 Fax: (916) 575-7281

AUTHORITY WHICH AUTHORIZES THE MAINTENANCE OF THE INFORMATION: Business and Professions Code sections 7338 and 7340, and Title 16, California Code of Regulations section 931.

CONSEQUENCES OF NOT PROVIDING ALL OR ANY PART OF THE REQUESTED INFORMATION: It is mandatory that you provide all information requested. Omission of any item of requested information will result in the application being rejected as incomplete.

PRINCIPAL PURPOSE(S) FOR WHICH THE INFORMATION IS TO BE USED: The information requested will be used to determine qualifications for use of an interpreter during a Board licensing examination and to establish positive identification. Each individual has the right to review their files or records maintained on them by this agency, unless the records are exempted by section 1798.40 of the California Civil Code.

ANY KNOWN OR FORESEEABLE DISCLOSURES WHICH MAY BE MADE OF THE INFORMATION: Your completed application becomes the property of the Board and will be used by authorized personnel to determine your eligibility for the use of an interpreter during the written licensing examination. Information on your application may be transferred to other governmental or law enforcement agencies.

SOCIAL SECURITY NUMBER (SSN): Disclosure of your social security number is mandatory. Section 30 of the Business and Professions Code and Public Law 94-455 [42 U.S.C.A. Section 405(c)(2)(C)] authorize collection of your social security number. Your social security number will be used exclusively for tax enforcement purposes, for purposes of compliance with any judgment or order for family support in accordance with section 17520 of the Family Code, or for verification of licensure or examination and where licensure is reciprocal with the requesting state. If you fail to disclose your social security number, you will be reported to the Franchise Tax Board, which may assess a \$100 penalty against you.



Entity/File# (Board Use Only)

APPLICATION TO USE AN INTERPRETER

SECTION A: APPLICANT INFORMATION (This section is to be completed by the applicant only.)

CHECK THE BOX FOR THE LICENSE TYPE YOU ARE APPLYING FOR:

- BARBER COSMETOLOGIST HAIRSTYLIST ESTHETICIAN ELECTROLOGIST MANICURIST

Last 4 Digits of Social Security Number (SSN) or Individual Taxpayer Identification Number (ITIN)

Date of Birth

- -

Month Day Year

Last Name

First Name

Middle Name

Street Address

City

State

Zip Code

My Native Language:

Telephone Number

() -

Consent to Recording: I agree that the Board may tape record the interpreting of the written examination and my conversation with the interpreter listed in **Section B** during the examination?

Yes No

I hereby certify under penalty of perjury under the laws of the State of California that all statements in Section A of this application are true and correct.

Signature of Applicant

Date (Month/Day/Year)

SECTION B: INTERPRETER INFORMATION

(This section is to be completed by the proposed interpreter only. The applicant shall provide the interpreter this form with Section A already completed.)

Last Name		First Name		Middle Name
Street Address		City	State	Zip Code
Date of Birth □□-□□-□□□□ Month Date Year		Telephone Number (□□□) □□□-□□□□		

SECTION C: QUALIFYING CRITERIA - Please check the box “Yes” or “No” in response to the following questions to determine whether you meet the Board’s requirements to act as an interpreter for the applicant listed in Section A above.

Are you fluent in the native language of the applicant (as listed in Section A of this application) and in the English language?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Have you acted as an interpreter for a Board examination within the last two years preceding the date of your signature on this application?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Are you at least 15 years of age?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Are you a current or former student in barbering, cosmetology, hairstyling, electrology, nail care or skin care?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Are you currently or have you been formerly licensed as an operator or instructor by this state or any other state in barbering, cosmetology, hairstyling, electrology, nail care, or skin care?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Are you currently or have you been formerly enrolled in a barber, cosmetologist, skin care, nail care or electrology apprentice training program?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Are you currently or have you been formerly an owner or employee of any school of barbering, cosmetology, nail care, skin care, hairstyling, or electrology?	<input type="checkbox"/> Yes <input type="checkbox"/> No
<u>Consent to Recording</u> : I agree that the Board may tape record the interpreting of the written examination and my conversation with the applicant listed in Section A (“applicant”) during the examination?	<input type="checkbox"/> Yes <input type="checkbox"/> No

By signing this form, I acknowledge receiving notice of the following:

If the Board determines that any information provided on this form is false in a material respect the Board shall void the applicant's examination, if any. Persons who are only reading the examination to the applicant, but not interpreting to another language, will not be permitted. If the Board determines that I am providing the applicant with answers during the examination or any other material assistance other than translating during the conduct of the examination, the Board will disqualify me and void the applicant's examination.

I hereby certify under penalty of perjury under the laws of the State of California that all statements in Section B of this application are true and correct.

Signature of Proposed Interpreter

Date (Month/Day/Year)

*******THIS SECTION IS FOR BOARD USE ONLY*****
(DO NOT FILL OUT PRIOR TO YOUR EXAMINATION)
AUTHORIZATION TO USE AN INTERPRETER**

INTERPRETER INFORMATION

Last Name

First Name

Middle Name

Type of ID

ID Number

Date of Birth*

- -

Month

Date

Year

APPLICANT INFORMATION

Last Name

First Name

Middle Name

Type of ID

ID Number

Date of Birth*

- -

Month

Date

Year

Application Number

Exam Date

Exam Location

IMPORTANT NOTICE

This authorization must be presented along with the admission letter at the time of the examination. The services of an interpreter will not be allowed without this authorization and a current and unexpired government issued photographic identification.

Acceptable forms of identification include: (1) Current and unexpired State Driver's License or Identification Card – any state; (2) U.S. Military Identification Card, including: (A) Active Duty, Retiree, Reservist military identification card (DD Form 2 or 2 A), or (B) Military Dependent identification Card; (3) Current and unexpired Passport – any country; (4) United States Citizenship and Immigration Services (USCIS) Issued Identification Card, including: (A) Employment Authorization Document (Form I-766) or (B) Permanent Resident Card (Form I-551); or, (5) Certificate of United States Citizenship, including: (A) Form N-550, Certificate of Naturalization or (B) Form N-560, Certificate of Citizenship. **NOTE***: Birth date is only used to distinguish applicants or interpreters.



PROOF OF TRAINING DOCUMENT INSTRUCTIONS

Complete this form in accordance with the instructions below and include additional pages and documents as necessary. The California Board of Barbering and Cosmetology (Board) cannot process the document unless all applicable requested information is provided.

PROGRAM TITLE (TO BE COMPLETED BY STUDENT)

1. Choose **ONE** program title which applies and check the appropriate box.

SECTION A – STUDENT INFORMATION (TO BE COMPLETED BY STUDENT)

2. SOCIAL SECURITY NUMBER/INDIVIDUAL TAXPAYER IDENTIFICATION: Provide your Social Security Number or Individual Taxpayer Identification Number.
3. DATE OF BIRTH: Provide your date of birth (Month/Day/Year) – **YOU MUST BE AT LEAST 17 YEARS OLD.**
4. NAME: Provide your Last Name, First Name, and Middle Name (if applicable). Your name must completely match your name on the application for examination.
5. ADDRESS: Provide a mailing address where you can receive documents from the Board. Note that government mail is NOT forwarded by the Post Office.
6. TELEPHONE NUMBER: Provide a current telephone number, including area code.
7. E-MAIL ADDRESS (**OPTIONAL**): Provide a current e-mail address if you would like to receive correspondence and updates from the Board.

SECTION B – SCHOOL INFORMATION (TO BE COMPLETED BY SCHOOL)

8. SCHOOL NAME: Provide the full name of the Board approved school.
9. SCHOOL CODE: Provide the school code issued by the Board.
10. ADDRESS: Provide the full physical address of the school including city and zip code.
11. AUTHORIZED SCHOOL REPRESENTATIVE: Provide the full name of the school representative authorized to be contacted regarding the Proof of Training Document.
12. SCHOOL REPRESENTATIVE'S TELEPHONE NUMBER: Provide the full telephone number, including area code (and extension if applicable) for the school representative.
13. SCHOOL REPRESENTATIVE'S E-MAIL ADDRESS: Provide the official e-mail address for school representative.
14. DATE TRAINING STARTED: Provide the month, day, and year the student's training began at this school.
15. HOURS COMPLETED AT THIS SCHOOL: Provide the number of hours the student completed at this school.
16. DATE TRAINING COMPLETED: Provide the month, day, and year the student's training was completed at this school.
17. TOTAL OF ALL TRAINING HOURS COMPLETED: Provide the number of hours the student completed. This includes the total hours from all schools attended.

SECTION C – CERTIFICATION (TO BE COMPLETED BY STUDENT AND SCHOOL)

18. SIGNATURE OF STUDENT AND DATE: The student provides their signature and the date they signed the form (Month/Day/Year).
19. PRINTED NAME AND TITLE OF AUTHORIZED SCHOOL REPRESENTATIVE: Provide the printed full name of the authorized school representative who completed Section B of the form.
20. SIGNATURE OF AUTHORIZED SCHOOL REPRESENTATIVE AND DATE: The authorized school representative who completed Section B of the form, provides their signature and the date they signed the form (Month/Day/Year).

SECTION D – TRAINING RECEIVED AT ANOTHER BOARD APPROVED SCHOOL (TO BE COMPLETED BY SCHOOL LISTED IN SECTION B) – (For a student that transferred from one Board-approved school and program to another.)

21. PROGRAM TITLE: Choose **ONE** program title which applies and check the appropriate box.
22. SCHOOL'S NAME (SCHOOL NO. 1): Provide the name of the school where the student previously attended.
23. SCHOOL CODE: Provide the school code issued by the Board where the student previously attended.
24. DATE TRAINING STARTED: Provide the date the student started training at the previously attended school (Month/Day/Year).
25. LAST DATE OF ATTENDANCE: Provide the last date the student attended the previous school (Month/Day/Year).
26. TOTAL HOURS OF TRAINING ACCEPTED: Provide the total number of hours being accepted by your school from the student's previous school.
27. SCHOOL'S NAME (SCHOOL NO. 2): Provide the name of the second school where the student previously attended.
28. SCHOOL CODE: Provide the school code issued by the Board where the student previously attended.
29. DATE TRAINING STARTED: Provide the date the student started training at the second previously attended school (Month/Day/Year).
30. LAST DATE OF ATTENDANCE: Provide the last date the student attended the second previous school (Month/Day/Year).
31. TOTAL HOURS OF TRAINING ACCEPTED: Provide the total number of hours being accepted by your school from the student's second previous school.

SECTION E – CREDITS FROM PROGRAM TRANSFER (TO BE COMPLETED BY SCHOOL LISTED IN SECTION B) – (For a student who transferred credit from a different field of study from another school.)

32. PROGRAM TITLE FOR SCHOOL NO. 1 IN SECTION D: Choose **ONE** program title which applies from School No.1 in Section D and check the appropriate box.
 - a. If the student listed is licensed by the Board, list their license number in the space provided, and only include the total hours of credit accepted by your school.
 - b. If the student is NOT licensed by the Board, provide BOTH total hours of training received by School No. 1 in Section D and the total hours of credit accepted by your school.
33. TOTAL HOURS OF TRAINING RECEIVED: Provide the total number of hours of training student received from School No. 1 in Section D.

34. TOTAL HOURS OF CREDIT ACCEPTED BY YOUR SCHOOL: Provide the total number of credit hours your school is accepting from School No. 1.
35. DATE TRAINING STARTED: Provide the date the student started training at the previously attended School No. 1 (Month/Day/Year).
36. LAST DATE OF ATTENDANCE: Provide the last date the student attended the previous School No. 1 (Month/Day/Year).
37. PROGRAM TITLE FOR SCHOOL NO. 2 IN SECTION D: Choose **ONE** program title which applies from School No. 2 in Section D and check the appropriate box.
38. TOTAL HOURS OF TRAINING RECEIVED: Provide the total number of hours of training student received from School No. 2 in Section D.
39. TOTAL HOURS OF CREDIT ACCEPTED BY YOUR SCHOOL: Provide the total number of credit hours your school is accepting from School No. 2.
40. DATE TRAINING STARTED: Provide the date the student started training at the previously attended School No. 2 (Month/Day/Year).
41. LAST DATE OF ATTENDANCE: Provide the last date the student attended the previous School No. 2 (Month/Day/Year).

SECTION F – OUT OF STATE TRAINING/EXPERIENCE (TO BE COMPLETED BY SCHOOL LISTED IN SECTION B)

42. STATE OR COUNTRY WHERE HOURS WERE RECEIVED: Provide the State or Country where the student listed in Section A received any out of state training.
43. TOTAL HOURS OF CREDIT ACCEPTED BY YOUR SCHOOL: Provide the total number of hours your school is accepting from the student's out of state training.

Notice to Applicants and Schools

For Applicants: This completed form must be submitted to the Board of Barbering and Cosmetology (Board) with your application for examination (application) as a barber, cosmetologist, esthetician, electrologist, hairstylist or manicurist as required by Title 16, California Code of Regulations (CCR) section 909 or your application will be rejected as incomplete (Business and Professions Code (BPC) section 7345). The information requested on this form is mandatory pursuant to BPC sections 30, 31, 7321, 7321.5, 7322, 7324, 7326, and 7330 and Title 16 CCR section 909. The information provided will be used to determine qualifications for licensure, for identification purposes, and for compliance with tax and family support obligations. The information may be provided to other governmental agencies, or in response to a court order, subpoena, or public records request. You have a right of access to records containing personal information unless the records are exempted from disclosure. Individuals may obtain information regarding the location of their records by contacting the Board's Executive Officer at 2420 Del Paso Rd., Suite 100, Sacramento, CA 95834, or by telephone at (916) 574-7570.

For Schools: The student identified in Section A below is applying for examination to become licensed as a barber, cosmetologist, esthetician, electrologist, hairstylist or manicurist in California. To qualify for examination, the applicant is required to provide proof of completion of training at a Board-approved school. Please check the appropriate boxes below relating to the training the applicant completed at your school. Please review the information provided in the paragraph above under "Notice to Applicants and Schools" regarding the requirements for collecting this information, the circumstances under which the information may be disclosed or withheld from disclosure, and where the personal information collected on this form is maintained.



PROOF OF TRAINING DOCUMENT

PROGRAM TITLE (Choose One)

BARBER
 COSMETOLOGIST
 HAIRSTYLIST
 ESTHETICIAN
 ELECTROLOGIST
 MANICURIST

SECTION A: STUDENT INFORMATION

Social Security Number or Individual Taxpayer Identification Number <input type="text"/> <input type="text"/> <input type="text"/> - <input type="text"/> <input type="text"/> - <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>	Date of Birth (must be at least 17 years old) <input type="text"/> <input type="text"/> - <input type="text"/> <input type="text"/> - <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <div style="display: flex; justify-content: space-around; font-size: small;"> Month Day Year </div>
---	--

Last Name <i>(please print clearly)</i>	First Name	Middle Name
---	------------	-------------

Address	City	State	Zip Code
---------	------	-------	----------

Telephone Number (<input type="text"/> <input type="text"/> <input type="text"/>) <input type="text"/> <input type="text"/> <input type="text"/> - <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>	Email Address (not required)
---	------------------------------

SECTION B: SCHOOL INFORMATION - Please provide the information requested below regarding the training provided by your school for the student listed in Section A.

School Name	School Code Issued by the Board <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>
-------------	--

Address	City	Zip Code
---------	------	----------

Authorized School Representative	School Representative's Telephone Number Ext: <input type="text"/>	School Representative's Email
----------------------------------	---	-------------------------------

Date Training Started at This School	<input type="text"/> <input type="text"/> - <input type="text"/> <input type="text"/> - <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <div style="display: flex; justify-content: space-around; font-size: small;"> Month Day Year </div>	Hours Completed at This School <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>
---	---	---

Date Training Completed at This School	<input type="text"/> <input type="text"/> - <input type="text"/> <input type="text"/> - <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <div style="display: flex; justify-content: space-around; font-size: small;"> Month Day Year </div>	Total of all Training Hours Completed <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>
---	---	--

SECTION C: CERTIFICATION

We, the undersigned, certify under penalty of perjury under the laws of the State of California that all information contained on this document and on any attachments is true and correct.

Signature of Student	Date
----------------------	------

Printed Name and Title of Authorized School Representative
--

Signature of Authorized School Representative	Date
---	------

SECTION D: TRAINING RECEIVED AT ANOTHER BOARD APPROVED SCHOOL - If any part of this section is not applicable, leave blank.

PROGRAM TITLE

BARBER COSMETOLOGIST HAIRSTYLIST ESTHETICIAN ELECTROLOGIST MANICURIST

School's Name (School No. 1)

School Code Issued by the Board

<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
----------------------	----------------------	----------------------	----------------------	----------------------

Date Training Started

Last Date of Attendance

Total Hours of Training Accepted

<input type="text"/>	<input type="text"/>	-	<input type="text"/>	<input type="text"/>	-	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Month		Day		Year					

<input type="text"/>	<input type="text"/>	-	<input type="text"/>	<input type="text"/>	-	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Month		Day		Year					

<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
----------------------	----------------------	----------------------	----------------------

School's Name (School No. 2)

School Code Issued by the Board

<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
----------------------	----------------------	----------------------	----------------------	----------------------

Date Training Started

Last Date of Attendance

Total Hours of Training Accepted

<input type="text"/>	<input type="text"/>	-	<input type="text"/>	<input type="text"/>	-	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Month		Day		Year					

<input type="text"/>	<input type="text"/>	-	<input type="text"/>	<input type="text"/>	-	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Month		Day		Year					

<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
----------------------	----------------------	----------------------	----------------------

SECTION E: CREDITS FROM PROGRAM TRANSFER - If any part of this section is not applicable, leave blank.

Program title for School No. 1 in **Section D**:

BARBER COSMETOLOGIST HAIRSTYLIST ESTHETICIAN ELECTROLOGIST MANICURIST

If licensed, only fill out hours completed/accepted information and list license number here: _____

Total Hours of Training Received at School No. 1

Total Hours of Credit Accepted by Your School

<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
----------------------	----------------------	----------------------	----------------------

<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
----------------------	----------------------	----------------------	----------------------

Date Training Started

Last Date of Attendance

<input type="text"/>	<input type="text"/>	-	<input type="text"/>	<input type="text"/>	-	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Month		Day		Year					

<input type="text"/>	<input type="text"/>	-	<input type="text"/>	<input type="text"/>	-	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Month		Day		Year					

Program title for School No. 2 in **Section D**:

BARBER COSMETOLOGIST HAIRSTYLIST ESTHETICIAN ELECTROLOGIST MANICURIST

Total Hours of Training Received at School No. 2

Total Hours of Credit Accepted by Your School

<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
----------------------	----------------------	----------------------	----------------------

<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
----------------------	----------------------	----------------------	----------------------

Date Training Started

Last Date of Attendance

<input type="text"/>	<input type="text"/>	-	<input type="text"/>	<input type="text"/>	-	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Month		Day		Year					

<input type="text"/>	<input type="text"/>	-	<input type="text"/>	<input type="text"/>	-	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Month		Day		Year					

SECTION F: OUT OF STATE TRAINING/EXPERIENCE - If this section is not applicable, leave blank.

State or Country Where Hours Were Received

Total Hours of Credit Accepted by Your School

<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
----------------------	----------------------	----------------------	----------------------

BOARD OF BARBERING AND COSMETOLOGY



P.O. BOX 944226
SACRAMENTO, CA 94244-2260

INFORMATION: (916) 445-7061 (916) 445-7008



This Information is required by provisions of the Barbering and Cosmetology Act and Rules and Regulations of the Board of Barbering and Cosmetology, All Items are mandatory. Failure to provide any of the requested information may result in the application being rejected as incomplete. This information is used to determine qualifications for use of an interpreter or interpreter/model. The official responsible for information maintenance is the Executive Officer of the Board of Barbering and Cosmetology. This information may be transferred to another governmental agency, such as a law enforcement agency, if necessary for it to perform its duties. Each individual has the right to review the files or records maintained on him or her by this agency, unless the records are exempted by Section 1798.40 of the California Civil Code.

REQUEST FOR USE OF AN INTERPRETER OR INTERPRETER/MODEL

(Pursuant to Section 931 of the Board's Rules and Regulations, Title 16, California Code of Regulations)

FORM G

THIS FORM **MUST** BE COMPLETED BY THE **APPLICANT ONLY**

(Cosmetologist written examinations are given in English and Spanish)

(Please type or print in Ink, legibly)

1. Applicant's Name (First, Middle, Last)		2. Phone Number	
MY NATIVE LANGUAGE IS:			
Residence Address (Number and Street)		City State Zip Code	
4. I will be taking the following parts of the examination: Check One. Practical <input type="checkbox"/> Written <input checked="" type="checkbox"/> Both <input type="checkbox"/>			
6. Applicant's Birth Date (Month/Day/Year)		16. Social Security Number (Optional)	
<p>I hereby state that I:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Am unable to speak, read or write the English language (or Spanish, if applicable) at a 10th grade level. <input type="checkbox"/> Understand it is my own responsibility to obtain the interpreter or interpreter/model. <input type="checkbox"/> Understand I can use an interpreter only in the written part of the exam. An interpreter/model may be used in both the practical and written portions of the examination. <input type="checkbox"/> Understand I cannot use a particular interpreter or interpreter/model if they have acted in either of these capacities within the past TWO years. <input type="checkbox"/> Understand that I cannot use an interpreter or interpreter/model if they are under 15 years of age or if they are currently or have been formerly any of the following: Students in any branch of Barbering, Cosmetology, or Electrology in this state or any other state, apprentices, or owners or employees of any school of Barbering, Cosmetology or Electrology. <input type="checkbox"/> Understand the interpreter or interpreter/model MUST BE FLUENT IN ENGLISH AND MY NATIVE LANGUAGE. <input type="checkbox"/> May not be coached by the interpreter or interpreter/model during any part of the examination. <input type="checkbox"/> Understand that the Board may tape record the interpreting of the written part of the examination. 			
8. Applicant's Signature (First, Middle, Last)		Check One Interpreter <input checked="" type="checkbox"/> Interpreter/Model <input checked="" type="checkbox"/>	
9. Interpreters Birth Date (Mo/Day/Year)		10. Social Security Number (Optional)	11. Interpreter's Phone Number
Signature of the Applicant		Date	
11.ii. NOTE: * Birth Date is used only to distinguish the candidates.			
Attach the following items to the "Application for Examination" FORM G <input checked="" type="checkbox"/> FORM H <input type="checkbox"/> TWO IDENTICAL PHOTOS <input type="checkbox"/>			
FOR OFFICE USE ONLY			
Application Number		Examination Date	Examination Location

THIS FORM IS TO BE COMPLETED BY THE INTERPRETER OR INTERPRETER/MODEL FORM H
 THIS FORM MUST BE ACCOMPANIED BY TWO IDENTICAL FRONT VIEW PHOTOS OF THE INTERPRETER OR INTERPRETER/MODEL,
 THE SIZE OF THE PHOTO SHOULD BE 1 1/2" x 1"., AND SIGNED BY THE INTERPRETER OR INTERPRETER/MODEL)
 (TYPE OR PRINT IN INK, LEGIBLY)

1. Interpreter's Name (First, Middle, Last)	2. Birth Date* (Mo/Day/Yr)	3. Check One/ <input type="checkbox"/> Interpreter <input type="checkbox"/> Interpreter/Model
4. Interpreter's Address Number and State	Zip Code	5. Check One/ <input type="checkbox"/> Male <input type="checkbox"/> Female

I declare under penalty of perjury under the laws of the state of California that the foregoing is true and correct.

I have not acted as an Interpreter or Interpreter/Model in any examination given by the Board of Barbering and Cosmetology within the 2 years preceding the date of signature.

I am at least 16 years of age.

I am not or never have been any of the following:
 a student in any school of barbering, cosmetology, or electrology,
 a licensed apprentice, barber, cosmetologist, electrologist, cosmetology or barber instructor, junior operator, junior electrologist, electrology instructor, esthetician, or manicurist,
 an owner or employee of any school of barbering, cosmetology or electrology,

I will not coach the applicant during any part of the examination.

I AM FLUENT IN ENGLISH AND THE NATIVE LANGUAGE OF THE APPLICANT

Understand that the Board may tape-record the Interpreting of the written part of the examination.

6. Signature of the interpreter or Interpreter/Model _____ Date (Mo/Day/Year) _____

7. This form was completed and signed at the following address: (Number, Street, City, State) _____

03A-126 (Rev. 8/94)

1 0 0.

AUTHORIZATION TO USE AN INTERPRETER OR INTERPRETER/MODEL
 ♦ ♦ ♦ FOR BOARD USE ONLY ♦ ♦ ♦
 (DO NOT FILL OUT PRIOR TO YOUR EXAMINATION)

Name of Interpreter/Interpreter/Model: _____	App. No. _____	
Applicant Name _____	Exam Date _____	
Records Check _____	Exam Location _____	
Type of I.D. _____	TEST SCORES	
Number I.D. _____		WRITTEN _____
Birth Date _____		PRACTICAL _____
		TOTAL _____

IMPORTANT NOTICE:

This authorization must be presented along with the admission letter at the time of the examination. The services of an Interpreter or Interpreter/Model WILL NOT be allowed without this authorization AND valid government issued photographic I.D. The following will be accepted: (1) a photographic driver's license (California or out-of-state), (2) passport, (3) CURRENT photographic alien registration, or (4)-California photographic I.D. card available from the Department of Motor Vehicles.

NOTE: * Birth Date is used only to distinguish Interpreters or Interpreter/model

Side No. 2

**DEPARTMENT OF CONSUMER AFFAIRS
TITLE 16. BOARD OF BARBERING AND COSMETOLOGY**

**PROPOSED REGULATORY LANGUAGE
PRE-APPRENTICE TRAINING**

Legend: Added text is indicated with an <u>underline</u> . Omitted text is indicated by (* * * *) Deleted text is indicated by strikeout .
--

Amend Section 917 Of Division 9 of Title 16 of the California Code of Regulations to read as follows:

§ 917. Pre-Apprentice Training.

(a) The minimum hours of pre-apprentice training referred to in Section 7334 of the Business and Professions Code shall be ~~thirty-nine (39)~~ two (2) hours of instruction in the 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 as required by this section within the six-month period immediately prior to being licensed as applying for an apprentice license.

(b) For the purposes of this section, “basic patron protection and sanitation and disinfection procedures” shall include disinfecting procedures of tools, linens, and equipment, standard handwashing procedures, blood exposure guidelines, minimum standards for the protection of patrons from hazardous chemicals, common violations and how to prevent them, physical and sexual abuse awareness, and professionalism.

(c) To complete the training, the applicant shall complete the online pre-apprentice training administered by the Board that shall contain the following:

(1) A registration process available on the Board’s website at www.barbercosmo.ca.gov. Applicants shall register for a user account by accessing the web link on the Board’s website entitled “pre-apprentice training” and providing the following information through the website:

(A) Their full legal name: (Last Name) (First Name) (Middle Name)

and (Suffix), as applicable,

(B) Their email address,

(C) Their date of birth,

(D) Their telephone number,

(E) Social security number (SSN) or individual taxpayer identification number (ITIN).

(2) An interactive course that includes instructional modules with related teaching slides (slides) in the subjects listed in subsection (b) that a registered user (user) must review, and, includes correct completion of quizzes and activities after each instructional module has concluded as provided by this subsection. For the purposes of this subsection “correct completion of the quizzes and activities” shall include the following:

(A) Users must select the correct answer for each quiz or activity associated with a learning module to proceed through the course to its conclusion.

(B) If the incorrect answer is selected, users will be prompted to, and shall not be permitted to proceed with the course until, the user selects another answer and the correct answer is selected.

(C) Users shall not be permitted to skip or fast-forward through any module or slide included in the training.

(D) Upon completion of a slide, users must click an arrow to continue through and complete the course.

(3) Upon completion of the course, a digital completion certificate will be available for the user to download and print containing the title “Certificate of Completion,” user’s full legal name, the course title, completion date, and the Board’s logo.

(d) Upon completion of the pre-apprentice training program, the individual shall submit a copy of the completion certificate specified in paragraph (3) of subsection (c) to an apprenticeship program sponsor approved by the Board in accordance with section 913 upon enrollment in the apprenticeship program.

(e) If the applicant does not complete the training required by this section within the time period required by this section, the individual must re-take and complete the training as required by this section to qualify for issuance of an apprentice license in accordance with Section 7334 of the Business and Professions Code.

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

Agenda Items

No. 19

No Attachments

Agenda Items

No. 20

No Attachments

Closed Session

Adjournment