

**CALIFORNIA BOARD OF
BARBERING AND COSMETOLOGY**



NOVEMBER 17, 2025

Board Meeting

**Courtyard San Diego Mission Valley Hotel
595 Hotel Circle South
Tides Ballroom
San Diego, CA 92108**



CALIFORNIA BOARD OF BARBERING AND COSMETOLOGY BOARD MEETING NOTICE AND AGENDA

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

BOARD MEMBERS:
Tonya Fairley, President
Kellie Funk, Vice President
Anthony Bertram
Michelle Edgar
Megan Ellis
Dr. Yolanda Jimenez
Colette Kavanaugh
Sinar Lomeli
Tamika Miller
Danielle Munoz
Calimay Pham
Steve Weeks

November 17, 2025

**Courtyard San Diego
Mission Valley Hotel
595 Hotel Circle South
Tides Ballroom
San Diego, CA 92108**

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

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 (**Tonya Fairley**)
- 2. Petition for Reinstatement Hearing
 - a) Dayra Carmona Vega, Petition for Reinstatement of License, Manicurist License #M355610

CLOSED SESSION: Pursuant to Government Code section 11126 (c) (3), the Board will meet in Closed Session to Deliberate and Decide on Disciplinary Matters, including the above petitions.

RECONVENE OPEN SESSION:

- 3. Board President’s Welcome (**Tonya Fairley**)
- 4. Department of Consumer Affairs (DCA) Update and Discussion of Same, Which May Include Updates on DCA’s Administrative Services, Human Resources, Enforcement, Information Technology, Communications and Outreach, and Legislative, Regulatory, or Policy Matters.
- 5. Discussion and Possible Approval of the October 13, 2025, Board Meeting Minutes
- 6. Proposed Board Meeting Dates and Locations for 2026

7. Executive Management Reports and Discussion of Same (**Kristy Underwood**)
 - a) Administration and Operations
 - b) Licensing, Examinations, and Disciplinary Review Appeals
 - c) Enforcement, Inspections, and Cite and Fine
 - d) Outreach Update
 - e) Strategic Plan Update
8. Update and Discussion on Chaptered Legislation:
 - a) AB 1514 (Assembly Members Ortega (Chair), Elhawary, Kalra, and Ward) – Labor contracts
 - b) SB 236 (Pierson) – Cosmetics: chemical hair relaxers.
 - c) SB 470 (Laird) – Bagley-Keene Open Meeting Act: teleconferencing.
 - d) SB 518 (Weber Pierson) – Descendants of enslaved persons: reparations.
9. Discussion and Possible Action Regarding Rulemaking Proposals:
 - a) Update Regarding Rulemaking to Amend Title 16, California Code of Regulations (CCR) section 911 (License by Endorsement (Reciprocity), Application and Out of State License Certifications)
 - b) Update Regarding Rulemaking 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 931 (Interpreters for Licensing Exams)
 - d) Update Regarding Rulemaking to Amend Title 16, CCR sections 940, 941, 950.10, 950.12, 962, 962.1, 962.2 (Schools and Externs)
 - e) Update Regarding Rulemaking to Adopt Title 16, CCR section 974.4 (SB 384: Remedial Education Program)
 - f) Update Regarding Rulemaking to Amend Title 16, CCR section 977 et seq. (Health and Safety)
 - g) Update Regarding Rulemaking to Amend Title 16, CCR section 998 (Hairstylist Licensing Fees)
10. Discussion and Possible Action on Modified Text and Adoption of Amendments to Title 16, CCR section 972 (Disciplinary Guidelines)
11. Discussion and Possible Action on the Board's Final 2026 Sunset Review Report
12. Public Comment on Items Not on the Agenda
Note: The Board may not discuss or take any action on any item raised during this public comment section, except to decide whether to place the matter on the agenda of a future meeting (Government Code Sections 11125, 1125.7(a))
13. Suggestions for Future Agenda Items
14. **CLOSED SESSION:** Pursuant to Section 11126 of the Government Code the Board Will Meet in Closed Session to Conduct the Executive Officer's Performance Review.

RECONVENE IN OPEN SESSION

15. Adjournment

Note: This meeting will be Webcast, provided there are no unforeseen technical difficulties or limitations. To view the Webcast, please visit <https://thedcapage.wordpress.com/webcasts/>. 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 a disability-related accommodation, modification in order to participate in the meeting, or any other information may make a request by contacting: Monica Burris at (279) 280-8517, email: monica.burris@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.

Agenda Item

No. 1

No Attachments

*Agenda Item
No. 2
Petition for
Reinstatement
Hearing*

Agenda Item

No. 3

No Attachments

Agenda Item

No. 4

No Attachments

DRAFT
California Board of
Barbering and Cosmetology

Board Meeting
Minutes of October 13, 2025

BOARD MEMBERS PRESENT

Tonya Fairley, President
Kellie Funk, Vice President
Megan Ellis
Dr. Yolanda Jimenez
Colette Kavanaugh
Tamika Miller
Steve Weeks

STAFF MEMBERS PRESENT

Kristy Underwood, Executive Officer
Carrie Harris, Deputy Executive Officer
Allison Lee, Board Project Manager
Yuping Lin, Legal Counsel
Monica Burris, Executive Analyst

BOARD MEMBERS PRESENT (WEBEX)

Anthony Bertram
Michelle Edgar
Danielle Munoz

BOARD MEMBERS ABSENT

Calimay Pham
Sinar Lomeli

1. Call to Order/ Roll Call/ Establishment of Quorum

President Tonya Fairley convened the meeting at approximately 10:00 a.m. A roll call confirmed the presence of a quorum.

2. Board President's Welcome (Tonya Fairley)

Tonya Fairley welcomed attendees and gave instructions for the public comment sections of the meeting.

3. Discussion and Possible Approval of the August 11, 2025 Board Meeting Minutes

Motion: Kellie Funk moved to approve the minutes of the August 11, 2025 Board Meeting. Dr. Yolanda Jimenez seconded the motion.

Public Comment: There were no public comments received.

Roll Call Vote: Motion to approve the August 11, 2025 Board Meeting Minutes carried: 10 yes, 0 no, and 0 abstain, per the following roll call vote:

- Committee Members voted "Yes": Tonya Fairley, Kellie Funk, Anthony Bertram, Michelle Edgar, Megan Ellis, Dr. Yolanda Jimenez, Colette Kavanaugh, Tamika Miller, Danielle Munoz, Steve Weeks

4. Review, Discussion and Possible Action on Re-Establishing a Practical Exam

The agenda was revised to address discussion of the practical examination before the sunset review. Kristy Underwood explained that the practical exam was eliminated through the last sunset review process under SB 803, effective January 1, 2022. She stated the exam was removed due to concerns that it could be a barrier to entry and was considered subjective as an assessment tool. Ms. Underwood reviewed the legislative process that led to its removal and noted that reinstating the exam would require legislative action to restore what was removed during the sunset review.

She detailed that the Board previously maintained two full-time examination sites in Glendale and Fairfield with more than 20 staff positions, all of which were eliminated following the change. Reestablishing those sites would involve new leases and staffing costs, which are currently unknown. Ms. Underwood also presented licensing data showing an increase in licenses issued since elimination of the practical exam, from about 6,000 in FY 2018–19 to over 11,000 in FY 2024–25.

She stated that the Board's role is to test for minimal competency and safety, not technique or skill quality. Ms. Underwood added that there is nationwide discussion on deregulation and reducing barriers to entry, and those factors should be recognized in any consideration of reinstating the exam. She also noted that five states do not require a practical exam, including Minnesota, where schools administer a state-developed practical test as part of graduation requirements.

Steve Weeks provided background on the decision to eliminate the practical examination, noting he served as board president during the last sunset review when the change occurred. He said the process involved negotiations with the Governor's Office and the Senate, which emphasized creating a more inclusive process and reducing barriers to entry.

Mr. Weeks cautioned that reversing the decision in the next sunset review could undermine the board's credibility, particularly as it advances apprenticeship program changes. He added that licensing numbers have increased since the exam's removal and that reinstating it would be financially and operationally difficult due to the loss of facilities and staff. Based on his DRC experience, he observed that most violations involve multi-year licensees, not new license holders, indicating no evident issues tied to eliminating the exam.

Tonya Fairley followed by sharing her perspective noting that when SB 803 took effect, eliminating the practical exam was initially difficult to accept because the beauty industry is a hands-on field involving tools and chemicals. She said her view has since evolved and emphasized her support for accessible, cost-effective licensing while maintaining public safety.

Ms. Fairley stated that all applicants, whether through school or apprenticeship, complete significant training hours before testing. Drawing from her four years on the Disciplinary Review Committee, she noted that most cases involve licensed professionals, largely licensed before 2022 and often salon owners, showing that the written exam meets minimal competency standards.

She added that the written test requires a 70% passing score and does not assess real-world skill or business ability. Ms. Fairley said many schools already require hands-on testing and hold students to high standards before graduation. She concluded that reinstating the practical exam would add a barrier to entry and that real practical experience occurs through school and on the job.

Danielle Munoz emphasized the importance of data-driven decision-making and stated that, to assess the impact of eliminating the practical exam, the board should review disaggregated data comparing Spanish language exam pass rates before and after the change. She noted that analyzing these figures would help determine whether the removal of the practical exam contributed to low Spanish pass rates or if other factors are at play. She also suggested examining disciplinary or DRC rates before and after the elimination to assess any effects on health and safety outcomes.

Ms. Underwood responded that creating clear comparisons may be challenging but could be attempted, noting that the data may not be available by language. She clarified that Spanish, Vietnamese, and Korean test-takers received written translations of the proctor's verbal instructions, which were delivered in English.

Ms. Munoz reiterated the need to further investigate the low Spanish pass rates, noting that if conditions were consistent except for language, the difference warrants closer review. She suggested disaggregating the written exam data to determine whether the practical exam change was a contributing factor, emphasizing that identifying or ruling out this cause is essential to addressing disparities among Spanish-speaking candidates.

Kelly Funk, an aesthetician and industry member, expressed strong support for reinstating the practical exam for estheticians. She stated that while the board must consider factors such as cost, from her perspective as a practicing professional who trains younger aestheticians, a skills-based exam is essential to uphold expertise, ensure proper technique, maintain sanitation, and safeguard the public. She emphasized that a written exam confirms theory but cannot measure hands-on ability or infection control, and that reinstating the practical exam would strengthen consumer confidence and align California with other states.

Ms. Funk also read a letter from Debbie Martino, a licensed cosmetologist and manufacturer Education Manager for Image Skin Care, who expressed concern that eliminating the practical exam has led to a decline in skill among newly licensed aestheticians. Ms. Martino noted that prior to the exam's removal, schools were incentivized to ensure students were prepared for real-world practice, and that without it, many programs have reduced emphasis on hands-on training. She urged the Board to reinstate the practical exam and recommended increasing required training hours to better prepare students.

Tamika Miller, a licensed manicurist and industry member, echoed Ms. Munoz's call for more detailed data, particularly regarding citations and DRC cases, noting that most cases involve licensees who have been in practice for several years and that citation probability may vary based on experience.

Ms. Miller also observed that students approach their education differently when they know there is no practical exam. She suggested that if reinstating the practical exam is not an

option, the board could consider continuing education or other measures to ensure students feel prepared and empowered to enter the workforce safely and competently.

Tonya Fairley emphasized the importance of making decisions based on data, not emotion, while considering the broader implications for training programs and apprenticeships. She noted that estheticians completing the required 600 hours of school or apprentices completing 3,200 hours receive substantial hands-on training. She cautioned that reinstating a practical exam for one scope of practice could send a precedent-setting message to schools and licensees, raising questions about competency expectations and the role of schools in providing adequate training. Ms. Fairley urged the board to consider the overall impact on education, regulation, and the message being conveyed before making any changes.

Kelly Funk highlighted a key difference in the aesthetics industry compared to cosmetology, noting that unlike hairstylists, newly licensed estheticians rarely have apprenticeships or mentorships after licensure. She explained that many estheticians enter treatment rooms with minimal hands-on testing and limited oversight, emphasizing that post-licensure experience differs significantly from other licensed professionals, and that this distinction is important when considering practical exam requirements.

Tamika Miller added that the manicuring industry also lacks formal post-licensure training. She noted that while the 3,200-hour apprenticeship program provides comprehensive training for cosmetologists, most manicurists complete only 1,000 hours, leaving some with limited hands-on experience. She emphasized the importance of reviewing data and considering continuing education as alternative ways to ensure competency.

Kristy Underwood provided updated citation data from the past four years, noting that 85% of citations were issued to individuals who had taken both the practical and written exams, while 15% were issued to those who only took the written exam. She reminded the board that the sunset report must be approved at the November meeting for submission to the legislature, cautioning that adding the practical exam at this stage would be complex. Ms. Underwood clarified that the board could pursue reinstating the practical exam in the future by finding a legislator to carry a bill. She also noted that continuing education proposals have been raised by the industry but have not previously succeeded in legislation.

Danielle Munoz emphasized that changes to the exam process should be driven by clear data anomalies. She noted that, aside from the low Spanish language pass rates, there are no significant anomalies to justify altering the practical exam, and any adjustments should be considered only if specific data trends indicate a need.

Colette Kavanaugh suggested considering a modern, hands-on assessment rather than reinstating the previous practical exam. She emphasized evaluating candidates on health and safety skills rather than written test performance, and recommended exploring new, inclusive testing approaches.

Kristy Underwood noted that the board could explore alternative assessment methods, such as a "written practical," used in some other states, which combines computer-based testing with situational or video-based scenarios. She also suggested increasing oversight of schools, potentially requiring a state-developed practical for graduation, and recommended forming a

task force with testing vendors and DCA staff to analyze data and determine the best approach.

Public Comments: Fred Jones, representing the Professional Beauty Federation, emphasized that the beauty industry is hands-on and practical skill is essential. He explained that the practical exam lost significance when written and practical scores were separated, reducing its impact on licensure. He noted that SB 803 focused on removing barriers to licensure. Mr. Jones suggested that any task force reconsidering the practical exam should understand its history and grading purpose. He also highlighted past efforts to develop online proctored practical exams, noting that reinstating the practical could be possible without restoring the old physical infrastructure or high costs.

Jamie Schrabek of Precision Nails and a licensed manicurist, noted that the traditional practical exam involved dummy hands or models and stressed that the real risk comes from invasive procedures and improper sanitation. She argued that an in-person practical exam is impractical, given the extensive training hours provided by schools. Ms. Schrabek suggested that practical skills and health and safety should be reinforced at the school level rather than through a state exam and highlighted her experience with continuing education in Minnesota and Ohio, noting it serves more as remediation than as a safety measure.

Gary Federico, from Federico Beauty Institute, emphasized support for combining written and practical assessments, acknowledging new approaches to testing. He expressed frustration with outside regulation stripping industry standards and urged the board to continue advocating for effective evaluation of graduates. He noted that in-house testing at schools exists but is insufficient on its own.

Conclusion: Board members agreed to postpone any decision on the practical exam until after the Sunset Review.

5. Review, Discussion and Possible Approval of the Board's 2026 Sunset Review Report

Before the discussion began, a roll call was conducted to reconfirm the quorum, and all virtual attendees verified that they were participating alone.

Kristy Underwood introduced the draft sunset report, noting that no approval was needed at this meeting. She explained that members should provide any edits for inclusion before the final version is presented for approval at the November meeting. The finalized report, due in January, will include all attachments such as organizational charts, attendance records, and factual documents, which were omitted at this stage to save paper.

She then began reviewing the report section by section, noting it follows a legislative template. The report's early pages outlined the board's background, functions, and consumer protection role. Members discussed strengthening language and examples in the section addressing consumer harm, adding references to injuries such as cuts, burns, and infections, and emphasizing the board's inspections and public protection efforts.

The report continued with descriptions of the board's committees, member attendance records, and organizational structure changes since the last sunset review, including the addition of management positions, restructuring of staff, relocation to the new DCA building, closure of two testing sites, and implementation of a mobile inspection program.

Ms. Underwood continued with page eight of the report, explaining that this section lists all legislation sponsored by or affecting the board since the last sunset review. She noted that the list spans several pages and includes both board-specific and department-wide bills, such as those related to military expedite provisions.

She clarified that beginning on page twelve, the report transitions to regulatory changes made since the last review—summarizing each law or regulation that has passed or been amended. The section addresses major studies conducted by the board, primarily occupational analyses required for exam development. These analyses are conducted in partnership with PSI and DCA's Office of Professional Examination Services, and the full reports will be attached to the final submission.

During review, a member pointed out that the 2021 occupational analysis for aesthetics incorrectly referenced "barbers." Ms. Underwood acknowledged the correction and confirmed it would be revised before finalization.

Referencing the list of national associations with which the board is affiliated, Ms. Underwood noted that the board is not a member of any national associations but utilizes PSI's national examination, which is administered in several other states.

The discussion proceeded to section two: Fiscal and Staff. Ms. Underwood thanked DCA's Budget Office for their support, noting that this section includes the fund condition statement, showing beginning balances, revenues, and expenditures. She highlighted that the board maintains a healthy budget, projecting approximately 17 months in reserve by fiscal year 2026–27.

She then reviewed expenditures by program component, explaining that spending is divided among enforcement, examinations, licensing, administration, and DCA pro rata costs. Personnel services and operating expenses (OE&E) are detailed for each category, reflecting staffing and material costs such as travel, equipment, and operational needs.

Ms. Underwood reviewed the board's current fee schedule, noting that no fee changes have occurred and none are anticipated at this time. She explained that the schedule outlines each fee, its statutory limit, the associated revenue by fiscal year, and the percentage of total revenue. For example, the barber license fee is set at \$50, which is also the statutory limit, generating \$154,000 in revenue for fiscal year 2021–22.

She further explained that certain fees, such as the cosmetology application and examination fee, are determined based on the actual cost of processing applications and exams, as required by statute. The current fee is \$75, based on prior cost studies, and may only be adjusted if costs increase. Ms. Underwood also highlighted that 21% of total board revenue comes from cosmetology renewal fees, reflecting the large number of licensed cosmetologists statewide. She also confirmed that the board meets annually with the Department of

Consumer Affairs to review all budget matters, including discussions about potential fee adjustments if necessary.

The board currently has very few vacancies and no staffing issues. The sunset review covers the past five years and includes information on staff development efforts. The report lists all training provided to staff, including both no-cost internal training through DCA and paid external programs for managers, investigators, and inspectors.

Ms. Underwood introduced Section Three, noting it contains extensive licensing data for the past four years. The section covers active, delinquent, and expired establishment licenses. Members discussed the number of delinquent or expired establishments, the renewal notification process, and how licenses are categorized in reporting.

Ms. Underwood explained that renewal notices are sent 83 days before expiration, followed by a delinquent notice 30 days after. Licenses can remain expired for up to five years before reapplication is required, and delinquency fees apply if renewals are late.

The report then outlined the board's performance measures and processing targets. Ms. Underwood highlighted that the board's licensing unit continues to meet or exceed targets, processing applications more efficiently than in prior years. Licensing data was presented by license type, showing the number of applications received, approved, closed, pending, and the corresponding average processing times.

Kristy Underwood reviewed data on license denials over the past four years, noting that 15 applications were denied based on criminal histories determined to be substantially related to the profession. She explained that each case was detailed by type and date of offense, emphasizing that the board evaluates the full context of each situation. She also discussed the process for verifying criminal history, noting that fingerprinting is required only for personal service permit applicants, while all other applicants self-attest to convictions under penalty of perjury.

The discussion then moved to the requirements for out-of-state and out-of-country applicants, outlining verification and certification procedures. Members raised questions about fraud prevention and verification, with staff confirming that updated requirements would be proposed in upcoming legislative changes.

Ms. Underwood next reviewed the military-related licensing provisions, including fee waivers for active-duty members and expedited applications for military spouses or domestic partners. Over the past four years, 321 applications had been expedited under these provisions.

She then summarized examination requirements, confirming that all applicants must pass a written examination. Pass rates for first-time and repeat test takers were presented, along with examination data by language, covering both California and national exams.

Ms. Underwood discussed national examination data for various license types, including barber, cosmetology, esthetician, electrology, and manicurist, showing pass rates by language for first-time and retake examinees. She noted a significant drop in Spanish-language pass rates starting in 2022–2023 after a practical exam component was removed,

with pass rates remaining low in subsequent years. The board discussed challenges in determining the cause, including variations in apprenticeship programs, out-of-country examinees, and dialect differences.

Occupational analyses were summarized, noting ongoing efforts to validate California-specific exams, particularly the hairstylist exam.

School approval processes were outlined, including collaboration with BPPE for new school applications. The board currently oversees 274 approved schools, with no renewal requirements or application fees. Oversight is limited to health and safety inspections on clinic floors.

Continuing education and competency requirements were addressed, with the board stating that no continuing education is currently required. Questions from the legislature are based on a standard template applied to all boards undergoing sunset review. Any proposal for continuing education would be considered a new issue in a separate section of the report.

Public Comments: Fred Jones praised the report for being well written, noting the background information was excellent. He advised that legislators typically read only the first two pages, recommending that those pages include more visual examples of injuries (“harm porn”) to capture attention, ensuring they are effective in both color and black-and-white print.

Jamie Schrabek emphasized the importance of including color photographs in the report and suggested leading with the paragraph describing the types of harm possible. She noted that the current presentation might appear to only affect women, potentially diminishing its perceived importance. Ms. Schrabek recommended more graphic representation of injuries and highlighted critical points buried later in the report, including the absence of a statute of limitations, no reporting requirements for civil settlements, and no required liability insurance. She also noted limitations of the BREZE system for verifying licensees, and stressed that harms range from minor issues, like handwashing violations, to severe injuries, including amputations.

After public comments, the focus shifted to the board’s enforcement program. Targets include average days to complete complaint intake, closed cases not resulting in formal discipline, and cases resulting in formal discipline. Intake and non-disciplinary closures meet targets, while disciplinary cases exceed the 540-day target, averaging 766 days. Delays are primarily due to multiple inspections, citation processes, potential appeals, and attorney general processing times.

Cases typically continue operations during adjudication, except in certain PC 23 cases or when individuals are incarcerated. Complaints received have increased about 12% per year. Enforcement data covers investigations, citations, fines, criminal referrals, accusations, interim actions, disciplinary outcomes, probation, petitions for reinstatement, and diversion programs (not applicable to this board). Cases are prioritized based on consumer harm.

The board has no mandatory reporting requirements or statute of limitations. Over the past four years, 80% of cases were settled, 20% went to hearings. Efforts to address unlicensed activity include citations and fines, particularly for services conducted at private homes. A staff

member is dedicated to monitoring unlicensed activity, collaborating with cities and counties for enforcement support.

Kristy Underwood then introduced the board's site and fine process, noting the statutory citation limit of \$5,000. Historically, fines could exceed this for issues like improperly cleaned foot spas, but the cap now applies. The board uses its site and fine authority heavily as a preventive measure, reviewing inspection reports and photographs to determine whether a fine is warranted.

There were 903 citation appeals heard over the last four fiscal years, a notable decrease from prior years due to front-line education efforts. The five most common violations involve sanitation issues such as disinfecting tools, disposal of non-disinfectable items, unclean neck dusters and brushes, unclean wax and cosmetic items, and failure to display licenses. Discussion highlighted the distinction between preventive citations and consumer harm cases, noting that egregious violations or negligence leading to harm are addressed through formal discipline. Members suggested clarifying potential outcomes for each common violation and including more visually impactful examples for legislative reporting.

Ms. Underwood provided details on average fines pre- and post-appeal, franchise tax board intercepts for unpaid fines, and efforts to recover costs for AG and investigative work, noting some costs remain uncollectible if licensees do not petition for reinstatement. Administrative law judges typically delay cost recovery until reinstatement, though the board always requests full cost recovery. Restitution for individual consumers is not commonly sought, as consumers often resolve complaints themselves.

The discussion then moved to public information policies. The board maintains a robust online presence to keep the public informed, including an active website and social media platforms with dedicated outreach for Vietnamese- and Spanish-speaking communities. All meetings are webcast and archived—currently dating back to July 2016—and the board posts enforcement statistics, accusations, and disciplinary actions online in accordance with DCA standards. License information, such as name, establishment address, license type and status, and formal disciplinary actions, is publicly accessible through the BreEZe database, though awards and educational history are not included.

Consumer outreach efforts include publications, industry bulletins, newsletters, and participation in community events. The board has steadily expanded its digital engagement, with more than 23,000 Facebook followers and 14,000 Instagram followers, reflecting a continued commitment to transparency and education.

Ms. Underwood then addressed online practice issues. She explained that the board does not regulate online hands-on services, as cosmetology, barbering, skincare, and nail care require in-person practice. However, the board monitors online advertising, particularly for unlicensed activity and home-based services, with a staff member dedicated to tracking social media platforms such as Instagram. Cooperation with local authorities and businesses supports enforcement against illegal home operations.

Next, Ms. Underwood discussed workforce development and job creation. She explained that significant changes made during the last sunset review helped reduce barriers to entry,

resulting in a 14 percent increase in licenses issued from pre-pandemic levels to 2022—the first year the practical examination was no longer required. Licensing processing times have also improved, with no significant delays reported. Applicants now schedule their own examinations online, selecting their preferred location, date, and time, which has streamlined the process.

The board maintains regular contact with schools through a dedicated analyst, attendance at trade shows, school inspections, and speaking engagements designed to educate students on licensing requirements and the importance of licensure.

When discussing barriers to licensure and employment, members noted that the apprentice program should not be characterized as a barrier itself but rather that challenges stem from a lack of oversight and enforcement authority over program sponsors. Members agreed that language in this section would be revised to reflect that the underlying issue lies in limited regulatory authority rather than the structure of the program. The board also identified limited oversight of beauty schools as a broader barrier to ensuring that students receive proper preparation and value for their training.

The board does not currently collect workforce data but continues to monitor trends within the industry. In April 2023, it established a Diversity, Equity, and Inclusion (DEI) Committee to support and promote diversity across the profession. The committee has developed web content and social media initiatives to encourage equity and highlight the state's diverse communities.

The meeting recessed for a 30-minute lunch break. Upon reconvening, roll call was conducted to reestablish a quorum. The discussion resumed with Section Nine, addressing actions and responses to issues raised during the previous sunset review. Ms. Underwood began by explaining that this section outlines past legislative recommendations, the board's responses, and current updates on each issue.

The first topic reviewed was board composition. Since the last sunset review, membership requirements were updated to include a licensee from each discipline category. All positions are now filled except for one establishment owner vacancy.

Next was regulatory processes. It was noted that several regulatory packages have been promulgated since the last review, with detailed status updates provided in the report.

Regarding personnel flexibility, statutory restrictions preventing reclassification of certain positions were lifted during the last sunset cycle. This change allowed the agency to reclassify roles, improve recruitment, and increase workload capacity.

The discussion then moved to clarifications on the practice of medicine. Updates to Section 7320 expanded authority to include individuals who offer medical procedures such as microneedling without appropriate licensure, improving enforcement capability.

School and student oversight was identified as a major area of concern. While curriculum approval and health and safety inspections are conducted internally, oversight of educational quality and language authorization rests with BPPE. The lack of data sharing and coordination

between agencies remains a challenge. Staff must manually review BPPE's website for disciplinary information, and there are no application or renewal fees to fund oversight efforts. Several members emphasized the need for greater authority, funding, and cooperation to ensure consumer safety and school accountability.

The next issue addressed was Assembly Bill 5 and its impact on classification of workers. Although this remains a labor matter outside the agency's jurisdiction, it was noted that all licensees should be treated consistently under employment law.

On scope of practice, the agency reaffirmed its position that license categories should remain unified and not be divided by service type. While haircutting and hairstyling may pose lower physical risk than chemical services, maintaining consistent professional standards and consumer protections was emphasized.

The conversation turned to training hours, noting that prior legislation reduced requirements for cosmetology and barbering programs to 1,000 hours. Some stakeholders continue to advocate for restoring or slightly increasing the hours, while others report adequate outcomes under the current structure.

The section on examinations summarized the elimination of the practical exam. Pass rates have since improved, though concerns remain regarding graduates' hands-on readiness. The possibility of reintroducing a practical component prior to graduation was briefly mentioned as a potential discussion point for the future.

Reciprocity and endorsement licensing were also reviewed. Applications from other states have increased substantially, but with that, so has the risk of fraud. Staff described cases where applicants received California licenses using credentials from multiple states without verified education or examination records. Efforts are underway to strengthen requirements so applicants must provide certification showing proof of examination before being licensed in California. The growing complexity of multistate licensing, limitations on data sharing, and the absence of a compact system to ensure verification across jurisdictions was acknowledged.

The discussion continued with apprenticeships and externships. Committee staff previously recommended enhancing oversight of apprenticeship programs and improving access for applicants by allowing the board to establish its own pre-apprentice training course. Ms. Underwood explained that this recommendation has been fully implemented. The law was amended to require the training course to be provided directly by the board rather than by program sponsors, addressing prior concerns about sponsors charging excessive fees. Apprentices now complete an online course administered by the board, and completion data is automatically reported to staff.

Ms. Underwood proceeded with an update on personal service permits. These permits allow licensees to perform services outside of a licensed establishment. At the time of the last sunset review, the program had not yet been implemented. She noted that the board officially launched the program on October 1, 2021. Since implementation, 265 permits have been issued, and the board does not recommend any changes to the existing authority.

Next, the board discussed mobile units. The prior law governing mobile establishments had not been updated in many years and contained overly restrictive and costly requirements, resulting in very few active licenses statewide. Legislative updates have since modernized the requirements, and the board has now issued 41 new mobile unit licenses. While this remains a niche business model, those currently licensed have maintained compliance and positive operational records.

The discussion then moved to Citations and the Disciplinary Review Committee (DRC). The committee staff recommendation asked the board to evaluate whether citation and fine procedures remain effective and if the DRC continues to serve a necessary role. Ms. Underwood reported that the board has been reviewing its administrative fine schedule through its Health and Safety and Enforcement Committees, with final recommendations scheduled for presentation at the next board meeting.

Internally, enforcement staff have emphasized education in the field to ensure that inspectors focus on correcting issues that present actual consumer risk. For example, minor infractions such as an open clean towel cabinet may now be resolved with on-site education rather than a fine, while serious violations involving contamination continue to result in citations.

Ms. Underwood stated that the board believes the DRC continues to play an important role, given the volume of citations issued and the need for an impartial appeal process. Unlike other boards that rely on informal conferences, the DRC provides structure, transparency, and fairness for licensees. She noted that the DRC is no longer facing significant backlogs and that appeals are processed promptly.

Licensee in Charge addressed a prior request to clarify whether an establishment owner could serve as the designated licensee in charge. The proposed statutory language affirms that a person licensed under the act—including holders of establishment licenses—may act as the responsible party for their business. The board continues to support this clarification to ensure consistency and accountability.

Mandatory inspections following licensure were reviewed next. The board was previously required to inspect all new establishments within 90 days of licensure, a requirement that proved unmanageable due to limited staffing. The mandate was repealed during the last sunset review, which has allowed the board to better allocate inspection resources.

Under Section Seventeen, Impact of the COVID-19 Pandemic, Ms. Underwood explained that while the pandemic prompted a review of health and safety regulations, most existing requirements, such as mandatory handwashing and tool disinfection, were already aligned with public health protocols. As such, no additional regulatory changes were needed, and current standards remain sufficient to address future health-related concerns.

Technical changes included minor statutory updates from the prior sunset review, such as authorizing per diem compensation for members of the Health and Safety Advisory Committee. All provisions have been implemented successfully.

Since the last review, the industry has undergone substantial changes, with the number of new license applications increasing from 22,345 in 2019 to 32,436 in 2024. Ms. Underwood

emphasized that continued regulation remains essential to protect consumers in an evolving and increasingly complex industry. She then opened the floor to public comments.

Public Comments: Fred Jones spoke about school oversight. He cautioned that expanding the board's authority under the current dual-oversight system with BPPE would worsen existing problems. Mr. Jones argued that true reform would place schools solely under the board's jurisdiction, which he said has the necessary expertise and industry connection.

He noted that while oversight has improved under Ms. Underwood's leadership, granting inspectors more authority could risk returning to past inconsistencies. He added that BPPE's oversight is largely ineffective, focused on paperwork rather than addressing unqualified schools. He urged the board to call out these issues in its sunset review and reaffirm the need for sole oversight.

Gary Federico echoed concerns about dual oversight. He noted that his nationally accredited school is regulated by nine agencies and that BPPE has provided little benefit since taking authority in 1989. He stated that BPPE fails to act against poorly performing schools and urged the board to seek sole oversight, believing it is better equipped to protect students and uphold standards.

Nick commented on the low awareness of the Personal Service Permit (PSP). He noted that despite a large industry population, only about 270–300 permits have been issued and urged the board to take steps to increase awareness and ensure more practitioners are operating in compliance.

Kristy Underwood continued the discussion by addressing new issues and proposed solutions identified by the board and committees. The first topic was the oversight of schools. The board recommended expanding its authority beyond health and safety to include review of attendance records and other proof-of-training documents to ensure compliance. Legislative amendments were proposed to require all applicants, whether individuals or corporations, to apply for a school license with a fee capped at \$250 and meet standard eligibility requirements. Board members debated whether to pursue full authority over schools. While full oversight is unlikely to succeed given BPPE's existing role, members agreed it is important to request it, with a secondary, incremental approach as a fallback to strengthen current oversight. They emphasized that the board already investigates issues like falsified proof-of-training, and broader authority would allow enforcement while avoiding areas managed by BPPE, such as student tuition recovery or advanced education approvals. Collaboration with BPPE was discussed but ultimately considered potentially counterproductive if the goal is to expand board authority.

The next issue was licensure by endorsement. The board proposed requiring certification from the issuing state or territory to include the date the licensure examination was passed. This change is intended to address ongoing fraud concerns and ensure proper verification of credentials.

The discussion then moved to oversight of the apprenticeship program. The board's legislative request includes clarifying that apprentices must be employees, with proof such as pay stubs provided upon request. They proposed establishing initial and renewal fees for

program sponsors, ensuring sponsors cannot franchise or loan their approval, and requiring apprentices to enroll only with approved sponsors. Establishments employing apprentices must provide all services within the apprentice's scope, maintain workers' compensation, and make proof available. A formal disciplinary process was recommended for program sponsors or trainers who violate laws, including restrictions on employing apprentices for a set number of years. Additionally, a processing fee for administrative tasks like transfers and cancellations was suggested to offset staff workload. A detailed apprenticeship report will be attached.

Next, the committee addressed establishing combined license types for manicurists and estheticians, and for barber and cosmetology licenses. Currently, thousands of individuals hold both licenses but must take separate courses and exams. A combined program would allow new enrollees to complete one program and take a single exam, reducing barriers and maintaining health and safety standards. Existing license holders could transfer relevant hours toward the new combined license. Ms. Underwood provided sample legislative language to illustrate the proposed changes, which would streamline entry into the field and align with practices in other states like Alabama, Texas, Iowa, Utah, and Florida.

Kristy Underwood then moved on to limited liability companies (LLCs). She explained that while the board has historically issued licenses to LLCs, recent legal guidance suggested clarifying the language in statute. The proposal would explicitly allow LLCs to be establishment owners under section 7340. Discussion focused on potential loopholes, such as whether a previously disciplined individual could work as a manager within an LLC without holding a license. Board members emphasized the need to distinguish between an establishment owner and the licensee in charge, ensuring that LLCs cannot bypass disciplinary actions by placing restricted individuals in managerial roles. Clarifying these responsibilities may be addressed either in statute or through regulation, and staff will explore options to present at the November meeting.

Next, the board reviewed remedial education. A 2024 bill authorized remedial education in lieu of a first defense, but implementation revealed that the current wording—"board offered"—was impractical. The proposal seeks to change this to "board approved" so the process can be contracted to qualified external providers while the board retains oversight of content development, similar to the approach used for pre-apprentice training programs. This would streamline administration and ensure quality education.

Public Comment: Fred Jones praised the board's approach, endorsing the idea of pursuing full oversight while maintaining the fallback option as a practical compromise. He encouraged the board to "swing for the fences" but acknowledged the value of Ms. Underwood and staff's hard work if a more incremental approach is needed.

Mr. Jones also highlighted a historical perspective: prior to 1989, the state board directly oversaw schools, requiring them to post bonds to guarantee student completion. He noted that every student had to register with the state board within 45 days of enrollment, which provided an immediate record of students and helped prevent issues like selling or forging hours. He suggested reinstating a similar student registration requirement to give the board timely oversight and curb fraudulent practices.

Gracie Young, Program Sponsor for the Greater East Bay Barber Cosmetology Apprenticeship Program, asked if renting additional space and hiring instructors would count as franchising under the board's proposal to prohibit program sponsors from franchising their program codes. Kristy Underwood said her situation would need an email review but confirmed the proposal aims to end all franchising. Ms. Young noted many programs currently franchise and charge fees, and the board confirmed the Sunset Report, including this proposal, will be finalized at the November meeting.

Next, Yasmin Niru joined public comment and asked whether a school director must hold a cosmetology, barbering, aesthetics, or manicuring license to operate a school, referencing the board's proposal that management must be licensed. Kristy Underwood advised her to email for a detailed response, as it was a specific operational question.

The board took a 10-minute break, followed by a roll call to confirm a quorum.

When the meeting reconvened, Kristy Underwood presented the Apprenticeship Report, highlighting key issues and updates for board members. She noted that most members had previously seen the report and that the purpose of the meeting was to review any final changes before formal approval at the next board meeting. She drew particular attention to page five, which had been updated to clarify issues regarding fees and tuition for apprentices.

She emphasized that apprenticeship programs are not intended to charge tuition and are designed as "earn while you learn" programs. The only fees apprentices should incur are for the tools or kits necessary to complete their training and develop job skills, such as scissors, clippers, and styling tools. She noted that the average cost for these kits is around \$2,000, though costs can vary by location, quality, and vendor. Previous references in the report to fees of \$300–\$500 were inaccurate and had been removed.

Ms. Underwood explained that some apprenticeship programs have been charging excessive fees, in some cases up to \$20,000, which does not align with the intended structure of apprenticeships. She noted that some programs operate more like schools, with facilities, staffing, and administrative overhead, passing these costs onto apprentices, particularly in industries such as cosmetology where apprentices are not directly employed.

She reviewed funding and reimbursements available to apprenticeship programs. Local Education Agencies (LEAs) provide reimbursement per apprentice for related instruction hours, and programs can apply for federal funding through WIOA and state-level apprenticeship innovation funds. Underwood noted that programs in other industries, such as electricians, follow similar models where apprentices do not pay tuition and costs are supported by the industry.

Regarding enforcement, Ms. Underwood reported that the board has issued 14–18 notices to show cause to apprenticeship sponsors failing to comply with the law, including cases without an LEA or involving fraudulent practices. Some cases have required administrative hearings, Attorney General involvement, and legal costs, including one case with approximately \$10,000 in AG fees.

She recommended removing the red section of the report that suggested specific dollar amounts for fees, as it could be misleading. Instead, she suggested the report focus on factual information, including the range of fees currently charged, disparities between programs, enforcement actions, and funding mechanisms.

Ms. Underwood also highlighted examples of program models, such as community college–based apprenticeships where apprentices pay only for kits and are supported by the LEA. She noted that educational materials and flyers are being distributed to apprentices to inform them of the costs they are responsible for.

Tonya Fairley praised the work on the report and encouraged board members to review it and note any concerns ahead of the sunset review.

Public Comment: Fred Jones shared that ten years ago, many people interested in starting beauty schools were discouraged by BPPE requirements, such as signing a lease and paying for a facility before inspection. He noted that some of these individuals instead started apprenticeship programs, which he said often operate under a different business model that does not fit the salon industry, especially given that most salons are booth rentals. He added that apprenticeships are politically popular and make it easy to promote low barriers to entry.

Gracie Young spoke next, addressing the issue of dollar amounts and fee caps. She suggested some type of cap should be in place because satellite programs, franchised by main program sponsors, were overcharging students, often labeling it as “tuition” while not sharing RSI funding. She shared that after recent meetings, she confirmed with several satellite programs that fees of \$5,000–\$6,000 were being charged, which is inconsistent with the apprenticeship model.

She emphasized that apprenticeships are not about paying tuition and warned that without caps, some programs might continue overcharging. Regarding employers covering kit costs, she noted that barbershop owners typically do not do this because apprentices frequently move between shops. In her own program, she collects \$2,000 per apprentice to cover the kit, textbook, workbook, mannequin head, and any paid instructional classes. She stressed that the goal is to train apprentices effectively while keeping their costs minimal, rather than to make a profit. Ms. Young concluded by noting she would follow up via email with additional details.

6. Public Comment on Items Not on the Agenda

No public comments were submitted on this item.

7. Suggestions for Future Agenda Items

There were no suggestions offered for future agenda items.

8. Adjournment

There being no further business to discuss, the meeting adjourned at approximately 4:00 p.m.



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DEPARTMENT OF CONSUMER AFFAIRS • BOARD OF BARBERING AND COSMETOLOGY
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MEMORANDUM

DATE	November 17, 2025
TO	Members, Board of Barbering and Cosmetology
FROM	Kristy Underwood, Executive Officer
SUBJECT	Proposed Board Meeting Dates and Locations for 2026

February 9, 2026 – Board Meeting/Reinstatement
Tentative Location: Sacramento

May 18, 2026 – Board Meeting/Reinstatement
Tentative Location: Southern California

August 17, 2026 – Board Meeting/Reinstatement
Tentative Location: Sacramento

November 16, 2026 – Board Meeting/Reinstatement
Tentative Location: Southern California



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MEMORANDUM

DATE	November 17, 2025
TO	Members, Board of Barbering and Cosmetology
FROM	James Zimmerman, Licensing and Operations Chief
SUBJECT	Administration and Operations Report

Staffing Update

Current Number of Positions Allocated	Current Number of Vacant Positions
6	2

We are currently recruiting for one Staff Services Manager I and we have one open Associate Governmental Program Analyst position.

Staff Training

On August 14, 2025, all Board analysts completed training for completed staff work. This training gives analysts tools to help them be more efficient at their jobs.

On September 30, 2025, the Enforcement team completed Time Management: Urgent vs Important. The course is designed to help with prioritizing tasks and dealing with the stress that comes that comes with various tasks.

On October 8, 2025, the Board’s managers took part in an HR Forum led by the Board’s HR Liaison, Shelby Edmiston. The session covered updated human resources procedures for management and clarified expectations related to various personnel matters.

On October 13, 2025, Board of Barbering and Cosmetology staff will participate in *Conversation Conservation* training provided by DCA’s Strategic Organizational Leadership and Individual Development (SOLID) Unit. The training focused on communication tools to use when conversing about difficult topics.

Vehicles

The Board currently owns 20 vehicles and has 1 additional pending.

In September 2025, the Board received 6 of the 7 Hyundai Ioniq 5s that were part of the FY 24/25 Fleet Acquisition Plan. The remaining Ioniq was damaged upon arrival and sent back to the vendor. A request for a replacement vehicle is pending with the vendor.

Three of the new vehicles will replace vehicles that have been scheduled to be surveyed. The remainder of the new vehicles will be assigned to Special Investigators when those positions are filled.

Budget Projection Reports and Fund Condition

Below is the Budget Report Fiscal Year (FY) 2024-25 Expenditures based on Fiscal Month 13 (FM) (August 2025). Based on these expenditures, the Board is scheduled to revert \$2,132,882 back into the Board’s Fund.

**Board of Barbering and Cosmetology
FM 13 Fiscal Year 2024/25**

Personnel Services	ALLOTMENT	Current Expenditures	Current Balance
5100 Permanent	\$5,816,000	\$5,042,934	\$773,066
5100 Temporary	\$587,000	\$562,293	\$24,707
5105-5108 Per Diem, Overtime & Lump Sum	\$0	\$75,196	(\$75,196)
5150 Staff Benefits	\$3,485,000	\$3,187,293	\$297,707
5170 Salary Savings	\$0	\$0	\$0
Total of Personnel Services	\$9,888,000	\$8,867,717	\$1,020,283
Operating Expenses & Equipment (OE&E)	Allotment	Current Expenditures	Current Balance
5301 General Expense	\$428,000	\$196,600	\$231,400
5302 Printing	\$348,000	\$374,623	(\$26,623)
5304 Communication	\$21,000	\$34,001	(\$13,001)
5306 Postage	\$232,000	\$42,016	\$189,984
5308 Insurance	\$4,000	\$12,898	(\$8,898)
53202-204 Travel In State	\$73,000	\$79,765	(\$6,765)
53206-208 Travel, Out-of-State	\$0	\$1,500	(\$1,500)
5322 Training	\$11,000	\$7,008	\$3,992
5324 Facilities Operations	\$1,022,000	\$276,640	\$745,360
53402-53403 Attorney General, OAH, C&P Services Interdept	\$1,672,000	\$1,372,321	\$299,679
53404-53405 Consultant & Professional Svs. - External	\$1,793,000	\$2,187,311	(\$394,311)
5342 DCA Pro Rata	\$6,190,000	\$5,645,948	\$544,052
5342 Interagency Services	\$1,000	\$65,366	(\$64,366)
5344 Consolidated Data Center	\$68,000	\$50,464	\$17,536
5346 Information Technology	\$35,000	\$13,432	\$21,568
5362-5368 Equipment	\$77,000	\$474,757	(\$397,757)
5390 Other Items of Expense & Vehicles	\$43,000	\$54,966	(\$11,966)
54 Special Items and Expenses	\$0	\$15,786	(\$15,786)
Total Operating Expenses & Equipment	\$12,018,000	\$10,905,401	\$1,112,599
Total Expenses	\$21,906,000	\$19,773,118	\$2,132,882
Schedule Reim. Other	-	-	-
Net Appropriation	\$21,906,000	\$19,773,118	\$2,132,882
SURPLUS/(DEFICIT)			9.74%

The below analysis of the Board’s Fund Condition projects to have 17.5 months in reserve at the end of FY 2025-26. This means the Board would be able to continue to operate for 17.5 months without collecting any additional revenue.

**0069 - Barbering and Cosmetology Contingency Fund Analysis of Fund Condition
(Dollars in Thousands)
2025 Budget Act**

	Actuals 2024-25	CY 25-26	BY 26-27	BY +1 27-28	BY +2 28-29
BEGINNING BALANCE	\$ 11,926	\$ 38,982	\$ 36,941	\$ 34,795	\$ 31,918
Prior Year Adjustment	\$ -	\$ -	\$ -	\$ -	\$ -
Adjusted Beginning Balance	\$ 11,926	\$ 38,982	\$ 36,941	\$ 34,795	\$ 31,918
REVENUES, TRANSFERS AND OTHER ADJUSTMENTS					
Revenues					
4121200 - Delinquent fees	\$ 1,254	\$ 1,174	\$ 1,174	\$ 1,174	\$ 1,174
4127400 - Renewal fees	\$ 12,459	\$ 13,637	\$ 13,637	\$ 13,637	\$ 13,637
4129200 - Other regulatory fees	\$ 2,475	\$ 2,126	\$ 2,126	\$ 2,126	\$ 2,126
4129400 - Other regulatory licenses and permits	\$ 5,575	\$ 5,708	\$ 5,708	\$ 5,708	\$ 5,708
4143500 - Miscellaneous Services to the Public	\$ 9	\$ -	\$ -	\$ -	\$ -
4150500 - Interest Income from Interfund Loans	\$ 689	\$ -	\$ -	\$ -	\$ -
4163000 - Income from surplus money investments	\$ 1,219	\$ 199	\$ 514	\$ 472	\$ 418
4170400 - Capital Asset Sales Proceeds	\$ -	\$ -	\$ -	\$ -	\$ -
4171400 - Escheat of unclaimed checks and warrants	\$ 29	\$ 12	\$ 12	\$ 12	\$ 12
4172500 - Miscellaneous revenues	\$ 8	\$ 8	\$ 8	\$ 8	\$ 8
Totals, Revenues	\$ 23,717	\$ 22,864	\$ 23,179	\$ 23,137	\$ 23,083
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	\$ -	\$ -	\$ -	\$ -	\$ -
Totals, Transfers and Other Adjustments	\$ 25,000	\$ -	\$ -	\$ -	\$ -
TOTALS, REVENUES, TRANSFERS AND OTHER ADJUSTMENTS					
	\$ 48,717	\$ 22,864	\$ 23,179	\$ 23,137	\$ 23,083
TOTAL RESOURCES	\$ 60,643	\$ 61,846	\$ 60,120	\$ 57,932	\$ 55,001
Expenditures:					
1111 Department of Consumer Affairs Regulatory Boards, Bureaus, Divisions (State Operations)	\$ 20,868	\$ 22,326	\$ 22,996	\$ 23,686	\$ 24,396
9892 Supplemental Pension Payments (State Operations)	\$ 250	\$ 250	\$ -	\$ -	\$ -
9900 Statewide General Administrative Expenditures (Pro Rata) (State Operations)	\$ 543	\$ 2,329	\$ 2,329	\$ 2,329	\$ 2,329
Less funding provided by the General Fund (State Operations)	\$ -	\$ -	\$ -	\$ -	\$ -
TOTALS, EXPENDITURES AND EXPENDITURE ADJUSTMENTS					
	\$ 21,661	\$ 24,905	\$ 25,325	\$ 26,015	\$ 26,725
FUND BALANCE	\$ 38,982	\$ 36,941	\$ 34,795	\$ 31,918	\$ 28,275
Reserve for economic uncertainties					
Months in Reserve	18.8	17.5	16.1	14.3	12.7

NOTES:

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



MEMORANDUM

DATE	November 17, 2025
TO	Members, Board of Barbering and Cosmetology
FROM	James Zimmerman, Licensing and Operations Chief
SUBJECT	Licensing, Examinations, and Disciplinary Review Appeals

Staffing Update

Current Number of Positions Allocated	Current Number of Vacant Positions
19	3

The Board is recruiting for one Staff Services Manager I, one Program Technician II, to complete our communications unit and one seasonal clerk.

Examinations

Pass rates are mostly unchanged with the exception of Electrology that had an increase of 7% and hairstyling that had a drop of 21%.

License Type	FY 24/25 Q4 Pass %	FY 25/26 Q1 Pass %
Barber	56%	57%
Cosmetology	63%	64%
Esthetician	78%	77%
Manicurist	77%	75%
Electrology	62%	69%
Hairstylist	75%	54%

*Based on quarter comparison

Emails

The Board continues to receive about 160 emails a day and our response time is two business days.

Applications

The Board received 15,593 applications during the first quarter of FY 25/26. This was a decrease of 7.4% over the fourth quarter of 24/25. The following license type saw a decrease in applications; barber 12.5%, cosmetology 21.4%, esthetician 23.4% and manicurist 1.8%. Reciprocity applicants showed growth in barber 5.5%, cosmetology 28.1%, esthetician 2.2% and manicurist 10.1%. The barber apprentice applicants saw a 4.2% growth.

The Board has about 700 applications pending daily. All applications are being processed with three to four weeks.

Establishment Applications Received

The Board has seen a slight increase in establishment applications from the last quarter to the current quarter.

	Jul-Sep	Oct-Dec	Jan-Mar	Apr-June	YTD
FY 22/23	1,751	1,543	1,712	2,247	7,253
FY 23/24	2,090	1,902	2,303	2,127	8,422
FY 24/25	2,319	1,824	2,167	2,134	8,444
FY 25/26	2,195				

Licenses Issued

The Board issued 9,447 licenses during the first quarter of FY 25/26. This was a slight decrease of 4.8% from the fourth quarter of FY 24/25. The number of cosmetologist apprentice licenses issued increased by 30.7% and personal service permit also increased by 11.1%.

Our current license population is 662,403.

Performance Measures

Applications Received
Quarterly Applications Received Fiscal Year 25/26

License Type	Jul-Sep	Oct-Dec	Jan-Mar	Apr-June	YTD
Personal Service Permit	41				41
Establishment	2,174				2,174
Mobile Unit	4				4
Barber					
Initial Application	1,125				1,125
Re-Exam	1,314				1,314
<u>Sub-Total</u>	<u>2,439</u>	-	-	-	<u>2,439</u>
Reciprocity	72				72
Apprentice	445				445
Cosmetologist					
Initial Application	2,478				2,478
Re-Exam	2,122				2,122
<u>Sub-Total</u>	<u>4,600</u>	-	-	-	<u>4,600</u>
Reciprocity	592				592
Apprentice	263				263
Electrologist					
Initial Application	36				36
Re-Exam	27				27
<u>Sub-Total</u>	<u>63</u>	-	-	-	<u>63</u>
Reciprocity	3				3
Apprentice	-				-
Esthetician					
Initial Application	1,459				1,459
Re-Exam	859				859
<u>Sub-Total</u>	<u>2,318</u>	-	-	-	<u>2,318</u>
Reciprocity	221				221
Manicurist					
Initial Application	1,378				1,378
Re-Exam	655				655
<u>Sub-Total</u>	<u>2,033</u>	-	-	-	<u>2,033</u>
Reciprocity	291				291
Hairstylist					
Initial Application	20				20
Re-Exam	2				2
<u>Sub-Total</u>	<u>22</u>	-	-	-	<u>22</u>
Reciprocity	12				12
Total	15,593	-	-	-	15,593

Written Exam Results

Re-Exams continue to have a lower pass rate than first time test takers. Spanish pass rates for the first time test takers have the lowest pass rate out of all languages for the barber and cosmetologist license types. Esthetician, manicurist and hairstylist for first time test takers had a decrease overall in a passing rate.

July 1, 2025 – September 30, 2025

First Time Test Takers

Barber	Passed	Failed	Total	Pass Rate
Chinese	1	0	1	100%
English	568	379	947	60%
Korean	0	0	0	0%
Spanish	29	77	106	27%
Vietnamese	4	4	8	50%
Total	602	460	1,062	57%

Re-Exam Test Takers

Passed	Failed	Total	Pass Rate
0	0	0	0%
290	570	860	34%
0	0	0	0%
55	182	237	23%
8	9	17	47%
353	761	1,114	32%

First Time Test Takers

Cosmetologist	Passed	Failed	Total	Pass Rate
Chinese	102	27	129	79%
English	1,193	575	1,768	67%
Korean	6	8	14	43%
Spanish	53	134	187	28%
Vietnamese	147	84	231	64%
Total	1,501	828	2,329	64%

Re-Exam Test Takers

Passed	Failed	Total	Pass Rate
50	69	119	42%
373	721	1,094	34%
5	10	15	33%
68	350	418	16%
76	94	170	45%
572	1,244	1,816	31%

First Time Test Takers

Esthetician	Passed	Failed	Total	Pass Rate
Chinese	35	9	44	80%
English	1,127	323	1,450	78%
Korean	13	6	19	68%
Spanish	26	18	44	59%
Vietnamese	29	21	50	58%
Total	1,230	377	1,607	77%

Re-Exam Test Takers

Passed	Failed	Total	Pass Rate
11	9	20	55%
287	345	632	45%
7	2	9	78%
14	27	41	34%
28	40	68	41%
347	423	770	45%

First Time Test Takers

Manicurist	Passed	Failed	Total	Pass Rate
Chinese	36	9	45	80%
English	579	132	711	81%
Korean	1	2	3	33%
Spanish	22	36	58	38%
Vietnamese	380	155	535	71%
Total	1,018	334	1,352	75%

Re-Exam Test Takers

Passed	Failed	Total	Pass Rate
4	4	8	50%
92	99	191	48%
1	1	2	50%
16	41	57	28%
151	190	341	44%
264	335	599	44%

First Time Test Takers

Electrologist	Passed	Failed	Total	Pass Rate
Chinese	0	0	0	0%
English	24	11	35	69%
Korean	0	0	0	0%
Spanish	0	0	0	0%
Vietnamese	0	0	0	0%
Total	24	11	35	69%

Re-Exam Test Takers

Passed	Failed	Total	Pass Rate
0	0	0	0%
9	11	20	45%
0	0	0	0%
1	3	4	25%
0	0	0	0%
10	14	24	42%

First Time Test Takers

Hairstylist	Passed	Failed	Total	Pass Rate
Chinese	3	1	4	75%
English	4	3	7	57%
Korean	0	0	0	0%
Spanish	0	1	1	0%
Vietnamese	0	1	1	0%
Total	7	6	13	54%

Re-Exam Test Takers

Passed	Failed	Total	Pass Rate
0	2	2	0%
1	1	2	50%
0	0	0	0%
0	1	1	0%
1	0	1	100%
2	4	6	33%

Written Exam Results by Educational Background

July 1, 2025 – September 30, 2025

Written Exam Results - Apprentice Program

First Time Test Takers

License Type	Passed	Failed	Total	Pass Rate
Barber	66	101	167	40%
Cosmetologist	42	92	134	31%
Electrologist	0	0	0	0%
Total	108	193	301	36%

Re-Exam Test Takers

Passed	Failed	Total	Pass Rate
65	172	237	27%
42	221	263	16%
0	0	0	0%
107	393	500	21%

Written Exam Results - Out of Country

First Time Test Takers

License Type	Passed	Failed	Total	Pass Rate
Barber	9	21	30	30%
Cosmetologist	78	86	164	48%
Electrologist	1	4	5	20%
Esthetician	33	25	58	57%
Hairstylist	4	4	8	50%
Manicurist	54	51	105	51%
Total	179	191	370	48%

Re-Exam Test Takers

Passed	Failed	Total	Pass Rate
17	66	83	20%
91	172	263	35%
2	2	4	50%
15	36	51	29%
1	4	5	20%
31	40	71	44%
157	320	477	33%

Written Exam Results - School Program

First Time Test Takers

License Type	Passed	Failed	Total	Pass Rate
Barber	527	338	865	61%
Cosmetologist	1,381	650	2,031	68%
Electrologist	23	7	30	77%
Esthetician	1,197	352	1,549	77%
Hairstylist	3	2	5	60%
Manicurist	964	283	1,247	77%
Total	4,095	1,632	5,727	72%

Re-Exam Test Takers

Passed	Failed	Total	Pass Rate
271	523	794	34%
439	851	1,290	34%
8	12	20	40%
332	387	719	46%
1	0	1	100%
233	295	528	44%
1,284	2,068	3,352	38%

Written Exam Results by Language by Educational Background

July 1, 2025 – September 30, 2025

Apprentice Program by Language

First Time Test Takers

Barber	Passed	Failed	Total	Pass Rate
Chinese	1	0	1	100%
English	57	78	135	42%
Korean	0	0	0	0%
Spanish	8	23	31	26%
Vietnamese	0	0	0	0%
Total	66	101	167	40%

Re-Exam Test Takers

Passed	Failed	Total	Pass Rate
0	0	0	0%
57	124	181	31%
0	0	0	0%
8	48	56	14%
0	0	0	0%
65	172	237	27%

First Time Test Takers

Cosmetologist	Passed	Failed	Total	Pass Rate
Chinese	0	1	1	0%
English	24	36	60	40%
Korean	0	1	1	0%
Spanish	18	53	71	25%
Vietnamese	0	1	1	0%
Total	42	92	134	31%

Re-Exam Test Takers

Passed	Failed	Total	Pass Rate
0	1	1	0%
16	57	73	22%
0	1	1	0%
26	162	188	14%
0	0	0	0%
42	221	263	16%

Out of Country Schools by Language

First Time Test Takers

Barber	Passed	Failed	Total	Pass Rate
Chinese	0	0	0	0%
English	5	7	12	42%
Korean	0	0	0	0%
Spanish	4	14	18	22%
Vietnamese	0	0	0	0%
Total	9	21	30	30%

Re-Exam Test Takers

Passed	Failed	Total	Pass Rate
0	0	0	0%
9	11	20	45%
0	0	0	0%
8	55	63	13%
0	0	0	0%
17	66	83	20%

Out of Country Schools by Language (continued)

First Time Test Takers

Cosmetologist	Passed	Failed	Total	Pass Rate
Chinese	33	7	40	83%
English	15	15	30	50%
Korean	1	3	4	25%
Spanish	5	31	36	14%
Vietnamese	24	30	54	44%
Total	78	86	164	48%

Re-Exam Test Takers

Passed	Failed	Total	Pass Rate
37	50	87	43%
11	28	39	28%
2	0	2	100%
15	69	84	18%
26	25	51	51%
91	172	263	35%

First Time Test Takers

Electrologist	Passed	Failed	Total	Pass Rate
Chinese	0	0	0	0%
English	1	4	5	20%
Spanish	0	0	0	0%
Total	1	4	5	20%

Re-Exam Test Takers

Passed	Failed	Total	Pass Rate
0	0	0	0%
2	2	4	50%
0	0	0	0%
2	2	4	50%

First Time Test Takers

Esthetician	Passed	Failed	Total	Pass Rate
Chinese	10	3	13	77%
English	19	11	30	63%
Korean	1	1	2	50%
Spanish	3	5	8	38%
Vietnamese	0	5	5	0%
Total	33	25	58	57%

Re-Exam Test Takers

Passed	Failed	Total	Pass Rate
2	4	6	33%
6	16	22	27%
0	0	0	0%
2	7	9	22%
5	9	14	36%
15	36	51	29%

First Time Test Takers

Manicurist	Passed	Failed	Total	Pass Rate
Chinese	5	2	7	71%
English	6	8	14	43%
Korean	0	0	0	0%
Spanish	1	4	5	20%
Vietnamese	42	37	79	53%
Total	54	51	105	51%

Re-Exam Test Takers

Passed	Failed	Total	Pass Rate
0	1	1	0%
7	4	11	64%
0	0	0	0%
0	5	5	0%
24	30	54	44%
31	40	71	44%

Out of Country Schools by Language (continued)

First Time Test Takers

Hairstylist	Passed	Failed	Total	Pass Rate
Chinese	3	1	4	75%
English	1	2	3	33%
Spanish	0	1	1	0%
Total	4	4	8	50%

Re-Exam Test Takers

Passed	Failed	Total	Pass Rate
0	2	2	0%
1	1	2	50%
0	1	1	0%
1	4	5	20%

School Programs by Language

First Time Test Takers

Barber	Passed	Failed	Total	Pass Rate
Chinese	0	0	0	0%
English	506	294	800	63%
Korean	0	0	0	0%
Spanish	1	40	57	30%
Vietnamese	4	4	8	50%
Total	527	338	865	61%

Re-Exam Test Takers

Passed	Failed	Total	Pass Rate
0	0	0	0%
224	435	659	34%
0	0	0	0%
39	79	118	33%
8	9	17	47%
271	523	794	34%

First Time Test Takers

Cosmetologist	Passed	Failed	Total	Pass Rate
Chinese	69	19	88	78%
English	1,154	524	1,678	69%
Korean	5	4	9	56%
Spanish	30	50	80	38%
Vietnamese	123	53	176	70%
Total	1,381	650	2,031	68%

Re-Exam Test Takers

Passed	Failed	Total	Pass Rate
13	18	31	42%
346	636	982	35%
3	9	12	25%
27	119	146	18%
50	69	119	42%
439	851	1,290	34%

First Time Test Takers

Electrologist	Passed	Failed	Total	Pass Rate
English	23	7	30	77%
Spanish	0	0	0	0%
Total	23	7	30	77%

Re-Exam Test Takers

Passed	Failed	Total	Pass Rate
7	9	16	44%
1	3	4	25%
8	12	20	40%

School Programs by Language (continued)

First Time Test Takers

Esthetician	Passed	Failed	Total	Pass Rate
Chinese	25	6	31	81%
English	1,108	312	1,420	78%
Korean	12	5	17	71%
Spanish	23	13	36	64%
Vietnamese	29	16	45	64%
Total	1,197	352	1,549	77%

Re-Exam Test Takers

Passed	Failed	Total	Pass Rate
9	5	14	64%
281	329	610	46%
7	2	9	78%
12	20	32	38%
23	31	54	43%
332	387	719	46%

First Time Test Takers

Manicurist	Passed	Failed	Total	Pass Rate
Chinese	31	7	38	82%
English	573	124	697	82%
Korean	1	2	3	33%
Spanish	21	32	53	40%
Vietnamese	338	118	456	74%
Total	964	283	1,247	77%

Re-Exam Test Takers

Passed	Failed	Total	Pass Rate
4	3	7	57%
85	95	180	47%
1	1	2	50%
16	36	52	31%
127	160	287	44%
233	295	528	44%

First Time Test Takers

Hairstylist	Passed	Failed	Total	Pass Rate
Chinese	0	0	0	0%
English	3	1	4	75%
Vietnamese	0	1	1	0%
Total	3	2	5	60%

Re-Exam Test Takers

Passed	Failed	Total	Pass Rate
0	0	0	0%
0	0	0	0%
1	0	1	100%
1	0	1	100%

Licenses Issued

The total number of licenses issued decreased from 9,924 to 9,447, a 4.8% decrease from the last quarter.

Licenses Issued Fiscal Year 25/26

License Type	Jul-Sep	Oct-Dec	Jan-Mar	Apr-June	YTD
Barber	984				984
Barber Apprentice	376				376
Cosmetologist	2,537				2,537
Cosmetologist Apprentice	217				217
Electrologist	36				36
Electrologist Apprentice	-				-
Esthetician	1,715				1,715
Manicurist	1,527				1,527
Hairstylist	16				16
Establishment	2,028				2,028
Mobile Unit	2				2
Personal Service Permit	9				9
Totals	9,447				9,447

Licenses Issued Last 5 Years

License Type	FY 21/22	FY 22/23	FY 23/24	FY 24/25	FY 25/26*
Barber	3,036	1,952	3,553	3,937	984
Barber Apprentice	1,422	1,398	1,392	1,433	376
Cosmetologist	6,901	6,246	9,270	11,981	2,537
Cosmetologist Apprentice	963	1,035	940	717	217
Electrologist	66	62	94	118	36
Electrologist Apprentice	-	-	-	-	-
Esthetician	7,505	7,601	7,958	7,499	1,715
Manicurist	4,581	4,350	5,597	6,144	1,527
Hairstylist	-	-	25	71	16
Establishment	6,604	6,351	7,754	7,909	2,028
Mobile Unit	12	11	10	11	2
Personal Service Permit	16	116	93	37	9
Totals	31,090	29,122	36,686	39,857	9,447

*July 1, 2025 – September 30, 2025

License Population

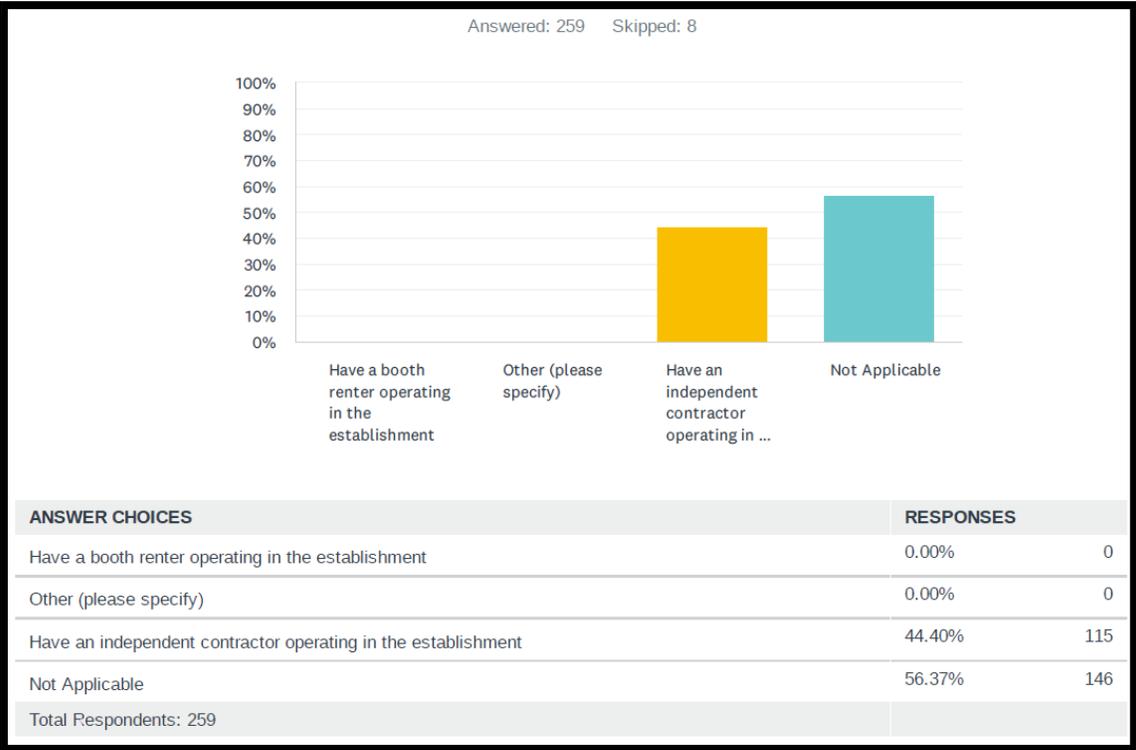
Compared to the previous quarter, the license population has increased from 659,335 to 662,403, a 0.47% increase.

Licensee Population	
Barber	42,958
Barber Apprentice	2,507
Cosmetologist	307,558
Cosmetologist Apprentice	1,320
Electrologist	1,654
Electrologist Apprentice	-
Esthetician	114,703
Manicurist	131,408
Hairstylist	107
Personal Service Permit	273
Establishment	59,834
Mobile Unit	81
Total	662,403

Survey Results

Establishments

The Board continues to collect information regarding the type of workers within establishments. 44% of respondents report having independent contractors. This is lower than the last quarter’s responses of 49% reporting having independent contractors. The other 56% of respondents report these categories of employment as not applicable to their establishment.

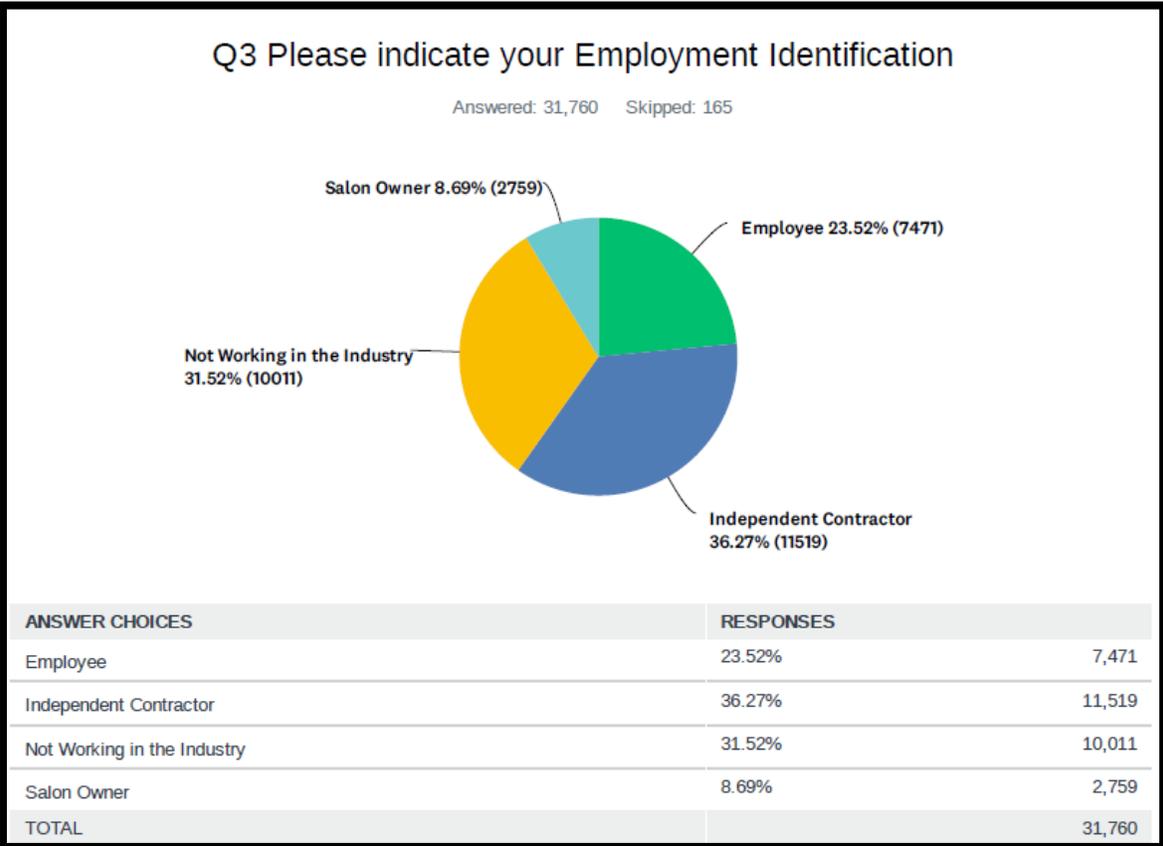


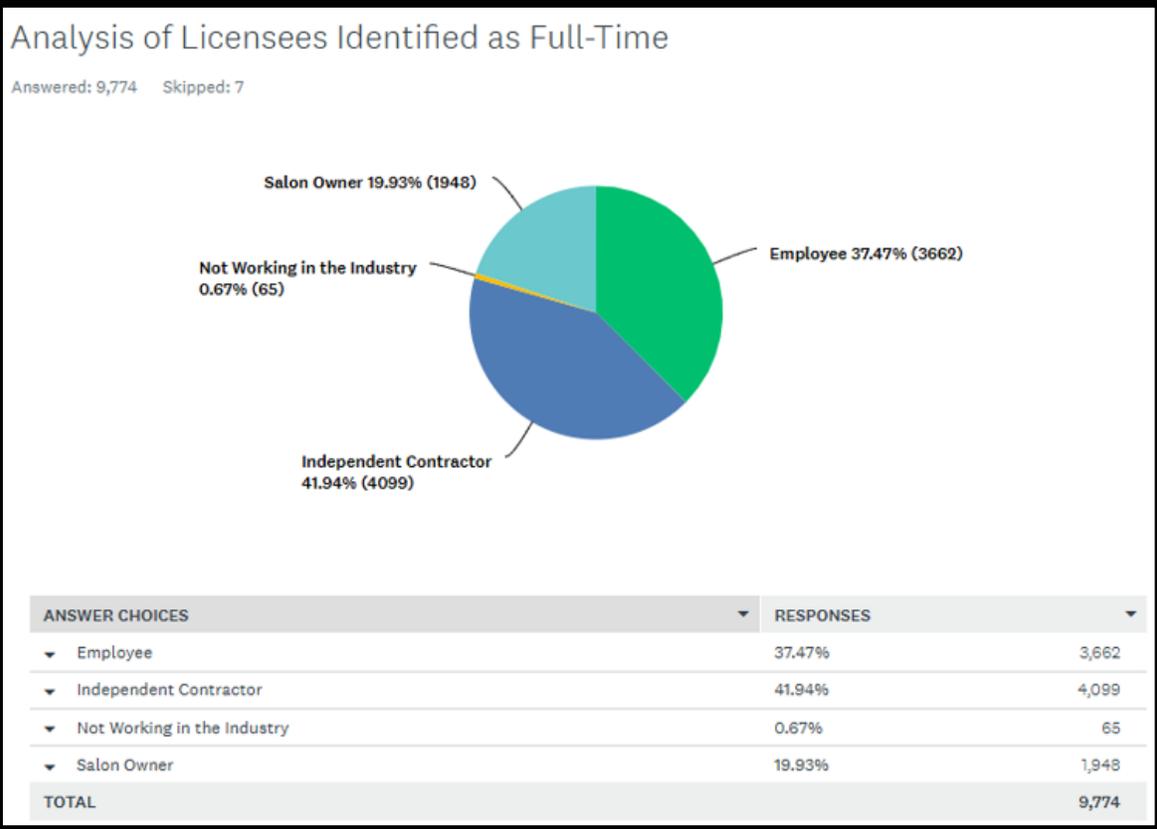
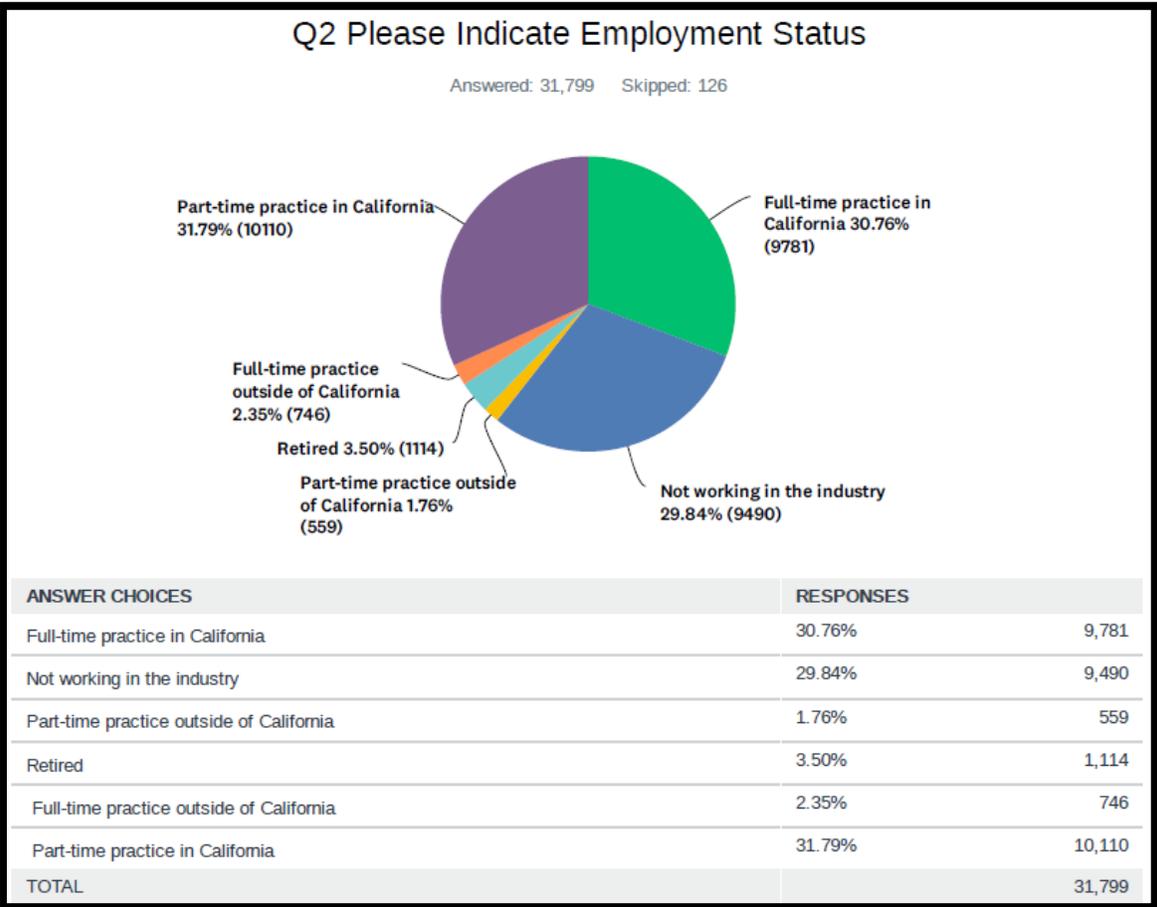
Independent licensees

The Board received 31,760 responses to the survey of independent license renewals during the July through September 2025 period. An analysis of the recent quarter’s data shows that employment status responses are as follows: 23.5% of the licensees identify as employees, 36.3% as independent contractors, 8.7% salon owners, and 31.5% are not working in the industry.

When looking at licensees working in California who identify as having full-time versus part-time employment, no significant difference in the type of employment can be identified. Licensees who report working full-time make up 30.8% of licensees, licensees who report working part-time make up 31.8% of licensees, and 29.8% of respondents are not working in the industry.

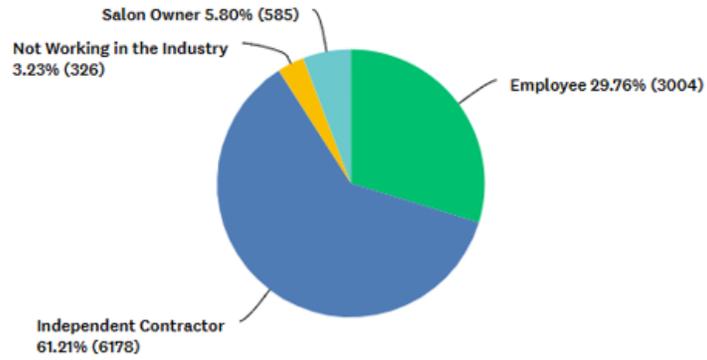
Of those licensees working full-time, 41.9% are independent contractors, 37.5% are employees, and 19.9% are salon owners. Of those licensees reporting working part-time 61.2% are independent contractors, 29.8% are employees, and 5.8% are salon owners.





Analysis of Licensees Identified as Part-Time

Answered: 10,093 Skipped: 17



ANSWER CHOICES	RESPONSES
Employee	29.76% 3,004
Independent Contractor	61.21% 6,178
Not Working in the Industry	3.23% 326
Salon Owner	5.80% 585
TOTAL	10,093

Disciplinary Review Committee

Staffing Update

Current Number of Positions Allocated	Current Number of Vacant Positions
3	0

Disciplinary Review Committee Appeals

Compared to the pervious quarter, for the North, the number of appeals received has decreased by 16.6% and the amount of pending has increased by 65%. Compared to the pervious quarter, for the South, the number of appeals received increased 38.2% and the amount of pending has decreased 55%.

Disciplinary Review Committee Appeals Fiscal Year 25/26

Northern	Jul - Sep	Oct - Dec	Jan - Mar	Apr - Jun	YTD
Heard	0				0
Received	24				24
Pending ¹	35				35 ²

Southern	Jul - Sep	Oct - Dec	Jan - Mar	Apr - Jun	YTD
Heard	150				150
Received	94				94
Pending ¹	120				120 ²

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

²Figure represents number of pending requests as of report date 09/30/2025.

The table below shows the number of pending appeals as of 09/30/2025.

Pending	South	North
Pending	120	35



MEMORANDUM

DATE	November 17, 2025
TO	Members, Board of Barbering and Cosmetology
FROM	Addison Beach, Enforcement Chief
SUBJECT	Enforcement, Inspections, and Cite and Fine

Staffing Update

Current Number of Positions Allocated	Current Number of Vacant Positions
53.5	4

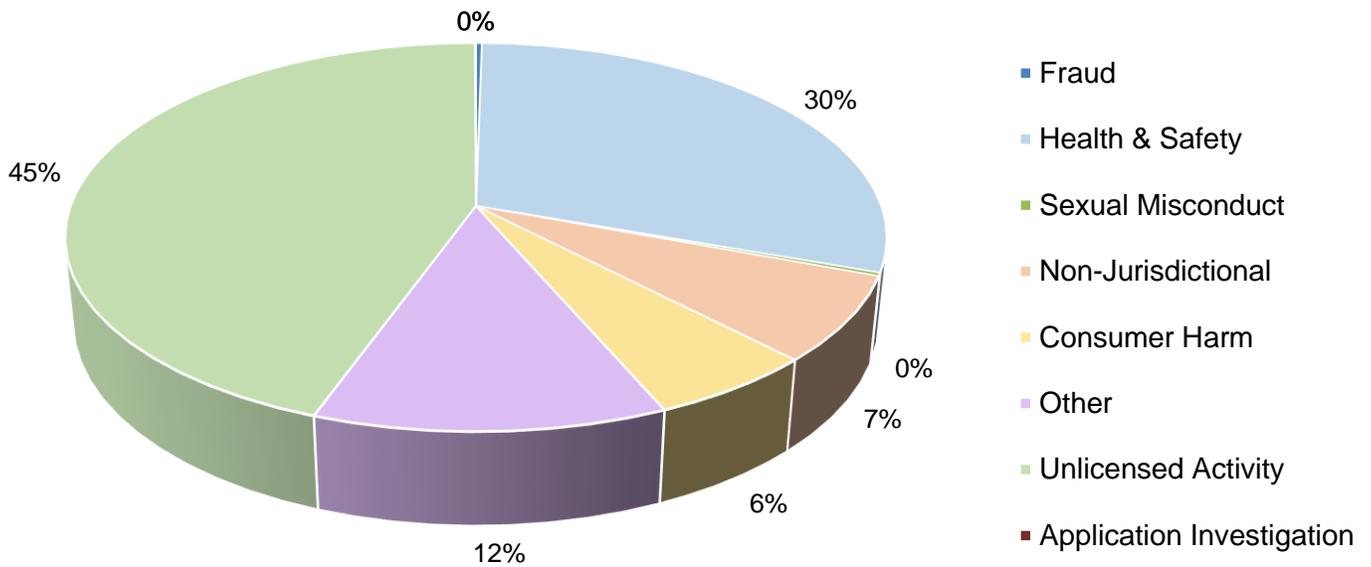
The Enforcement Unit is recruiting for four Special Investigator vacancies.

Complaint Intake

The Board received 1,850 complaints for the first quarter of FY 25/26. This was an increase of 2% percent from the previous quarter where 1,810 complaints were received. The Enforcement Unit has received a total of 1,850 complaints FY 25/26. Compared to the first quarter of FY 24/25, where 1,520 complaints were received, there was a 22% increase in received complaints.

COMPLAINTS RECEIVED				
FY 25/26				
Jul-Sept	Oct-Dec	Jan- Mar	Apr-Jun	YTD
1,850				1,850

Complaints Received by Complaint Type – July 31, 2025 – September 30, 2025



Attorney General’s Office

The Board referred 35 cases to the Attorney General’s Office in the first quarter of FY 25/26. This is a 133% increase from the previous quarter, where 15 cases were referred to the Attorney General’s Office. The Board currently has 115 cases at the Attorney General’s Office.

Probation

PROBATION CASES				
FY 25/26				
	Jul-Sept	Oct-Dec	Jan- Mar	Apr-Jun
Active Cases	71			
Tolled Cases	23			
Subsequent Discipline	11			
Immediate Suspension	0			
Reinstatements	3			
Total Cases	108			

Enforcement Statistics

COMPLAINTS							
	FY 23/24	FY 24/25	FY 25/26				
	YTD	YTD	Jul-Sept	Oct-Dec	Jan-Mar	Apr-Jun	YTD
Complaints Received	5,624	6,281	1,847				1,847
Referred to DOI	36	9	2				2
Complaints Closed	6,741	5,330	1,446				1,446
Total Complaints Pending	1,447	1,625	1,817				1,817
Average Days to Close (Quarterly)	141	114	89				89

APPLICATION INVESTIGATIONS							
	FY 23/24	FY 24/25	FY 25/26				
	YTD	YTD	Jul-Sept	Oct-Dec	Jan-Mar	Apr-Jun	YTD
Received	4	13	3				3
Pending	1	4	2				2
Closed	8	16	1				1

ATTORNEY GENERAL							
	FY 23/24	FY 24/25	FY 25/26				
	YTD	YTD	Jul-Sept	Oct-Dec	Jan-Mar	Apr-Jun	YTD
Referred	83	128	35				35
Accusations Filed	51	104	15				15
Statement of Issues Filed	4	4	3				3
Total Pending Cases	89	108	115				115

DISCIPLINARY PROCESS							
	FY 23/24	FY 24/25	FY 25/26				
	YTD	YTD	Jul-Sept	Oct-Dec	Jan-Mar	Apr-Jun	YTD
Proposed Decisions	4	8	6				6
Default Decision	22	21	1				1
Stipulation	14	36	12				12

DISCIPLINARY OUTCOMES							
	FY 23/24	FY 24/25	FY 25/26				
	YTD	YTD	Jul-Sept	Oct-Dec	Jan-Mar	Apr-Jun	YTD
Revocation	25	21	5				5
Revoke, Stay, Probation	2	9	1				1
Revoke, Stay, Suspend/Prob	8	24	7				7
Revocation, Stay w/ Suspend	0	0	0				0
Probation Only	1	0	0				0
Suspension Only	0	0	0				0
Suspension & Probation	0	0	0				0
Suspension, Stay, Probation	0	0	0				0
Surrender of License	3	7	5				5
Public Reprimands	1	0	0				0
License Denied	1	1	0				0
Other	0	1	0				0
Total	41	63	18				18

PROBATION							
	FY 23/24	FY 24/25	FY 25/26				
	YTD	YTD	Jul-Sept	Oct-Dec	Jan-Mar	Apr-Jun	YTD
Active	58	64	71				71

Schools

The Board currently has 273 approved schools and 45 open school cases. In quarter one of FY 25/26 the Board received 53 school complaints.

Externs

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

Extern Programs						
	2021	2022	2023	2024	2025	Total
Number of Schools	10	13	16	14	11	64
Number of Establishments	74	62	94	54	36	320

Inspections and Citations Statistics

The Cite and Fine Unit is at a 1-day turnaround time frame from when an inspection is completed to when the citation is mailed out to the establishment or licensee. This is 12 days less than last quarter which was a 13-day turnaround time frame.

FY 25/26	July 25	Aug 25	Sept 25	Oct 25	Nov 25	Dec 25	Jan 26	Feb 26	Mar 26	April 26	May 26	June 26
Number of Inspectors	16	16	16									
Number of Inspections	642	599	611									
Number of Citation Analysts	4	4	4									
Inspection Reports Processed												
Number of Days to process Citations	29	5	1									

CITATIONS ISSUED							
	FY 23/24	FY 24/25	FY 25/26				
	YTD	YTD	Jul-Sept	Oct-Dec	Jan-Mar	Apr-Jun	YTD
Establishments	3,173	4,398	785				785
Barber	319	472	57				57
Barber Apprentice	48	120	14				14
Cosmetologist	602	899	114				114
Cosmetologist Apprentice	14	30	4				4
Electrologist	1	1	0				0
Electrologist Apprentice	0	0	0				0
Manicurist	512	844	184				184
Esthetician	123	153	18				18
Hairstylist	0	0	0				0
Unlicensed Est.	224	235	88				88
Unlicensed Individual	277	400	109				109
Total	5,293	7,552	1,373				1,373

INSPECTION RESULTS							
	FY 23/24	FY 24/25	FY 25/26				
	YTD	YTD	Jul-Sept	Oct-Dec	Jan-Mar	Apr-Jun	YTD
Establishments With Violations	6,263	3,500	754				754
Establishments Without Violations	1,740	1,107	259				259
Out of Business	2,026	1,498	331				331
Closed on Call	3,377	1,907	508				508
Total	13,406	8,012	1,852				1,852

Mobile Inspection Project Inspections

In November 2024, a few Inspectors and Special Investigators started using the Mobile Inspection Project (MIP) to conduct inspections, and as time progressed, additional Inspectors and Special Investigators began using the software. As of July 1, 2025, all Inspectors and Special Investigators are using MIP in the field.

Since its inception, 3,755 inspections have been conducted using MIP.

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 approximately 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 25/26					
	Jul-Sept	Oct-Dec	Jan-Mar	Apr-Jun	Total
Request for Payment Notice 1	393				393
Request for Payment Notice 2	359				359
Request for Payment Notice 3	327				327
Referred to Collections	628				628
Referred to FTB	144				144
Grand Total	1,851				1,851

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). The average fine amount for quarter 1 of FY 25/26 is \$1,435.87.

Payment Plans – FY 25/26					
	Jul-Sept	Oct-Dec	Jan-Mar	Apr-Jun	Total
Payment Plan Requested	72				72
Payment Plan Developed	29				29
Paid in Full	8				8
Payment Plan Cancelled	6				6
Total Pending Payment Plans	115				115
Initial Fine Amount Total	\$165,125.00				\$165,125.00
Total Amount Paid	\$61,776.12				\$61,776.12
Current Total Balance	\$103,348.88				\$103,348.88



MEMORANDUM

DATE	November 17, 2025
TO	Members, Board of Barbering and Cosmetology
FROM	Kristy Underwood, Executive Officer
SUBJECT	Outreach Update

Outreach Events

- Sacramento Regional Youth Career Fest at Cosumnes River College on September 26, 2025 – Sacramento, CA
- Citrus College Visit on September 29, 2025 – Glendora, CA
- LashCon Trade Show on October 11-12, 2025 - Anaheim, CA

List Servs

- October 1, 2025, the Board emailed Interested Parties regarding the upcoming Board Meeting.
- November 6, 2025, the Board emailed Interested Parties regarding the upcoming Board Meeting.

Social Media

Since the last Board Meeting, the Board has been focusing on posting more information for licensees, consumers, and applicants. The Board's Instagram has 14,100 followers, X (formerly known as Twitter) has 903 followers, Facebook has 23,000 followers, Spanish Facebook has 51 followers, and Vietnamese Facebook has 261 followers. The Board has posted many different topics since the last Board Meeting which include, but are not limited to, FDA Banned gel remover nail polish, recruitment of Cosmetologist for the Occupational Analysis, California's Safe Cosmetics Program (CSCP), and inspection awareness. The 'Groom & Glow' campaign ran from June 30 to August 1, 2025, and focused on consumers hair and skin safety for the summer months.

- [Vietnamese Facebook](#) - Hội Đồng Cắt Tóc và Thẩm Mỹ - California
- [Spanish Facebook](#) – Junta De Barbería y Cosmetología
- [Facebook](#) – California State Board of Barbering and Cosmetology
- [Instagram](#) - @cabarbercosmo
- [X](#) (Formerly Known as Twitter) – @ca_bbc



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	November 17, 2025
TO	Members, Board of Barbering and Cosmetology
FROM	Kristy Underwood, Executive Officer
SUBJECT	Strategic Plan Update

The Board continues to work on the goals and objectives identified in the 2022-2027 Strategic Plan. The Board has participated in the following goal related activities:

- Task 2.3.3: The pre-apprentice training course went live July 1, 2025. A potential apprentice must complete the Board-offered free pre-apprentice training prior to submitting their application for an apprentice license. As of October 9, 2025, 707 users have completed the course. The Board is currently working on a contract to develop a Spanish version of the course.
- Task 6.2.6: Staff are still publishing the quarterly newsletter, *The BarberCosmo Update*. The tenth issue was published in October 2025.

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
2.1.3	Review and update health & safety regulations. • Regulation updates drafted. Staff working with Reg Counsel.	Q2 2025	Pending
2.1.4	Update school regulation pertaining to health & safety. • Staff reviewing schools and externships language.	Q2 2025	Pending
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
2.5.3	Depending on board response, pursue a regulation package.	Q2 2025	Pending
Goal 5: Enforcement			
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
5.2.2	Schedule and conduct joint inspections of schools.	Q2 2025 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
5.3.2	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
5.4.3	Develop standardized language for contacting booking platforms.	Q2 2025	Pending

5.4.4	Attempt to hold meetings with booking platforms contact person.	Q2 2025	Pending
5.4.5	Present request for booking platforms to require license.	Q2 2025	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
5.5.3	Review probationary process.	Q2 2025	Pending
5.5.4	Develop and update to the Board.	Q2 2025	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.	Q2 2025	Pending
5.6.2	Develop materials to present to the Board.	Q2 2025	Pending
5.6.3	Make recommendation to the Board on new remedial education program for probationers.	Q3 2025	Pending
Goal 6: Outreach			
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.	Q1 2023 and Ongoing	Pending
<ul style="list-style-type: none"> • Reviewing and updating the postcard survey questions. 			
6.4.3	Identify topics of interest.	Q2 2023 and Ongoing	Pending
<ul style="list-style-type: none"> • Created a SurveyMonkey link for the public to complete after their interactions with the Board by email. Also exploring the option of an automated phone survey and sending surveys by mail or posting a link to the website. 			

6.4.5	Explore offering a rating of how phone calls went (CIC or Admin).	Q2 2025 and Ongoing	Pending
6.4.6	Request feedback about program area effectiveness.	Q2 2025 and Ongoing	Pending
6.4.8	Conduct a post-town hall survey on the topic addressed, desire for future events.	Q2 2025 and Ongoing	Pending
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
6.7.4	Re-evaluate outreach plan annually.	Q2 2025 and Ongoing	Pending



MEMORANDUM

DATE	November 17, 2025
TO	Members, Board of Barbering and Cosmetology
FROM	Kristy Underwood, Executive Officer
SUBJECT	Update on Chaptered Legislation: a) AB 1514 (Assembly Members Ortega (Chair), Elhawary, Kalra, and Ward) – Labor contracts b) SB 236 (Pierson) – Cosmetics: chemical hair relaxers. c) SB 470 (Laird) – Bagley-Keene Open Meeting Act: teleconferencing. d) SB 518 (Weber Pierson) – Descendants of enslaved persons: reparations.

Below is a chart of the Board’s implementation plan regarding recently chaptered legislation.

Bill	Subject	Summary	Tasks	Status
AB 1514	Labor contracts	Reapplies the ABC test exemption to licensed manicurists until January 1, 2029.	Update the “Understanding Workers Rights and Responsibilities” brochures and send email blast to manicurists.	Pending until bill is effective January 1, 2026.
SB 236	Cosmetics: chemical hair relaxers.	Prohibits any person from manufacturing, distributing, selling, or offering for sale any hair relaxer product that contains any of a specified list of intentionally added ingredients for which the Department of Toxic Substances Control (DTSC) has identified accepted testing methods. The bill mandates the DTSC to adopt regulations by January 1, 2030, to implement and enforce these provisions. Manufacturers of hair relaxer products will be required to register with the DTSC by July 1, 2030, providing specified information and a registration fee.	Share information on social media.	Pending until bill is effective January 1, 2026.

Bill	Subject	Summary	Tasks	Status
SB 470	Bagley-Keene Open Meeting Act: teleconferencing.	Amends the January 1, 2026, repeal date to January 1, 2030, regarding alternative teleconferencing provisions under the Bagley-Keene Open Meeting Act permanent.	No action required – the Board will continue with the same teleconference provisions.	N/A
SB 518	Descendants of enslaved persons: reparations.	Establishes the Bureau for Descendants of American Slavery within the department, under the control of the deputy director, who would be appointed by the Governor and confirmed by the Senate. The bill would require the bureau to create a Genealogy Division and to verify an individual's status as a descendant and would require proof of an individual's descendant status to be a qualifying criterion for benefits authorized by the state for descendants. The bill would also require the bureau to create an Education and Outreach Division and a Legal Affairs Division.	No action required – the establishment of this new Bureau does not impact Board operations at this time.	N/A



MEMORANDUM

DATE	November 17, 2025
TO	Members, Board of Barbering and Cosmetology
FROM	Kristy Underwood, Executive Officer
SUBJECT	<p>Discussion and Possible Action Regarding Rulemaking Proposals:</p> <ul style="list-style-type: none"> a) Update Regarding Rulemaking to Amend Title 16, CCR section 911 (License by Endorsement (Reciprocity), Application and Out of State License Certifications) b) Update Regarding Rulemaking 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 931 (Interpreters for Licensing Exams) d) Update Regarding Rulemaking to Amend Title 16, CCR sections 940, 941, 950.10, 950.12, 962, 962.1, 962.2 (Schools and Externs) e) Update Regarding Rulemaking to Adopt Title 16, CCR section 974.4 (SB 384: Remedial Education Program) f) Update Regarding Rulemaking to Amend Title 16, CCR section 977 et seq. (Health and Safety) g) Update Regarding Rulemaking to Amend Title 16, CCR section 998 (Hairstylist Licensing Fee)

This memorandum provides a general update for the Board's pending regulations.

The following final regulation proposal was approved by the Office of Administrative Law:

- Title 16, California Code of Regulations (CCR) section 998 (Hairstylist Licensing Fee).
Approved on August 7, 2025, effective October 1, 2025.

The following final regulation proposal was approved by the Director, and submitted to OAL on October 15, 2025, with a response due on or before December 1, 2025:

- Title 16, CCR section 931 (Interpreters for Licensing Exams)

The following initial regulation proposal is being prepared by Staff:

- Title 16, CCR section 911 (License by Endorsement (Reciprocity), Application and Out of State License Certifications)

The following regulation proposals are pending further development:

- 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)
- Title 16, CCR section 974.4 (SB 384: Remedial Education Program)
- Title 16, CCR section 977 et seq. (Health and Safety)



MEMORANDUM

DATE	November 17, 2025
TO	Members, Board of Barbering and Cosmetology
FROM	Kristy Underwood, Executive Officer
SUBJECT	Discussion and Possible Action for Consideration of Modified Text and Adoption of Amendment to Title 16, CCR section 972 (Disciplinary Guidelines)

The Disciplinary Guidelines initial regulation proposal is being brought before the Board for approval of modified language, notice of an additional 15-day public comment period, and possible adoption of the proposed modified language.

Background

- The Disciplinary Guidelines (Guidelines) were last updated in October 2010. Since then, there have been changes to the Board’s laws and regulations, and changes in the administration of various penalties for violations requiring the Guidelines to be updated. The proposed amendments make the Guidelines consistent with current law and the current probationary environment, clarify the terms and conditions of probation to reduce the likelihood of misinterpretation, and strengthen consumer protection.
- On May 6, 2024, the Board approved the Proposed Regulatory Language and Proposed Document Incorporated by Reference at CCR section 972, entitled “Disciplinary Guidelines” (~~October 2010 Revised~~ [OAL Insert Effective Date Here] ~~Edition~~) and authorized initiation of a rulemaking for the proposed regulatory text, which includes the Board’s Disciplinary Guidelines at CCR Section 972.
- Board Staff and Regulations Counsel discovered errors and inconsistencies with existing text that needed to be corrected in the Guidelines document while preparing the rulemaking file for its initial submission to the Director of the Department of Consumer Affairs. On November 4, 2024, the Board approved the Proposed Regulatory Language and modified “Disciplinary Guidelines.”
- The Director approved the initial filing of the rulemaking package with a contingency that the edit below regarding the proposed Optional Term of Probation entitled “Posting of Suspension Sign” would be made after the 45-day comment period. Please see Attachment 1 for the Proposed Regulatory Language and Proposed Document Incorporated by Reference with the edit. The edit is found on page 45 of the Guidelines and is highlighted below for reference:

Posting of Suspension Sign

During the period of suspension, Respondent shall post a notice which describes the nature of the violation for which the license is being disciplined. If only an individual's license is disciplined, the notice shall be conspicuously posted in the establishment where the Respondent performs barbering, and cosmetology, hairstyling, skin care, nail care, or electrolysis services, as applicable. If an establishment license is disciplined, the notice shall be conspicuously posted, unobstructed and visible to the public from the outside of the main entrance. The 8-inch by 11-inch notice to be posted will be provided by the Board of Barbering and Cosmetology designee in the form of a sign to be posted by Respondent prior to the commencement of the suspension and will include the Respondent's name and license number(s).

Action Required

Staff requests that the Board review Attachment 1 and, if no further changes are recommended, move the motion provided below.

Attachments included for reference:

1. Modified text which incorporates by reference the following form with the changes noted above: "Disciplinary Guidelines" (Revised October 2010 [OAL Insert Effective Date Here] Edition)

Recommended Motion

"I move to approve the proposed modified regulatory text and form therein incorporated by reference as set forth in Attachment 1, direct staff to take all steps necessary to complete the rulemaking process, including preparing modified text for notice of a 15-day public comment period. If after that 15-day comment period, the Board does not receive any objections or adverse recommendations specifically directed at the modified text, the notice, or to the procedures followed by the Board in proposing or adopting this action, authorize the Executive Officer to make any non-substantive changes to the proposed regulation and rulemaking file, and adopt amendments to Title 16, CCR, section 972 as set forth in Attachment 1."

**DEPARTMENT OF CONSUMER AFFAIRS
TITLE 16. BOARD OF BARBERING AND COSMETOLOGY**

**PROPOSED REGULATORY LANGUAGE
DISCIPLINARY GUIDELINES**

Legend:

For the originally proposed regulatory language:

Added text is indicated with an underline.

Deleted text is indicated by ~~strikeout~~.

Modifications to the originally proposed regulatory language are shown in double underline for new text and ~~double-strikethrough~~ for deleted text.

Amend Section 972 of Division 9 of Title 16 of the California Code of Regulations to read as follows:

§ 972. Disciplinary Guidelines

In reaching a decision on a disciplinary action under the Administrative Procedure Act (Government Code Section 11400 et seq.), the board shall consider the disciplinary guidelines entitled “Disciplinary Guidelines” (Revised October 2010 [OAL Insert Effective Date Here] Edition) which are hereby incorporated by reference. Deviation from these guidelines, including the standard terms of probation, is appropriate where the board in its sole discretion determines that the facts of the particular case warrant such a deviation - for example: the presence of mitigating factors; the age of the case; evidentiary problems.

Note: Authority cited: Section 7312, Business and Professions Code; and Section 11425.50(e), Government Code. Reference: Sections 7403 and 7404, Business and Professions Code and Sections 11400.20, 11425.50(e), 11500 and 11519, Government Code.

State of California
Department of Consumer Affairs
Board of Barbering and Cosmetology



Disciplinary Guidelines

Revised October 2010 [OAL insert effective date here]

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INTRODUCTION

The Board of Barbering and Cosmetology (Board) is a consumer protection agency with an obligation to protect the consumers of California from the unsafe, incompetent, and/or negligent practices of its licensees. The Board has adopted the following guidelines for disciplinary orders and conditions of probation for violations of the Barbering and Cosmetology Act. The guidelines are intended for the use of those involved in the disciplinary process: Administrative Law Judges (ALJ), Deputy Attorney Generals, Attorneys for respondents, licensees, and Board staff members.

The Board carefully considers the totality of the facts and circumstances in each individual case, with the safety of the public being paramount. The Board recognizes that the disciplinary orders and conditions of probation listed on the following pages are merely guidelines and that individual cases will require variations, which take into account unique circumstances. Consequently, the Board requests that the ~~Administrative Law Judge~~ ALJ hearing the case include an explanation of the deviations or omissions, including all mitigating factors considered by the ~~Administrative Law Judge~~ ALJ in the proposed Decision so that the Board is better able to understand the ~~Administrative Law Judge~~ rationale during ~~his/her~~ their review and consideration of the proposed ALJ's Decision.

DESCRIPTION OF PENALTIES

REVOCACTION

This action revokes a respondent's license(s) and prohibits respondent from conducting services in the practice for which discipline is imposed. Prior to the effective date of the ~~the~~ a Decision, the respondent may request reconsideration or reduction of the penalty. If the Board denies the request or does not grant a reduction of the penalty, the earliest date respondent may petition the Board for reinstatement of the revoked license is one year from the effective date of the Decision.

PROBATION

This action, usually taken in conjunction with a stayed revocation or suspension, places a licensee on probation with the Board for up to five years. During the probationary period, the Respondent must comply with specific terms and conditions of probation. If the respondent does not comply with all the terms and conditions of probation, the Board may pursue additional disciplinary action against the Respondent which can result in suspension or revocation of the Respondent's license(s).

SUSPENSION

This action prohibits a licensee from performing services in the practice for which they have been disciplined for a specific period of time. The licensee must cease operating during the suspension period. License suspensions can last five (5) to forty-five (45) working days. During the period of suspension, Respondent is required to post a notice which describes the nature of the violation for which Respondent is being disciplined.

FULL-COST RECOVERY

Section 7403 of the Business and Professions Code allows the Board to recover all its costs of investigating and adjudicating a disciplinary case. Full cost recovery includes both all charges incurred by the Board for investigating the case (including charges from the Division of Investigation, expert consultants, and services provided by Board employees or representatives), and, Office of Administrative Hearings, and Office of the Attorney General costs, as specified in Section 7403. A payment schedule can be specified, if warranted. It is the Board's policy that all disciplinary matters, including those resolved by stipulation, include recovery of all of the Board's costs.

DESCRIPTION OF PENALTIES (Continued)

~~PARTIAL COST RECOVERY~~

~~Section 7403 of the Business and Professions Code allows the Board to recover its costs of investigating and adjudicating a disciplinary case. Partial cost recovery in this instance includes Division of Investigation costs only. A payment schedule can be specified, if warranted.~~

PUBLIC NOTICE

Any disciplinary action imposed as a result of a Decision may be published in the appropriate Board newsletter or other publication. Additionally, the Board or its designee may issue press releases or other public notices of disciplinary action taken by the Board.

EXAMINATIONS

This action requires the Respondent to take and pass an examination administered by the examination staff of the Board. Respondent shall pay all costs associated with the examination.

STAY OF ORDER

This action allows the Board to adopt an order of revocation or suspension but allows the order to be put aside. This means a respondent has time to serve a lesser penalty, which normally includes probation. However, if the Respondent fails to comply with the terms outlined in the final Decision, the Board or its designee can pursue additional disciplinary action against the Respondent and reinstate the order that was stayed.

FACTORS TO BE CONSIDERED

When considering whether revocation, suspension or probation is to be imposed in a given case, ~~factors such as the following should be considered:~~ the Board shall consider the following rehabilitation criteria set forth in subsection (b) of Section 971 of Title 16 of the California Code of Regulations:

(1) When considering the suspension or revocation of a license under Section 490, 7362, 7403, 7404, or 7405 of the Business and Professions Code on the ground that the licensee has been convicted of a crime, the Board shall consider whether the licensee made a showing of rehabilitation if the licensee completed the criminal sentence at issue without a violation of parole or probation. In making this determination, the Board shall consider the following criteria:

(A) The nature and gravity of the crime(s).

(B) The length(s) of the applicable parole or probation period(s).

(C) The extent to which the applicable parole or probation period was shortened or lengthened, and the reason(s) the period was modified.

(D) The terms or conditions of parole or probation and the extent to which they bear on the licensee's rehabilitation.

(E) The extent to which the terms or conditions of parole or probation were modified, and the reason(s) for modification.

(2) If the licensee has not completed the criminal sentence at issue without a violation of parole or probation, the Board determines that the licensee did not make the showing of rehabilitation based on the criteria in paragraph (1), the suspension or revocation is based on acts underlying a disciplinary action as described in Section 141 of the Business and Professions Code, or the suspension or revocation is based on one or more of the grounds other than a criminal conviction that are specified in Section 7362(b), 7403, or 7404 of the Business and Professions Code, the Board shall apply the following criteria in evaluating the licensee's rehabilitation:

(A) The nature and gravity of the act(s), disciplinary action(s), or crime(s) under consideration as grounds for suspension or revocation.

(B) Evidence of any act(s), disciplinary action(s), or crime(s) committed subsequent to the act(s), disciplinary action(s), or crime(s) under consideration as grounds for suspension or revocation.

(C) The time that has elapsed since commission of the act(s), disciplinary action(s), or crime(s) referred to in subparagraphs (A) or (B).

(D) Whether the licensee has complied with any terms of parole, probation, restitution, or any other sanctions lawfully imposed against the licensee.

(E) The criteria in paragraph (1)(A)-(E), as applicable.

- ~~1. Nature and severity of the act(s) or offense(s).~~
- ~~2. Total criminal record.~~
- ~~3. The time that has elapsed since the commission of the act(s) or offense(s).~~
- ~~4. Whether the licensee has complied with any terms of parole, probation, restitution or any other sanctions lawfully imposed against the licensee.~~
- ~~5. If applicable, evidence of expungement proceedings pursuant to section 1203.4 of the Penal Code.~~
- ~~6. Evidence, if any, of rehabilitation submitted by the licensee.~~

(F) Evidence, if any, or rehabilitation submitted by the licensee.

When considering whether denial of a license is to be imposed, factors such as the following should be considered: the Board shall consider the following rehabilitation criteria set forth in subsection (a) of Section 971 of Title 16 of the California Code of Regulations:

(1) When considering the denial of a license pursuant to section 480, 7362, 7403, or 7405 of the Business and Professions Code or a section of the Barbering and Cosmetology Act (Chapter 10 (commencing with Section 7301) of Division 3 of the Business and Professions Code) citing Section

480 of the Business and Professions Code as providing grounds for denial of licensure on the ground that the applicant has been convicted of a crime, the Board shall consider whether the applicant made a showing of rehabilitation, if the applicant completed the criminal sentence at issue without a violation of parole or probation. In making this determination, the Board shall consider the following criteria:

(A) The nature and gravity of the crime(s).

(B) The length(s) of the applicable parole or probation period(s).

(C) The extent to which the applicable parole or probation period was shortened or lengthened, and the reason(s) the period was modified.

(D) The terms or conditions of parole or probation and the extent to which they bear on the applicant's rehabilitation.

(E) The extent to which the terms or conditions of parole or probation were modified, and the reason(s) for modification.

(2) If the applicant has not completed the criminal sentence at issue without a violation of parole or probation, the Board determines that the applicant did not make the showing of rehabilitation based on the criteria in paragraph (1), the denial is based on professional misconduct, or the denial is based on one or more of the grounds other than a criminal conviction that are specified in Section 7362(b) or 7403 of the Business and Professions Code, the Board shall apply the following criteria in evaluating an applicant's rehabilitation:

(A) The nature and the gravity of the act(s), professional misconduct, or crime(s) under consideration as grounds for denial.

(B) Evidence of any act(s), professional misconduct, or crime(s) committed subsequent to the act(s), professional misconduct, or crime(s) under consideration as grounds for denial.

(C) The time that has elapsed since commission of the act(s), professional misconduct, or crime(s) referred to in subparagraph (A) or (B).

(D) Whether the applicant has complied with any terms of parole, probation, restitution or any other sanctions lawfully imposed against the applicant.

(E) The criteria in subparagraph (1)(A)-(E), as applicable.

(F) Evidence, if any, or rehabilitation submitted by the applicant.

- ~~1. The nature and the severity of the act(s) or crimes(s) under consideration as grounds of denial.~~
- ~~2. Evidence of any act(s) committed subsequent to the act(s) or crime(s) under consideration as grounds for denial.~~
- ~~3. The time that has elapsed since commission of the act(s) or crime(s) referred to in (1) and (2).~~
- ~~4. The extent to which the applicant has complied with any terms of parole, probation, restitution or any other sanctions lawfully imposed against the applicant.~~
- ~~5. Evidence, if any, of rehabilitation submitted by the applicant.~~

CONDITIONS OF PROBATION

The Board's primary responsibility is consumer protection. The Board believes that in disciplinary matters where probation has been imposed, conditions should be established to provide for consumer protection and allow the probationer to demonstrate rehabilitation.

The following conditions of probation provide for consumer protection and establish a mechanism to monitor the rehabilitation progress of a probationer.

For purposes of implementation of these conditions of probation, the term "designee" shall refer to the Executive Officer, Assistant Executive Officer, Enforcement Manager or probation monitor of the Board of Barbering and Cosmetology.

Upon successful completion of probation, respondent's license(s) will be fully restored.

PROBATIONARY CONDITIONS

Probationary conditions are divided into two categories:

A. **Standard** conditions that should appear in all probation orders;

B. **Optional** conditions are those that are appropriate based on the nature and circumstances of the particular violation.

MITIGATION EVIDENCE

The Respondent is permitted to present mitigating circumstances and rehabilitation evidence at a hearing and the Board will review the evidence submitted. The same opportunity is provided in the settlement process.

The following documents are examples of appropriate evidence the Respondent may submit to demonstrate ~~his or her~~ their rehabilitative efforts and competency:

A) List of improvements made to the Establishment:

- Policy & Procedures Established
- Photographs of Improvements
- Rental Agreements

B) Declaration stating how Respondent has corrected the violations cited.

C) Certification of courses completed.

D) If Respondent was convicted of a criminal offense:

- A letter describing the underlying circumstances of the arrest(s) as well as any rehabilitative efforts or changes in life since that time to prevent future problems.
- Letters of reference from past and/or current employers.
- Evidence of compliance with and completion of terms of probation, parole, restitution or any other sanctions (proof of enrollment/completion of court ordered programs, classes, fines) for each conviction.
- Letters from recognized recovery programs attesting to current sobriety, length of time of sobriety, and recovery programs, if there has been a history of alcohol or drug abuse.

STANDARD CONDITIONS OF PROBATION [**Page numbers cross-referenced in this section are to be updated after OAL approval*]

Each disciplinary order is required to contain the introductory language described on page ~~28-34~~* of this pamphlet, and each of the following ~~16-13~~ conditions (for an explanation and recommended language for each condition, turn to pages ~~29-32-33-42~~*):

- ~~1) Suspension of License~~
- ~~2) Posting of Suspension Sign~~
- ~~3) Cost Recovery (Does not apply to Applicants)~~
- ~~4) Quarterly Reports of Compliance~~
- 1) Obey all Laws
- 2) Cost Recovery (Does not apply to Applicants)
- 3) Quarterly Reports of Compliance
- ~~5)4) Notification to Employer Establishment Owner(s)~~
- ~~6)5) Change of Employment~~
- ~~7)6) Participation in Apprenticeship or Externship Program~~
- ~~8)7) Publication of Disciplinary Action~~
- ~~9) Obey all laws~~
- ~~10)8) Comply with the Board's Probation Program~~
- ~~11)9) Violation of Probation~~
- ~~12) Report in Person~~
- ~~13) Residency Outside of State~~
- ~~14)10) Failure to Practice — California Resident /Tolling~~

~~15)~~11) Maintain Valid License

12) Petition for Reduction of Penalty

~~16)~~13) License Surrender While on Probation

OPTIONAL CONDITIONS OF PROBATION [*Page numbers to be updated after OAL approval]

Any of the optional conditions may be included if relevant to the violation (for an explanation and recommended language for each condition, refer to pages 33-35 43-45*:

- 1) Remedial Education Courses
- 2) Written Licensing Examination
- 3) ~~Practical Licensing Examination~~
- 4) 3) Notice to Employees of Discipline
- 5) 4) Criminal Probation
- 6) 5) Proof of Advertising Correction
- 7) 6) Restitution
- 8) 7) Reimbursement of Probation Program
- 9) 8) Manager or Licensee in Charge
- 10) 9) Abstain from Controlled Substances / Submit to Biological Fluid Testing
- 11) 10) Abstain from Use of Alcohol / Submit to Biological Fluid Testing
- 11) Suspension of License
- 12) Posting of Suspension Sign

THE BARBERING AND COSMETOLOGY ACT VIOLATIONS AND RECOMMENDED ACTIONS

The Barbering and Cosmetology Act (Business and Professions Code, Division 3, Chapter 10) and additional sections of the Business and Professions Code specify the offenses for which the Board may take disciplinary action. The following are code numbers of the offenses and the recommended Board-determined disciplinary action. When filing an accusation, the Office of the Attorney General may also cite additional related statutes and resolutions.

7320 ~~If the violation is for the practice of medicine~~
VIOLATION INVOLVING THE PRACTICE OF MEDICINE OR
SURGERY, then the recommended penalty is as
follows:

Recommended Penalty:

- **Maximum:** Revocation
Full-Cost Recovery
- **Minimum:** Revocation, stayed
Probation, 5 years
~~Suspension, 15 consecutive working days~~
Partial-Cost Recovery
Standard Terms of Probation Nos. ~~4-16~~ 1-13
Optional Terms of Probation Nos.
(1) Remedial Education
(2) Written Licensing Exam
(~~43~~) Notice to Employees of Discipline
(~~76~~) Restitution
(11) Suspension of License, 15 consecutive
working days
(12) Posting of Suspension Sign

7320.1 ~~If the violation is for the use of metal instruments~~
VIOLATION INVOLVING UNAUTHORIZED USE OF METAL
INSTRUMENTS IN PROVIDING MANICURE OR PEDICURE
then the recommended penalty is as follows:

Recommended Penalty:

- **Maximum:** Revocation
Full-Cost Recovery
- **Minimum:** Revocation, stayed
Probation, 2 years
Suspension, ~~5 consecutive working days~~
Partial Cost Recovery
Standard Terms of Probation Nos. ~~4-16-1-13~~
Optional Terms of Probation Nos.
(1) Remedial Education
(2) Written Licensing Exam
(43) Notice to ~~Employees of Discipline~~
(~~76~~) Restitution
(11) Suspension of License, 5 consecutive working days
(12) Posting of Suspension Sign

7320.2 ~~If the violation is for practicing illegal treatment methods~~ **VIOLETION INVOLVING ILLEGAL USE OF X-RAY APPLIANCE, APPARATUS, OR MACHINE** ~~then the recommended penalty is as follows:~~

Recommended Penalty:

- **Maximum:** Revocation
Full-Cost Recovery
- **Minimum:** Revocation, stayed
Probation, 5 years
Suspension, ~~15 consecutive working days~~
Partial Cost Recovery
Standard Terms of Probation Nos. ~~4-16-1-13~~
Optional Terms of Probation Nos.
(1) Remedial Education
(2) Written Licensing Exam
(43) Notice to ~~Employees of Discipline~~
(~~76~~) Restitution
(11) Suspension of License, 15 consecutive working days
(12) Posting of Suspension Sign

7404(a) UNPROFESSIONAL CONDUCT

Recommended Penalty:

- **Maximum:** Revocation/Denial of License
Full-Cost Recovery
- **Minimum:** Revocation, stayed
Probation, 3 years
~~Suspension, 5 consecutive working days~~
~~Partial Cost Recovery~~
Standard Terms of Probation Nos. ~~4-16~~1-13
Optional Terms of Probation Nos.
(1) Remedial Education
(2) Written Licensing Exam
(~~43~~) Notice to Employees of Discipline
(~~54~~) Criminal Probation
(11) Suspension of License, 5 consecutive working days
(12) Posting of Suspension Sign

7404(a)(1) INCOMPETENCE OR GROSS NEGLIGENCE, INCLUDING FAILURE TO COMPLY WITH GENERALLY ACCEPTED STANDARDS FOR THE PRACTICE OF BARBERING, COSMETOLOGY, OR ELECTROLOGY OR DISREGARD FOR THE HEALTH AND SAFETY OF PATRONS.

Recommended Penalty:

- **Maximum:** Revocation
Full-Cost Recovery
- **Minimum:** Revocation, stayed
Probation, 3 years
~~Suspension, 10 consecutive working days~~
~~Partial Cost Recovery~~
Standard Terms of Probation Nos. ~~4-16~~1-13
Optional Terms of Probation Nos.
(1) Remedial Education
(2) Written Licensing Exam
(~~43~~) Notice to Employees of Discipline
(~~76~~) Restitution

- (11) Suspension of License, 10 consecutive working days
- (12) Posting of Suspension Sign

7404(a)(2) REPEATED SIMILAR NEGLIGENT ACTS.

Recommended Penalty:

- **Maximum:** Revocation
Full-Cost Recovery
- **Minimum:** Revocation, stayed
Probation, 2 years
~~Suspension, 10 consecutive working days~~
~~Partial Cost Recovery~~
Standard Terms of Probation Nos. 1-16 1-13
Optional Terms of Probation Nos.
(1) Remedial Education
(2) Written Licensing Exam
(3) ~~Practical Licensing Exam~~
(4) Notice to Employees of Discipline
(11) Suspension of License, 10 consecutive working days
(12) Posting of Suspension Sign

7404(a)(3) CONVICTION OF ANY CRIME SUBSTANTIALLY RELATED TO THE QUALIFICATIONS, FUNCTIONS, OR DUTIES OF THE LICENSEHOLDER, IN WHICH CASE, THE RECORDS OF CONVICTION OR A CERTIFIED COPY SHALL BE CONCLUSIVE EVIDENCE THEREOF.

(Refer to sections in this document relating to penalties for violating “Section 480” for recommended guidelines for denial of a license based upon a criminal conviction.)

~~Conviction of a felony involving a crime of violence (including, but not limited to: murder, attempted murder, assault with a deadly weapon) or prostitution (soliciting) within the past three years or is currently on parole or probation for such a conviction.~~

Recommended Penalty:

- **Maximum:** Revocation
Denial of license
Full-Cost Recovery
- **Minimum:** Revocation, stayed
License issued with Terms and Conditions appropriate to crime
Probation, 3 years
Partial Cost Recovery
Standard Terms of Probation Nos. ~~1-16~~ 1-13
Optional Terms of Probation No. ~~(54)~~
(54) Criminal Probation

~~Conviction of three or more felonies involving crimes of violence (including, but not limited to: murder, attempted murder, assault with a deadly weapon) or prostitution (soliciting) within the past five years (or six in a ten year period).~~

~~Recommended Penalty:~~

- ~~**Maximum:** Revocation
Denial of License
Full Cost Recovery~~
- ~~**Minimum:** Revocation, stayed
License issued with Terms and Conditions appropriate to crime
Probation, 5 years
Partial Cost Recovery
Standard Terms of Probation Nos. 1-16
Optional Terms of Probation No. ~~(5)~~
(5) Criminal Probation~~

~~Conviction of a crime of a sexual nature (other than those involving a minor) within the past three years or is currently on parole or probation (including, but not limited to: rape, sexual assault, and molestation).~~

~~Recommended Penalty:~~

- ~~**Maximum:** Revocation
Denial of License
Full Cost Recovery~~
- ~~**Minimum:** Revocation, stayed
License issued with Terms and Conditions~~

~~appropriate to crime
Probation, 5 years
Partial Cost Recovery
Standard Terms of Probation Nos. 1-16
Optional Terms of Probation No.
(5) Criminal Probation~~

~~Conviction of any crime committed by a licensee in an establishment subject to regulation by the Board.~~

Recommended Penalty:

- ~~• **Maximum:** Revocation
Full Cost Recovery~~
- ~~• **Minimum:** Revocation, stayed
License issued with Terms and Conditions
appropriate to crime
Probation, 3 years
Partial Cost Recovery
Standard Terms of Probation Nos. 1-16
Optional Terms of Probation No.
(5) Criminal Probation~~

7404(a)(4) ADVERTISING BY MEANS OF KNOWINGLY FALSE OR DECEPTIVE STATEMENTS.

Recommended Penalty:

- **Maximum:** Revocation
Full-Cost Recovery
- **Minimum:** Revocation, stayed
Probation, 1 year
Suspension, 5 consecutive working days
Partial Cost Recovery
Standard Terms of Probation Nos. 4-16 1-13
Optional Terms of Probation No.s
(65) Proof of Advertising Correction
(11) Suspension of License, 5 consecutive working days
(12) Posting of Suspension Sign

**7404(b) FAILURE TO COMPLY WITH THE REQUIREMENTS OF THIS CHAPTER.
(All other Business and Professions Code sections cited.)**

Recommended Penalty:

- **Maximum:** Revocation
Full-Cost Recovery
- **Minimum:** Revocation, stayed
Probation, 3 years
Suspension, ~~5 consecutive working days~~
Partial Cost Recovery
Standard Terms of Probation Nos. ~~4-16-1-13~~
Optional Terms of Probation Nos.
(2) Written Licensing Exam
(43) Notice to Employees of Discipline
(11) Suspension of License, 5 consecutive working days
(12) Posting of Suspension Sign

7404(c) FAILURE TO COMPLY WITH THE RULES GOVERNING HEALTH AND SAFETY ADOPTED BY THE BOARD AND APPROVED BY THE STATE DEPARTMENT OF HEALTH SERVICES, FOR THE REGULATION OF ESTABLISHMENTS, OR ANY PRACTICE LICENSED AND REGULATED UNDER THIS CHAPTER.

Recommended Penalty:

- **Maximum:** Revocation
Full-Cost Recovery
- **Minimum:** Revocation, stayed
Probation, 3 years
Suspension, ~~5 consecutive working days~~
Partial Cost Recovery
Standard Terms of Probation Nos. ~~4-16-1-13~~
Optional Terms of Probation Nos.
(2) Written Licensing Exam
(43) Notice to Employees of Discipline

- (11) Suspension of License, 5 consecutive working days
- (12) Posting of Suspension Sign

7404(d) FAILURE TO COMPLY WITH THE RULES ADOPTED BY THE BOARD FOR THE REGULATION OF ESTABLISHMENTS OR ANY PRACTICE LICENSED AND REGULATED UNDER THIS CHAPTER.

Recommended Penalty:

- **Maximum:** Revocation
Full Cost Recovery
- **Minimum:** Revocation, stayed
Probation, 3 years
~~Suspension, 5 consecutive working days~~
~~Partial Cost Recovery~~
Standard Terms of Probation Nos. ~~4-16-1-13~~
Optional Terms of Probation Nos.
(2) Written Licensing Exam
(43) Notice to Employees of Discipline
(11) Suspension of License, 5 consecutive working days
(12) Posting of Suspension Sign

7404(e) CONTINUED PRACTICE BY A PERSON KNOWINGLY HAVING AN INFECTIOUS OR CONTAGIOUS DISEASE.

Recommended Penalty:

- **Maximum:** License is suspended until Respondent provides written proof from a physician stating that he/she is they are no longer contagious/infectious. Upon verification, license is suspended for 30 consecutive working days and license is placed on 3 years probation.
Full Cost Recovery
Standard Terms of Probation Nos. ~~4-16-1-13~~
- **Minimum:** License is suspended until Respondent provides written proof from a physician stating that he/she

~~is they are~~ no longer contagious/infectious. Upon verification, license is placed on 1 year probation.

~~Partial Cost Recovery~~

~~Standard Terms of Probation Nos. 1-16-1-13~~

7404(f) HABITUAL DRUNKENNESS, HABITUAL USE OF OR ADDICTION TO THE USE OF ANY CONTROLLED SUBSTANCE.

Recommended Penalty:

- **Maximum:** ~~Revocation~~
Cost Recovery
- **Minimum:** License is suspended until Respondent completes a drug/alcohol rehabilitation program. Upon verification of completion, license is placed on 3 years probation.

~~Full Cost Recovery~~

~~Standard Terms of Probation Nos. 1-16-1-13~~

~~Optional Terms of Probation No.~~

~~(54) Criminal Probation~~

7404(g) OBTAINING OR ATTEMPTING TO OBTAIN PRACTICE IN ANY OCCUPATION LICENSED AND REGULATED UNDER THIS CHAPTER, FOR MONEY, OR COMPENSATION IN ANY FORM, BY FRAUDULENT MISREPRESENTATION.

Recommended Penalty:

- **Maximum:** Revocation
~~Full-Cost Recovery~~
- **Minimum:** Revocation, stayed
Probation, 2 years
~~Suspension, 10 consecutive working days~~
~~Partial Cost Recovery~~
~~Standard Terms of Probation Nos. 1-16-1-13~~
~~Optional Terms of Probation Nos.~~
~~(54) Criminal Probation~~

- (11) Suspension of License, 10 consecutive working days
- (12) Posting of Suspension Sign

NOTE: If Respondent has a pending application on file, the application shall be denied.

7404(h) FAILURE TO DISPLAY THE LICENSE OR HEALTH AND SAFETY RULES AND REGULATIONS IN A CONSPICUOUS PLACE.

Recommended Penalty:

- **Maximum:** Suspension, 5 consecutive working days
Full-Cost Recovery
- **Minimum:** Public Letter of Reprimand
Partial-Cost Recovery
Standard Terms of Probation Nos. 4-16-1-13
Optional Terms of Probation No.
(43) Notice to ~~Employees of~~ Discipline

7404(i) ENGAGING, OUTSIDE OF A LICENSED ESTABLISHMENT AND FOR COMPENSATION IN ANY FORM WHATEVER, IN ANY PRACTICE FOR WHICH A LICENSE IS REQUIRED UNDER THIS CHAPTER, EXCEPT THAT WHEN THE SERVICE IS PROVIDED BECAUSE OF ILLNESS OR OTHER PHYSICAL OR MENTAL INCAPACITATION OF THE RECIPIENT OF THE SERVICE AND WHEN PERFORMED BY A LICENSEE OBTAINED FOR THE PURPOSE FROM A LICENSED ESTABLISHMENT.

Recommended Penalty:

- **Maximum:** Revocation
Full-Cost Recovery
- **Minimum:** Revocation, stayed
Probation, 2 years
Suspension, 5 consecutive working days
Partial-Cost Recovery
Standard Terms of Probation Nos. 4-16-1-13

Optional Terms of Probation Nos.
(43) Notice to Employees of Discipline
(11) Suspension of License, 5 consecutive
working days
(12) Posting of Suspension Sign

7404(j) PERMITTING A LICENSE TO BE USED WHERE THE HOLDER IS NOT PERSONALLY, ACTIVELY, AND CONTINUOUSLY ENGAGED IN BUSINESS.

Recommended Penalty:

- **Maximum:** Revocation
Full-Cost Recovery
- **Minimum:** Revocation, stayed
Probation, 5 years
~~Suspension, 15 consecutive working days~~
~~Full Cost Recovery~~
Standard Terms of Probation Nos. ~~4-16-1-13~~
Optional Terms of Probation Nos.
(43) Notice to Employees of Discipline
(11) Suspension of License, 15 consecutive
working days
(12) Posting of Suspension Sign

7404(k) THE MAKING OF ANY FALSE STATEMENT AS TO A MATERIAL MATTER IN ANY OATH OR AFFIDAVIT, WHICH IS REQUIRED BY THE PROVISIONS OF THIS CHAPTER.

Recommended Penalty:

- **Maximum:** Revocation
Full-Cost Recovery
- **Minimum:** Revocation, stayed
Probation, 2 years
~~Suspension, 5 consecutive working days~~
~~Partial Cost Recovery~~
Standard Terms of Probation Nos. ~~4-16-1-13~~
Optional Terms of Probation Nos.

- (11) Suspension of License, 5 consecutive working days
- (12) Posting of Suspension Sign

NOTE: If Respondent has a pending application on file, the application shall be denied.

7404(l) REFUSAL TO PERMIT OR INTERFERENCE WITH AN INSPECTION AUTHORIZED UNDER THIS CHAPTER.

Recommended Penalty:

- **Maximum:** Revocation
Full-Cost Recovery
- **Minimum:** Revocation, stayed
Probation, 2 years
~~Suspension, 5 consecutive working days~~
~~Partial Cost Recovery~~
Standard Terms of Probation Nos. 4-16-1-13
Optional Terms of Probation Nos.
(43) Notice to Employees of Discipline
(11) Suspension of License, 5 consecutive working days
(12) Posting of Suspension Sign

7404(m) ANY ACTION OR CONDUCT WHICH WOULD HAVE WARRANTED THE DENIAL OF A LICENSE.

Recommended Penalty:

- **Maximum:** Revocation
Full-Cost Recovery
- **Minimum:** Revocation, stayed
Probation, 2 years
~~Suspension, 5 consecutive working days~~
~~Partial Cost Recovery~~
Standard Terms of Probation Nos. 4-16-1-13
Optional Terms of Probation Nos.
(43) Notice to Employees of Discipline
(54) Criminal Probation

(11) Suspension of License, 5 consecutive working days

(12) Posting of Suspension Sign

NOTE: If Respondent has a pending application on file, the application shall be denied.

7404(n) FAILURE TO SURRENDER A LICENSE THAT WAS ISSUED IN ERROR OR BY MISTAKE.

Recommended Penalty:

- **Maximum:** Revocation
Full-Cost Recovery
- **Minimum:** Public Letter of Reprimand
Partial-Cost Recovery
Standard Terms of Probation Nos. 4-16-1-13

~~480(a)(1) BEEN CONVICTED OF A CRIME. A CONVICTION WITHIN THE MEANING OF THIS SECTION MEANS A PLEA OR VERDICT OF GUILTY OR A CONVICTION FOLLOWING A PLEA OF NOLO CONTENDERE. ANY ACTION WHICH A BOARD IS PERMITTED TO TAKE FOLLOWING THE ESTABLISHMENT OF A CONVICTION MAY BE TAKEN WHEN THE TIME FOR APPEAL HAS ELAPSED, OR THE JUDGEMENT OF CONVICTION HAS BEEN AFFIRMED ON APPEAL, OR WHEN AN ORDER GRANTING PROBATION IS MADE SUSPENDING THE IMPOSITION OF SENTENCE, IRRESPECTIVE OF A SUBSEQUENT ORDER UNDER THE PROVISIONS OF SECTION 1203.4 OF THE PENAL CODE.~~

DENIAL OF AN APPLICATION BASED UPON CONVICTION OF A CRIME AS SPECIFIED IN BUSINESS AND PROFESSIONS CODE SECTION 480.

Recommended Penalty:

- **Maximum:** Denial of Application for Licensure
- **Minimum:** Revocation, stayed
Probation, 2 years ~~(for misdemeanor)~~

~~3 years (less than 3 felonies)
5 years (more than 3 felonies)
Standard Terms of Probation Nos. 4-16-1-13
Optional Terms of Probation No.
(54) Criminal Probation~~

480(a)(2) THE APPLICANT HAS BEEN SUBJECTED TO FORMAL DISCIPLINE BY A LICENSING BOARD IN OR OUTSIDE CALIFORNIA WITHIN THE PRECEDING SEVEN YEARS FROM THE DATE OF APPLICATION BASED ON PROFESSIONAL MISCONDUCT AS SPECIFIED IN BUSINESS AND PROFESSIONS CODE SECTION 480(a)(2). ~~DONE ANY ACT INVOLVING DISHONESTY, FRAUD, OR DECEIT WITH THE INTENT TO SUBSTANTIALLY BENEFIT HIMSELF OR ANOTHER, OR SUBSTANTIALLY INJURE ANOTHER.~~

Recommended Penalty:

- **Maximum:** Denial of Application for Licensure
- **Minimum:** Revocation, stayed
Probation, 2 years
Standard Terms of Probation Nos. 4-16-1-13
Optional Terms of Probation No.
(54) Criminal Probation

480(a)(3) ~~DONE ANY ACT WHICH IF DONE BY A LICENTIATE OF THE BUSINESS OR PROFESSION IN QUESTION, WOULD BE GROUNDS FOR SUSPENSION OR REVOCATION OF LICENSE. THE BOARD MAY DENY A LICENSE PURSUANT TO THIS SUBDIVISION ONLY IF THE CRIME OR ACT IS SUBSTANTIALLY RELATED TO THE QUALIFICATIONS, FUNCTIONS OR DUTIES OF THE BUSINESS OR PROFESSION FOR WHICH APPLICATION IS MADE.~~

Recommended Penalty:

- **Maximum:** Denial of Application for Licensure
- **Minimum:** Revocation, stayed
Probation, 3 years
Standard Terms of Probation Nos. 4-16
Optional Terms of Probation No.

(5) Criminal Probation

~~480(c) A BOARD MAY DENY A LICENSE REGULATED BY THIS CODE ON THE GROUND THAT THE APPLICANT KNOWINGLY MADE A FALSE STATEMENT OF FACT REQUIRED TO BE REVEALED IN THE APPLICATION FOR SUCH LICENSE~~

~~Recommended Penalty:~~

- ~~• **Maximum:** Denial of Application for Licensure~~
- ~~• **Minimum:** Revocation, stayed
Probation, 2 years
Standard Terms of Probation Nos. 4-16
Optional Terms of Probation No.
(5) Criminal Probation~~

480(e) THE APPLICANT KNOWINGLY MADE A FALSE STATEMENT OF FACT REQUIRED TO BE REVEALED IN THE APPLICATION FOR SUCH LICENSE AS PROVIDED IN BUSINESS AND PROFESSIONS CODE SECTION 480(e).

Recommended Penalty:

- **Maximum:** Denial of Application for Licensure
- **Minimum:** Revocation, stayed
Probation, 2 years
Standard Terms of Probation Nos. 1-13
Optional Terms of Probation No.
(4) Criminal Probation

496 A BOARD MAY DENY, SUSPEND, REVOKE, OR OTHERWISE RESTRICT A LICENSE ON THE GROUND THAT AN APPLICANT OR LICENSEE HAS VIOLATED SECTION 123 PERTAINING TO SUBVERSION OF LICENSING EXAMINATIONS.

Recommended Penalty:

- **Maximum:** Revocation or Denial
Full-Cost Recovery
- **Minimum:** Probation, 2 years

~~Suspension, 10 consecutive working days~~
~~Partial Cost Recovery (only if respondent holds another license)~~
~~Standard Terms of Probation Nos. 4-16-1-13~~
~~Optional Terms of Probation Nos.~~
~~(5-4) Criminal Probation~~
~~(11) Suspension of License, 10 consecutive working days~~
~~(12) Posting of Suspension Sign~~

499

A BOARD MAY REVOKE, SUSPEND, OR OTHERWISE RESTRICT A LICENSE ON THE GROUND THAT THE LICENSEE, IN SUPPORT OF ANOTHER PERSON'S APPLICATION FOR LICENSE, KNOWINGLY MADE A FALSE STATEMENT OF A MATERIAL FACT OR KNOWINGLY OMITTED TO STATE A MATERIAL FACT TO THE BOARD REGARDING THE APPLICATION.

Recommended Penalty:

- **Maximum:** Revocation
Cost Recovery
- **Minimum:** Probation, 5 years,
Standard Terms of Probation Nos. 1-13
Optional Terms of Probation Nos.
(11) Suspension of License, 10 consecutive working days.
(12) Posting of Suspension Sign

OTHER SITUATIONS IN WHICH REVOCATION IS THE RECOMMENDED PENALTY

1. Failure to file a Notice of Defense.
2. Failure to appear at the administrative hearing.
3. Failure to comply with the conditions of probation.
4. Subsequent acts, offenses, or convictions, which warrant the revocation of license.

~~CONDITIONS OF PROBATION~~

~~The Board's primary responsibility is consumer protection. The Board believes that in disciplinary matters where probation has been imposed, conditions should be established to provide for consumer protection and allow the probationer to demonstrate rehabilitation.~~

~~The following conditions of probation provide for consumer protection and establish a mechanism to monitor the rehabilitation progress of a probationer.~~

~~For purposes of implementation of these conditions of probation, any reference to the Board also means staff working for the Board of Barbering and Cosmetology.~~

~~PROBATIONARY CONDITIONS~~

~~Probationary conditions are divided into two categories:~~

~~**A. Standard** conditions should appear in all probation orders;~~

~~**B. Optional** conditions that are appropriate based on the nature and circumstances of the particular violation.~~

INTRODUCTORY LANGUAGE FOR DISCIPLINARY ORDERS

The following introductory language and all standard conditions of probation are to be included in probationary decisions/orders. For applicants, Condition 32, Cost Recovery, does not apply. For licensees, all standard conditions of probation apply. (Note: See alternative introductory language for applicants and reinstatements in next section of guidelines.)

INTRODUCTORY LANGUAGE FOR ALL ORDERS— It is hereby ordered that (license type) License No. (number) issued to Respondent (name) is revoked. However, revocation is stayed, and Respondent is placed on probation for a period of (number of years) years on the following conditions.

SEVERABILITY CLAUSE – Each condition of probation contained herein is a separate and distinct condition. If any condition of this Order, or any application thereof, is declared unenforceable in whole, in part, or to any extent, the remainder of this Order, and all other applications thereof, shall not be affected. Each condition of this Order shall separately be valid and enforceable to the fullest extent permitted by law.

RECOMMENDED LANGUAGE FOR STANDARD CONDITIONS OF PROBATION

(1) SUSPENSION OF LICENSE- Respondent is suspended from the practice of (type of practice) for (number of days) consecutive working days. Respondent shall cease operating during the suspension period. During the suspension period, all conditions of probation are in full force and effect. The period of suspension shall be determined by the Board's designee and Respondent shall be notified in writing. Probation shall not terminate until the suspension period is served.

(2) POSTING OF SUSPENSION SIGN- During the period of suspension, Respondent shall post a notice which describes the nature of the violation for which the license is being disciplined. If only an individual's license is disciplined, the notice shall be conspicuously posted in the establishment where the Respondent performs barbering and cosmetology services. If an establishment license is disciplined, the notice shall be conspicuously posted, unobstructed and visible to the public from the outside of the main entrance. The sign to be posted will be provided by the Board of Barbering and Cosmetology designee prior to the commencement of the suspension and will include the Respondent's name and license number(s).

(1) OBEY ALL LAWS- Respondent shall obey all federal, state, local laws, criminal orders of probation or parole if applicable, and all rules and regulations governing any practice for which the respondent is licensed by the Board. A full and detailed account of any and all violations of law shall be reported by the Respondent to the Board in writing to their assigned probation monitor within seventy-two (72) hours of occurrence.

(32) COST RECOVERY- Respondent shall pay to the Board of Barbering and Cosmetology costs associated with its investigation and enforcement pursuant to Business and Professions Code Sections 125.3 and 7403 in the amount of \$ _____. Upon written request to their assigned probation monitor and approval by the Board or its designee, Respondent shall be permitted to pay these costs in a payment plan approved by the Board, with payments to be completed no later than six months prior to the end of the probation term. Respondent shall make payments pursuant to a payment plan specified by the Board or its designee taking into consideration all of the following: (1) Respondent's ability to pay, (2) the total amount of cost recovery owed, and (3) the length of the probationary period. Probation shall not terminate until full payment has been made. Should any part of cost recovery not be paid in accordance with the outlined payment

schedule Respondent shall be considered to be in violation of probation. Any order for payment of cost recovery shall remain in effect whether or not probation is tolled. ~~The filing of bankruptcy by the Respondent shall not relieve the Respondent of his/her responsibility to reimburse the Board for these costs.~~

Modification to an authorized payment plan, including an extension of time to complete payments or a revised payment schedule, may be requested by the Respondent in writing to their assigned probation monitor and granted upon a showing of "good cause" by the Respondent. The Respondent's request for modification shall contain an explanation for why the requested modification to an authorized payment plan should be granted and is subject to approval by the Board or its designee. For purposes of this section "good cause" shall include:

- (A) Death of an immediate family member (spouse, child, or parent). Documentation, such as a copy of the death certificate, must be submitted.
- (B) Catastrophic illness, contagious disease, or major traumatic injury to the applicant or immediate family member (spouse, child, or parent). Documentation, such as an original letter on letterhead from the physician, which includes the date(s), nature of the illness, and the physician's signature, must be submitted.
- (C) Natural disaster (earthquake, flood, fire, etc.).
- (D) Other cause based on extenuating circumstances and decided on a case-by-case basis by the Board or its designee.

(43) QUARTERLY REPORTS OF COMPLIANCE - Respondent shall submit Quarterly Reports of Compliance to the Board of Barbering and Cosmetology's designee in accordance with a specified schedule. The form, "Quarterly Report of Compliance," which is provided by the Board's Enforcement Program, must be completed and signed under penalty of perjury regarding compliance with all conditions of probation. A complete "Quarterly Report of Compliance" shall contain:

- (A) Respondent's personal information, including:
 - (i) Respondent's full legal name (first, last, middle, suffix (if any)),
 - (ii) Case number,
 - (iii) License number,
 - (iv) License expiration date

- (v) Telephone number,
- (vi) Email address, if any,
- (vii) Address of record with the Board (mailing address), and,
- (viii) Residence Address (if different than address of record).

(B) For Respondents who own an establishment, identifying establishment information including:

- (i) the establishment's name,
- (ii) the establishment's license number,
- (iii) the establishment's license expiration date,
- (iv) the establishment's address of record with the Board.

(C) Respondent's employment information, including the following information regarding where Respondent works:

- (i) the establishment's name,
- (ii) the establishment's license number,
- (iii) the establishment's physical address,
- (iv) the establishment's telephone number,
- (v) the Respondent's total work schedule for a standard week (Monday-Sunday), including Respondent's scheduled work hours for each day of a standard week (e.g., state work week hours: "Mondays (8 hours), Tuesdays (4 hours), etc.). For days not worked Respondent shall indicate "N/A" next to each day of the standard week where they are not scheduled to work when reporting their total work schedule.

(D) Written disclosures regarding whether Respondent has complied with each condition of probation contained in this Decision since their last quarterly report or as of this report (if this is their first quarterly report); and, if applicable,

(E) If Respondent discloses they are not in compliance with any condition of probation, a written statement explaining why Respondent is not in compliance with any particular condition(s) of probation.

Omission or falsification in any manner of any information on these reports or failure to submit the information required by this section by the due date(s) specified in this section shall constitute a violation of probation.

Quarterly reports are due for each year of probation and the entire length of probation as follows:

- For the period covering January 1st through March 31st, reports are to be completed and submitted between April 1st and April 7th.

- For period covering April 1st through June 30th, reports are to be completed and submitted between July 1st and July 7th.
- For the period covering July 1st through September 30th, reports are to be completed and submitted between October 1st and October 7th.
- For the period covering October 1st through December 31st, reports are to be completed and submitted between January 1st and January 7th

(54) NOTIFICATION TO EMPLOYER ESTABLISHMENT OWNER(S) -

Respondent shall be required to inform ~~his/her~~ their employer and any subsequent employer and/or the holder of the establishment license where Respondent practices (“employer”) during the probation period of the discipline imposed by this Decision by providing a written notice to the employer containing the information required by this section and also providing the employer with a copy of the Decision and Order and the Accusation or Statement of Issues, as applicable, in this matter. Written notice to the employer shall be provided within 30 days of the effective date of the Decision or within 30 days after change of employer, as applicable, and shall contain the following:

- Name of the Respondent,
- Name of the employer,
- Duration of the probation or suspension, and,
- A copy of the Decision.

Within 30 days of the effective date of the Decision or change of employer, Respondent shall submit to their assigned probation monitor at the Board a copy of the written notice provided to the employer in compliance with this section. The employer will be requested to inform the Board of Barbering and Cosmetology, in writing, that he/she is aware of the discipline. This applies to independent contractors (booth renters) as well as employees. The Respondent shall provide to their probation monitor the following information for all establishments where the Respondent is providing services during the period of probation:

- Name(s) of their employer(s),
- Physical address(es),
- Mailing address(es), and,
- Telephone number(s).

(65) CHANGE OF EMPLOYMENT – Respondent shall notify the Board of Barbering and Cosmetology in writing of any and all changes in employment status, employment location, and address within 30 days of such change. The written notice shall include the name, address, and

telephone number of the holder of the establishment license where Respondent practices, and the date Respondent changed work locations.

(76) PARTICIPATION IN APPRENTICESHIP OR EXTERNSHIP PROGRAM

– Respondent shall not participate as a trainer or supervisor in an apprenticeship or externship program during the course of this probation. If Respondent is the holder of an establishment license, Respondent's establishment shall not participate in an apprenticeship or externship program during the course of this probation. Respondent shall terminate any such program in existence on the effective date of this decision.

(87) PUBLICATION OF DISCIPLINARY ACTION – Any disciplinary action imposed as a result of this Decision may be published in the appropriate Board of Barbering and Cosmetology newsletter or other publication. Additionally, the Board or its designee may issue press releases or other public notices of disciplinary action taken by the Board of Barbering and Cosmetology.

~~**(9) OBEY ALL LAWS** Respondent shall obey all federal, state, local laws, and all rules and regulations governing any practice for which the Respondent is licensed. A full and detailed account of any and all violations of law shall be reported by the Respondent to the Board in writing within seventy-two (72) hours of occurrence.~~

(108) COMPLY WITH THE BOARD'S PROBATION PROGRAM –

Respondent shall fully comply with the conditions of the Probation Program established by the Board and cooperate with representatives of the Board in its monitoring and investigation of Respondent's compliance with the Board's Probation Program. Respondent shall keep the Board informed of Respondent's business address and address of record (physical and mailing). Respondent shall inform the Board in writing within ~~fifteen (15)~~ thirty (30) days of any address change and claim all certified mail issued by the Board. Respondent shall respond to all notices of reasonable requests timely, and appear for any scheduled meeting as directed by the Board or its designee. Respondent shall ~~and~~ submit reports, remedial education documentation, verification of employment, or other similar reports, as requested and directed by the Board or its representative. Failure to appear for any scheduled meeting or cooperate with the requirements of the program, including timely submission of requested information, shall constitute a violation of probation.

(119) VIOLATION OF PROBATION – If Respondent violates ~~the any~~ conditions of his/her probation, the Board, after giving the Respondent notice and the opportunity to be heard, may set aside the Order and impose the stayed discipline (revocation/suspension) of the Respondent’s license.

If during the period of probation, an accusation or petition to revoke probation has been filed against Respondent’s license or the Attorney General’s Office has been requested to prepare an accusation or petition to revoke probation against the Respondents license, the probationary period shall automatically be extended and shall not expire until the accusation or petition has been acted upon by the Board.

~~(12) REPORT IN PERSON~~ Upon written notification, Respondent may be required to appear in person before the Board of Barbering and Cosmetology or its designee at any time during the period of suspension or probation.

~~(13) RESIDENCY OUTSIDE OF THE STATE~~ Respondent shall immediately notify the Board’s designee of any and all address changes. If Respondent should travel outside California for a period greater than sixty (60) days, Respondent must notify the Board’s designee, in writing, of the dates of departure and return. Periods of residence outside the State of California shall not apply toward a reduction of this probation time period.

Respondent’s license shall be automatically cancelled if Respondent’s periods of temporary or permanent residence or practice outside California total two years. However, Respondent’s license shall not be cancelled as long as Respondent is residing and practicing in another state of the United States and is on active probation with the licensing authority of that state, in which case the two year period shall begin on the date probation is completed or terminated in that state.

(1410) FAILURE TO PRACTICE CALIFORNIA RESIDENT /TOLLING - In the event Respondent₁ resides in the State of California and for any reason₁, Respondent stops ceases practicing in California, Respondent shall notify the Board or its designee in writing within ~~30~~ ten (10) calendar days prior to the dates of non-practice and return to practice. Any period of non-practice within California, or temporary or permanent residency or practice outside of California will not apply to the reduction of the probationary term and does not relieve Respondent of the responsibility to comply with the terms and conditions of probation (“non-practice”).

Respondent's probation is tolled for as long as Respondent is in a period of non-practice. The period of probation shall be extended for the period of time Respondent's probation is tolled.

It shall be a violation of probation for Respondent to remain in a period of non-practice for a total of two years.

(1511) MAINTAIN VALID LICENSE – Respondent shall maintain a current, active, and valid license for the length of the probation period, including any period during which probation is tolled. Failure to pay all fees prior to the license expiration date shall constitute a violation of probation.

(12) PETITION FOR REDUCTION OF PENALTY- Pursuant to Government Code Section 11522, Respondent may petition for a reduction of penalty after a period of not less than one (1) year has elapsed from the effective date of this Decision or from the date of the denial of a similar petition filed by Respondent, whichever is applicable. The Board shall give notice to the Attorney General of the filing of any petition by Respondent and the Attorney General and the Respondent shall be afforded an opportunity to present either oral or written argument before the Board if a petition is filed in accordance with Section 11522. The Board shall determine if a reduction in penalty is warranted based on Respondent's compliance with the terms and conditions of probation, and demonstration of their ability to practice safely as evidenced by inspections of the workplace since the effective date of the Decision.

(1613) LICENSE SURRENDER WHILE ON PROBATION-Following the effective date of this Decision, if Respondent ceases practicing ~~due to retirement or health reasons,~~ or is otherwise unable to satisfy the terms and conditions of probation, Respondent may voluntarily request, in writing, the surrender of ~~his/her~~ their license to the Board. Respondent's written request to surrender their license shall include the following: their name, license number, case number, address of record, and an explanation of the reason(s) why respondent seeks to surrender their license.

The Board reserves the right to evaluate the Respondent's request and to exercise its discretion whether to grant the request or to take any other action deemed appropriate and reasonable under the circumstances. If Respondent owes any outstanding costs associated with the investigation and enforcement of this disciplinary action, the outstanding amount shall be paid in full at the time the request is submitted to the Board.

Upon formal acceptance of the surrender, Respondent shall within 30 calendar days deliver Respondent's license to the Board or its designee and Respondent shall no longer engage in any practice for which a that license is required. Upon formal acceptance of the ~~tendered license~~ surrender, Respondent will no longer be subject to the terms and conditions of probation. Voluntary surrender of Respondent's license shall be considered to be a disciplinary action and shall become a part of Respondent's license history with the Board. Respondent may not petition the Board for reinstatement of the surrendered license. Should Respondent at any time after voluntary surrender ever reapply to the Board for licensure Respondent must meet all current requirements for licensure including, but not limited to, filing a current application, meeting all current educational requirements, and taking and passing any and all examinations required of new applicants.

RECOMMENDED LANGUAGE FOR OPTIONAL CONDITIONS OF PROBATION

(1) REMEDIAL EDUCATION COURSES – Respondent shall complete remedial education courses directly relevant to the violation(s) as specified by the Board of Barbering and Cosmetology within 180 days from the effective date of this Decision. The education courses shall be completed in a Board approved school. Respondent shall provide proof of attendance and satisfactory completion of the courses. Failure to satisfactorily complete the required courses as scheduled shall constitute a violation of probation. Respondent shall be responsible for all costs associated with such remedial education.

(2) WRITTEN LICENSING EXAMINATION – If Respondent fails to pass the examination within 180 days from the effective date of this Decision, Respondent’s license shall be suspended and Respondent shall cease practice until Respondent takes and successfully passes the examination, has submitted proof of same to the Board, and has been notified by the Board that ~~he/she~~ Respondent may resume practice. The examination will be administered by the examination staff of the Board of Barbering and Cosmetology. Respondent shall pay the established examination fee and any other costs associated with taking the examination.

~~**(3) PRACTICAL LICENSING EXAMINATION** – If Respondent fails to pass the examination within 180 days from the effective date of this Decision, Respondent’s license shall be suspended and respondent shall cease practice until Respondent takes and successfully passes examination, has submitted proof of same to the Board, and has been notified by the Board that he/she may resume practice. The examination will be administered by the examination staff of the Board of Barbering and Cosmetology. Respondent shall pay the established examination fee and any other costs associated with taking the examination.~~

(43) NOTICE OF DISCIPLINE EMPLOYEES – A Respondent who is an establishment owner ~~a holder of an establishment license~~ shall, upon or before the effective date of this Decision, post or circulate a copy of the Accusation or Statement of Issues, as applicable, and this Decision and Order to each employee or independent contractor practicing at Respondent’s establishment. ~~a notice to all employees working in the establishment which accurately recites the terms and conditions of this Decision. Respondent shall be responsible for said notice being immediately available to employees. “Employees” as used in this provision includes all~~

~~full-time, part-time, temporary, and independent contractors employed or hired at any time during probation.~~

(54) CRIMINAL PROBATION – If Respondent is on criminal probation for the acts upon which disciplinary action is based, Respondent shall submit reports from the criminal court probation officer regarding Respondent's progress during criminal probation, if available. Available Reports shall be filed quarterly and continue until Respondent is no longer on criminal probation or the Board's probation is terminated, whichever occurs first.

(65) PROOF OF ADVERTISING CORRECTION – If the advertising violation that led to the disciplinary action has not been corrected, Respondent shall not practice until proof of correction has been submitted to the Board of Barbering and Cosmetology or its designee.

(76) RESTITUTION – Respondent shall make restitution to any injured party in the amount of (specify amount). Proof of compliance with this term shall be submitted to the Board of Barbering and Cosmetology's or its designee within (specify time) of the effective date of the Decision. The name and address of the injured party may be inserted in the body of this condition. The amount and time period in which to comply shall be based upon the facts of the case.

Note: Business and Professions Code section 143.5 prohibits the Board from requiring restitution in disciplinary cases when the Board's case is based on a complaint or report that has also been the subject of a civil action and that has been settled for monetary damages providing for full and final satisfaction of the parties in the civil action.

(87) REIMBURSEMENT OF PROBATION PROGRAM- Respondent shall reimburse the Board for the hourly costs it incurs in monitoring the probation to ensure compliance for the duration for the probation period. Reimbursement costs shall be \$_____ per year/\$_____ per month.

(98) MANAGER OR LICENSEE IN CHARGE – Respondent shall not act as manager or licensee in charge of any establishment during the course of this probation. Respondent shall terminate any such duties on the effective date of this decision.

(109) ABSTAIN FROM CONTROLLED SUBSTANCES /SUBMIT TO BIOLOGICAL FLUID TESTING – Respondent shall completely abstain from the use or possession of controlled or illegal substances during the period of probation unless lawfully prescribed by a medical practitioner for a bona fide

illness. Respondent shall immediately submit to biological fluid testing, at Respondent's cost, upon request by the Board or its designee. The length of time and frequency will be determined by the Board. Respondent is responsible for ensuring that reports are submitted directly by the testing agency to the Board or its designee. There will be no confidentiality in test results. Any confirmed positive finding shall constitute a violation of probation.

(11) ABSTAIN FROM USE OF ALCOHOL / SUBMIT TO BIOLOGICAL FLUID TESTING- Respondent shall completely abstain from the use of alcoholic beverages during the period of probation Respondent shall immediately submit to biological fluid testing, at respondent's cost, upon request by the Board or its designee. The length of time and frequency will be determined by the Board. Respondent is responsible for ensuring that reports are submitted directly by the testing agency to the Board or its designee. There will be no confidentiality in test results. Any confirmed positive finding shall constitute a violation of probation.

(12) SUSPENSION OF LICENSE – Respondent is suspended from the practice of (type of practice) for (number of days) consecutive working days beginning on the effective date of this Decision. Respondent shall cease operating during the suspension period. During the suspension period, all conditions of probation are in full force and effect. Probation shall not terminate until the suspension period is served.

(13) POSTING OF SUSPENSION SIGN - During the period of suspension, Respondent shall post a notice which describes the nature of the violation for which the license is being disciplined. If only an individual's license is disciplined, the notice shall be conspicuously posted in the establishment where the Respondent performs barbering, ~~and cosmetology, hairstyling, skin care, nail care, or electrolysis services, as applicable.~~ If an establishment license is disciplined, the notice shall be conspicuously posted, unobstructed and visible to the public from the outside of the main entrance. The 8-inch by 11-inch notice to be posted will be provided by the Board of Barbering and Cosmetology designee in the form of a sign to be posted by Respondent prior to the commencement of the suspension and will include the Respondent's name and license number(s).

RECOMMENDED LANGUAGE FOR APPLICANTS AND REINSTATEMENTS

In order to provide clarity and consistency in its decision, the Board of Barbering and Cosmetology recommends the following language in proposed decisions or stipulated agreements for examination applicants, establishment license applicants, schools, school applicants, and for petitioners for reinstatement who are issued a license that is placed on probation.

▪ **Examination Applicants who are placed on probation:**

“The application of Respondent _____ for licensure is hereby granted. Upon successful completion of the licensing examination and all other licensing requirements, a license shall be issued to Respondent. Said license shall immediately be revoked, the order of revocation stayed, and Respondent placed on probation for a period of _____ years on the following condition:”

▪ **Establishment License Applicants who are placed on probation:**

“The application of Respondent _____ for licensure is hereby granted and a license shall be issued to Respondent upon successful completion of all licensing requirements. Said license shall immediately be revoked, the order of revocation stayed, and Respondent placed on probation for a period of _____ years on the following conditions:”

▪ **Reinstatement of Licensure with conditions of probation:**

“The application of Respondent _____ for reinstatement of license number _____ is hereby granted. License number _____ shall immediately be revoked, the order of revocation stayed, and Respondent placed on probation for a period of _____ years on the following conditions:”

~~It is important to note that, in many cases, petitioners for reinstatement have not practiced for at the least one (1) year. It is recommended that Respondent retake and successfully complete the licensing examination prior to reinstatement of the license if the case involved consumer harm.~~

~~In addition to the licensing examination requirement, it is recommended that Respondent take and successfully complete remedial education courses relevant to the violation(s) prior to reinstatement of the license.~~

▪ **Grant Petition and Place Licensee on Probation After Completion of Conditions Precedent:**

“The petition for reinstatement filed by petitioner _____ is hereby granted, and petitioner’s license shall be fully reinstated upon completion of the following conditions precedent: [Note: Insert conditions such as take and successfully complete the Board’s [insert license type] licensing examination and/or remedial education courses relevant to the violation(s).]”

Upon completion of the conditions precedent above, and satisfaction of all statutory and regulatory requirements for issuance of a license, petitioner’s license shall be reinstated and immediately revoked; however, the revocation shall be stayed, and petitioner shall be placed on probation for a period of _____ years on the following terms and conditions:”

It is important to note that, in many cases, petitioners for reinstatement have not practiced for at least one (1) year. It is recommended that petitioner retake and successfully complete the licensing examination prior to reinstatement of the license if the case involved consumer harm.

In addition to the licensing examination requirement, it is recommended that petitioner take and successfully complete remedial education courses relevant to the violation(s) prior to reinstatement of the license.

NOTE: If cost recovery was ordered in the revocation or surrender of a license and the cost recovery has not been paid in full by petitioner, a probation condition requiring payment of original cost recovery must be included in the reinstatement and decision.

RECOMMENDED LANGUAGE FOR COST RECOVERY FOR SURRENDERS

▪ **When the Order is a surrender of license, cost recovery should be included as follows:**

“If and when Respondent’s license is reinstated, ~~he or she~~ they shall pay to the Board costs associated with its investigation and enforcement pursuant to Business and Professions Code Section 125.3 in the amount of \$_____. Respondent shall be permitted to pay these costs on a payment plan approved by the Board. Nothing in this provision shall be construed to prohibit the Board from reducing the amount of cost recovery upon reinstatement of the license.”

TIME FRAMES FOR PETITIONS FOR REINSTATEMENT AND MODIFICATION OF PENALTY

Pursuant to the California Administrative Procedure Act, Government Code Section 11522, “A person whose license has been revoked or suspended may petition the agency for reinstatement or reduction or penalty after a period of not less than one (1) year has elapsed from the effective date of the decision or from the date of the denial of a similar petition. The agency shall give notice to the Attorney General of the filing of the petition and the Attorney General, and the petitioner shall be afforded an opportunity to present either oral or written argument before the agency itself. The agency itself shall decide the petition, and the decision shall include the reasons therefore, and any terms and conditions that the agency reasonably deems appropriate to impose as a condition or reinstatement. This section shall not apply if the statutes dealing with the particular agency contain different provisions for reinstatement or reduction of penalty.”

Board of Barbering and Cosmetology

BACKGROUND INFORMATION AND OVERVIEW OF THE CURRENT REGULATORY PROGRAM

As of October 27, 2025

Section 1 – Background and Description of the Board and Regulated Profession

Provide a short explanation of the history and function of the board.¹ Describe the occupations/professions that are licensed and/or regulated by the board (Practice Acts vs. Title Acts).²

History

In 1927, the Board of Barber Examiners and the Board of Cosmetology were established. The Board of Barber Examiners governed the barbering profession, and the Board of Cosmetology governed the cosmetology profession. The Board of Barber Examiners consisted of 5 members, 2 of which were public members. The Board of Cosmetology consisted of 7 members, 2 of which were public members.

Throughout the years there were minor changes to the laws of each profession. For example, the requirement of apprenticeship prior to master barber licensing for barbers and revisions to the cosmetology laws to include a separate manicurist license, electrology license, and esthetician license. In 1939 the manicurist license and the electrology license were added, and in 1978 the cosmetician (esthetician) license was added.

In 1992, the Board of Barber Examiners and the Board of Cosmetology were merged to create the Board of Barbering and Cosmetology. Chapter 10, Division 3 of the Business and Professions Code (known and cited as the Barbering and Cosmetology Act) was enacted by AB 3008 (Eastin, Chapter 1672, Statutes of 1990) and became effective July 1, 1992. In July 1997, the Board of Barbering and Cosmetology was eliminated by the California Legislature and the duties, powers, and functions of the Board were transferred directly to the Department of Consumer Affairs and were administered by the Bureau of Barbering and Cosmetology. On January 1, 2003, SB 1482 (Polanco, Chapter 1148, Statutes of 2002) reinstated the Board of Barbering and Cosmetology (Board).

¹ The term "board" in this document refers to a board, bureau, commission, committee, council, department, division, program, or agency, as applicable. Please change the term "board" throughout this document to appropriately refer to the entity being reviewed.

² The term "license" in this document includes a license, certificate, permit or registration.

Function

The Board's main function is to provide safety to consumers receiving barbering, cosmetology and electrology services. The Board does this by testing potential licensees for minimal competency primarily in infection control practices, conducting inspections to ensure health and safety statutes and regulations are followed, and initiating formal discipline when warranted.

The Board issues licenses in 6 individual professions:

- Cosmetologists - Licensed to perform all chemical services, cut and style the hair, skin care, and nail care.
- Barbers - Licensed to perform all chemical services, cut and style the hair, and shaving.
- Electrologists - Licensed to perform permanent hair removal using electrolysis.
- Estheticians - Licensed to perform skin care including various skin treatments, superficial peels, dermaplaning, etc., as well as waxing and lash services.
- Manicurists - Licensed to perform nail care including manicures and pedicures, artificial nails, and paraffin wax treatments for hands and feet.
- Hairstylists - Licensed to perform hair services that do not include any chemical services.

The Board also issues licenses for:

- Establishments - The businesses where all services are performed.
- Mobile Units - Businesses that are moving establishments (e.g. recreational vehicle modified into a salon).
- Person Service Permits – An additional permit that allows an individual licensee to perform certain services outside of a licensed establishment or mobile unit (e.g. inside a hotel room, at a consumer's home)

The Function of Consumer Harm in the Industry

Consumer harm is much greater today than it was when the Board was established. Originally, services to consumers were fairly basic, including simple perms, basic facials, or manicures. Today, the industry has advanced far past beautification and has become a wellness retreat for self-care. As the consumer demand for more unique services has grown, so has the risk to consumer safety.

In the 1950's, most chemical dye services were to cover gray hair. Today, individuals desire all types of colors added to their hair. However, coloring hair in a salon is not the same as coloring hair at home or from a product purchased on-line or at a local drug store. In the United States, 75% of women are coloring their hair not just for beauty, but for self-expression. At home hair color has advanced to be safer and gentler on the hair, making it safe for individuals to perform services at home. The at-home products are pre-made formulas made for all hair types. Professional hair colors can be formulated specific to an individual's unique hair. This is especially important when working with various hair textures. Color applied to light, thin straight hair is not the same as color applied to thick, coarse hair. Not applying the right formulation can damage hair and cause significant scalp burns and scarring. The pictures below show significant burns to scalps caused by a chemical hair service.



The harm that can be caused by hair services is not just related to the chemicals used on the hair. Improper disinfection of hair tools can spread bacteria, fungus, and parasites. The pictures below are of the most common fungal infection (ringworm) and parasitic infection (lice) found in hair salons and barber shops:



The skin care industry has evolved from basic skin care such as cleansing and moisturizing, to all types of treatments to target anti-aging, skin firming, texture and pigment correction, and more. In the United States, the skincare industry has a market value of \$24 billion. It is reported that the average American spends \$2,000 annually on skin care. The consumer's desire brings more and more options into the skin care world which leads to an increase of services performed by estheticians. Skin care product manufacturers are always developing new products and machines to assist estheticians in their services. Unfortunately, many services can be significantly harmful to a consumer and cross the line into the medical field. The pictures below display the types of harm possible in skin care. The first picture is a result of microneedling, a common violation found in esthetic rooms that is a medical procedure. The second picture is a burn from an eyebrow wax where the wax was so hot that it left a permanent scar. The third picture shows the damage left from a botched chemical peel. The fourth picture is a skin infection resulting from a contaminated wax pot.



Pedicures continue to be one of the highest risks to consumers. While changes in the Board's regulations requiring strict cleaning protocols have reduced the amount of harm, this service still poses a significant risk. Foot tubs that are not cleaned properly can create bacterial infections leading to serious harm. The pictures below are examples of pedicure injuries:



The types of harm that are possible in the industry are significant. This is why the Board functions to protect consumers who receive services in the barbering, cosmetology and electrology industry.

The average consumer visits a barber or cosmetologist 6 to 24 times a year. In California, the hair businesses are trusted spaces, where high health and safety standards are monitored and maintained. If not monitored by the Board, significant injuries to the public may occur, such as:

- Cuts and puncture wounds
- Burns from hot tools
- Chemical burns
- Allergic reactions
- Eyes, hands and feet injuries
- Improper disinfection injuries

California maintains the highest health and safety standards because of this Board's diligence in protecting the public by performing unannounced and directed inspections in response to any public complaints. The Board maintains these high standards by performing more than 6,000 inspections on an annual basis.

1. Describe the make-up and functions of each of the board's committees (cf., Section 12, Attachment B).

DISCIPLINARY REVIEW COMMITTEE

The purpose of the Disciplinary Review Committee (DRC) is to conduct informal administrative citation hearings and render 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 DRC. 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, plan outreach events for consumers and licensees, prepare articles for submission in trade magazines and attend 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, statutes and regulations.

APPRENTICESHIP PROGRAM SPONSOR APPEAL COMMITTEE

The Board may serve an apprenticeship program sponsor with a notice to show cause if the sponsor is not conducting its apprenticeship program in compliance with the Board’s statutes and regulations. The purpose of the Apprenticeship Program Sponsor Appeal Committee is to hear appeals from apprenticeship program sponsors contesting a notice to show cause.

See **Attachment B.2** for attendance.

Table 1b. Board/Committee Member Roster					
Member Name (Include any vacancies and a brief member biography)	Date First Appointed	Date Reappointed	Date Term Expires	Appointing Authority	Type (public or professional)
Anthony Bertram	11/15/2024	N/A	1/1/2027	Governor	Industry
Michelle Edgar	8/8/2025	N/A	1/1/2026	Governor	Public
Megan Ellis	6/25/2021	2/6/2023	1/1/2027	Governor	Public
Tonya Fairley	4/29/2021	12/12/2024	1/1/2029	Governor	Industry
Kellie Funk	7/29/2022	N/A	1/1/2026	Governor	Industry
Yolanda Jimenez	2/3/2022	12/12/2024	1/1/2029	Governor	Public
Colette Kavanaugh	9/13/2022	N/A	1/1/2026	Governor	Industry
Sinar Lomeli	5/6/2025	N/A	1/1/2029	Governor	Public
Tamika Miller	11/16/2023	N/A	1/1/2027	Governor	Industry
Danielle Munoz	6/24/2022	N/A	1/1/2026	Governor	Public
Calimay Pham	11/25/2019	1/19/2023	1/1/2027	Speaker of the Assembly	Public
Steve Weeks	6/29/2017	1/15/2025	1/1/2029	Senate Committee on Rules	Public
Vacant				Governor	Industry

2. In the past four years, was the board unable to hold any meetings due to lack of quorum? If so, please describe. Why? When? How did it impact operations?

The Board had to cancel one meeting in the past four years. The October 16, 2023, Board Meeting in San Diego was canceled due to lack of quorum. Two board members could not attend due to unforeseeable health issues and the other two board members could not attend due to personal matters. The Board was able to notify the public and reschedule the meeting with minimal impact.

3. Describe any major changes to the board since the last Sunset Review, including, but not limited to:

- Internal changes (i.e., reorganization, relocation, change in leadership, strategic planning)

Since the last sunset review, the Board has made several organizational changes. In May 2021, the Board established a Staff Services Manager III to act as the Deputy/Assistant Executive Officer and a Staff Services Manager II (Licensing and Operations Chief) was added. In August 2022, the Board established a Staff Services Manager II to operate as the Enforcement Chief and added additional Staff Services Manager I positions to split the Licensing and Enforcement Units. In June 2023, the Board established three Special Investigator positions to handle the most egregious consumer harm cases and in August 2025 an additional three Special Investigator positions were established as well as a Supervising Special Investigator.

In January 2022, the Board closed its two examination facilities (located in Fairfield and Glendale) as a result of the practical examination being eliminated.

In March 2024, the Board re-located its office to the headquarters of the Department of Consumer Affairs located at 1625 N. Market Blvd, Suite 202, Sacramento, CA 95834.

The Board's Strategic Plan identifies goals and objectives on the Board's statutory mandates and responds to changes in the barbering and beauty industry. The Board manages, plans, and tracks its operations through its strategic plan, which is periodically reassessed (approximately every 4-5 years). On July 26, 2022, the Board held its strategic plan meeting. On October 24, 2022, the Board adopted its plan for years 2022-2027.

In November 2024, the Board implemented a Mobile Inspection Program. The Board, DCA, and the California Veterinary Medical Board applied for funding through the California Department of Technology's Technology Modernization Fund and was approved. With this funding, the DCA and the Boards were able to implement a Mobile Inspection Program. This program allows field inspectors to complete inspection reports electronically on an iPad and the results of the inspections are emailed the same day to the licensees and the information is uploaded into BreEZe in real time. As

of July 1, 2025, all Board inspectors and special investigators were using this new process in the field. The new process allows the Board to include pictures of the violations on the inspection report that the licensees receive and to process citations within days of the inspection instead of weeks.

- All legislation sponsored by the board and affecting the board since the last sunset review.

Since the last Sunset Review, the Board has been impacted by several legislative changes. Provided below is a brief synopsis of the bills and date each became law.

AB 1514 (Assembly Members Ortega (Chair), Elhawary, Kalra, and Ward)

This bill:

Extended an exemption for licensed manicurists from California's "ABC" worker classification test to January 1, 2029.

The Board took a support position

10/03/2025 - Chaptered. (Chapter 305, Statutes of 2025)

AB 1604 (Holden)

This bill:

Required the Board to post notices of proposed changes to regulations for public comment. The bill would require the Department of Human Resources and the Board to enter into a memorandum of understanding to determine areas of compliance for non-merit related audits and to train Board staff on the areas of compliance. This bill would, no later than July 1 of each year, require each department to provide a report to the Department of Human Resources that demonstrates the department's progress made toward meeting its upward mobility goals.

09/13/2022 – Chaptered. (Chapter 313, Statutes of 2022)

AB 1661 (Davies)

This bill:

Required specified businesses and establishments to post a notice developed by the Department of Justice that contains information relating to slavery and human trafficking, including information regarding specified nonprofit organizations that a person can call for services or support in the elimination of slavery and human trafficking.

The Board took a "support if amended to include tattooing" position.

07/19/2022 – Chaptered. (Chapter 106, Statutes of 2022)

AB 2196 (Maienschein)

This bill:

Authorized a person to engage in barbering, cosmetology, or electrolysis for compensation without a license if the person is participating in an externship program from an approved school. Removed massaging, cleaning, or stimulating the scalp, face, and neck from the practice of hairstyling and added extending the hair of any person to the practice of hairstyling. Required barbering preapprentice training be administered by the Board for the length of time established by the Board in a facility approved by the Board prior to serving the general public. Specified the subjects that would be required to be included in the electrolysis course curriculum. Authorized a student to work as an extern upon completion of a minimum of 25 percent of the clock hours required for graduation in the course and change limitations on clock hour credit and expanded this provision beyond unpaid externships to apply to externships generally. Required the Board to inspect an establishment for compliance with the workplace rights and wage and hour laws notice requirement when it conducts an inspection.

The Board took a "support if amended to include remaining clean up language" position.

07/19/2022 – Chaptered. (Chapter 106, Statutes of 2022)

SB 1237 (Newman)

This bill:

Defined the phrase “called to active duty” to include active duty in the United States Armed Forces and on duty in the California National Guard.

09/17/2022 – Chaptered. (Chapter 386, Statutes of 2022)

AB 557 (Hart)

This bill:

Extended the teleconferencing provisions when a declared state of emergency is in effect, or in other situations related to public health, as specified, indefinitely. The bill also extended the period for a legislative body to make findings related to a continuing state of emergency and social distancing to not later than 45 days after the first teleconferenced meeting, and every 45 days thereafter, in order to continue to meet under the abbreviated teleconferencing procedures.

10/08/2023 – Chaptered. (Chapter 534, Statutes of 2023)

SB 236 (Pierson)

This bill:

Banned the sale, manufacture, or distribution of hair relaxers containing certain harmful chemicals starting January 1, 2030.

10/11/2025 - Chaptered. (Chapter 598, Statutes of 2025)

SB 247 (Wilk)

This bill:

Clarified for Alcohol Beverage Control (ABC) that a license or permit is not required for serving wine-5oz or beer-12oz as part of any service provided by an establishment licensed by the Board of Barbering and Cosmetology (not just a beauty salon or barber shop).

The Board took a support position.

09/22/2023 – Chaptered. (Chapter 212, Statutes of 2023)

SB 372 (Menjivar)

This bill:

Required if the Board receives government-issued documentation from a licensee or registrant demonstrating that the licensee or registrant's legal name or gender has been changed, the Board shall update their records, including any records contained within an online license verification system, to include the updated legal name or gender. If requested by the licensee or registrant, the Board shall reissue any documents conferred upon the licensee or registrant with the licensee or registrant's updated legal name or gender. The bill also required the Board to remove the licensee's or registrant's former name from its online license verification system and treat this information as confidential. The Board would be required to establish a process to provide a person's enforcement action record linked to a former name.

09/23/2023 – Chaptered. (Chapter 225, Statutes of 2023)

SB 384 (Bradford)

This bill:

Required the Board to establish by regulation a Board-offered remedial education program, in lieu of a first offense of a health and safety violation.

The Board took a support position.

10/08/2023 – Chaptered. (Chapter 603, Statutes of 2023)

SB 470 (Laird)

This bill:

Allowed the Board to hold meetings via teleconference without requiring each teleconference location to be publicly accessible or disclosed, provided certain conditions are met, until January 1, 2030.

The Board took a support position.

10/01/2025 – Chaptered. (Chapter 222, Statutes of 2025)

SB 544 (Laird)

This bill:

Until January 1, 2026, revises certain teleconference requirements under the Bagley-Keene Open Meeting Act, which requires all meetings of a state body to be open and available to the public. This bill preserves existing options for conducting meetings via teleconference while adding a new teleconference condition that requires a majority of members at one physical, publicly-accessible location, while allowing other members to participate from non-public sites if certain conditions are met. The bill would require a state body to provide a means by which the public may remotely hear audio, remotely observe, or attend the meeting on the posted agenda a teleconference telephone number, an internet website or other online platform, and a physical address for all teleconference locations.

The Board took a support position.

09/22/2023 – Chaptered. (Chapter 216, Statutes of 2023)

AB 2166 (Weber)

This bill:

Required barbers, cosmetologist, and hairstylist to receive instruction in providing services to individuals with all hair types and textures, including various curl or wave patterns, hair strand thicknesses, and volumes of hair. It would require written tests to determine the applicant's skill in, and knowledge of, providing services to individuals with varying hair types and textures.

The Board took a support position.

09/22/2024 – Chaptered. (Chapter 384, Statutes of 2024)

SB 1451 (Ashby)

This bill:

Required 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.

The Board took a support position.

09/22/2023 – Chaptered. (Chapter 481, Statutes of 2024)

- All regulation changes approved by the Board since the last sunset review. Include the status of each regulatory change approved by the Board.

Since the last Sunset Review, the Board has sought several regulatory changes. Provided below are the highlights of some of the major regulations either already approved by the Office of Administrative Law (OAL) or currently undergoing the rulemaking process.

2019

§ 904 – Definition of Access – this rulemaking action added that the executive officer and any authorized representative of the Board 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. Effective October 1, 2019.

2020

§ 974, 974.3 – Fine Schedule and Payment Plan – this rulemaking action determined when a fine shall be assessed to both the holder of the establishment license and the individual licensee for the same violation and when a fine shall be assessed to only the holder of the establishment license or to only an individual licensee for the same violation. This rulemaking action also set the requirements for a licensee to request a payment plan for any administrative fine exceeding \$500. Effective January 1, 2020.

2021

§ 900, 965.2, 998 – Personal Service Permit – this rulemaking action allows licensed individuals with a Personal Service Permit to perform certain services outside of a licensed establishment. Effective October 1, 2021.

§ 970, 971 – Substantial Relationship Criteria, Criteria for Rehabilitation – this rulemaking action amended and adopted the criteria used in determining whether a crime, act, or professional misconduct is substantially related to the qualifications, functions, or duties of a licensee, or when a licensee has made a showing of rehabilitation related to a crime, act, or professional misconduct when the Board considers denial, suspension, revocation, or reinstatement of a license. These sections implement amendments to the Business and Professions Code made by AB 2138 (Ch. 995, Stats. Of 2018). Effective June 9, 2021.

2023

§ 961 – Instructional Materials – this rulemaking action made changes to the instructional materials that Board-approved schools must provide to students. It removed the requirement that textbooks be approved by the National Interstate Council of State Boards of Cosmetology (NIC) and added a requirement that the schools provide the appropriate licensing examination translation guide to students who intend to take the examination in one of the non-English languages offered by the Board. Effective January 1, 2023.

§ 950.10 – Transfer of Credit – this rulemaking action established how and when technical and practical instructions hours earned by successfully completing courses of study in one Board program may be credited towards a different Board program. Effective October 1, 2023.

2024

§ 904, 909, 928, 931, 932, 934, 937, 950.1, 950.2, 950.3, 950.4, 962, 998 – SB 803 Clean Up – these sections were amended and repealed primarily in response to the enactment of Senate Bill 803 (Ch. 648, Stats. Of 2021) and Assembly Bill 2196 (Ch. 527, Stats. Of 2022). The major changes included (1) reducing the number of hours required for courses in barbering and cosmetology to 1,000 hours; (2) codifying the minimum amount of instruction that must be included for various subjects in a course for barbering, cosmetology, hairstyling, skin care, and nail care; (3) repealing the Board's preapplication program; (4) adding a new "hairstyling" license type; (5) eliminating the requirement that an applicant for licensure pass a practical examination; and (6) codifying the minimum amount of instruction that must be included for various subjects in a course for electrolysis. Effective October 1, 2024.

2025

§ 910, 918, 919, 926, 941, 965.2, 971, 974.1, 974.2, 983, 984 – Technical Clean-Up – The Board amended these sections to adopt gender neutral language and to update cross references. The Office of Administrative Law approved these changes without regulatory effect on May 15, 2025.

§ 917 - Pre-Apprenticeship Training – The Board amended the pre-apprentice training requirements to comply with SB 803 and AB 2196. Effective July 1, 2025.

§ 988 – SB 1451 Hairstylist Licensing Fee - SB 1451 authorized the Board to charge the actual cost for developing, purchasing, grading, and administering the hairstylist examination. This rulemaking action established the hairstylist fee, an application and examination fee, set the initial license fee as well as provided notice of the statutorily required renewal and license renewal delinquency fees. Effective October 1, 2025.

2025 Pending Regulatory Actions

§ 931 – Interpreters – The Board is amending the interpreter requirement to allow a person to act as an interpreter once per year instead of once every two years. This regulatory package will also update the Application to Use an Interpreter form.

§ 972 – Disciplinary Guidelines – The Board is updating its disciplinary guidelines as it contains many outdated terms and conditions of probation and does not reflect recent updates to statutes, regulations, and other changes that have occurred since the last update in 2010.

§ 974.4 - SB 384: Remedial Education Program – The Board is developing requirements to comply with SB 384 and allow licensees to complete a remedial education program in lieu of a first offense of a health and safety violation.

4. Describe any major studies conducted by the board (cf. Section 12, Attachment C).

2019 Occupational Analysis of the Barbering Profession

The Board requested that the Department of Consumer Affairs' Office of Professional Examination Services conduct an occupational analysis of barbering practice in California. The purpose of the occupational analysis was to define the practice for California barbers in terms of actual job tasks that new licensees must be able to perform safely and competently at the time of licensure. The results of this occupational analysis provide a thorough description of practice for the barbering profession. The occupational analysis was received June 2019 and is included in this report as **Attachment C.1.**

2020 Occupational Analysis of the Electrologist Profession

The Board requested that the Department of Consumer Affairs' Office of Professional Examination Services conduct an occupational analysis of electrologist practice in California. The purpose of the occupational analysis was to define the practice for California electrologists in terms of actual job tasks that new licensees must be able to perform safely and competently at the time of licensure. The results of this occupational analysis provide a thorough description of practice for the electrolysis profession. The occupational analysis was received March 2020 and is included in this report as **Attachment C.2.**

2021 Occupational Analysis of the Esthetics Profession

The Board requested that the Department of Consumer Affairs' Office of Professional Examination Services conduct an occupational analysis of esthetics practice in California. The purpose of the occupational analysis was to define the practice for California estheticians in terms of actual job tasks that new licensees must be able to perform safely and competently at the time of licensure. The results of this occupational analysis provide a thorough description of practice for the esthetics profession. The occupational analysis was received April 2021 and is included in this report as **Attachment C.3.**

2021 Occupational Analysis of the Manicurist Profession

The Board requested that the Department of Consumer Affairs' Office of Professional Examination Services conduct an occupational analysis of manicuring practice in California. The purpose of the occupational analysis was to define the practice for California manicurists in terms of actual job tasks that new licensees must be able to perform safely and competently at the time of licensure. The results of this occupational analysis provide a thorough description of practice for the manicurist profession. The occupational analysis was received May 2021 and is included in this report as **Attachment C.4.**

2022 Occupational Analysis of the Hairstylist Profession

The Board requested that the Department of Consumer Affairs' Office of Professional Examination Services conduct an occupational analysis of hairstylist practice in California. The purpose of the occupational analysis was to define the practice for California hairstylist in terms of actual job tasks that new licensees must be able to perform safely and competently at the time of licensure. The results of this occupational analysis provide a thorough description of practice for the hairstyling profession. The occupational analysis was received December 2022 and is included in this report as **Attachment C.5.**

5. List the status of all national associations to which the board belongs.

The Board is not a member of any national associations.

- Does the board's membership include voting privileges?

N/A

- List committees, workshops, working groups, task forces, etc., which the board participates.

N/A

- How many meetings did the board's representative(s) attend? When and where?

N/A

- If the board is using a national exam, how is the board involved in its development, scoring, analysis, and administration?

The Board utilizes a "national examination" for all license types except hairstylist. The examination that is utilized for barbering, cosmetology, esthetics, manicuring and electrology is the same exam used in nine states. The hairstylist examination was developed by DCA's Office of Professional Examination Services.

The Board is involved in the examination development process, specifically, staff of the Board that are also licensees are included in the examination development workgroups. In addition, California licensees are surveyed along with other states to provide input to examination development.

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**Section 2 –
Fiscal and Staff**

Fiscal Issues

6. Is the board's fund continuously appropriated? If yes, please cite the statute outlining this continuous appropriation.

The Board's fund condition is not continuously appropriated as it is developed annually and is subject to approval from the legislature.

7. Using *Table 2. Fund Condition*, describe the board's current reserve level, spending, and if a statutory reserve level exists.

The Board does not have a statutory reserve level.

Table 2. Fund Condition		(list dollars in thousands)				
	FY 2021/22	FY 2022/23	FY 2023/24	FY 2024/25	FY 2025/26	FY 2026/27
Beginning Balance	26,539	26,920	24,838	11,926	38,971	38,095
Revenues and Transfers	6,995*	11,848	21,096	23,717	24,036	23,196
Total Resources	33,534	38,768	45,934	35,643	63,007	61,269
Budget Authority	20,896	21,337	18,332	21,116	22,333	23,003
Expenditures	6,184	13,993	19,008	21,672	24,912	25,332
Loans to General Fund	0	0	-15,000	0	0	0
Accrued Interest, Loans to General Fund	0	0	0	689	0	0
Loans Repaid From General Fund	0	0		25,000	0	0
Fund Balance	27,350	24,775	11,926	38,971	38,095	35,959
Months in Reserve	23.5	16.2	6.6	18.8	18.0	17.0

*Includes Executive Order transfer to GF (AB 84)

8. Describe if/when a deficit is projected to occur and if/when a fee increase or reduction is anticipated. Describe the fee changes (increases or decreases) anticipated by the board.

The Board does not anticipate any fee increase or decrease in any of its fees.

9. Using Table 2, **Fund Condition**, describe year over year expenditure fluctuations and the cause for the fluctuations.

In Fiscal Year 2023/24, the Board made a loan to the General Fund of \$15 million dollars. As a result, the table above shows this fluctuation in the decrease of the Board's overall fund balance. In Fiscal Year 2024/25, the Board received a loan re-payment from the General Fund of \$25 million dollars which shows the fluctuation of the increase in the Board's overall fund balance. The \$25 million re-payment was for a FY 2020/21 loan to the General Fund to help address COVID-19 pandemic-related budget shortfalls.

10. Using Table 3, **Expenditures by Program Component**, describe the amounts and percentages of expenditures by program component, including the cause of fluctuations aside from increasing personnel costs. Provide a breakdown of the expenditures by the board in each program area. Expenditures by each component (except for pro rata) should be broken out by personnel expenditures and other expenditures.

Table 3. Expenditures by Program Component (list dollars in thousands)								
	FY 2021/22		FY 2022/23		FY 2023/24		FY 2024/25	
	Personnel Services	OE&E	Personnel Services	OE&E	Personnel Services	OE&E	Personnel Services	OE&E
Enforcement	\$4,165	\$1,516	\$4,362	\$2,120	\$4,811	\$1,617	\$5,099	\$2,417
Examination		\$1,833		\$2,053		\$2,405		\$2,699
Licensing	\$1,714	\$487	\$1,733	\$580	\$1,912	\$339	\$2,268	\$492
Administration*	\$1,648	\$426	\$1,349	\$396	\$1,466	\$231	\$1,476	\$284
DCA Pro Rata	\$0	\$5,691	\$0	\$5,531	\$0	\$5,552	\$0	\$5,916
Diversion (if applicable)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
TOTALS	\$7,527	\$9,953	\$7,444	\$10,680	\$8,189	\$10,144	\$8,843	\$11,808

*Administration includes costs for executive staff, board, administrative support, and fiscal services.

11. Describe the amount the board has spent on business modernization, including contributions to the BreEze program, which should be described separately.

Over the last four fiscal years, the Board has spent an average of \$1.9 million dollars on contributions to the BreEze program.

FY 2020/21	FY 2021/22	FY 2022/23	FY 2023/24	FY 2024/25
\$2,217,220	\$2,079,000	\$1,709,000	\$1,587,000	\$1,788,000

12. Describe license renewal cycles and the history of fee changes over the last 10 years. Give the fee authority (Business and Professions Code and California Code of Regulations citations) for each fee charged by the board.

The Board has not had any fee changes over the last 10 years.

Table 4. Fee Schedule and Revenue (revenue dollars in thousands)							
Fee	Current Fee Amount	Statutory Limit	FY 2021/22* Revenue	FY 2022/23* Revenue	FY 2023/24 Revenue	FY 2024/25 Revenue	% of Total Revenue
Apprenticeship License Fee	\$25.00	\$25.00	\$59	\$62	\$63	\$60	0.4%
Barber Application and Exam Fee	\$75.00	*	\$370	\$568	\$688	\$721	3.7%
Barber License Fee	\$50.00	\$50.00	\$154	\$205	\$233	\$247	1.3%
Barber Renewal Fee	\$50.00	\$50.00	\$29	\$177	\$711	\$711	2.5%
Barber Delinquency Renewal	\$25.00	50% of Renewal	\$15	\$21	\$95	\$105	0.4%
Cosmetology Application and Exam Fee	\$75.00	*	\$755	\$1,122	\$1,315	\$1,494	7.3%
Cosmetology Licensee Fee	\$50.00	\$50.00	\$363	\$511	\$600	\$723	3.4%
Cosmetology Renewal Fee	\$50.00	\$50.00	\$251	\$1,635	\$5,863	\$6,050	21.6%
Cosmetology Delinquency Renewal	\$25.00	50% of Renewal	\$127	\$158	\$598	\$687	2.5%
Electrologist Application and Exam Fee	\$75.00	*	\$6	\$10	\$14	\$17	0.1%
Electrologist License Fee	\$50.00	\$50.00	\$3	\$5	\$6	\$6	0.00%
Electrologist Renewal Fee	\$50.00	\$50.00	\$1	\$9	\$26	\$28	0.1%
Electrologist Delinquency Renewal	\$25.00	50% of Renewal	\$0	\$1	\$1	\$2	0.0%
Esthetician Application and Exam Fee	\$75.00	*	\$927	\$975	\$923	\$833	5.7%
Esthetician License Fee	\$40.00	\$40.00	\$343	\$376	\$367	\$324	2.2%
Esthetician Renewal Fee	\$50.00	\$50.00	\$71	\$536	\$1,967	\$2,084	7.3%
Esthetician Delinquency Renewal	\$25.00	50% of Renewal	\$36	\$45	\$181	\$220	0.8%
Hairstylist Exam Fee	None	None	-	-	-	-	-
Hairstylist License Fee	\$50.00	\$50.00	-	-	\$5	\$4	0.0%
Manicurist Exam Fee	\$75.00	*	\$568	\$642	\$611	\$603	3.8%
Manicurist License Fee	\$35.00	\$35.00	\$183	\$213	\$225	\$240	1.3%
Manicurist Renewal	\$50.00	\$50.00	\$72	\$733	\$2,402	\$2,429	8.8%

Table 4. Fee Schedule and Revenue (revenue dollars in thousands)							
Fee	Current Fee Amount	Statutory Limit	FY 2021/22* Revenue	FY 2022/23* Revenue	FY 2023/24 Revenue	FY 2024/25 Revenue	% of Total Revenue
Manicurist Delinquency Renewal	\$25.00	50% of Renewal	\$37	\$49	\$169	\$180	0.7%
Establishment License Fee	\$50.00	\$80.00	\$355	\$359	\$420	\$414	2.4%
Establishment Renewal Fee	\$40.00	\$40.00	\$14	\$215	\$769	\$762	2.8%
Establishment Delinquency Renewal	\$20.00	50% of Renewal	\$7	\$16	\$84	\$87	0.3%
Mobile Unit App Fee	\$50.00	\$50.00	\$1	\$1	\$1	\$1	0.0%
Mobile Unit Inspection/License Fee	\$100.00	\$100.00	\$2	\$2	\$2	\$1	0.0%
Mobile Unit Renewal	\$40.00	\$40.00	\$0	\$0	\$0	\$1	0.0%
Mobile Delinquency Renewal	\$20.00	50% of Renewal	\$0	\$0	\$0	\$0	0.00%
Certification Fee	\$10.00						0.00%
Duplication Fee	\$10.00	\$10	\$234	\$230	\$174	\$165	1.2%
Personal Service Permit License Fee	\$25.00	\$50.00	-	\$4	\$3	\$1	0.0%
Personal Service Renewal Fee	\$10.00	\$50.00	-	-	-	\$1	0.0%
Personal Service Delinquency Renewal	\$5.00	50% of Renewal	\$1	\$0	\$0	\$0	0.0%
TOTALS			\$4,984	\$8,880	\$18,516	\$19,201	

*The lower revenue totals in FY 21/22 and FY 22/23 are a result of the license renewal fee waivers for the COVID19 pandemic.

13. Describe Budget Change Proposals (BCPs) submitted by the board in the past four fiscal years.

The Board has not submitted any BCPs in the past four fiscal years.

Staffing Issues

14. Describe any board staffing issues/challenges, i.e., vacancy rates, efforts to reclassify positions, staff turnover, recruitment and retention efforts, succession planning.

The Board experienced higher vacancy rates in Fiscal Year (FY) 2021/22 and FY 2022/23. The Board had difficulty filling vacant Program Technician II and Inspector positions due to a reduction in the number of applicants. This can be attributed to the COVID-19 pandemic, during which many employers reported similar challenges. The number of applicants returned to pre-pandemic levels in FY 2023/24. The Board has had minimal vacancies since that time and positions that have become vacant have been filled in a timely manner. The Board had a 9% vacancy rate in August 2025.

The Board has reported difficulty filling Inspector positions in the past; however, the Board has maintained a low vacancy rate for these positions since 2024. The Board re-classed three vacant Inspector positions to Special Investigators who investigate cases of consumer harm in addition to conducting the necessary inspections. This improved recruitment and retention since Special Investigator is a more desirable classification for job seekers. This also provides a classification that Inspectors can promote to within the Board, rather than leaving for Special Investigator opportunities with other agencies.

The Board expanded its recruitment efforts by collaborating with community and state colleges and increasing participation in career fairs. The Board began holding virtual Meet the Employer workshops with colleges in 2022. These workshops allow the Board to connect with job seekers and most importantly, educate them on state hiring processes. The Board began increasing its participation in career fairs in 2023 and now attends a minimum of four per year. Continuing this type of outreach for jobseekers helps with the Board's succession planning.

15. Describe the board's staff development efforts and total spent annually on staff development. (cf., Section 12, Attachment D).

The Board continuously identifies training and development opportunities for staff. Staff are regularly encouraged to participate in courses offered through DCA's training program, SOLID. SOLID offers numerous training courses that cover soft, technical, and job-specific skills. All SOLID courses are provided at no cost.

Beginning in Fiscal Year (FY) 2023/24, all Board management and staff participate in quarterly customer service and diversity courses. Delivered by SOLID and customized to the Board's needs, these courses cover topics including how to provide excellent customer service to all stakeholders, communication and interpersonal skills, and de-escalation tactics.

In FY 2024/25, the Board's Special Investigators completed the National Certified Investigator and Inspector Training (NCIT) from the Council on Licensure, Enforcement and Regulation (CLEAR). This course covers professional conduct, investigative processes, evidence handling, interviewing techniques, investigative report writing and other skills necessary to effectively perform the duties of a Special Investigator.

In FY 2024/25, the Board's Inspectors and Special Investigators completed the Verbal Judo Institute's Contract Professional course. This course covers effective communication skills and conflict resolution tactics for unarmed enforcement staff.

In FY 2025/26, the Board's Staff Services Analysts and Associate Governmental Program Analysts participated in SOLID's Completed Staff Work training course. This course covers a seven-step process for successfully completing projects and developing recommendations for decision makers.

In FY 2025/26, The Board's management staff completed the Time Management: Urgent vs. Important training course. This course covers how to manage workloads by differentiating between important tasks and urgent tasks.

The chart below displays the total spent annually on staff development:

FY 2020/21	FY 2021/22	FY 2022/23	FY 2023/24	FY 2024/25
\$3,760	\$6,480	\$5,665	\$8,751	\$6,008

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Section 3 – Licensing Program

Table 6. Licensee Population

		FY 2021/22	FY 2022/23	FY 2023/24	FY 2024/25
Establishments	Active ³	52,335	52,167	49,849	49,144
	Out of State	0	0	0	0
	Out of Country	0	0	0	0
	Delinquent/Expired	3,671	5,322	8,876	10,420
	Retired Status <i>if applicable</i>	1	0	1	1
	Inactive	0	0	1	0
	Other ⁴	7	7	6	6
Mobile Units	Active	49	54	52	50
	Out of State	0	0	0	0
	Out of Country	0	0	0	0
	Delinquent/Expired	14	18	25	29
	Retired Status <i>if applicable</i>	0	0	0	0
	Inactive	0	0	0	0
	Other	0	0	0	0
Barber	Active	29,727	30,444	31,370	33,160
	Out of State	1,418	1,497	1,369	1,268
	Out of Country	1	1	0	0
	Delinquent/Expired	3,413	3,801	5,773	7,029
	Retired Status <i>if applicable</i>	15	21	28	31
	Inactive	1	1	1	1
	Other	474	515	532	731
Barber Apprentice	Active	2,160	2,559	2,509	2,423
	Out of State	0	0	0	0
	Out of Country	0	0	0	0
	Delinquent/Expired	N/A	N/A	N/A	N/A
	Retired Status <i>if applicable</i>	N/A	N/A	N/A	N/A
	Other	63	64	70	87
Cosmetology	Active	247,896	244,881	235,933	232,274
	Out of State	23,215	23,558	21,950	20,429
	Out of Country	87	83	79	65
	Delinquent/Expired	31,002	32,363	44,829	54,087
	Retired Status <i>if applicable</i>	83	136	144	146
	Inactive	6	6	7	6
	Other	255	250	198	177
Cosmetology Apprentice	Active	1,570	1,870	1,779	1,409
	Out of State	0	0	0	0
	Out of Country	0	0	0	0
	Delinquent/Expired	N/A	N/A	N/A	N/A
	Retired Status <i>if applicable</i>	N/A	N/A	N/A	N/A
	Inactive	0	0	0	0
	Other	8	9	8	8

³ Active status is defined as able to practice. This includes licensees that are renewed, current, and active.

⁴ Other is defined as a status type that does not allow practice in California, other than retired or inactive.

Electrology	Active	1,176	1,170	1,135	1,117
	Out of State	149	164	156	158
	Out of Country	0	0	0	0
	Delinquent/Expired	249	242	313	359
	Retired Status <i>if applicable</i>	3	3	5	5
	Inactive	0	0	0	0
	Other	0	0	0	0
Electrology Apprentice	Active	0	0	0	0
	Out of State	0	0	0	0
	Out of Country	0	0	0	0
	Delinquent/Expired	N/A	N/A	N/A	N/A
	Retired Status <i>if applicable</i>	N/A	N/A	N/A	N/A
	Inactive	0	0	0	0
	Other	0	0	0	0
Manicurist	Active	99,632	100,224	99,099	97,995
	Out of State	10,662	10,510	9,522	8,483
	Out of Country	55	55	57	54
	Delinquent/Expired	16,122	15,906	20,129	24,270
	Retired Status <i>if applicable</i>	13	23	24	24
	Inactive	2	1	2	1
	Other	118	115	121	141
Esthetician	Active	80,927	85,275	87,249	88,344
	Out of State	6,586	6,968	6,576	6,166
	Out of Country	28	23	22	18
	Delinquent/Expired	9,025	9,866	14,423	19,020
	Retired Status <i>if applicable</i>	4	6	8	8
	Inactive	1	1	3	3
	Other	35	47	42	45
Hairstylist	Active	N/A	N/A	24	80
	Out of State	N/A	N/A	1	11
	Out of Country	N/A	N/A	0	0
	Delinquent/Expired	N/A	N/A	0	0
	Retired Status <i>if applicable</i>	N/A	N/A	0	0
	Inactive	N/A	N/A	0	0
	Other	N/A	N/A	0	0
Personal Service Permit	Active	15	133	222	230
	Out of State	0	0	0	1
	Out of Country	0	0	0	0
	Delinquent/Expired	0	0	4	33
	Retired Status <i>if applicable</i>	0	0	0	0
	Inactive	0	0	0	0
	Other	0	1	1	0

Note: 'Out of State' and 'Out of Country' are two mutually exclusive categories. A licensee should not be counted in both.

16. What are the board's performance targets/expectations for its licensing⁵ program? Is the board meeting those expectations? If not, what is the board doing to improve performance?

The Board has internal performance measures for processing applications that are not deficient as listed below:

Performance Measure	Definition	Target	Actual
Initial Applications	Average days from receipt of application to examination scheduling.	42 days	7
Establishment Applications	Average days from receipt of application to license issuance.	28 days	13
Apprentice Applications	Average days from receipt of application to license issuance.	28 days	14
Reciprocity Applications	Average days from receipt of application to license issuance.	28 days	4
Examination Scheduling	Average number of days from date of approval of qualifications to examination date.	60 days	N/A*

* As of January 1, 2022, the practical examination that the Board scheduled was eliminated. Since January 1, 2022, licensees self-schedule the written examination with the examination vendor.

As noted in the chart above, as of July 1, 2025, the Board was exceeding its performance measures for all application types.

The Board monitors its licensing performance monthly. Implementation of the BreZE database has allowed the Board to significantly reduce its licensing processing times as more online transactions are submitted by applicants. To ensure applications are processed in the order received and expedited applications are processed accordingly, all pending applications are monitored via a report from data in BreZE. Each morning, the licensing workload for the day is assigned based on the application received date so the oldest applications are processed first.

17. Using Table 7a, **Licensing Data by Type**, describe any increase or decrease in the board's average time to process applications, administer exams and/or issue licenses. Have pending applications grown at a rate that exceeds completed applications? If so, what has been done by the board to address them? What are the performance barriers and what improvement plans are in place? What has the board done and what is the board going to do to address any performance issues, i.e., process efficiencies, regulations, BCP, legislation?

During this reporting period, the Board has seen a decrease in the time to process applications, administer exams, and issue licenses. The elimination of the practical examination in January 2022 decreased the time it takes for applicants schedule the written exam. Since then, approved applicants can take the written exam after they self-schedule the examination with the examination vendor instead of waiting to take the written and practical exams at the same time. The Board has made most examination and licensing applications available online. Online applications can be processed up to two weeks faster because the applications are not sent via the post office and are not cashiered manually.

Pending applications have not grown at a rate that exceeds completed applications.

While there are not any performance barriers, the Board continues to look for ways to process applications quickly. The Board is currently working to have re-examination applications approve automatically, which will eliminate the manual processing time for these applications. The Board's goal is for this process to be in place by early 2026.

Table 7a. Licensing Data by Type – Barber **

		Received	Approved/ Issued	Closed	Pending Applications			Application Process Times		
					Total (Close of FY)	Complete (within Board control)*	Incomplete (outside Board control)*	Complete Apps*	Incomplete Apps*	Total (Close of FY)
FY 2021/22	(License/ Exam)	3,417	2,933	344	452	99	353	11	51	24
	(Renewal)	14,368	14,388	779	3,430	0	3,430	3	N/A	3
FY 2022/23	(License/ Exam)	4,649	3,845	646	609	151	458	12	54	24
	(Renewal)	10,695	9,369	1,279	5,867	0	5,867	0	N/A	0
FY 2023/24	(License/ Exam)	5,300	4,664	767	480	95	385	16	63	29
	(Renewal)	16,657	14,224	641	8,069	0	8,069	4	N/A	4
FY 2024/25	(License/ Exam)	5,655	4,874	907	352	24	328	6	35	14
	(Renewal)	17,445	14,172	622	9,163	0	9,163	3	N/A	3

* Optional. List if tracked by the board. **Applications include the License and Exam process, unless the application was for reciprocity and those are included in the License/Exam data.

Table 7a. Licensing Data by Type – Barber Apprentice **

		Received	Approved /Issued	Closed	Pending Applications			Application Process Times		
					Total (Close of FY)	Complete (within Board control)*	Incomplete (outside Board control)*	Complete Apps*	Incomplete Apps*	Total (Close of FY)
FY 2021/22	(License)	1,441	1,430	85	136	38	98	13	66	24
FY 2022/23	(License)	1,473	1,408	66	133	16	117	11	54	21
FY 2023/24	(License)	1,525	1,393	87	178	19	159	19	60	31
FY 2024/25	(License)	1,596	1,470	115	189	21	168	13	63	29

* Optional. List if tracked by the board. ** No examination is required for an apprentice license and apprentice licenses are not renewable.

Table 7a. Licensing Data by Type – Cosmetology **										
		Received	Approved/ Issued	Closed	Pending Applications			Application Process Times		
					Total (Close of FY)	Complete (within Board control)*	Incomplete (outside Board control)*	Complete Apps*	Incomplete Apps*	Total (Close of FY)
FY 2021/22	(License/ Exam)	7,979	6,685	792	1,158	242	916	11	53	25
	(Renewal)	133,413	133,607	8,467	31,280	0	31,280	2	N/A	2
FY 2022/23	(License/ Exam)	11,347	9,498	1,490	1510	449	1,061	12	52	24
	(Renewal)	100,958	88,879	13,790	46,631	0	46,631	0	N/A	0
FY 2023/24	(License/ Exam)	12,661	12,097	1,763	1,030	305	725	16	64	30
	(Renewal)	135,586	117,003	5,283	62,588	0	62,588	4	N/A	4
FY 2024/25	(License/ Exam)	16,076	13,752	1,852	1,502	82	1,420	6	33	13
	(Renewal)	143,560	121,281	5,306	68,713	0	68,713	2	N/A	2
* Optional. List if tracked by the board. **Applications include the License and Exam process, unless the application was for reciprocity and those are included in the License/Exam data.										

Table 7a. Licensing Data by Type – Cosmetology Apprentice **										
		Received	Approved /Issued	Closed	Pending Applications			Application Process Times		
					Total (Close of FY)	Complete (within Board control)*	Incomplete (outside Board control)*	Complete Apps*	Incomplete Apps*	Total (Close of FY)
FY 2021/22	(License)	979	966	45	91	38	53	13	47	20
FY 2022/23	(License)	1,088	1,040	50	88	23	65	11	45	19
FY 2023/24	(License)	1,032	941	53	123	16	107	19	62	34
FY 2024/25	(License)	842	728	112	125	24	101	13	75	36
* Optional. List if tracked by the board. ** No examination is required for an apprentice license and apprentice licenses are not renewable.										

Table 7a. Licensing Data by Type – Electrology **										
		Received	Approved/ Issued	Closed	Pending Applications			Application Process Times		
					Total (Close of FY)	Complete (within Board control)*	Incomplete (outside Board control)*	Complete Apps*	Incomplete Apps*	Total (Close of FY)
FY 2021/22	(License/ Exam)	75	62	9	9	0	9	10	23	1
	(Renewal)	597	598	71	250	0	250	0	N/A	0
FY 2022/23	(License/ Exam)	108	85	19	13	2	11	8	53	34
	(Renewal)	525	428	102	311	0	311	0	N/A	0
FY 2023/24	(License/ Exam)	149	120	31	11	6	5	12	30	20
	(Renewal)	655	523	49	401	0	401	2	N/A	2
FY 2024/25	(License/ Exam)	148	130	22	7	0	7	4	20	9
	(Renewal)	684	564	66	435	0	435	3	N/A	3

* Optional. List if tracked by the board. **Applications include the License and Exam process, unless the application was for reciprocity and those are included in the License/Exam data.

Table 7a. Licensing Data by Type – Electrology Apprentice **										
		Received	Approved /Issued	Closed	Pending Applications			Application Process Times		
					Total (Close of FY)	Complete (within Board control)*	Incomplete (outside Board control)*	Complete Apps*	Incomplete Apps*	Total (Close of FY)
FY 2021/22	(License)	0	0	0	0	N/A	N/A	N/A	N/A	N/A
FY 2022/23	(License)	0	0	0	0	N/A	N/A	N/A	N/A	N/A
FY 2023/24	(License)	0	0	0	0	N/A	N/A	N/A	N/A	N/A
FY 2024/25	(License)	0	0	0	0	N/A	N/A	N/A	N/A	N/A

* Optional. List if tracked by the board. ** No examination is required for an apprentice license and apprentice licenses are not renewable.

Table 7a. Licensing Data by Type – Esthetician **

		Received	Approved/ Issued	Closed	Pending Applications			Application Process Times		
					Total (Close of FY)	Complete (within Board control)*	Incomplete (outside Board control)*	Complete Apps*	Incomplete Apps*	Total (Close of FY)
FY 2021/22	(License/ Exam)	9,174	8,417	524	921	276	645	11	41	19
	(Renewal)	39,955	39,977	2,321	9,084	0	9,084	2	N/A	2
FY 2022/23	(License/ Exam)	10,146	9,101	950	1010	421	589	13	42	21
	(Renewal)	31,158	27,249	4,153	14,365	0	14,365	0	N/A	0
FY 2023/24	(License/ Exam)	10,013	9,454	1,035	534	141	393	16	49	25
	(Renewal)	46,408	39,889	1,379	20,521	0	20,521	3	N/A	3
FY 2024/25	(License/ Exam)	8,987	8,160	1,014	348	59	289	4	22	9
	(Renewal)	49,922	41,425	1,337	24,615	0	24,615	2	N/A	2

* Optional. List if tracked by the board. **Applications include the License and Exam process, unless the application was for reciprocity and those are included in the License/Exam data.

Table 7a. Licensing Data by Type – Hairstylist **

		Received	Approved/ Issued	Closed	Pending Applications			Application Process Times		
					Total (Close of FY)	Complete (within Board control)*	Incomplete (outside Board control)*	Complete Apps*	Incomplete Apps*	Total (Close of FY)
FY 2021/22	(License/ Exam)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
	(Renewal)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
FY 2022/23	(License/ Exam)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
	(Renewal)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
FY 2023/24	(License/ Exam)	129	64	32	33	4	29	13	57	22
	(Renewal)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
FY 2024/25	(License/ Exam)	158	105	63	14	0	14	7	54	20
	(Renewal)	8	3	3	2	0	2	38	N/A	38

* Optional. List if tracked by the board. **Applications include the License and Exam process, unless the application was for reciprocity and those are included in the License/Exam data.

Table 7a. Licensing Data by Type – Manicurist **										
		Received	Approved/ Issued	Closed	Pending Applications			Application Process Times		
					Total (Close of FY)	Complete (within Board control)*	Incomplete (outside Board control)*	Complete Apps*	Incomplete Apps*	Total (Close of FY)
FY 2021/22	(License/ Exam)	5,519	5,082	319	601	190	411	12	50	20
	(Renewal)	52,723	52,794	4,530	16,255	0	16,255	2	N/A	2
FY 2022/23	(License/ Exam)	6,492	5,808	595	684	277	407	12	50	21
	(Renewal)	43,869	38,032	7,172	19,671	0	19,671	0	N/A	0
FY 2023/24	(License/ Exam)	6,902	6,520	632	434	116	318	16	58	25
	(Renewal)	56,611	48,192	3,110	26,090	0	26,090	5	N/A	5
FY 2024/25	(License/ Exam)	7,391	6,823	697	305	39	266	5	29	10
	(Renewal)	57,670	48,173	2,910	29,402	0	29,402	2	N/A	2

* Optional. List if tracked by the board. **Applications include the License and Exam process, unless the application was for reciprocity and those are included in the License/Exam data.

Table 7a. Licensing Data by Type – Personal Service Permit **										
		Received	Approved/ Issued	Closed	Pending Applications			Application Process Times		
					Total (Close of FY)	Complete (within Board control)*	Incomplete (outside Board control)*	Complete Apps*	Incomplete Apps*	Total (Close of FY)
FY 2021/22	(License/ Exam)	32	16	3	13	4	9	6	19	10
	(Renewal)	N/A	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A
FY 2022/23	(License/ Exam)	161	119	11	44	4	40	18	57	39
	(Renewal)	N/A	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A
FY 2023/24	(License/ Exam)	95	94	31	14	0	14	24	66	55
	(Renewal)	17	11	0	16	0	16	0	N/A	0
FY 2024/25	(License/ Exam)	56	37	16	17	1	16	13	36	29
	(Renewal)	128	95	0	49	0	49	2	N/A	2

* Optional. List if tracked by the board. **No examination required.

Table 7a. Licensing Data by Type – Establishment **

		Received	Approved/ Issued	Closed	Pending Applications			Application Process Times		
					Total (Close of FY)	Complete (within Board control)*	Incomplete (outside Board control)*	Complete Apps*	Incomplete Apps*	Total (Close of FY)
FY 2021/22	(License/ Exam)	7,390	6,643	587	1,028	210	818	14	45	21
	(Renewal)	23,492	23,511	823	5,891	0	5,891	4	N/A	4
FY 2022/23	(License/ Exam)	7,683	6,387	944	1,380	374	1,006	14	62	27
	(Renewal)	18,804	14,841	3102	9,846	0	9,846	4	N/A	4
FY 2023/24	(License/ Exam)	9,213	7,756	1,499	1,338	276	1,062	22	77	38
	(Renewal)	25,396	19,025	3,548	12,840	0	12,840	4	N/A	4
FY 2024/25	(License/ Exam)	9,254	8,023	1,657	911	42	869	12	45	20
	(Renewal)	24,810	19,042	3,898	13,325	0	13,325	4	N/A	4

* Optional. List if tracked by the board. **No examination required.

Table 7a. Licensing Data by Type – Mobile Unit **

		Received	Approved/ Issued	Closed	Pending Applications			Application Process Times		
					Total (Close of FY)	Complete (within Board control)*	Incomplete (outside Board control)*	Complete Apps*	Incomplete Apps*	Total (Close of FY)
FY 2021/22	(License/ Exam)	22	12	9	13	1	12	73	139	133
	(Renewal)	17	17	3	15	0	15	0	N/A	0
FY 2022/23	(License/ Exam)	30	12	13	18	2	16	N/A	141	141
	(Renewal)	21	10	4	23	0	23	11	N/A	11
FY 2023/24	(License/ Exam)	28	10	20	16	0	16	28	175	146
	(Renewal)	23	14	6	31	0	31	19	N/A	19
FY 2024/25	(License/ Exam)	17	11	15	7	0	7	0	162	162
	(Renewal)	31	19	7	31	0	31	6	N/A	6

* Optional. List if tracked by the board. **No examination required. Inspection is required so all applications are deficient until inspection has been conducted.

Table 7b. License Denial				
	FY 2021/22	FY 2022/23	FY 2023/24	FY 2024/25
License Applications Denied (no hearing requested)	3	7	5	17
SOIs Filed	2	3	4	2
Average Days to File SOI (from request for hearing to SOI filed)	207	225	110	75
SOIs Declined	0	0	0	0
SOIs Withdrawn	1	1	2	1
SOIs Dismissed (license granted)	0	0	0	0
License Issued with Probation / Probationary License Issued	0	1	1	0
Average Days to Complete (from SOI filing to outcome)	171	158	111	173

18. How many licenses or registrations has the board denied over the past four years based on criminal history that is determined to be substantially related to the qualifications, functions, or duties of the profession, pursuant to BPC § 480? Please provide a breakdown of each instance of denial and the acts the board determined were substantially related.

During this reporting period, the Board denied 15 applications based on criminal history that is determined to be substantially related to the qualifications, functions, or duties of the profession, pursuant to BPC § 480.

Substantially Related Convictions (BPC § 480)	
Year of Conviction	Conviction Description
2013	Lewd or lascivious act with a child who is under the age of 14 years and 10 years older than the child
2019	Pimping
2019	Pandering by Encouraging
2013	Rape by force or fear
2013	Sodomy with person under 18-years
2013	Lewd act with child under 14 years
2002	Aiding and abetting health care fraud
2013	Sexual battery
2019	Possession of Child Pornography
2012	Sexual battery
2017	Lewd or lascivious act with a child who is under the age of 14 years
2015	Lewd or lascivious act with a child who is under the age of 14 years and 10 years older than the child
2017	Human trafficking
2010	Robbery
2014	Attempted murder
2014	Child endangerment
2012	Indecent exposure
2016	Prostitution
2010	Aggravated sexual assault

19. How does the board verify information provided by the applicant?

The Barbering and Cosmetology Act establishes the requirements for licensure. The Board provides applicants with detailed instructions on the application process and the requirements to obtain licensure. For applicants who have received training in California from a Board-approved school, the Board provides the school a Proof of Training document (POT) that is completed by the school's administrator. The POT verifies how many hours of training were completed and which course of study was completed. To verify submitted POT documents a representative from the school is required to sign, under penalty of perjury, that the information is true and correct. For reciprocity candidates, the Board requires the license information be sent from the State where they were previously licensed directly to the Board. Prior discipline imposed by the Board or other Department of Consumer Affairs Board and Bureaus is verified using BreEZe.

- What process does the board use to check prior criminal history information, prior disciplinary actions, or other unlawful acts of the applicant? Has the board denied any licenses over the last four years based on the applicant's failure to disclose information on the application, including failure to self-disclose criminal history? If so, how many times and for what types of crimes (please be specific)?

The Board requires all applicants, except for Personal Service Permit applicants, to sign under penalty of perjury that all statements that are provided on the application are true and correct. Applicants are required to disclose misdemeanor or felony convictions, and if they have ever had a professional or vocational license or registration denied, suspended, revoked, placed on probation, or if any other disciplinary action was taken.

Licensees requesting a Personal Service Permit are required to submit fingerprints to check for convictions in California.

All applicants are required to self-report prior disciplinary actions on the application. The Board denied one license over the last four years for a personal service permit based on the applicant's failure to self-disclose a conviction of PC 261.5 - sexual intercourse with a minor with special circumstances.

- Does the board fingerprint all applicants?

The Board requires fingerprints for licensees who are submitting an application for a Personal Service Permit. All other applications require self-disclosure of convictions.

- Have all current licensees been fingerprinted? If not, explain.

No, only licensees who applied for a Personal Service Permit have been fingerprinted.

- Is there a national databank relating to disciplinary actions? Does the board check the national databank prior to issuing a license? Renewing a license?

There is no national databank relating to disciplinary actions.

- Does the board require primary source documentation?

The Board does not require primary source documentation.

- Does the board send No Longer Interested notifications to DOJ on a regular and ongoing basis? Is this done electronically? Is there a backlog? If so, describe the extent and efforts to address the backlog.

A report is automatically run each Monday morning that submits records via an interface with DOJ for which we are no longer interested in receiving notifications. The Board does not have a backlog.

20. Describe the board's legal requirement and process for out-of-state and out-of-country applicants to obtain licensure.

Out of State Licensing

Business and Professions Code Section 7331 specifies the requirements for the Board to issue a license via reciprocity. The Board issues licenses to individuals who meet the following requirements:

- Submit a completed application form and the licensing fee; and
- Submit proof of a current license issued by another state that has not been revoked, restricted, or suspended, and is in good standing.

Out of Country Licensing

California Business and Professions codes 7321-7330 specify qualifications for admittance to the examination and state that, for each license type, the Board shall admit to the examination an individual that has:

"Practiced outside of this state for a period of time equivalent to the study and training of a qualified person who has completed a course from a school the curriculum of which complied with requirements adopted by the board. Each three months of practice shall be deemed equivalent of 100 hours of training for qualification as specified in the chapter."

Per California Code of Regulations 910(a), applicants applying to take the examination based on education abroad must submit a completed Out of State/Out of Country School Training Record Form and transcripts showing the hours completed in each subject. Applicants applying to take the examination using credit for practice must submit a completed Out of State/Out of Country Affidavit of Experience form along with proof of licensure from that country.

21. Describe the board's process, if any, for considering military education, training, and experience for purposes of licensing or credentialing requirements, including college credit equivalency.

Per California Code of Regulations 910(b) and 910(c), applicants that are employed on a military reservation must present an authenticated statement from the military reservation verifying employment and may use the practice obtained to qualify for examination. Education, training, or experience obtained in the United States armed services may be submitted via Verification of Military Experience and Training (V-Met) records which the Board will evaluate, and the Board may use those records to qualify the applicant for the examination.

- How many applicants offered military education, training or experience towards meeting licensing or credentialing requirements, and how many applicants had such education, training or experience accepted by the board?

During this reporting period no applicants used military education, training or experience towards licensing requirements.

- How many licensees has the board waived fees or requirements for pursuant to BPC § 114.3, and what has the impact been on board revenues?

The Board waived the renewal fees for 13 active-duty members of the United States Armed Forces or the National Guard during this reporting period. There has been minimal impact of the Board's revenue (-650.00) as a result of BPC § 114.3.

Renewal Fees Waived per BPC § 114.3	
FY 2021/22	2
FY 2022/23	11
FY 2023/24	0
FY 2024/25	0
TOTALS	13

- How many applications has the board expedited pursuant to BPC § 115.5?

The Board expedited 321 applications for spouses or domestic partners of active-duty members of the Armed Forces of the United States assigned to a duty station in California.

Expedited Applications per BPC § 115.5	
FY 2021/22	51
FY 2022/23	100
FY 2023/24	83
FY 2024/25	87
TOTALS	321

Examinations

22. Describe the examinations required for licensure. Is a national examination used? Is a California specific examination required? Are examinations offered in a language other than English?

Written examinations are required for all personal license types. The national examination is used for barbers, cosmetologists, electrologists, estheticians, and manicurists. The hairstylist examination is a California-specific examination. All examinations are offered in English, Spanish, Vietnamese, Korean, and Simplified Chinese.

23. What are pass rates for first time vs. retakes in the past 4 fiscal years? Please include pass rates for **all** examinations offered, including examinations offered in a language other than English. *Include a separate data table for each language offered.*

The table below shows the pass rates for all languages combined for first time test takers and examinees that retook the examination.

Pass Rates		
Examination	First Time	Retake
Barber	55%	35%
Cosmetologist	66%	36%
Electrologist	66%	45%
Esthetician	74%	46%
Manicurist	73%	43%
Hairstylist	58%	32%

Table 8(a). Examination Data ⁶										
	California Examination FIRST TIME WRITTEN EXAMINATIONS Examination Pass Results by Language									
	English		Spanish		Vietnamese		Korean		Chinese	
	# of Candidates	Pass %	# of Candidates	Pass %	# of Candidates	Pass %	# of Candidates	Pass %	# of Candidates	Pass %
FY 2023/24										
Hairstylist*	11	45%	2	50%	0	N/A	0	N/A	1	0%
FY 2024/25										
Hairstylist	13	69%	3	33%	3	67%	0	N/A	15	67%

*The hairstylist exam was not implemented until FY 2023/24.

Table 8(a). Examination Data										
	California Examination RETAKE WRITTEN EXAMINATIONS Examination Pass Results by Language									
	English		Spanish		Vietnamese		Korean		Chinese	
	# of Candidates	Pass %	# of Candidates	Pass %	# of Candidates	Pass %	# of Candidates	Pass %	# of Candidates	Pass %
FY 2023/24										
Hairstylist	1	100%	0	N/A	0	N/A	0	N/A	2	0%
FY 2024/25										
Hairstylist	9	22%	8	25%	0	N/A	0	N/A	8	50%

*The hairstylist exam was not implemented until FY 2023/24.

Table 8(a). Examination Data										
	California Examination OVERALL WRITTEN EXAMINATION Examination Pass Results by Language									
	English		Spanish		Vietnamese		Korean		Chinese	
	# of Candidates	Pass %	# of Candidates	Pass %	# of Candidates	Pass %	# of Candidates	Pass %	# of Candidates	Pass %
FY 2023/24										
Hairstylist	12	50%	2	50%	0	N/A	0	N/A	3	0%
FY 2024/25										
Hairstylist	22	50%	11	27%	3	67%	0	N/A	23	61%

*The hairstylist exam was not implemented until FY 2023/24.

⁶ This table includes all exams for all license types as well as the pass/fail rate.

Table 8(b). National Examination

National Examination FIRST TIME WRITTEN EXAMINATIONS Examination Pass Results by Language										
	English		Spanish		Vietnamese		Korean		Chinese	
FY 2021/22	# of Candidates	Pass %								
Barber	2,533	73%	244	50%	90	80%	6	33%	1	0%
Cosmetology	4,840	79%	587	46%	433	85%	55	93%	31	0%
Esthetician	7,278	71%	76	41%	794	65%	36	66%	35	0%
Electrology	71	83%	0	N/A	0	N/A	0	N/A	0	N/A
Manicurist	2,085	65%	149	72%	2,155	82%	13	46%	25	0%
FY 2022/23	# of Candidates	Pass %								
Barber	2,700	42%	219	16%	48	13%	1	0%	1	0%
Cosmetology	5,542	65%	612	24%	306	28%	55	29%	190	21%
Esthetician	6,913	78%	109	50%	405	38%	38	61%	96	36%
Electrology	72	58%	0	N/A	0	N/A	0	N/A	0	N/A
Manicurist	2,329	78%	159	42%	1,918	51%	17	47%	54	56%
FY 2023/24	# of Candidates	Pass %								
Barber	3,465	56%	288	29%	54	37%	3	67%	5	40%
Cosmetology	6,290	67%	653	26%	457	48%	63	33%	892	67%
Esthetician	6,764	79%	86	41%	364	54%	48	58%	425	67%
Electrology	100	60%	0	N/A	0	N/A	0	N/A	1	100%
Manicurist	2,423	80%	217	45%	1,991	71%	13	46%	225	79%
FY 2024/25	# of Candidates	Pass %								
Barber	3,611	60%	360	32%	44	32%	7	57%	6	33%
Cosmetology	6,747	71%	769	26%	642	63%	70	56%	2,153	77%
Esthetician	6,216	78%	130	52%	307	55%	32	56%	276	75%
Electrology	116	66%	2	0%	1	0%	0	N/A	1	0%
Manicurist	2,662	81%	233	45%	2,159	75%	15	40%	200	83%

Table 8(b) National Examination

National Examination RETAKE WRITTEN EXAMINATIONS Examination Pass Results by Language										
	English		Spanish		Vietnamese		Korean		Chinese	
FY 2021/22	# of Candidates	Pass %								
Barber	1,582	57%	305	30%	25	88%	9	67%	2	0%
Cosmetology	2,884	51%	824	25%	210	63%	23	57%	57	0%
Esthetician	3,278	47%	68	35%	392	51%	21	71%	25	0%
Electrology	17	71%	0	N/A	0	N/A	0	N/A	0	N/A
Manicurist	900	46%	54	59%	941	54%	8	25%	19	0%
FY 2022/23	# of Candidates	Pass %								
Barber	2,495	29%	430	14%	54	28%	2	50%	5	20%
Cosmetology	3,434	35%	1,158	11%	340	25%	61	28%	248	25%
Esthetician	3,288	53%	94	32%	450	25%	19	47%	131	31%
Electrology	36	50%	0	N/A	0	N/A	0	N/A	0	N/A
Manicurist	1,047	57%	139	31%	1,894	30%	25	20%	89	42%
FY 2023/24	# of Candidates	Pass %								
Barber	3,427	37%	587	20%	80	31%	4	25%	7	14%
Cosmetology	4,154	39%	1,381	18%	528	33%	89	36%	616	45%
Esthetician	2,564	48%	123	33%	427	29%	41	49%	264	54%
Electrology	67	45%	0	N/A	0	N/A	0	N/A	0	N/A
Manicurist	752	51%	140	30%	1,677	37%	16	25%	98	58%
FY 2024/25	# of Candidates	Pass %								
Barber	3,455	36%	711	21%	89	26%	5	20%	4	50%
Cosmetology	4,119	38%	1,592	19%	501	40%	78	41%	874	55%
Esthetician	2,661	45%	138	28%	353	41%	35	37%	157	59%
Electrology	85	42%	7	0%	3	33%	0	N/A	2	50%
Manicurist	751	52%	219	30%	1,242	42%	21	38%	66	53%

Table 8(b). National Examination

National Examination OVERALL WRITTEN EXAMINATIONS Examination Pass Results by Language										
	English		Spanish		Vietnamese		Korean		Chinese	
FY 2021/22	# of Candidates	Pass %								
Barber	4,115	66%	549	39%	115	82%	15	53%	3	0%
Cosmetology	7,724	69%	1,411	34%	643	77%	78	82%	88	0%
Esthetician	10,557	64%	144	38%	1,185	61%	57	68%	60	0%
Electrology	88	81%	0	N/A	0	N/A	0	N/A	0	N/A
Manicurist	2,985	59%	203	68%	3,096	73%	21	38%	44	0%
FY 2022/23	# of Candidates	Pass %								
Barber	5,195	36%	649	15%	102	21%	3	33%	6	17%
Cosmetology	8,976	54%	1,770	15%	646	27%	116	28%	438	23%
Esthetician	10,201	70%	203	42%	855	31%	57	56%	227	33%
Electrology	108	56%	0	N/A	0	N/A	0	N/A	0	N/A
Manicurist	3,376	72%	298	37%	3,812	40%	42	31%	143	47%
FY 2023/24	# of Candidates	Pass %								
Barber	6,892	46%	875	23%	134	34%	7	43%	12	25%
Cosmetology	10,444	56%	2,034	21%	985	40%	152	35%	1,508	58%
Esthetician	9,328	71%	209	36%	791	40%	89	54%	689	62%
Electrology	167	54%	0	N/A	0	N/A	0	N/A	1	100%
Manicurist	3,175	73%	357	39%	3,668	56%	29	34%	323	73%
FY 2024/25	# of Candidates	Pass %								
Barber	7,066	48%	1,071	25%	133	28%	12	42%	10	40%
Cosmetology	10,866	58%	2,361	21%	1,143	53%	148	48%	3,027	71%
Esthetician	8,877	68%	268	40%	660	48%	67	46%	433	70%
Electrology	201	56%	9	0%	4	25%	0	N/A	3	33%
Manicurist	3,413	75%	452	38%	3,401	63%	36	39%	266	75%

Table 8(a). Examination Data						
	Occupational Analysis					
	Barber	Cosmetologist	Electrologist	Esthetician	Manicurist	Hairstylist
Date of Last OA	June 2019	October 2017	March 2020	April 2021	May 2021	December 2022
Name of OA Developer	OPES	OPES	OPES	OPES	OPES	OPES
Target OA Date	June 2027	December 2025	June 2028	June 2029	June 2029	June 2030

24. Is the board using computer based testing? If so, for which tests? Describe how it works. Where is it available? How often are tests administered?

The Board utilizes computer based testing for all of its examinations. Once Board staff review and approve an applicant, a notification of approval is mailed. The applicant then registers with the Board's examination vendor, and they are able to select their own examination location and time. The examinations are offered at 23 locations throughout California and are offered at multiple times from Monday through Saturday.

25. Are there existing statutes that hinder the efficient and effective processing of applications and/or examinations? If so, please describe. Has the Board approved any amendments, or is the Board considering amendments to address the hindrances presented by these statutes?

There are no statutes that hinder the efficient and effective processing of applications and examinations.

26. When did the Board last conduct an occupational analysis that validated the requirement for a California-specific examination? When does the Board plan to revisit this issue? Has the Board identified any reason to update, revise, or eliminate its current California-specific examination?

The last occupation analysis for the California-specific hairstylist examination was conducted in 2022 and the next occupational analysis for this examination is scheduled for 2030. Currently the Board does not have a reason to update, revise or eliminate this California-specific examination.

School Approvals

27. Describe legal requirements regarding school approval. Who approves your schools? What role does BPPE have in approving schools? How does the board work with BPPE in the school approval process?

All barbering, cosmetology and electrology schools are required to be approved by the Board and by the BPPE. Generally, a new school applies with the Board and the BPPE at the same time. The BPPE will issue an intent to approve and provide the Board with a copy of that notice. The Board conducts a review of the application that includes the floor plan and

the full curriculum. Once the Board has the BPPE's intent to approve, an inspection is the final step to determining if the school meets the qualifications to be approved.

28. How many schools are approved by the board? How often are approved schools reviewed? Can the board remove its approval of a school?

The Board currently has 274 schools approved. The Board has no authority to review a school's approval and there is no renewal requirement nor is there a fee to cover the costs to the Board (this is discussed further under section 10 New Issues). The Board does have authority to remove approval, however, the Board believes it needs additional authority to inspect student records for violations that may warrant action.

29. What are the board's legal requirements regarding approval of international schools?

The Board has no legal requirement to approve international schools.

Continuing Education/Competency Requirements

30. Describe the board's continuing education/competency requirements, if any. Describe any changes made by the board since the last review.

The Board does not require continuing education.

Continuing Education			
Type	Frequency of Renewal	Number of CE Hours Required Each Cycle	Percentage of Licensees Audited
N/A	N/A	N/A	N/A

- How does the board verify CE or other competency requirements? Has the Board worked with the Department to receive primary source verification of CE completion through the Department's cloud?

The Board does not require continuing education.

- Does the board conduct CE audits of licensees? Describe the board's policy on CE audits.

The Board does not require continuing education.

- What are consequences for failing a CE audit?

The Board does not require continuing education.

- How many CE audits were conducted in the past four fiscal years? How many fails? What is the percentage of CE failure?

The Board does not require continuing education.

- Who approves CE courses? What is the board's course approval policy?

The Board does not require continuing education.

- Who approves CE providers? If the board approves them, what is the board application review process?

The Board does not require continuing education.

- How many applications for CE providers and CE courses were received? How many were approved?

The Board does not require continuing education.

- Does the board audit CE providers? If so, describe the board's policy and process.

The Board does not require continuing education.

- Describe the board's effort, if any, to review its CE policy for purpose of moving toward performance based assessments of the licensee's continuing competence.

The Board does not require continuing education.

Section 4 – Enforcement Program

31. What are the board's performance targets/expectations for its enforcement program? Is the board meeting those expectations? If not, what is the board doing to improve performance?

Measure	Target	Actual FY 2024/25
Average number of days to complete complaint intake.	10 Days	3 Days
Average number of days to complete closed cases not resulting in formal discipline.	120 Days	112 Days
Average number of days to complete cases resulting in formal discipline.	540 Days	766 Days
Average number of days from the date a probation monitor is assigned to a probationer to the date the monitor makes first contact.	15 Days	1 Day
Average number of days from the time a violation is reported to the program to the time the monitor responds.	5 Days	1 Day

The Board is meeting all performance targets except for the number of days to complete cases resulting in formal discipline. The Board averages 383 days to investigate and refer cases to the Attorney General's Office. In order to meet the target of 540 days, the Attorney General's Office only has 157 days to adjudicate the cases. The Board has implemented processes to improve efficiencies in referring cases to the Attorney General in a timelier manner. The majority of cases that are referred to the Attorney General's Office are for employing unlicensed operators and that usually consists of three inspections to verify the establishment owners are not going to come into compliance. With the implementation of the Mobile Inspection Process, the time frames between inspections will be less so the Board will be able to reduce the days to investigate the cases, which will allow more days for the Attorney General's Office to adjudicate the cases.

32. Explain trends in enforcement data and the board's efforts to address any increase in volume, timeframes, ratio of closure to pending cases, or other challenges. What are the performance barriers? What improvement plans are in place? What has the board done and what is the board going to do to address these issues, i.e., process efficiencies, regulations, BCP, legislation?

During this reporting period, the Board has seen an increase in complaints received of about 12% per year. The Board has managed this workload by redirecting staff. In January of 2024, the Board managers began giving weekly case assignments to enforcement staff to keep them focused on keeping the cases worked timely. The average days for processing cases

spiked in FY 23/24 due to enforcement staff focusing on working their oldest cases. FY 24/25 processing times are lower than FY 23/24 and the Board is meeting performance measures.

Due to staffing issues in the Cite and Fine Unit in FY 23/24, the Board did not issue citations as timely as in FY 21/22 and FY 22/23. By the end of FY 24/25, the Board was fully staffed and worked through the backlog. Staff learned how to process the inspection records from the new Mobile Inspection Process and as of August 29, 2025, the backlog is cleared, and the Board is issuing citations within 3 days of the inspection.

Table 9. Enforcement Statistics				
	FY 2021/22	FY 2022/23	FY 2023/24	FY 2024/25
COMPLAINTS				
Intake				
Received	4,514	5,158	5,639	6,269
Closed without Referral for Investigation*	0	2	2	1,135
Referred to INV	4,559	5,135	5,642	5,082
Pending (close of FY)	25	46	43	121
Conviction / Arrest				
CONV Received	12	9	10	12
CONV Closed Without Referral for Investigation*	0	0	0	1
CONV Referred to INV	12	9	10	11
CONV Pending (close of FY)	0	0	0	0
Source of Complaint ⁷				
Public	1,277	1,453	1,561	1,619
Licensee/Professional Groups	19	9	1	0
Governmental Agencies	15	30	6	1
Internal	671	443	315	816
Other	17	26	7	1
Anonymous	2,527	3,210	3,759	3,844
Average Time to Refer for Investigation (from receipt of complaint / conviction to referral for investigation)	3	4	3	2
Average Time to Closure (from receipt of complaint / conviction to closure at intake)	N/A	5	1	3
Average Time at Intake (from receipt of complaint / conviction to closure or referral for investigation)	3	4	4	2
INVESTIGATION				
Desk Investigations				
Opened	4,567	5,138	5,637	5,089
Closed	4,669	4,197	6,490	4,731
Average days to close (from assignment to investigation closure)	64	58	90	63

Pending (close of FY)	711	1,651	827	1,202
Non-Sworn Investigation				
Opened	1,379	1,848	1,854	1,452
Closed	1,234	1,623	2,093	1,567
Average days to close (from assignment to investigation closure)	160	145	164	147
Pending (close of FY)	643	864	639	532
Sworn Investigation				
Opened	14	43	30	13
Closed	9	40	21	26
Average days to close (from assignment to investigation closure)	190	155	251	230
Pending (close of FY)	9	9	26	13
All investigations⁸				
Opened	5,960	7,850	7,521	6,554
Closed	5,912	4,138	6,796	6,324
Average days for all investigation outcomes (from start investigation to investigation closure or referral for prosecution)	112	121	149	114
Average days for investigation closures (from start investigation to investigation closure)	112	119	142	112
Average days for investigation when referring for prosecution (from start investigation to referral for prosecution)	455	480	512	379
Average days from receipt of complaint to investigation closure	114	123	151	116
Pending (close of FY)	1,342	2,492	1,449	1,629
CITATION AND FINE				
Citations Issued	6,451	7,271	5,805	7,485
Average Days to Complete (from complaint receipt / inspection conducted to citation issued)	38	43	65	65
Amount of Fines Assessed	\$3,159,826	\$3,329,293	\$2,810,575	\$3,977,796
Amount of Fines Reduced, Withdrawn, Dismissed	\$341,375	\$599,015	\$476,570	\$768,114
Amount Collected	\$1,773,920	\$2,278,985	\$1,876,142	\$2,354,630
CRIMINAL ACTION				
Referred for Criminal Prosecution	0	1	6	0
ACCUSATION				
Accusations Filed	20	46	51	108
Accusations Declined	0	0	0	0

Accusations Withdrawn	1	0	1	5
Accusations Dismissed	0	2	0	2
Average Days from Referral to Accusations Filed (from AG referral to Accusation filed)	151	121	173	117
INTERIM ACTION				
ISO & TRO Issued	0	0	0	0
PC 23 Orders Issued	1	3	3	3
Other Suspension/Restriction Orders Issued	0	0	0	0
Referred for Diversion	0	0	0	0
Petition to Compel Examination Ordered	0	0	0	0
DISCIPLINE				
AG Cases Initiated (cases referred to the AG in that year)	29	73	78	121
AG Cases Pending Pre-Accusation (close of FY)	11	32	34	24
AG Cases Pending Post-Accusation (close of FY)	30	49	44	79
DISCIPLINARY OUTCOMES				
Revocation	9	8	28	41
Surrender	4	2	3	12
Suspension only	3	0	0	0
Probation with Suspension	21	12	12	29
Probation only	3	3	2	14
Public Reprimand / Public Reproval / Public Letter of Reprimand	0	0	1	1
Other	0	0	1	0
DISCIPLINARY ACTIONS				
Proposed Decision	4	2	4	9
Default Decision	6	7	25	20
Stipulations	7	16	17	35
Average Days to Complete After Accusation (from Accusation filed to imposing formal discipline)	337	570	297	222
Average Days from Closure of Investigation to Imposing Formal Discipline	504	712	356	355
Average Days to Impose Discipline (from complaint receipt to imposing formal discipline)	820	1,173	908	844
PROBATION				
Probations Completed	19	27	50	30
Probationers Pending (close of FY)	144	133	106	115
Probationers Tolled *	30	35	28	23

Petitions to Revoke Probation / Accusation and Petition to Revoke Probation Filed	0	1	6	11
SUBSEQUENT DISCIPLINE⁹				
Probations Revoked	0	0	0	5
Probationers License Surrendered	1	1	0	4
Additional Probation Only	0	0	0	0
Suspension Only Added	0	0	0	0
Other Conditions Added Only	0	0	0	0
Other Probation Outcome	0	0	0	0
SUBSTANCE ABUSING LICENSEES **				
Probationers Subject to Drug Testing	N/A	N/A	N/A	N/A
Drug Tests Ordered	N/A	N/A	N/A	N/A
Positive Drug Tests	N/A	N/A	N/A	N/A
PETITIONS				
Petition for Termination or Modification Granted	0	0	0	0
Petition for Termination or Modification Denied	0	0	0	0
Petition for Reinstatement Granted	0	1	1	5
Petition for Reinstatement Denied	0	2	0	3
DIVERSION **				
New Participants	N/A	N/A	N/A	N/A
Successful Completions	N/A	N/A	N/A	N/A
Participants (close of FY)	N/A	N/A	N/A	N/A
Terminations	N/A	N/A	N/A	N/A
Terminations for Public Threat	N/A	N/A	N/A	N/A
Drug Tests Ordered	N/A	N/A	N/A	N/A
Positive Drug Tests	N/A	N/A	N/A	N/A

Table 10. Enforcement Aging						
	FY 2021/22	FY 2022/23	FY 2023/24	FY 2024/25	Cases Closed	Average %
Investigations (Average %)						
Closed Within:						
90 Days	2,983	2,340	3,304	3,047	11,674	58%
91 - 180 Days	683	704	1,497	979	3,863	19%
181 - 1 Year	472	660	1,292	546	2,970	15%
1 - 2 Years	323	227	545	257	1,352	7%
2 - 3 Years	79	53	72	62	266	1%
Over 3 Years	5	8	31	14	58	.2%
Total Investigation Cases Closed	4,545	3,992	6,741	4,905	20,183	

Table 10. Enforcement Aging

	FY 2021/22	FY 2022/23	FY 2023/24	FY 2024/25	Cases Closed	Average %
Attorney General Cases (Average %)						
Closed Within:						
0 - 1 Year	5	4	5	12	26	15%
1 - 2 Years	5	7	9	17	38	22%
2 - 3 Years	15	4	14	30	63	36%
3 - 4 Years	6	3	12	14	35	20%
Over 4 Years	3	1	2	5	11	7%
Total Attorney General Cases Closed	34	19	42	78	173	

33. What do overall statistics show as to increases or decreases in disciplinary action since last review?

The Board has seen an increase year over year in the number of cases referred to the Attorney General's Office resulting in an increase of accusations filed and discipline imposed. The number of days to impose discipline has decreased because the Board is working the cases more efficiently.

During Fiscal Year (FY) 2023/24, the Board's probation monitor diligently worked the probation cases and was able to either get the probationers into compliance or file petitions to revoke probation for those that would not comply. In FY 2024/25, the Board revoked the licenses of 5 probationers and 4 probationers surrendered their licenses.

The Board has seen an increase in petitions for license reinstatements during the last year and a half and has heard 8 reinstatement cases. Of those 5 licenses were reinstated and 3 petitions were denied.

34. How are cases prioritized? What is the board's complaint prioritization policy?

Complaints are prioritized according to the most egregious violation alleged in the complaint. Consumer harm, gross negligence and incompetence, or similar violations, are considered the highest priority. The highest priority cases are distributed amongst the Board's Special Investigators who can process the complaint, interview complainants and licensees, conduct inspections, and request expert opinions, if necessary. Complaints alleging health and safety or unlicensed activity violations are considered a high priority and are worked by Enforcement Analysts with inspections conducted by Board Inspectors. Cases that are opened as the result of random inspections where egregious health and safety violations or unlicensed activity were found are also considered high priority cases.

- Please provide a brief summary of the Board's formal disciplinary process.

The Board files a Statement of Issues or an Accusation and requests administrative hearings for cases involving criminal convictions, cheaters, consumer harm, bribery, and inspector assault. The Board files Accusations and attempts to stipulate settlement terms with establishment owners who are employing unlicensed operators or who have repeated health and safety violations. The settlement terms consist of probation, cost recovery, and in some cases remedial education. These probationary terms allow the Board to conduct regular inspections to ensure compliance with the Board's statutes and regulations and probationers that do not comply with the probationary terms or the Board's statutes and regulations are sent to the Attorney General's Office for subsequent discipline.

35. Are there mandatory reporting requirements? For example, requiring local officials or organizations, or other professionals to report violations, or for civil courts to report to the board actions taken against a licensee. Are there problems with the board receiving the required reports? If so, what could be done to correct the problems?

The Board has no mandatory reporting requirements.

- What is the dollar threshold for settlement reports received by the board?

N/A

- What is the average dollar amount of settlements reported to the board?

N/A

36. Describe settlements the board, and Office of the Attorney General on behalf of the board, enter into with licensees.

At the time an accusation is filed the Board provides the Attorney General's office with proposed settlement terms. Cases with allegations of egregious consumer harm, cases initiated as the result of an examination candidate cheating, and applicants with criminal convictions such as sexual assaults or violent crimes, are not offered settlement terms.

- What is the number of cases, pre-accusation, that the board settled for the past four years, compared to the number that resulted in a hearing?

The Board does not settle cases pre-accusation.

- What is the number of cases, post-accusation, that the board settled for the past four years, compared to the number that resulted in a hearing?

Over the past four years, the Board settled 75 cases and 19 cases resulted in a hearing.

- What is the overall percentage of cases for the past four years that have been settled rather than resulted in a hearing?

Over the past four years, 80 percent of cases were settled, and 20 percent of cases resulted in a hearing.

37. Does the board operate with a statute of limitations? If so, please describe and provide citation. If so, how many cases have been lost due to statute of limitations? If not, what is the board's policy on statute of limitations?

The Board does not operate with a statute of limitations.

38. Describe the board's efforts to address unlicensed activity and the underground economy.

Unlicensed activity violations are considered a high priority by the DCA and the Board. As a result of an inspection, owners who are operating unlicensed establishments and owners who employ unlicensed individuals are fined up to \$1,000.00. Each unlicensed individual is also cited and fined up to \$1,000.00. Cases involving establishment owners who have personal licenses who have been repeatedly cited for operating an unlicensed establishment or employing unlicensed operators are forwarded to the Attorney General's Office to have their license(s) disciplined. Discipline may include license suspension, probation, and/or revocation.

Since the COVID 19 pandemic, services provided in unlicensed homes by unlicensed individuals and advertised on social media have increased. For these cases, the analysts reach out to the operators via social media and work with local business licensing entities to get the operators in compliance or shut down the business. Board analysts have developed good working relationships with many local business licensing entities and in many cases have worked together to gain compliance.

To decrease the number of establishment owners cited for operating unlicensed establishments, the Board's Enforcement Analysts work with the establishment owners to bring them into compliance. This education-based approach began in the Spring of 2014 and continues to bring establishment owners into compliance before inspections are conducted and reduces the instances of resistance when inspections are conducted for those that have become licensed. In cases where the owner is not complying Board, Enforcement Analysts reach out to local business licensing or code enforcement entities to determine if they are properly licensed and if not, a complaint is filed with those entities. As mentioned before the Board has established working relationships with local business licensing entities throughout the state.

The Board uses many tools to enforce licensing statutes and regulations, but if the establishment owner does not come into compliance by licensing the establishment and hiring licensed operators, the Board does not have licenses to discipline. If there are no

licenses to discipline, the Board must rely on the local District Attorney's (DA) offices to cite and prosecute unlicensed owners and operators. Unfortunately, DA's offices have higher profile cases that take up their resources and unlicensed activity cases do not result in an impact that may persuade owners to comply.

Cite and Fine

39. Discuss the extent to which the board utilizes cite and fine authority. Discuss any changes from last review and describe the last time regulations were updated and any changes that were made. Has the board increased its maximum fines to the \$5,000 statutory limit? Does the board have authority to issue fines greater than \$5,000? If so, under what circumstances?

The Board relies heavily on its cite and fine program to correct and prevent violations. The Board issues an average of 6,700 citations on an annual basis. Business and Professions Code (BPC) 7406 gives the Board authority to assess administrative fines for violations of any section of Chapter 10 of Division 3 or the violation of any rules and regulations adopted by the Board.

BPC § 7407 directs the Board to establish by regulation a schedule of administrative fines violations of this chapter. In January 2022, this statute was updated to indicate that the schedule of administrative fines for violations of this chapter shall be based on those "that impact consumer safety" and that the schedule shall indicate whether the violation can be corrected.

The Board's committees (Enforcement and Inspection and Health and Safety) have been discussing the fine amount for violations for the last several years. Proposed regulations are being presented to the full Board in November 2025 with final recommendations for updating the administrative fine schedule.

The Board has internal practices to review each inspection report and determine if the violation found is egregious or if a citation without a fine is warranted. This includes a review of the establishment and licensee's history to determine if the violations are being repeated on a regular basis as well as a review of the severity of each violation.

BPC § 7407.1 directs the Board to determine by regulation when a fine shall be assessed to both the holder of the establishment license and the individual licensee or only assess the fine to the establishment owner or the individual licensee.

In January of 2024, SB 384 added BPC § 7407.1(b)(1) and (b)(2) which directs the Board to establish by regulation a board-offered remedial education program in lieu of a first offense of a health and safety violation. The Board is in the process of implementing this and is seeking statutory clean-up language (see section 10).

The Board has not increased its maximum fines to the \$5,000.00 statutory limit.

The Board does not have the authority to issue fines greater than \$5,000.00.

40. How is cite and fine used? What types of violations are the basis for citation and fine?

As previously noted, the Board relies heavily on its cite and fine process to correct and prevent violations. To ensure compliance with the Board's health and safety and licensing statutes and regulations, random and directed inspections of establishments are conducted. Administrative fines are assessed for violations of the Board's statutes and regulations on a sliding scale. Fines amounts are based on the number of times the same violation has been cited within the last 5 years.

Based on a review of the evidence found during the inspections, fines are assessed for violations that impact consumer safety.

41. How many informal office conferences, Disciplinary Review Committees reviews and/or Administrative Procedure Act appeals of a citation or fine in the last 4 fiscal years?

The Board's Disciplinary Review Committee heard 903 citation appeals in the last 4 fiscal years.

42. What are the five most common violations for which citations are issued?

Over the last four fiscal years, the most common violations for which citations are issued are:

- CCR § 979 Disinfecting Non-Electrical Tools and Equipment
Example: May include when an inspector observes the use of a dirty tool on a client. Using dirty tools allows for the spread of parasites and fungal infections (such as lice and ringworm).
- CCR § 981(a) No Disposal of Non-Disinfected Items
Example: Re-using wax stick or a nail buffer on multiple people. Using a dirty item that cannot be disinfected can lead to the spread of bacteria and cause an infection.
- CCR § 986 Neck Dusters/Brushes Not Clean or Sanitary
Example: When a tool is visibly dirty. Using a neck brush that is not clean can spread parasites, fungus and bacteria causing harm to the consumer.
- CCR § 988 Liquids, Creams, Powders, and Cosmetics Not in Clean and/or Labeled Containers
Example: May include a wax pot that is found to be in a dirty condition. A dirty wax pot can create a breeding ground for bacteria. This bacterium can spread to multiple consumers causing harm.

- CCR § 965 Display of Licenses
Example: The license is not displayed so that the consumer can view it. This results in the consumer not being able to identify the licensee.

43. What is average fine pre- and post- appeal?

Disciplinary Review Committee decisions with effective dates during the last four fiscal years had a pre-appeal average fine of \$939.00 and the post-appeal average was \$698.00.

44. Describe the board's use of Franchise Tax Board intercepts to collect outstanding fines. If the board does not use Franchise Tax Board intercepts, describe the rationale behind that decision and steps the board has taken to increase its collection rate.

The Board sends request for payment notices for outstanding fine balances at 30-day intervals starting 30 days from the citation due date. If the balance is not paid 30 days after the third notice is sent and the Board a social security number for the respondent, then the citation is referred to the Franchise Tax Board intercept program via the Department of Consumer Affairs Accounts Receivables Unit. The Board has sent 2,158 records to the Franchise Tax Board for collection over the past four fiscal years.

Cost Recovery and Restitution

45. Describe the board's efforts to obtain cost recovery. Discuss any changes from the last review.

The Board requests full recovery of Attorney General's (AG) Office costs and any Department of Consumer Affairs Division of Investigation costs when the accusation is sent to the AG's Office for filing. Administrative Law Judges may impose cost recovery amounts that are less than the costs the Board submitted, so the Board is not always able to recover all costs for cases that result in a hearing. When negotiating settlement terms with respondents, the Board only reduces cost recovery amounts as a last resort. Cost recovery ordered with a license revocation or stipulated surrender is usually ordered to be paid upon a successful petition for reinstatement.

46. How many and how much is ordered by the board for revocations, surrenders and probationers? How much do you believe is uncollectable? Explain.

The Board believes that \$156,269 ordered for probationers is collectable. The \$318,235 ordered for revocations and surrenders is uncollectable. This amount is uncollectable unless the respondent petitions to reinstate their license(s). The Board sends request for payment notices for costs that are ordered that are not based on reinstatement of licenses and if the respondent does not comply with those requests the Board sends the outstanding balance to the Franchise Tax Board.

47. Are there cases for which the board does not seek cost recovery? Why?

The Board does not seek cost recovery in a statement of issues against an applicant, petitions to revoke probation, public reprovos, or default decisions, as it does not have the authority to do so. Although cost recovery may be ordered in surrender and revocation cases, the majority of this cost recovery will not be collected until the Board grants a petition for reinstatement of the license. The Board also does not seek cost recovery for petitions for reinstatement or to modify or terminate probation. A decision granting a petition for reinstatement or to terminate probation would include a provision for the petitioner to satisfy all cost reimbursement orders in the underlying disciplinary order.

48. Describe the board's use of Franchise Tax Board intercepts to collect cost recovery. If the board does not use Franchise Tax Board intercepts, describe methods the board uses to collect cost recovery.

During this reporting period, the Board referred 26 cost recovery cases to the Franchise Tax Board.

The Board's probation monitor works with probationers to develop a payment plan so cost recovery is paid 6 months prior to the end of the probation term. If the probationers are not complying with the payment plan probation violation notices are sent to the probationer. If the probationer does not come into compliance, the case is referred to the Attorney General's Office for subsequent discipline. The probation monitor also sends the three required request for payment notices. If the probationer does not comply with the request for payment notices the outstanding balance is referred to the Franchise Tax Board for collection.

Table 11. Cost Recovery¹⁰		(list dollars in thousands)			
	FY 2021/22	FY 2022/23	FY 2023/24	FY 2024/25	
Total Enforcement Expenditures	\$906	\$333	\$661	\$764	
Potential Cases for Recovery *	15	18	48	88	
Cases Recovery Ordered	9	15	20	44	
Amount of Cost Recovery Ordered	\$50	\$77	\$106	\$292	
Amount Collected	\$32	\$66	\$143	\$108	

* "Potential Cases for Recovery" are those cases in which disciplinary action has been taken based on violation of the license practice act.

49. Describe the board's efforts to obtain restitution for individual consumers, any formal or informal board restitution policy, and the types of restitution that the board attempts to collect, i.e., monetary, services, etc. Describe the situation in which the board may seek restitution from the licensee to a harmed consumer.

The Board may consider seeking restitution for the complainant as part of a proposed decision or stipulated agreement which contains probation terms (Government Code Section 11519). The Board may impose a probation term requiring restitution if it is appropriate to the nature and circumstances of the particular violation. Restitution can be ordered in consumer harm cases involving the practice of medicine, use of metal instruments, illegal instrument methods, or incompetent/gross negligence when providing services. Evidence relating to the amount of restitution is introduced at the administrative hearing or provided during settlement negotiations. Failure to pay restitution is considered a violation of probation and can result in further discipline or license revocation. To date, the Board has not requested restitution in any case.

Table 12. Restitution		(list dollars in thousands)		
	FY 2021/22	FY 2022/23	FY 2023/24	FY 2024/25
Amount Ordered	\$0	\$0	\$0	\$0
Amount Collected	\$0	\$0	\$0	\$0

Section 5 – Public Information Policies

50. How does the board use the internet to keep the public informed of board activities? Does the board post board-meeting materials online? When are they posted? How long do they remain on the board's website? When are draft-meeting minutes posted online? When does the board post final meeting minutes? How long do meeting minutes remain available online?

The Board uses the internet to provide information to the public by updating the website regularly and posting information regarding all Board meetings.

The Board has significantly increased its social media presence over the last several years. The Board has 23,000 followers on Facebook and 14,000 followers on Instagram. On September 3, 2024, the Board launched a separate Facebook page for the Vietnamese community and on August 1, 2025, a new page was launched in Spanish. The Board posts information directed to consumers as well as information to licensees.

Board meeting materials are posted online on our website approximately one week prior to the Board meeting. The Board has Board meeting materials on our website that date back to January 2015.

The Board does not post draft minutes, however, minutes are approved at the next scheduled meeting and, once approved, are posted to the website. The Board has Board meeting minutes posted on our website that date back to January 2015.

51. Does the board webcast its meetings? What is the board's plan to webcast future board and committee meetings? How long will archived webcast meetings remain available online?

The Board webcasts all Board meetings. These webcasts are available for view via links on the website and date back to July 2016. There is no current plan to remove the webcasts. The Board plans to continue to webcast all meetings indefinitely.

52. Does the board establish an annual meeting calendar and post it on the board's website?

The Board reviews the annual calendar during the last Board Meeting each year. The Board meeting dates and locations (region) are posted on the website in January of each year.

53. Is the board's complaint disclosure policy consistent with DCA's *Recommended Minimum Standards for Consumer Complaint Disclosure*?

- Does the board post accusations and disciplinary actions consistent with BPC § 27, if applicable?

The Board follows the complaint disclosure policies of the DCA. The Board posts accusations and disciplinary actions consistent with BPC section 27.

- Does the board post complaint date on its website? If so, please provide a brief description of each data point reported on the website along with any statutory or regulatory authorization.

The Board posts Enforcement Statics on its website by fiscal year, which include:

- Complaints Received
- Referred for Investigation
- Cases Referred to the AG
- Disciplinary Findings (Accusations filed, Statement of Issues filed)
- Accusation and Statement of Issues Withdrawals or Dismissals
- Disciplinary Outcomes
- Decisions by Violation Type

The Board provides the following information to the public regarding its licensees and permit holders:

- Licensee's name;
- Address of record; (establishments only)
- License status;
- License type;
- Issue date;
- Expiration date;
- Certification; and,
- Disciplinary/enforcement actions.

54. What information does the board provide to the public regarding its licensees (i.e., education completed, awards, certificates, certification, specialty areas, disciplinary action, etc.)?

The Board provides information through the BreZE database regarding licenses and permits issued by the Board, including formal disciplinary action taken and the current status of the license or permit, but does not include any awards, certificates, or education information.

55. What methods does the board use to provide consumer outreach and education?

The Board maintains a strong social media presence, with 23,000 followers on Facebook and 14,000 on Instagram. It posts weekly to educate consumers on how to stay safe when receiving services. These posts include reminders to verify that service providers are licensed, where to find the license on display, and what to expect during services.

To expand its outreach, the Board launched a dedicated Facebook page for the Vietnamese community on September 3, 2024, and another in Spanish on August 1, 2025. Translating posts into Vietnamese and Spanish has allowed the Board to better reach and engage with consumers who are proficient in those languages.

Outreach Events

The Board also participates in various outreach events. Highlights of the outreach program include:

- Participation in wellness fairs, town hall meetings, conventions, and seminars to educate the public on health and safety issues
- Booths at trade shows throughout California, such as Face and Body Spa and Expo, NailPro, and the International Salon & Spa Expo
- Visits to beauty colleges across the state to familiarize students with Board regulations and foster professional development
- Engagements at high schools and colleges to inform students about careers in barbering and cosmetology, as well as opportunities with the State

During the COVID-19 pandemic, in-person outreach was limited. However, the Board adapted by participating in virtual events in collaboration with organizations such as:

- Barbicide
- Beauty Go
- Professional Beauty Federation of California
- PSI Exams
- California Senior Legislature
- The Los Angeles Department of Public Health
- The Professional Beauty Association
- Viet Nails TV

Consumer Publications

The Board produces and distributes a variety of publications, which are also available for download on its website. These materials are offered in Korean, Spanish, Vietnamese, and Simplified Chinese.

- Consumer Fact Sheets
 - Chemical Hair Services
 - Complaint Process
 - Infection Control in the Salon
 - In-Home Services
 - Medical Spas
 - Skin Tags/Mole removal
 - Whirlpool Foot Spa Safety

- Consumer Publications
 - About the Board
 - Barbering
 - Barbers Scope of Practice
 - Chemical Exfoliation Safety Tips
 - Cosmetology
 - Cosmetologists Scope of Practice
 - Electrology
 - Esthetics
 - Estheticians Scope of Practice
 - Eyelash Extensions Safety Tips
 - Hairstylists Scope of Practice
 - Manicuring
 - Manicurist Scope of Practice
 - Pedicure Safety Tips
 - Waxing Safety Tips

Industry Bulletins

Industry bulletins that provide the Board's official position on various topics are posted on the website. The bulletins are divided up by license type to aid in easy access and are available in Korean, Spanish, Vietnamese, and Simplified Chinese. The Board currently offers bulletins on the following subjects:

- Cosmetology
 - Ear Candling/Coning
 - Eyelash-Eyebrow Services
 - Eyelash and Eyebrow Tinting
 - Headspas

- Establishments
 - Disinfecting and Storing Client-Owned Tools
 - Establishment Owner Responsibility
 - Interference and Refusal of Inspection
 - Licensee in Charge
 - Nursing/Rehabilitation Homes
 - Salon Suites
 - Unlicensed Mobile Activity

- Esthetics
 - Dermaplaning
 - Electrical Muscle Stimulators
 - Eyelash-Eyebrow Services
 - Eyelash and Eyebrow Tinting
 - Fibroblast
 - Hyaluron Pen
 - Lasers
 - Lash and Brow Perming
 - LED
 - Microblading
 - Micro Needling/Derma Rolling
 - Needles Are Prohibited
 - Skin Care Machines/Devices

- Manicuring
 - Callus Removal
 - Detox Foot Spas
 - Disinfecting Nail Files
 - Fish Pedicures
 - Methyl Methacrylate Monomer (MMA)
 - Use of Ultra Violet Sterilizer Units

Newsletter

Additionally, the Board publishes a quarterly newsletter, “The BarberCosmo Update” that is distributed to all interested parties. Topics often include what consumers should know before, during, and after a service, new products or services they should be aware of, and how to verify a license.

Section 6 – Online Practice Issues

56. Discuss the prevalence of online practice and whether there are issues with unlicensed activity.

- How does the board regulate online/internet practice?
- How does the board regulate online/internet business practices outside of California?
- Does the Board need statutory authority or statutory clarification to more effectively regulate online practice, if applicable?

While barbering and cosmetology services cannot be offered on-line, there is a substantial number of services advertised on-line. The Board established a process in 2020, where staff work directly with local business licensing entities to address services that are offered outside of a licensed establishment and are often offered at an individual's home.

These services have been found to be offered from both unlicensed and licensed individuals. The Board has confirmed consumer harm has taken place in these situations. In one instance an individual received a serious infection from a manicure received in someone's home.

The Board has received cooperation from many local business licensing entities to address these concerns. Many local business licensing entities have certain ordinances where a business is not allowed to be in operation at a residence or chemicals (often used in this industry) are not allowed to be disposed via residential drains.

The Board does not have any issues with on-line practice for out of state businesses nor is there a need for any statutory changes to address this issue.

Section 7 – Workforce Development and Job Creation

57. What actions has the board taken in terms of workforce development?

During the Board's last sunset review, significant changes were made to reduce barriers to entry of the professions, including reducing the number of required educational hours as well as eliminating the practical exam. This has shown an increase in the number of licenses issued by 14% from pre-pandemic numbers to 2022, the first year the practical exam was not required.

58. Describe any assessment the board has conducted on the impact of licensing delays.

The Board's processing times for examination applications is lower than it has ever been at 3-4 weeks. Often, applications are processed within days of receipt. Re-examination applications are often processed in 2-3 days. Regardless, the Board always looks for process improvements and discusses options on a regular basis.

59. Describe the board's efforts to work with schools to inform potential licensees of the licensing requirements and licensing process.

The Board's main contact with students in school are the industry trade shows. These trade shows are open to licensees and students and the promoters regularly provide the Board with an exhibitor booth at no cost. These shows are promoted to California barbering and cosmetology students and many come to the Board's booth and engage with staff. In addition, the Board offers to speak to students at schools. This allows Board representatives to explain the importance of health and safety in the industry to students prior to them entering the industry.

60. Describe any barriers to licensure and/or employment the board believes exist.

One barrier to entry and employment that exists is the low passage rates on the examination for candidates who received education via the apprenticeship program. As discussed in detail under **Section 10, Question 3 as well as in Attachment E**, there are various concerns with the operation of the apprentice program. As a result, individuals are enrolling in the program but are not being successful in passing the examination. The low passage rates for the program are a direct indicator that this is creating a barrier to employment. The Board has made several recommendations on how we believe the program can be strengthened.

61. Provide any workforce development data collected by the board, such as:

- Workforce Shortages
- Successful Training Programs

The Board does not collect data on workforce shortages or successful training programs.

62. What actions has the board taken to help reduce or eliminate inequities experienced by vulnerable communities, including low- and moderate-income communities, communities of color, and other marginalized communities, or otherwise avoid harming those communities?

The Board takes a progressive stance in ensuring that we are always keeping diversity, equity and inclusion (DEI) as the basis for all activities. Language access is a top priority for the Board. We have developed in-house training that is mandatory for all staff and conducted on an annual basis. In addition, the Board's monthly internal newsletter contains a DEI section that provides new ways to always encourage diversity, equity and inclusion.

Aside from training for our staff, the Board provides all examinations in English, Vietnamese, Spanish, Korean and Simplified Chinese. Any applicant who does not speak one of those languages can bring their own interpreter to the examination (at no extra cost to the applicant). The Board also provides certified interpreters for any informal disciplinary review hearing at no cost to the appellant.

The Board's website and all publications are translated into Vietnamese, Spanish and Korean and Simplified Chinese is in process.

The Board also utilized three separate Facebook pages to provide information to both consumers and licensees. These Facebook pages are in English, Spanish and Vietnamese.

The Board also partners with other entities to provide education and information to consumers and potential licensees. In 2023/2024, the Board attended three events with the Consulate General of Mexico to provide information on staying safe when receiving services and information on becoming a licensee.

In April 2023, the Board established its Diversity, Equity and Inclusion Committee. This committee developed information to be placed on the Board's website to highlight information on "What can you do?" and provides suggestions to help clients feel welcome. The website also offers videos to that focus on DEI and various links to organizations that provide information on DEI.

Section 8 – Current Issues

63. Describe how the board is participating in development of online application and payment capability and any other secondary IT issues affecting the board.

- Is the board utilizing BreEZe? What Release was the board included in? What is the status of the board's change requests?

The Board was in release 1 for implementing BreEZe, which was in October 2013. The Board currently has 23 change requests that are in process. Each year, the Board has about 50 change requests that are implemented for BreEZe. We are always looking for ways to improve our processes, so we continue to submit change requests.

- If the board is not utilizing BreEZe, what is the board's plan for future IT needs? What discussions has the board had with DCA about IT needs and options? Is the board currently using a bridge or workaround system?

N/A

Section 9 – Board Action and Response to Prior Sunset Issues

Include the following:

- Background information concerning the issue as it pertains to the Board.
 - Short discussion of recommendations made by the Committees during prior sunset review.
 - What action the Board took in response to the recommendation or findings made under prior sunset review.
 - Any recommendations the Board has for dealing with the issue, if appropriate.
1. (BOARD COMPOSITION) Does BBC's composition need to be updated?

Committee Staff Recommendation: The Committees should work with the BBC and the appointing authorities to determine how to best ensure diversity in perspective and broad representation among professional members appropriately reflect the beautification services industry.

Update: As a result of the Board's last sunset review, changes were made to the Board's composition which stated that each of the licensing categories under the Board shall have a designated seat. The Board currently has a member that represents cosmetologists, barbers, electrologists, estheticians, and manicurists. The Board currently has one vacant industry position for an establishment owner. This composition of the Board has been extremely beneficial as each member is able to provide their unique industry perspective to protect consumers.

2. (REGULATIONS) As an entity within the DCA organization, BBC is required to follow certain DCA-established processes to promulgate regulations. What is the current timeframe for BBC regulatory packages to be approved and finalized.

Committee Staff Recommendation: BBC should provide the Committees with an update on pending regulations and the current timeframes for regulatory packages. In addition, the BBC should inform the Committees of any achieved efficiencies in promulgating regulations in recent years.

Update: The Board has promulgated several regulatory packages since the last sunset review. Below is a chart that displays each regulatory package, when it was initiated, and the timeline for completion:

Topic	Start Date	Status
AB 2138 Substantial Relationship & Rehab Criteria	05/18/2019	Approved by OAL on 06/09/2021, Effective on 06/09/2021.
Personal Service Permit	02/12/2019	Approved by OAL on 07/23/2021, Effective on 10/01/2021.
Instructional Materials	02/11/2019	Approved by OAL on 09/20/2022, Effective on 01/01/2023.
Transfer of Credit	05/25/2018	Approved by OAL on 08/10/2023, Effective on 10/01/2023.
SB 803 Clean-Up	12/03/2021	Approved by OAL on 08/28/2024, Effective on 10/01/2024.
Technical Clean-up, Section 100	01/26/2024	Approved by OAL on 05/15/2025, Effective on 05/15/2025.
Pre-Apprentice Training	01/01/2022	Approved by OAL on 04/16/2025, Effective on 07/01/2025.
SB 1451 Hairstylist Licensing Fees	09/22/2024	Approved by OAL on 08/07/2025, Effective on 10/01/2025.

3. (PERSONNEL FLEXIBILITY) BBC is limited in its ability to make staffing changes in a budget year. Are updates necessary in order to ensure BBC can reorganize staff and respond to changes in its staffing structure?

Committee Staff Recommendation: The Act should be amended to provide BBC with flexibility to address staffing needs by striking this language.

Update: As part of the Board's last sunset review, amendments were made to the Act that allowed for more flexibility in the hiring of enforcement staff. Since then, the Board has been able to hire three special investigator positions. These positions have allowed for greater investigation of the Board's most egregious complaints. The Special Investigators handle all aspects of the consumer harm cases including interviewing the complainant and respondent and conducting inspections.

4. (MEDICAL PRACTICE) Are clarifications necessary to specify that BBC-regulated beautification services do not constitute the practice of medicine?

Committee Staff Recommendation: The Committees may wish to amend the Act to provide clear direction on the prohibition of BBC licenses providing medical services.

Update: As part of the Board's last sunset review, the Act was amended to clarify that Board licensees cannot perform or offer any service that is considered the practice of medicine. Since then, the Board has issued 646 citations for Board licensees offering or performing services that are considered the practice of medicine. The Board does not believe additional amendments are necessary.

5. (SCHOOLS AND STUDENT OVERSIGHT) BBC approves curriculum, facilities, equipment, and textbooks at schools offering training programs for eventual licensees. The issue of what appropriate role the BBC should play in school program approval has been raised in every recent prior sunset review and has been the subject of proposed legislation, legislative amendments, and legislative oversight hearings for over 10 years. What steps should be taken to ensure appropriate oversight of schools and student success?

Committee Staff Recommendation: BBC should again provide the Committees with an update on its current working relationship with the BPPE. The Committees may wish to explore providing BBC with additional resources from fees BBC-approved schools pay BPPE in order to support BBC's subject matter expertise and school approval efforts. The Committees may wish to take steps to enhance the Act so that BBC has the tools that it needs to maintain oversight of schools and promote student success. BBC should update the Committees on the workload and impacts of additional authority. BBC should advise the Committees if certain student populations and applicants are disproportionately impacted by fraudulent schools.

Update: The Board continues to believe that resources are needed to provide efficient oversight of barbering and cosmetology schools. The Board is required to approve new schools, curriculum, approve any additional course, approve space and equipment with no cost to schools. The Board requests that statutory changes be made to allow for an application and renewal fee for schools. The Board also requests statutory authority to cite and fine for an unapproved school.

The Board continues to receive information from the BPPE such as when the BPPE is performing compliance inspections and a monthly report on open complaints, however, the Board does not receive information on formal discipline or citations. In order to receive this vital information, the Board must search the BPPE website. The Board is required by BPC 7313 (b) to provide the BPPE with a copy of all inspections conducted at schools. The Board believes there should be a statutory requirement for the BPPE to provide the Board with formal discipline including accusations, final decisions, as well as citations. One main reason for this request is that the BPPE may issue a citation to an unapproved school, and an unapproved school is likely providing services to consumers, which is a significant risk to consumer safety. Board inspectors inspect schools on a regular basis. Since Board inspectors are in the field daily, they have firsthand knowledge of unapproved schools but are unable to take any action. The Board should be able to cite for an unapproved school.

If the Board is required to oversee schools, it should have the statutory authority to obtain the fees to support effective and efficient functions to protect consumers.

6. (AB5) What are the remaining implications for the BBC licensees in light of the passage of AB 5 and the clarity the bill provided as to how individuals providing beautification services should be classified for employment purposes?

Committee Staff Recommendation: BBC should provide an update on discussions at the board level, including feedback from interested parties like nail professional advocates, among others, received since the passage of AB 5. The Committees need to better understand the implications of a “booth renter” or “booth rental” permit on BBC and beautification services providers alike.

Update: On January 1, 2025, the exemption for licensed manicurists from the ABC test expired. As a result, a manicurist can no longer be an independent contractor. The ABC test states that the answer to each question must be YES in order to be considered an independent contractor:

- A. The worker is free from the control and direction of the hiring entity in connection with the performance of the work, both under the contract for the performance of the work and in fact;
- B. The worker performs work that is outside the usual course of the hiring entity's business; **and**
- C. The worker is customarily engaged in an independently established trade, occupation, or business of the same nature as that involved in the work performed.

The Board issues licenses to an establishment regardless of the types of services that are performed, therefore, a manicurist will always perform services that are within the usual course of the hiring entity's business. All other license types (barber, cosmetologist, esthetician, and electrologist) are exempt from the ABC test. While this subject does not impact the Board directly as the Board does not have authority to enforce labor laws, the Board believes that all licensees should be equally exempt and allowed to choose their own employment status. In November 2024, the Board made a statement at its Board meeting that all licensees should have the right to choose their own classification. In October 2025, Governor Newsom signed AB 1514 that restores the manicurist exemption from the ABC test until January 1, 2029.

7. (SCOPE OF PRACTICE) The Act provides narrow exemptions for certain services and captures a wide variety of beautification practices that may not require the education and training necessary for licensure. While BBC has explored narrowing licensure categories to allow an individual to only practice one aspect of what is today considered the practice of barbering or the practice of cosmetology, questions remain about whether those steps are necessary to prevent consumer harm and whether an evaluation of risk to the public health is a more appropriate means by which to determine the practices that require licensure. Are changes necessary?

Committee Staff Recommendation: The Committees may wish to consider removing certain practices from the definition of barbering and cosmetology based on the evaluation of risk and an analysis of BBC enforcement data.

Update: The Board continues to disagree with breaking up the existing scope of practice of any regulated license types. The Board acknowledges that some believe a haircut and style does not pose a risk, and it is true that the physical risk may be less than a chemical service, however, the cost to a consumer is also a concern. While there are options to receive an inexpensive haircut, many consumers spend a minimum of \$50 for a simple haircut and this can go up to \$200. A consumer who is spending their money expecting a professional service should also have the confidence that they will be safe in receiving that service.

A simple shave from a barber poses the risk of infection including HIV, hepatitis B and C. A cosmetologist not following proper safety control can burn an individual's skin using professional heat tools. In addition, hair tools that have not been disinfected can cause the spread of lice and ringworm.

The Board inspects establishments to ensure they are following the proper infection control procedures. Changing the scope of practice would create a burdensome process for inspectors to determine what services are actually being provided by each individual in an establishment.

Barbering and cosmetology is regulated in every state for a reason. It poses a continual risk to all consumers who receive services, regardless of whether that risk is physical or financial, California consumers deserve to be protected.

8. (HOURS) What is the continues justification for individuals to complete so many hours of training in order to safely provide beautification services? Do current requirements and costs associated with training, benefit students and the public? Is an evaluation over risk ever part of the rationale for requiring so many hours?

Committee Staff Recommendation: It is important that future licensees receive training in key health and safety topics like infection control, sanitation standards, infection control, and basic labor laws. 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. BBC should provide the Committees with demographic statistics, if available, about student populations most significantly impacted by the current requirements to complete so many hours. BBC should provide information to the Committees about the impact this change could have on licensure portability and the ability for California practitioners to easily become licensed in other states. BBC should provide information to the Committees about federal financial aid eligibility related to clock hour requirements.

Update: Prior sunset legislation, SB 803, reduced the hours in the barbering and cosmetology professions. Barbering was reduced from 1500 to 1000 hours and Cosmetology was reduced from 1600 to 1000 hours. The Board has received feedback from individuals that believe the hours are too low and employers must now spend more time training new licensees before providing services to consumers. Some schools and individuals, however, have stated that they have adapted to the reduced hours and are experiencing sufficient pass rates in the examinations.

The Board does not track demographics, nor does the Board track enrollments in schools. In addition, the Board is not involved in any type of financial aid.

9. (EXAMS) BBC required individuals seeking licensure as a barber, cosmetologist, esthetician, electrologist or a manicurist to take and pass both a written examination and a practical examination. BBC relies on NIC tests, the same tests utilized in 39 states. Is the national written exam the best means by which to evaluate licensee competency? Is the practical exam still necessary?

Committee Staff Recommendation: Strong consideration should be given to eliminating the practical examination. Board should provide the Committees an update on the NIC exam and whether it is necessary to maintain a contract for a national exam, or whether BBC on its own can better craft something to ensure basic minimal competency in the aspects of practice that actually impact consumers like those related to health and safety.

Update: The practical examination was eliminated on January 1, 2022. Many individuals within the industry regularly comment to the Board that they believe this examination is still needed as the industry is a hands-on profession, however, the passing rates for the examinations have improved over the years since the examination was eliminated. The Board also hears from establishment owners stating that individuals are not prepared to perform services on consumers when they enter the workforce and state that education has shifted to focus on theory and not practical operations.

The Board contracted with PSI on July 1, 2022, to offer a national exam to all license types. This examination is focused on infection control and disinfection and sanitation. The Board believes this exam is essential to ensuring that a new licensee will provide safe services. However, the Board believes there could be an additional requirement applied to approved schools that mandate a school not graduate a student unless they meet minimum practical standards. This may be accomplished by mandating schools to administer a practical examination prior to graduation.

10. (ENDORSEMENT) BBC offers licensure reciprocity to individuals licensed and in good standing in other states. It may no longer be necessary for current limitations on this type of recognition and amendments to the Act may allow individuals to become licensed more quickly.

Committee Staff Recommendation: The Committees may wish to amend the Act to streamline the process for licensure based on an individual's possession of a license in good standing from another state.

Update: Prior sunset legislation allowed for license to license across state lines. This has increased the number of reciprocity applications as seen below:

License Type	2019	2020	2021	2022	2023	2024	2025
Barber	116	64	81	116	112	229	132
Cosmetologist	944	618	750	896	1454	2207	1368
Electrologist	2	0	0	0	3	4	1
Esthetician	218	173	234	498	554	673	358
Manicurist	242	193	254	451	748	1079	526
Total	1,522	1,051	1,319	1,961	2,871	4,192	2,385*

*As of 7/1/2025

The Board has found that this has also allowed for an increase in fraud. The Board has discovered several issues with the license-to-license processes and most importantly the possibility of an individual receiving a license with no education or never having taken an examination.

The Board believes that a statutory change is required to ensure that only individuals who have received education and have passed an examination testing minimal competency receive a license in California. The Board asks that an amendment be made to require that certification of licensure from other states include that the examination has been passed. This issue is discussed further in section 10 under New Issues.

11. (APPRENTICESHIPS AND EXTERNSHIPS) BBC allows individuals to obtain training toward licensure through an apprenticeship and externship. Examination passage rates for apprentices are not high and apprenticeship candidates may not have all of the information necessary in order to make an informed decision about this pathway. Externs are required to comply with a number of standards when working in an establishment as a student. Are changes necessary to ensure future licensees are provided fair opportunities through these pathways?

Committee Staff Recommendation: The Committees may wish to enhance oversight of apprenticeships and provide opportunities for future applicants to more easily access this training option by allowing BBC to establish a course necessary for

apprentices to complete in order to become licensed and practice throughout their apprenticeship.

Update: The Board developed a pre-apprentice training course on basic patron protection that was implemented on July 1, 2025. In the last several years, the Board has launched several investigations into excessive fraud within the apprenticeship program. The Board has been discussing these issues at public board meetings as well as establishing an apprentice task force.

Due to the enormous amount of information that the Board believes is pertinent to the sunset review, this subject is discussed in detail under section 10. The Board is hopeful that the legislature will make significant statutory changes to allow the program to continue but remove the fraud and lack of education that apprentices are subject to.

12. (PSP) BBC has worked the past number of years to implement a personal service permit to authorize licensees to have the flexibility in where they offer beautification services. Amendments to the Act may be necessary to recognize this option for licensees.

Committee Staff Recommendation: BBC should provide the Committees an update on the status of the PSP and when it is expected to be implemented. The Committees may wish to determine whether all services outlined in the PSP are necessary or whether individuals can safely perform some without obtaining a PSP if they are low risk to a consumer. BBC should inform the Committees whether statutory changes are necessary and provide amendments to the Act to implement the PSP.

Update: The Board implemented the PSP on October 1, 2021, since then 265 permits have been issued. The Board does not believe any changes are necessary to the current PSP authority.

13. (MOBILE UNITS) Services can be provided in a licensed "mobile unit" but the standards for these may be outdated and updates may be necessary.

Committee Staff Recommendation: The Committees may wish to amend the Act to remove unnecessary barriers to mobile unit licensure.

Update: Prior sunset legislation, SB 803, was enacted to update the requirements for mobile units. Since January 1, 2022, the Board has issued 41 new Mobile Unit licenses. The Board believes the updated language allowed this business option to be more accessible to individuals.

14. (CITATIONS) A BBC inspection is more likely than not to result in at least some type of citation. The majority of citations are appealed and individuals flood BBC's Disciplinary Review Committee (DRC) hearings. BBC has explored offering remedial education in lieu of fines, as licensees and licensee advocates have long argued that individuals receiving citations for violations, they were never even aware of. Does the DRC still make sense? Should the BBC update its cite and fine efforts to ensure that individuals are cited for violations impacting consumer safety that the licensee is actually aware of?

Committee Staff Recommendation: BBC should provide the Committees about the types of citations and fines issued that stem from potential consumer harm and whether those should be eligible for appeal. The Committees should evaluate whether the DRC remains necessary or if instead the Board should be required to update its administrative fine schedule to be relevant to the intended purpose of protecting the public.

Update: The Board has been reviewing its administrative fine schedule to ensure that the fines are an appropriate deterrent to prevent violations. The Board has changed its internal processes to gain compliance from licensees. This includes re-training inspectors on when to cite violations during the inspections and citation analysts on how to apply fines to the most egregious violations. For example, if an inspector enters an establishment and only observes a violation of a cabinet of clean towels not being closed, they will simply educate the licensee on the proper storage of linens. Additionally, a citation analyst will review the licensee history and if it is the first time an individual has been cited for a non-egregious violation, the analyst will issue the citation but without a monetary fine.

These internal processes have decreased the workload for the DRC. For example, in 2019 the Board held 9 DRC meetings, however in 2024, there were only 3 DRC meetings. In addition, the Board implemented a mobile inspection platform on November 12, 2024. This new process allows the final inspection report to be immediately emailed to a licensee with the photographs of the violations. The Board believes this will likely reduce the number of appeals as licensees will have the evidence of violations immediately.

The Board will continue to review its administrative fine schedule as well as its workload for the DRC to ensure that the most egregious violations are strictly upheld. The Board believes that the DRC should remain as a licensee must have the right to appeal a citation and even with the reduced number of hearings, this committee is the proper avenue to handle these appeals.

15. (LICENSEE IN CHARGE) BBC proposed establishing a "licensee in charge" designation. Is the intent to further consumer protection laws or absolve establishment owners from accountability for the actions in a particular establishment.

Committee Staff Recommendation: BBC should provide information to the Committees as to whether this model will benefit establishment or the public.

Update: The Board maintains that there should be a licensee in charge of the establishment. That licensee should be someone who holds a personal license or be the establishment owner. During the last sunset review, the Board asked for statutory language to clarify who can be a licensee in charge. While this language was not included in the sunset language, the Board still believes the following language should be adopted:

BPC section 7348:

An establishment shall at all times that barbering, cosmetology, esthetic, manicuring or electrology, hairstyling services are being performed be in the charge of a person licensed pursuant to this chapter except an apprentice. A person licensed pursuant to this chapter means an individual who holds a cosmetologist, barber, esthetician, manicurist, electrologist, hairstylist or establishment license.

16. (MANDATORY INSPECTION FOLLOWING LICENSURE) Is it feasible for BBC to be required to inspect every newly licensed establishment within 90 days of licensure?

Committee Staff Recommendation: In order to ensure that the BBC inspection activity is focused on maintaining public, licensee, and consumer health and safety, the Committee should amend the Act to allow BBC to focus its inspection on consumer harm.

Update: Prior sunset legislation, SB 803, removed the requirement for the Board to inspect an establishment immediately. The Board agreed with this change as new establishments do not tend to have significant violations. The Board has not seen any concerns or increase in harm with this change.

17. (WHAT EFFECTS HAS THE COVID-19 PANDEMIC HAD ON BBC?) Since March 2020, there have been a number of waivers issued through Executive Order which impact licensees and future licensees alike. Are any of the waivers applicable to BBC? Do any waivers warrant extension or statutory changes? What is BBC doing to address the pandemic?

Committee Staff Recommendation: BBC should update the Committees on the impact to licensees and the public stemming from the pandemic and the potential future challenges. The BBC should update the Committees on any recommendations from the last Health and Safety Committee Meeting.

Update: The Board reported during the last sunset review that the Health and Safety Advisory Committee reviewed health and safety regulations to determine any necessary changes as a result of the pandemic. The Board has strong regulations already in place that are intended to prevent cross-contamination or the spreading of viruses. For example, the Board requires handwashing between clients, disinfection of tools, maintaining a clean environment for services, etc. Now that the pandemic has passed, the Board believes the impact has diminished and current regulations are valid for any future events.

18. (TECHNICAL CHANGES MAY IMPROVE EFFECTIVENESS OF THE ACT AND BBC OPERATIONS) There are amendments to the Act that are technical in nature but may improve BBC operations and enforcement of the Barbering and Cosmetology Act.

Committee Staff Recommendation: The Committees may wish to amend the Act to include technical clarifications.

Update: The last sunset review included technical changes to allow the Health and Safety Advisory Committee members to receive per diem and this provision has been fully implemented.

19. (CONTINUED REGULATION BY THE BOARD OF BARBERING AND COSMETOLOGY) Should the licensing and regulation of individuals providing beautification services and beautification services establishments be continued and be regulated by the current BBC membership?

Committee Staff Recommendation: BBC should be continued, to be reviewed again on a future date to be determined, however the Committees should consider making significant modifications to the Act aimed at reducing barriers to entry in the beautification services industry.

Update: During the last sunset review, the Board saw some of the most significant modifications to the Act. These changes have reduced barriers to entry to the industry, as evident by the number of applications for new licenses. In 2019 (pre-pandemic) the Board received 22,345 initial exam applications, compared to 2024 where the Board received 32,436 initial exam applications.

As described in section 1 of this report, the industry is drastically changing, and these changes pose more and more risks to consumer. As such, the Board believes that continued oversight of the industry is essential to protecting California consumers.

Section 10 – New Issues

This is the opportunity for the Board to inform the Committees of solutions to issues identified by the Board and by the Committees. Provide a short discussion of each of the outstanding issues, and the Board's recommendation for action that could be taken by the Board, by DCA or by the Legislature to resolve these issues (i.e., policy direction, budget changes, and legislative changes) for each of the following:

- Issues raised under prior Sunset Review that have not been addressed.
- New issues identified by the Board in this report.
- New issues not previously discussed in this report.
- New issues raised by the Committees.

1. Oversight of Schools

Discussion

The Board shares oversight of barbering and cosmetology schools with the Bureau for Private and Postsecondary Education (BPPE), both having statutory authority to approve schools as a legal condition for them to operate. The Board's oversight is limited to:

- Approval of the curriculum.
- Approval of the facility, including square footage and equipment.
- Ensuring health and safety laws and regulations are followed within the school to protect consumers.

In the 2014 Sunset Report, the Board stated the following:

The Board believes that it is the best positioned regulatory entity to have sole oversight of schools. Dual oversight is not cost-effective and it is redundant to have two DCA entities regulating the same business. The Board cannot be removed from oversight because schools offer industry specific, Board regulated services, to consumers. Therefore, the Board should be the sole DCA in charge of regulating beauty schools. With regard to tuition recovery assurances, there are three options (a) cosmetology, barbering and electrology schools can be required to post bonds (as was required before the Student Tuition Recover Fund); (b) BPPE will continue to handle this for barbering, cosmetology and electrology schools (as they do with all other private postsecondary's); or (c) this function can be transferred to the Board.

The Board continues to believe that it should have sole-oversight over barbering, cosmetology and electrology schools.

Should the Board not be granted sole oversight of schools, it is believed that additional authority and resources are needed. The Board completes its current mandate by reviewing and approving initial school applications, conducting initial inspections prior to approval, and conducting routine inspections. A school is not required to renew their approval, although the Board may revoke their approval, and approved schools do not pay an application fee to the Board.

In addition to the review and approval of a new school application, the Board also provides schools with their pass/fail rates on a quarterly basis. This information is needed for schools to maintain their accreditation status.

The Board also receives various applications for schools, such as adding or removing a course, updating the authorized personnel, and updating the school contact information. These changes do not have a processing fee.

The Board has limited authority regarding enforcement. Business and Professions Code section 7313(b) states that: "To ensure compliance with health and safety requirements adopted by the board, the executive officer and authorized representatives shall, except as provided in Section 159.5, have access to, and shall inspect the premises of, all schools in which the practice of barbering, cosmetology, or electrolysis is performed on the public. Notices of violation shall be issued to schools for violations of regulations governing conditions related to the health and safety of patrons. Each notice shall specify the section violated and a timespan within which the violation must be corrected. A copy of the notice of violation shall be provided to the Bureau for Private Postsecondary Education."

This section limits the Board's authority to protecting the public who may patronize a school for services. However, the Board often receives complaints alleging a school is selling hours and producing fraudulent Proof of Training documents (a Board-required document that is for examination admittance). For the Board to properly investigate these allegations, increased authority is necessary.

The Board is also mandated to share information with the Bureau for Private and Postsecondary Education (BPPE), specifically BPC section 7313 (b) requires any notice of violation issued by the Board to be provided to the BPPE. However, the BPPE has no such reciprocal requirement to share information with the Board. The BPPE has the authority to issue a citation to an unlicensed school, but the Board does not. There is a significant threat to consumer safety if an unapproved school is offering services to consumers, however, the Board is not informed by the BPPE when a citation or formal discipline is issued.

Legislative Request

Option 1: Sole Oversight

Amend section 7362 (a):

7362.

(a) A school ~~shall be 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.~~

Option 2: Increased Oversight

Amend BPC section 7313(b):

To ensure compliance with all requirements set forth by this chapter and any regulations pertaining to the operation of approved schools ~~health and safety requirements adopted by the board~~, the executive officer and authorized representatives shall, except as provided in Section 159.5, have access to, and shall inspect the premises of, all schools. ~~in which the practice of barbering, cosmetology, or electrolysis is performed on the public.~~ Notices of violation shall be issued to schools for violations of regulations governing conditions related to the health and safety of patrons. Each notice shall specify the section violated and a timespan within which the violation must be corrected. A copy of the notice of violation shall be provided to the Bureau for Private Postsecondary Education.

Amend BPC section 7362:

- (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) Any person, firm, or corporation desiring to operate a school 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 is operating a new school or obtaining ownership of an existing school. 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. An approval issued pursuant to this section shall authorize the operation of the school only at the location for which the approval is issued.
- (c) ~~(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.

Add section 7425.1 Fee:

The amounts of the fees payable under this chapter relating to approval of barbering, cosmetology and electrology schools are as follows:

- (a) The application and initial approval fee shall not be more than two-hundred fifty dollars (\$250).
- (b) The renewal fee shall not be more than two-hundred fifty dollars (\$250).

Amend BPC:

To require the BPPE provide notice of citations and formal discipline to the Board.

2. Licensure by Endorsement

Discussion

Business and Professions Code section 7331 allows the Board to issue a license to an individual who holds a valid license in another state. An individual must request a license certification from their state and that certification is provided to the Board directly from the licensing state. In recent months, the Board has been working with multiple states on addressing fraud in the industry. One area of concern is that individuals are submitting fraudulent records to other states, obtaining a license and then transferring that license to California. It is believed that these individuals are doing this to circumvent taking the minimal competency examination.

Failure to ensure that an individual meets the competency requirements places California consumers at risk of harm. To ensure consumer safety, proof of an examination from a U.S. state or territory should be required.

Legislative Request

Amend section 7331:

The Board shall grant a license to practice to an applicant if the applicant submits all of the following to the Board:

- (a) A completed application form and all fees required by the Board.
- (b) Proof of a current license issued by another state to practice that meets all of the following requirements:
 - (1) It is not revoked, suspended, or otherwise restricted.
 - (2) It is in good standing.
- (c) Proof of passing a licensure examination in the United States or territory.**

3. Oversight of Apprenticeship Programs

Discussion

The apprenticeship program in the barbering and cosmetology industry is one area that needs significant changes. The Board has been researching and investigating several aspects of the program for the last few years and has determined that for the program to be successful, there must be changes on how the program is regulated.

Attachment E is a detailed report that the Board has been working on throughout 2025. This report shows the shortfalls of the apprentice program that are ultimately impacting individuals who choose the apprentice pathway. The Board's legislative requests are summarized below and explained in detail in the attachment. Many of these legislative requests are already required under other State laws (labor code, education code) however, the Board believes that having it within the BPC will allow the Board to increase enforcement in order to protect apprentices from being taken advantage of.

Legislative Request (Summary)

Clarify that an apprentice must be an employee and that proof such as paycheck stubs must be submitted to the Board upon request.

Establish an initial fee and renewal fee, along with requirements for the approval of program sponsors.

State that a program sponsor cannot franchise, sponsor, affiliate or loan their approval to a separate business entity.

Clarify that an apprentice must only enroll with an approved program sponsor.

Establishments employing an apprentice must offer all services within the scope of practice of the apprentice.

Establishments must maintain workers compensation insurance the entire time the apprentice is employed and make proof available upon request.

Establish a formal disciplinary process for the enforcement of program sponsors who violate the laws and regulations of the board.

Establish a process where an establishment who is in violation of the Board's laws and regulations is prevented from having an apprentice within their establishment for a specified number of years.

Establish a process where a licensee who is serving as a trainer to an apprentice who violates the Board's laws and regulations is prevented from having an apprentice for a specified number of years.

Establish a fee for the maintenance work done for the apprenticeship program (transfers, cancellations, etc.)

4. Establishing Combined License Types for Barber/Cosmetology and Manicurist/Esthetician

Discussion

On January 1, 2022, SB 803 was enacted, which made improvements in reducing the barriers to entry into the barbering and cosmetology professions. These changes reduced the number of hours required to be completed at an approved school to qualify for the examinations.

The Board has recently seen an increase in individuals who wish to hold multiple licenses. Most common is holding both a manicuring and esthetic license, however, the Board has also seen an increase in individuals that want to hold a barber and a cosmetology license. To obtain both licenses, an individual must re-enroll in an approved school and complete additional hours and apply and pass the examination.

The Board currently has 23,061 individuals who hold both a manicuring and esthetic license and 5,033 individuals who hold both a barber and cosmetology license. The Board believes this trend will only increase as manicurists and barbers want to perform waxing services and cosmetologists want to provide beard grooming services.

Establishing combined license types will reduce barriers to entry allowing an individual to attend one course of study, take and pay for only one examination, and maintain only one license.

Other states are already offering combined programs:

- Alabama and Texas both have a manicuring/esthetic license.
- Iowa and Utah both have a cosmetology/barber license.
- Florida offers a specialist registration that combines skin care and nail care.

Legislative Request

Add section 7327. Qualification for Admittance to Take Barber/Cosmetologist Exam

The Board shall admit to the examination for a license as a barber/cosmetologist to practice both barbering and cosmetology, any person who has made application to the board in proper form, paid the fee required by this chapter, and is qualified as follows:

(a) Is not less than 17 years of age.

(b) Has completed the 10th grade in the public schools of this state or its equivalent.

(c) Is not subject to denial pursuant to Section 480.

(d) Has done any of the following:

(1) Completed a course in barbering/cosmetology from a school approved by the Board.

(2) Practiced barbering and cosmetology as defined in this chapter outside of this state for a period of time equivalent to the study and training of a qualified person who has completed a course in barbering/cosmetology from a school the curriculum of which complied with requirements adopted by the board. Each three months of practice shall be deemed the equivalent of 100 hours of training for qualification under paragraph (1) of this subdivision.

Add section 7328. Qualification for Admittance to Take Manicurist/Esthetician Exam

The Board shall admit to examination for a license as a manicurist/esthetician to practice nail care and skin care, any person who has made application to the board in proper form, paid the fee required by this chapter, and is qualified as follows:

(a) Is not less than 17 years of age.

(b) Has completed the 10th grade in the public schools of this state or its equivalent.

(c) Is not subject to denial pursuant to Section 480.

(d) Has done any of the following:

(1) Completed a course in manicuring/esthetics from a school approved by the board.

(2) Practiced nail care and skin care, as defined in this chapter, outside of this state for a period of time equivalent to the study and training of a qualified person who has completed a course in nail care from a school the curriculum of which complied with requirements adopted by the board. Each three months of practice shall be deemed the equivalent of 100 hours of training for qualification under paragraph (1).

Add section 7366.1: Barber/Cosmetologist; Hours of Practical Training

(a) A course combined of barbering and cosmetology established by a school shall consist of not less than 1,400 hours of practical and technical instruction in the practice of both barbering and cosmetology

(b) The curriculum for a combined barbering/cosmetology course shall, at a minimum, include technical and practical instruction in the following areas:

(1) One hundred hours in health and safety, which includes hazardous substances, chemical safety, safety data sheets, protection from hazardous chemicals, preventing chemical injuries, health and safety laws and regulations, and preventing communicable diseases.

(2) One hundred hours in disinfection and sanitation, which includes disinfection procedures to protect the health and safety of consumers as well as the technician and proper disinfection procedures for equipment used in establishments.

(3) (A) 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.

(B) 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 thicknesses, and volumes of hair.

(4) (A) 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.

(B) Instruction in hairstyling 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 thicknesses, and volumes of hair.

(5) Two hundred hours in shaving and trimming of the beard, which includes preparing the client's hair for shaving, assessing the condition of the client's skin, performing shaving techniques, applying aftershave antiseptic following facial services, and massaging the face and rolling cream massages.

(6) One hundred fifty hours in skin care services, which includes chemical and manual facials and massaging, stimulating, exfoliating, cleansing, or beautifying the face, scalp, neck, or body by the use of hands, esthetic devices, cosmetic products, antiseptics, lotions, tonics, or creams that do not result in the ablation or destruction of the live tissue.

(7) Fifty hours in hair removal and lash and brow beautification, which includes tinting and perming eyelashes and brows and applying eyelashes to any person, and includes removing superfluous hair from the body of any person by use of depilatories, tweezers, sugaring, nonprescription chemicals, or waxing, or by the use of devices and appliances of any kind or description, except by the use of lasers or light waves, which are commonly known as rays.

(8) One hundred hours in manicure and pedicure, which includes water and oil manicures, hand and arm massage, foot and ankle massage, nail analysis, and artificial nail services, including, but not limited to, acrylic, liquid and powder brush-ons, dip, tips, wraps, and repairs.

Add section 7366.2: Esthetics/Manicuring; Hours of Practical Training

(a) A combined course in skin care and nail care established by a school shall consist of not less than 800 hours of practical and technical instruction.

(b) The curriculum for a skin care course shall, at a minimum, include technical and practical instruction in the following areas:

(1) One hundred hours in health and safety, which includes hazardous substances, chemical safety, safety data sheets, protection from hazardous chemicals, preventing chemical injuries, health and safety laws and regulations, and preventing communicable diseases.

(2) One hundred hours in disinfection and sanitation, which includes disinfection procedures to protect the health and safety of consumers as well as the technician and proper disinfection procedures for equipment used in establishments.

(3) Three hundred fifty hours in skin care, which includes chemical and manual facials and massaging, stimulating, exfoliating, cleansing, or beautifying the face, scalp, neck, or body by the use of hands, esthetic devices, cosmetic products, antiseptics, lotions, tonics, or creams that do not result in the ablation or destruction of the live tissue.

(4) Fifty hours in hair removal and lash and brow beautification, which includes tinting and perming eyelashes and brows and applying eyelashes to any person and includes removing superfluous hair from the body of any person by use of depilatories, tweezers, sugaring, nonprescription chemicals, or waxing, or by the use of devices and appliances of any kind or description, except by the use of lasers or light waves, which are commonly known as rays.

(5) One hundred fifty hours in manicure and pedicure, which includes water and oil manicures, hand and arm massage, complete pedicures, foot and ankle massage, nail analysis, nail repairs, and application of artificial nails, liquid, gel, powder brush-ons, dip, nail tips, and wraps.

Amend section 7423 to add:

(j) (1) A barber/cosmetology application and examination fee shall be the actual cost to the Board for developing, purchasing, grading, and administering the examination.

(2) A barber/cosmetology initial license fee shall be not more than fifty dollars (\$50).

(k) (1) A manicuring/esthetics application and examination fee shall be the actual cost to the board for developing, purchasing, grading, and administering the examination.

(2) A manicuring/esthetic initial license fee shall be not more than fifty dollars (\$50).

(j) Notwithstanding Section 163.5 the license renewal delinquency fee shall be 50 percent of the renewal fee in effect on the date of renewal.

5. Limited Liability Companies

Discussion

The Board has historically issued establishment licenses to Limited Liability Companies (LLC's); however, current statute is not clear if this business structure is allowed. The Board has not experienced any concerns in the past with LLCs holding an establishment license and has determined that other Boards/Bureaus currently allow LLCs to hold a business license.

In addition, the Board also issues establishment licenses to formally established partnerships.

Legislative Request

Amend section 7347 as follows:

(a) Any person, firm, partnership, limited liability company or corporation 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, partnership, limited liability company or corporation 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. (b) The amendments made to this section by the act adding this subdivision shall become operative on July 1, 2017.

6. Remedial Education Clean-Up

Discussion

On January 1, 2024, SB 384 was enacted, which allowed the Board to establish a remedial education program in lieu of a first offense of a health and safety violation. During the implementation process, the Board determined that clean-up language would establish a process that is more user-friendly and cost-effective.

Current language states that the remedial education will be “Board-offered”. This prevents the Board from working with an outside vendor to establish a remedial program that would be less costly to an individual.

Legislative Request

Amend section 7407.1(b)(1) as follows:

- (c) (1) The Board shall establish by regulation a ~~board-offered~~ Board-approved remedial education program, in lieu of a first offense of a health and safety violation.

Section 11 – Attachments

Attachment A - Board's administrative manual.

Attachment B

- 1) Current organizational chart showing relationship of committees to the board and membership of each committee (cf., Section 1, Question 1).
- 2) Attendance

Attachment C - Major studies (cf., Section 1, Question 4).

- 1) 2019 Occupational Analysis of the Barbering Profession
- 2) 2020 Occupational Analysis of the Electrologist Profession
- 3) 2021 Occupational Analysis of the Esthetics Profession
- 4) 2021 Occupational Analysis of the Manicurist Profession
- 5) 2022 Occupational Analysis of the Hairstylist Profession

Attachment D - Year-end organization charts for last four fiscal years.

Attachment E – Report on the Status of the Apprentice Program

Board of Barbering and Cosmetology
Report on the Status of the Apprenticeship Program
DRAFT REPORT 11-2025

The Board of Barbering and Cosmetology (Board) offers an apprenticeship program as a pathway to licensure. This program allows an individual to receive on-the-job training while also receiving classroom training. There are several components to the apprenticeship program as well as several entities that provide oversight.

Throughout the past several years, the Board has seen significant issues develop within the apprenticeship program, these are:

- Tuition and Fees
- Low Passage Rates (Especially Spanish Pass Rates)
- Training Facilities/Academies
- On the Job Training Concerns
- Funding
- Wages and Workers Compensation
- Lack of Enforcement
- Overall Success of the Program
- Board Dedicated Resources

Apprenticeships and Oversight

This report is intended to address the issues noted above, however, it is important to understand the background of apprenticeships and the oversight of the programs.

What are Apprenticeship Programs?

An Apprenticeship Program is a work-based learning model that combines paid on-the-job training with classroom instruction to prepare for skilled careers. Apprenticeships are a partnership between the industry, education, and government.

Who has Oversight?

The Apprenticeship Program has multiple agencies that play a role in the oversight of the program:

- The Board of Barbering and Cosmetology
- The Division of Apprenticeship Standards (DAS)
- Local Education Agencies (LEA)

The Board:

The Board issues an approval to a Program Sponsor to offer an Apprenticeship Program. The Apprenticeship Program must first be approved by DAS before the Board will approve it. Program Sponsors must follow the Shelley-Maloney Apprenticeship Labor Standards Act of 1939 which is part of

the CA Labor Code. For the Board to approve a Program Sponsor and program, the following must be provided:

- A completed application
- Proof of DAS approval
- A detailed outline of the training program
- A copy of the apprenticeship agreement

No application fee or renewal fee is required for the Program Sponsor application process.

The Board also issues a license to an apprentice. A person who enters into an agreement with an approved Program Sponsor first completes a pre-apprentice training course for basic patron protection. The apprentice then finds an establishment and a trainer that are willing to take them on as an employee and as an apprentice and provides that information to the Program Sponsor. The Program Sponsor then submits all the paperwork for the apprentice to obtain the license from the Board. The apprentice license is issued for two-years. The total requirement for an apprentice to complete a program is 3,200 hours of on-the-job training over that two-year period. The apprentice is required to work a minimum of 32-hours per week and not exceed 42 ½ hours and attend in-person classes ranging from 216-220 classroom hours, referred to as related training hours or related supplemental instruction (RSI).

Once the program is complete the apprentice can apply for the examination to become fully licensed.

During the two-year term, many changes may occur. The apprentice can change employers or trainers multiple times during the two-year program. Each of these processes, requires a form to be submitted to the Board by the Program Sponsor and a new license must be issued. The Board has no authority to charge for any of these tasks. The only fee the Board receives for all apprentice activities is the \$25.00 processing fee for the initial apprentice license.

The Division of Apprenticeship Standards:

The Division on Apprenticeship Standards (DAS) is a division within the Department of Industrial Relations. The DAS creates opportunities for Californians to obtain skills leading to gainful employment and provides employers with a highly skilled and experienced workforce while strengthening California's economy.

The DAS carries out this mission by administering California apprenticeship law and enforcing apprenticeship standards regarding wages, hours, working conditions, and the specific skills required for state certification as a journey person in an occupation that is appropriate for apprenticeship.

The DAS approves Program Sponsors and their programs, as well as registers apprentices.

The Local Education Agency:

A Local Education Agency (LEA) is a local entity involved in education, including but not limited to school districts, county offices of education, district funded charter schools, etc. Program Sponsors

must have an LEA that they are working with and the LEA provides some oversight of the RSI hours and the facilities where the RSI is offered.

Federal Apprenticeship Programs:

The U.S. Department of Labor also approves apprenticeship programs. This would allow a program to operate in other states. In California though, a Program Sponsor must be approved by both the Board and the DAS in order to allow an apprentice to qualify for the examination.

Apprentice Task Force:

In June 2025, the Board established a task force to provide feedback on the current issues facing the apprenticeship program. The task force consisted of:

Board Members
 Board Staff
 3 Approved Program Sponsors
 3 Local Education Agencies
 1 Licensee/Owner (Past Apprentice)

The task force held two meetings and discussed the issues presented in this report.

Review of Issues

#1 Tuition and Fees

An apprenticeship program allows an individual to earn while they learn. It is an alternative to traditional school. However, Board staff have found that apprentice programs are charging the apprentices tuition fees. Labor Code section 3091 provides, “[a]cceptance of an application for entrance into an apprenticeship training program shall not be predicated on the payment of any fee. Reasonable costs for expense incurred may be charged after an applicant has been accepted into the program.” Nonetheless, some approved programs appear to charge fees in excess of that permitted under the Labor Code, including:

- Enrollment Fee
- Registration Fee
- Attendance Records
- On the Job Training (OJT) Logs
- Tuition Fee
- Late Fees and Payment Plans with Interest on Tuition
- Penalty Fees – Apprentice being out of uniform
- Administrative Fees and Fines – Records requests and printing costs per page

Some programs are withholding completion forms for apprentices who owe money on their tuition and/or fees.

In 2022, Board staff found the fees that are charged to apprentices in various programs can range from between \$5,500 to \$20,508. These fees include tuition, books, and various other fees.

In March 2025, Board staff spoke with 115 apprentices and found the following:

- 25 apprentices stated they paid \$2,500 to \$2,800
- 7 apprentices stated they paid \$3,000 to \$3,500
- 2 apprentices stated they paid \$4,000 to \$4,500
- 28 apprentices stated they paid \$5,000 to \$5,900
- 19 apprentices stated they paid \$6,000 to \$6,500
- 22 apprentices stated they paid \$7,000 to \$7,500
- 4 apprentices stated they paid \$8,000 to \$8,500
- 5 apprentices stated they paid \$9,000 to \$9,500
- 3 apprentices stated they paid \$10,000
- 2 apprentices stated they paid \$15,000

This information was provided to both the DAS and the LEA and no action has been taken.

In July 2022, the Board, DAS, and the Bureau for Private Postsecondary Education (BPPE) authored a joint letter to all apprentices. The DAS portion of the letter stated:

At any establishment where an apprentice is employed, the apprentice is an employee who must be covered by workers' compensation insurance (Lab. Code, §§ 3351, 3700) and paid at least the applicable wage package stated in the approved apprenticeship program standards. (Cal. Code of Regs, tit. 8, § 208.) Apprentices are being trained under a learn-and-earn model and their participation should not entail significant costs, because any costs incurred by an apprentice for their training must be "reasonable." (Lab. Code, § 3091.) Training programs for which participants must pay unreasonable sums are not apprenticeships as defined in the law.

Unfortunately, there is no clear limit on what an apprenticeship program can charge and the legal standard permitting "Reasonable costs" is difficult to enforce.

Task Force Discussion

The task force brought up several concerns when they discussed charges to an apprentice. The programs that were part of the task force have a range of fees, however, they explained why some of these fees were valid. For example, an apprenticeship program is responsible for providing a physical location for the related training to take place. They also employ staff to handle the necessary paperwork and employ instructors. For a program to operate, they must charge a fee to cover their rent, salaries and any overhead.

The task force discussed several options on how to limit the amount of money an apprentice can be charged. However, the concern of establishing a limit can cause future issues. A program may grow requiring higher fees or a small program may charge a higher amount when not needed.

Recommendation:

Apprenticeship programs are not intended to have a fee for the apprentice. A reasonable fee would be for the required items that are needed to complete the training and job skills. For example, a barber or cosmetology kit is usually \$300-\$500. This is what an apprentice should be expected to pay.

#2 Low Passage Rates (Especially Spanish Test Takers)

The apprentice program has struggled for years in educating individuals to meet the minimum standards of licensure. This is evident in the passage rates for each program. In a review of pass rates from 2019 to 2024, the following average pass rates were found:

License Type	Pass	Fail	Total	Pass %
Barber	947	1,630	2,577	37%
Cosmetology	1,346	2,185	3,531	32%

The apprentice program is often utilized by Spanish-speaking individuals. Based on the examination results from 2019 through 2024, 40% of apprentice cosmetology test takers are Spanish speaking, while 17% of apprentice barber test takers are Spanish speaking.

APPRENTICE SPANISH EXAMINATIONS 2024

License Type	Pass	Fail	Total	Pass %
Barber	24	59	83	29%
Cosmetology	63	229	292	22%

APPRENTICE NON-SPANISH EXAMINATIONS 2024

License Type	Pass	Fail	Total	Pass %
Barber	292	372	664	44%
Cosmetology	199	334	533	37%

There are many factors that could be attributed to the low passage rates. One significant difference between the apprentice program and traditional schools is the theory education or the classroom education. Apprenticeship programs are required to conduct related training in the classroom and the requirement is 216 hours for barber and 220 hours for cosmetology.

The theory portion of any educational program is critical to the success of an applicant. This is where the apprentice will learn the “why” of a topic as opposed to just the “how”. As the Board’s main goal is consumer protection, there is a strong need for the theory portion of the program. The Board is concerned with how safe a licensee can perform a service and not necessarily how good the service is. For example, a client may want their hair a specific shade of blonde and the licensee was not able to fulfil this request but in providing the service, professional standards were followed, and no harm was caused.

In addition to the minimal time in the classroom and the minimal time learning the technical aspect of the profession, the following are also possible contributors to low pass rates:

- Lack of oversight of the related training and no instructor requirements
- No requirement for Spanish speaking students to be provided education in Spanish
- No requirement for Spanish speaking students to have the Spanish approved textbooks
- Sponsors are franchising out their approval (See Issue #3)
- Unknown if there are any pre-admittance requirements for an apprentice that is verified by a Sponsor (i.e. 10th Grade Education)

Task Force Discussion

The task force discussed the length of the apprentice program may be too long and impacting the pass rates. Currently, an apprentice must complete 3,200 hours in a two-year period. The task force stated that often the apprentice is ready to take their exam much earlier and are required to take their examination long after their theory education is over. The task force agreed that reducing an apprenticeship program to 2,000 hours may help pass rates improve. This is the minimum required hours by the DAS and the federal minimum as well.

#3 Training Facilities/Academies

One of the most significant issues in the apprentice program is the increase of “training facilities”. These are locations that have been approved by the program’s LEA to provide the required related training (classroom theory education). Over the past several years, there have been more and more training facilities that are now operating as approved apprentice programs. These facilities claim to be a “franchise” or an “affiliate” of an approved Program Sponsor. The facilities are advertising, enrolling, contracting, and charging potential apprentices under their own business name and not under the approved Program Sponsor. In fact, most apprentices that have contracted with these training facilities have no idea who the approved Program Sponsor is. These training facilities are operating as Approved Sponsors, and many are targeting Spanish-speaking individuals.

Most of these training facilities are licensed establishments. Therefore, when the Board does an inspection there are licensed apprentices working with trainers and there are no violations. If the BPPE does an inspection to determine if it is an unlicensed school, the facility states they are affiliated with an approved Program Sponsor and are not a school.

On August 7, 2024, a letter was sent to all of the identified training facilities to advise them that they cannot operate as an approved apprentice Program Sponsor unless approved by the Board and the DAS. It is acceptable for these facilities to provide the related training, however they have no authority to advertise, enroll via a contract, or charge a fee to a potential apprentice. The Board mailed 29 letters and did not receive any responses. The Board also sent a letter to all approved Program Sponsors advising them there is no authority that allows them to franchise out their approval.

In 2024, the Board documented 76 “training facilities” listed as an RSI location for approved programs. Approximately 40% of these training facilities are enrolling their own apprentices, under their own business names and collecting monies paid by the apprentice.

Task Force Discussion

The task force believes that the issue of franchising out training facilities is a problem. Most members agreed that the Board should establish a statute that prohibits this activity. Some LEA's have taken their own steps in no longer allowing this structure however some LEA's continue to approve multiple training facilities. Then these facilities begin operating as an approved program.

#4 On the Job Training Concerns

An integral part of being an apprentice is to earn while you learn. An apprentice is a full-time employee who should be regularly supervised. An apprentice program for many other industries is established to hire an individual as an apprentice and then ultimately hire them once their apprenticeship is completed. In the barbering and cosmetology industry, one of the main forms of workforce is booth rental which means that often these employers are bringing on an apprentice knowing that they will only have them for a short amount of time.

Board staff is finding that, often, the apprentice is not receiving training on the job at all and is being utilized as a full-time licensed employee. The staff regularly finds:

- Apprentices left alone in establishments providing services
- No required on-the-job training logs are available
- Required on-the-job training logs are being pre-filled out
- On-the-job training logs are being completed at the end of the program as opposed to throughout the program.
- No supervision or training is being provided.

In addition, the only requirement for a trainer is that they hold a valid license and that they have no outstanding fines or formal discipline. The trainer often does not understand that they are agreeing to provide training and simply sign off to bring the apprentice on board.

Task Force Discussion

The task force discussed that there are no consequences for a trainer or establishment owner who has violated the laws and regulations of the apprenticeship program. The task force agreed with strengthening laws to hold trainers and establishment owners responsible for participation on the program.

#5 Funding

There are various opportunities for funding for apprenticeship programs. These range from federal funds and state funds that are intended to off-set the cost of administering the program. Below are examples of funding that many programs receive:

1. Reimbursement for related training hours.
A Program Sponsor can submit an invoice to their LEA and receive a reimbursement for each apprentice per hour of related training. For example: Cosmetology requires 220 hours of related training, if the reimbursement is \$9.00 an hour, the Program Sponsor can invoice their

LEA 220 hours X \$9.00 = \$1,980 that would be provided to the Program Sponsor per apprentice.

2. Workforce Innovation and Opportunity Act (WIOA)

The WIOA funds are federal funds intended to off-set the cost of administering an apprentice program. WIOA funds are available via the Employment Development Department through CalJobs training programs. For example, one program is currently listed on the CalJobs list as charging a tuition of \$10,000. This program has received this amount 33 times.

3. Apprentice Innovation Funds (AIF)

The AIF are state funds that are awarded by the DAS. A review of the DAS website shows that two programs have received AIF funds, with one of these programs receiving \$484,375.00. For this same program the Board has confirmed that they are charging \$7,500 tuition. AIF funds are awarded based on enrollment of apprentices and not the success of the program.

There are no “checks and balances” to ensure that a Program Sponsor is not receiving funds for the same apprentice that was required to pay tuition. Most importantly, there should not be tuition but regardless of how many times the Board has reported this to other entities, minimal to no action has been taken.

Some programs are receiving WIOA funds, AIF funds, related training funds and charging tuition and the apprentices never apply for the examination or fail the examination.

#6 Wages and Workers Compensation

All apprentice employers are required to provide an hourly wage to the apprentice and the establishments are required to maintain workers compensation insurance. During several interviews with licensed apprentices, the Board learned that apprentices are:

- Paid under the table
- Paid only based on the services provided
- Establishments do not have workers compensation insurance

The Board spoke to 103 apprentices who reported:

- 52 are booth renters
- 27 are paid by commission only
- 17 are paid only by the service provided
- 7 are not paid at all

The Board's statutes and regulations have no requirements for an establishment to provide proof of insurance or proof that an apprentice is an employee receiving a hourly wage.

Task Force Discussion

The task force agreed that the Board should propose statutory changes that require the apprentice to be an employee and not a booth renter and require worker's compensation insurance to be maintained the entire duration of the apprentice's employment and provide proof of insurance upon request. It was discussed that establishments are obtaining workers compensation insurance but cancelling the policy after they have shown proof of obtaining it.

#7 Lack of Enforcement

In the review of the apprentice program, it appears there is an overall lack of enforcement. While multiple agencies play a role in oversight of apprenticeships, there is little to no enforcement by any other agency. Often, the Board is citing apprentices for violations that ultimately are not their fault. For example, an apprentice is subject to a \$1,000 fine if found to be working in an establishment without their trainer.

As described under issue number 8, the Board is dedicating significant resources to addressing the fraud that has taken place in the program. The Board has issued 15 Notices to Show Cause with one resulting in an appeal hearing with a Deputy Attorney General and an Administrative Law Judge. The Board currently has 9 open investigations on apprentice programs.

The Board has issued XXX Notices to Show Cause with two requiring a hearing before an ALJ and the Board being represented by a Deputy Attorney General. The average amount of costs for this process is \$10,000 per hearing.

The DAS and the LEA's do not appear to have an enforcement component to the oversight of apprenticeships and often rely on the Board's activities to take action.

#8 Overall Success of the Program

The issues addressed in this report raise the concern regarding the overall success of the program. In a review of the data, it was found that very few individuals that receive an apprentice license ever apply for the examination.

From 2018 to 2021, 47% of individuals that received a barber apprentice license, never applied for the examination.

BARBERS	2018	2019	2020	2021
Apprentice Licenses Issued	882	804	764	1224
# That Applied for Exam	432	377	436	689
# That Never Applied for Exam	450 (51%)	427 (53%)	328 (43%)	535 (44%)

From 2018 to 2021, 42% of individuals that received a cosmetology apprentice license, never applied for the examination.

COSMOTOLOGY	2018	2019	2020	2021
Apprentice Licenses Issued	725	771	533	788
# That Applied for Exam	394	402	350	499
# That Never Applied for Exam	331 (46%)	369 (48%)	183 (34%)	289 (37%)

Task Force Discussion

As noted under item 2, one area that the task forces discussed is the length of the apprentice program. The Board currently requires 3,200 hours (which is a two-year license). Task force members brought up that apprentices are ready to test earlier in their program but due to the required length are often not prepared for the examination. The DAS requires an apprentice program be a minimum of 2,000 hours. Task force members believed reducing the hours could increase the success of the program.

#9 Board Dedicated Resources

The Board must dedicate a significant number of staff to address the apprentice program. The Board currently has 51 complaint cases under investigation. There is one full-time Special Investigator that handles these investigations. The Board has 2 full time staff dedicated to the licensing functions of the program. In addition, one manager, the Deputy Executive Officer and the Executive Officer are dedicating 50%-90% of their time to dealing with apprentice program issues.

Statutory Recommendations to be Requested via the Board's Sunset Report

- Clearly state that an apprentice is an employee (paid via a W-2) who must earn an hourly wage and cannot be a booth renter or be compensated only by commission.
- Establish a process for the review and approval of new Program Sponsors including an initial application and renewal fee.
 - ✓ State that an approved program can only utilize one LEA.
 - ✓ State that all approved programs must be within 60 miles of their LEA.
 - ✓ Require Program Sponsors to have all related training locations approved by the Board and the Board must always have a list of current locations.
 - ✓ Require a Program Sponsor to be approved to teach in multiple languages.
 - ✓ Approved programs must hold committee meetings on a quarterly basis and include the Board, DAS and the LEA.
 - ✓ State that approved Program Sponsors must maintain OJT logs with daily activities and make them available upon request of the Board.
- An approved Program Sponsor cannot franchise, sponsor or in any way share their approval.
- All enrollments in the apprentice program must be between the approved Program Sponsor and the apprentice.
- Establishments employing apprentices must offer all services within the scope of practice.
- Establishments must maintain worker's compensation insurance for the entire time an apprentice is employed and must provide the Board proof of insurance upon request.
- Establish a formal disciplinary process for enforcement of Program Sponsors including the option to suspend new enrollments if violations are found.
- Establish a fee for the maintenance transactions (transfers, discontinuances).

- Establish a process where if a trainer is in violation of the apprenticeship program (i.e. not completing proper OJT logs, leaving the apprentice to work alone) they are no longer able to serve as a trainer for a specified amount of time.
- Establish a process where if an employer (establishment) who is in violation of the apprentice laws (no workers compensation, allowing for booth rent, allowing the apprentice to work alone) is no longer able to have an apprentice within the establishment for a specified amount of time.

Agenda Item

No. 12

No Attachments

Agenda Item

No. 13

No Attachments

Agenda Item
No. 14
Closed Session

Adjournment