

A Report to The Senate Business,
Professions and Economic
Development Committee

California State
Board of Barbering and Cosmetology
Sunset Review Report 2012



STATE OF CALIFORNIA

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Wen Ling Cheng, Public Member
Deedee Crossett, Industry Member
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Section 1

Section 1

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Mission

To ensure the health and safety of California consumers by promoting ethical standards and by enforcing the laws of the beauty industry.

The Board protects the interests of California consumers by:

- Serving as a guardian of their health and safety;
- Enhancing public and industry participation in decision-making;
- Promoting ethical and professional standards; and creating policies that are contemporary, relevant and responsive.

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 revision 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 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 (BBC).

On June 23, 2008, SB 797 (Ridley-Thomas, Chapter 33, Statutes of 2008) was chaptered by the Secretary of State which required the Board to become a Bureau from July 1, 2008 until December 31, 2008.

Concurrently, on June 23, 2008, AB 1545 (Eng, Coauthors: Emmerson, Senators Perata and Ridley-Thomas, Chapter 35, Statutes of 2008) was chaptered which allowed the Bureau of Barbering and Cosmetology to become a board once again, commencing on January 1, 2009. The Board has remained as such since this date.

Please see page 5 for a current listing of Board members and their term expiration dates.

Description of the Board

The Board is responsible for licensing and regulating barbers, cosmetologists, estheticians, electrologists, manicurists, apprentices and establishments. Title protection is provided for the use of the term *cosmetologist and barber*.

The Board ensures that applicants for licensure have completed the necessary training and passed the written and practical (hands on) components of the examination. The examination requires that the individual demonstrate that they possess the knowledge and skills required to perform within the scope of their discipline while protecting the public's health and safety. After successfully passing the examination, the individuals are issued a license on the same day of the exam.

Annually, the Board receives and processes an average of 40,656 applications for licensure as a barber, cosmetologist, manicurist, esthetician, electrologist and apprentice. On an average, an additional 6,198 applications are received for establishment licenses annually. The Board administers an average of 27,592 practical examinations and 32,111 written examinations and issues approximately 26,153 licenses to brand new licensees.

The Board is committed to ensuring that consumers are protected when they receive services from barbers, cosmetologists, manicurists, electrologists, estheticians, apprentices and the establishments in which they perform their services. This protection is provided through the following program areas:

Licensing and Examination

The Board ensures that individuals possess at least minimal competency to practice barbering, cosmetology, manicuring, esthetics, and electrology

independently and safely pursuant to Business and Professions Code section 7301. After successful completion of the required courses for each training area from an approved school, each licensee must pass both a written and practical (hands-on) examination.

Enforcement

One of the Board's mandates is to protect the health and safety of consumers who seek services from its licensee's and licensed establishments. To accomplish this, the Enforcement Program receives and investigates complaints from the public and various entities to determine whether or not there has been a violation of the Act and its regulations, and if so, whether disciplinary action is warranted.

Complaints involving allegations of health and safety violations are researched using a combination of desk investigations and field inspections. However, the more egregious cases, including allegations of consumer harm, may result in formal disciplinary action (including probation, suspension, or revocation) against the licensee.

The Board also has the authority to deny licensure if an applicant has prior criminal convictions, which are substantially related to the practice of barbering and cosmetology.

Inspections

An important and essential arm of the Board's enforcement activities is the Inspection Program whose primary role is enforcing the Board's health and safety regulations. This is accomplished through directed, random, initial and/or targeted inspections of many of the 47,626 establishments and 291 schools of barbering and cosmetology.

Types of Inspections

- Directed – When the Board receives a complaint regarding consumer harm or alleged violations of the health and safety regulations, enforcement staff will request a directed inspection of the establishment.

- Random (Routine) – Board inspectors strive to inspect each establishment on a regular basis to ensure that the establishment continues to be in compliance with the Board’s health and safety regulations.
- Initial - Business and Professions Code section 7353 requires an initial inspection be conducted within 90 days of licensure to ensure that the establishment is in compliance with the Board’s health and safety regulations.
- Targeted – Should an outbreak of infection occur or knowledge becomes available that there are a number of unlicensed salons/individuals; the Board will do targeted inspections in a specific geographical area.

Education and Outreach

The Board ensures that information is available for consumers, licensees, applicants, students and other interested parties through the Board’s website, the Consumer Information Center, and by direct consumer contact. Information is also provided through media outlets such as television, radio, FaceBook, Twitter and trade magazine publications. The Board has recently established its own newsletter, “Smock Talk”, which is made available on the Board’s website.

The Board’s website contains information regarding:

- fact sheets designed to educate the public on health and safety topics
- the licensing requirements in California,
- licensee status including any discipline,
- forms and publications,
- consumer complaint form to allow consumers to file a complaint online,
- average processing times for initial applications, renewal applications, and examination scheduling,
- general information about the Board such as meeting notices and meeting minutes.

Board Members

The Board is comprised of nine members: five public and four professional members. The Senate Rules Committee and the Speaker of the Assembly each appoint one public member. The other 7 members (4 public members and 3 professional members) are appointed by the Governor.

The Board elects a president and vice-president, annually, who each serve a one-year term and can serve for a total of two years. The Board meets quarterly and rotates meeting locations between northern and southern California. These meetings are webcasted and open to the public. The meetings provide an opportunity for the Board to educate licensees and the public about the various topics relating to the practice of barbering and cosmetology. The Board receives extensive public comments at committee and Board meetings. All comments are taken into consideration and are often incorporated into recommendations. Additionally, Board members educate the profession by speaking at various educational institutions. The Board has taken a proactive approach to educating students and the institutions where they attend.

Business and Professions Code section 453 requires every new Board member to complete Board member orientation provided by the Department within one year of assuming office. In addition to the Board member training that encompasses open meeting laws, ethics, conflicts of interest, legislative and regulatory process, reimbursement of expenses and executive officer's responsibilities, the members also receive on-the-job training in budgets, licensing, examinations, enforcement and the disciplinary process.

The following is a list of the current membership of the Board:

Member Name Vacancies)	Date First Appointed	Date Reappointed	Date Term Ends	Appointing Authority	Type (public or professional)
Wen Ling Cheng	5/2/2011	-	1/1/2015	Speaker of the Assembly	Public
Deedee Crossett	1/12/2010	1/13/2011	1/1/2013	Governor	Professional
Katie Dawson	12/22/2011	-	1/1/2013	Governor	Public
Joseph Federico	12/29/2011	-	1/1/2015	Governor	Professional
Richard Hedges	1/1/2003	1/1/2007, 1/14/2009	1/1/2013	Senate President Pro Tempore	Public
Frank Lloyd	1/1/2010	1/12/2011	1/1/2013	Governor	Public
Christie Truc Tran	1/4/2010	1/2/2011	1/1/2015	Governor	Professional
Vacant	-	-	-	Governor	Professional
Vacant	-	-	-	Governor	Public

All board members actively participate in Board activities. The Board encourages input from all segments of the industry. To do this, advisory committees, working groups and other forums have been established for various topics.

Appendices 1 and 2 contain tables documenting board member appointments, terms, committee assignments and attendance. (Table 1a – Board Member Attendance and Table 1b – Board and Committee Roster).

Board Committees and Their Functions

The Board functions very cohesively which allows most of their tasks to be performed at the Board level. The Board additionally has five standing committees and utilizes task force ad hoc committees and advisory committees that are formed to examine specific topics, and then disbanded following completion of the task. These committees recommend policies that advance mission-related goals.

The five standing committees (described below) are utilized to assist the board in establishing its goals and aids in organizing its activities in pursuit of ensuring the health, safety and welfare of the public. The Board manages, plans, and tracks its operations through its strategic plan, which is periodically reassessed (about every 5 years). In October 2012 the Board adopted its plan for the next 5 years.

Legislation and Budget Committee

The purpose of the Legislation and Budget Committee is to review and track legislation that affects the Board and recommends positions on legislation. The committee provides information and recommendations to the Board of potential policy matters relating to the budget.

Current members are: Joseph Federico, Katie Dawson and Richard Hedges

Examination and Licensing 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, cosmetology and electrology in California. The committee may also provide information and recommendations to the Board on issues related to curriculum and school approval, exam appeals, laws and regulations.

Current members are: Deedee Crossett, Wen Ling Cheng, and Christie Truc Tran, Richard Hedges

Education and Outreach Committee

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

Current members are: Deedee Crossett, Wen Ling Cheng

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.

Current members are: Deedee Crossett, Katie Dawson, Richard Hedges, and Frank Lloyd

Disciplinary Review Committee

The purpose of the Disciplinary Review Committee (DRC) is to conduct informal administrative citation review hearings and renders decisions regarding disputed citations. The committee has authority to affirm, modify or dismiss the citations including any fine. The Board President shall annually appoint members of the committee. The appointments will be made concurrently with the annual election of officers. Do to the high volume of appeals all members of the Board are designated as members of the DRC. However, only three members attend meetings.

Current members are: Deedee Crossett, Christie Truc Tran, Joseph Federico, Katie Dawson, Richard Hedges, Frank Lloyd and Wen Ling Cheng

Technical Advisory Committees

Occasionally, the need will present its self for a special committee designed to enlist the aid of experts in the industry. This committee will offer the Board input on specific technology, processes or elements within the beauty industry. The technical advisory committee is usually comprised of between 3-10 specialized professionals. They offer opinions, research and tactical information used by the Board to address revision of regulations or clarification on processes related to health and safety. Use of these committees allows the Board real hands - on practical information by professionals working in the beauty industry. The Board uses the information gleaned from these committees to set policy or make regulation updates.

Recent uses of these committees include:

- Nail Advisory Committee – the committee offered input on the use of liners in footspa basins, the health and safety of using disinfectable nail files, the FDA’s view of the health and safety of the use of methyl methacrylate monomer. Suggestions were made on clarifying regulation 989 - Prohibited Hazardous Substances/Use of Products of the California Code of Regulations, Title 16, Division 9.
- Skin Care Advisory Committee – the committee enhanced the knowledge of the Board by explaining the use of Alpha Hydroxy acids, safe ph readings, proper acid percentage amounts, safe procedure dissemination, and esthetic machinery. Experts gave input in defining the demarcation between the esthetic field and the medical field. Future trends in esthetics were also discussed.
- Electrolysis Advisory Committee – the committee aided the Board in reviewing out-of-date regulations. They offered practical suggestions in adapting verbiage for new Board regulation. Assisted in educating the Board on proper electrolysis techniques and offered practical suggestions in regard to procedures related to health and safety.

Achieving a Quorum

Article 1 section 7315 of Barbering and Cosmetology Act specifies that five members of the board must be present to take action. To minimize scheduling conflicts and secure meeting space, the board schedules meetings for the coming year typically during the July or August board meeting. Sometimes, the Board needs to reschedule a meeting or schedule an additional meeting to meet emergent issues. Members are polled for their availability to attend a meeting, and based on the information given, the meeting date is set. This method has been especially effective for the Board. Since our last sunset review, no meetings have been cancelled due to a lack of quorum.

Major Changes and Challenges since the Last Sunset Review

Budget Restrictions

Several budget reduction measures have been imposed on state agencies – general fund and special funds alike. As an agency within the executive branch of the government, the Board understands the need to reduce spending and achieve savings. However, some of the restrictions have impeded the applicants' ability to obtain a license and slowed enforcement processes. These issues are discussed in length in section 3 of this report.

Strategic Planning

In October 2012 the Board adopted its current strategic plan. The Board's strategic plan covers all program areas including policy, licensing, enforcement, and inspections. Board staff has worked closely with Board members and made recommendations to the full Board on objectives identified in the plan.

Legislation that Impacted the Board

Since the last Sunset Review, the Board has been impacted by a number of Legislative changes. Provided below is a brief synopsis of the impact bill and when the respective bill became law.

AB 1793 (Bermudez)

This bill revised the definition of threading to include the incidental trimming of eyebrow hair. The bill extended the operation of those provisions until July 1, 2008. This bill declared that it was to take effect immediately as an urgency statute.

The Board took an opposed position.

8/23/06 – CHAPTERED (Chapter 149, Statutes 2006)

SB 1474 (Figueroa)

This bill:

- Required the Board to annually elect officers from among its members.
- Set the term of an office for one year and limited an officer from serving in a particular position for more than two terms.
- Made it a misdemeanor for licensees of the Board to use a laser in the treatment of any human being
- This bill repealed the provision creating the Board and created a new State Board of Barbering and Cosmetology. The provisions establishing the new Board became inoperative on July 1, 2009 and were repealed on January 1, 2010.
- Existing law allowed the Board to grant a license to practice to a person holding a license in another state with proof that the applicant had not been subject to disciplinary action in that state or upon review of the disciplinary action taken. This bill directed the Board to issue licenses for out-of-state license holders. 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. (3) It has been active for three of the last five years, during which time the applicant has not been subject to disciplinary action or a criminal conviction.

The Board's position was to support if amended.

9/14/2006 CHAPTERED (Chapter 253, Statutes 2006)

AB 409 (Yee)

Authorized the Board's Executive Officer, or his or her designee, to:

- Suspend without a hearing a license issued by the Board if required to protect the public's health and safety.
- Immediately stayed the suspension and placed the license on probation for one year, subject to specified terms and conditions.
- Provided the licensee with appeal rights to the DRC established by the Board and
- Required the Board to reinstate the license upon the licensee's completion of all probationary terms and conditions.
- Declared urgency.

The Board took a position of support.

9/22/06 – CHAPTERED (Chapter 381, Statutes 2006)

AB 861 (Bass)

Authorized the Board to issue probationary licenses and required the Board to report specified findings regarding various trends of licensing to the Legislature.

The Board did not declare a position.

9/22/06 – CHAPTERED (Chapter 411, Statutes 2006)

AB 265 (Mendoza)

This bill:

- Deleted the July 1, 2008, inoperative date for that provision, thereby excluding threading, as defined, from the practice of

barbering and cosmetology indefinitely. Deleted certain obsolete language. The Board took an opposed position.

7/12/2007 CHAPTERED (Chapter 50 Statutes 2007)

AB 105 (Lieu / Emmerson)

This bill:

Changed the Filante Tanning Facility Act, which was part of BBC statutes (B&PC, 7414.4). In short, this bill further restricted minors from using tanning salons by prohibiting teens less than 14 from using “Tanning” devices, and teens under 18 from using “Ultraviolet Tanning” devices.

Changes were:

- Required specified additional warnings to be posted.
- Required warning signs to be posted conspicuously and required that a warning sign be posted in an area where an ultra violet device is used.
- Prohibited a tanning facility from claiming that indoor tanning has any known health benefits.
- Required a tanning facility timer to be remotely located so customers could not set their own exposure time.
- Changed prohibited age from 14 to age 18 for using a tanning device.

The Board took a position of support.

10/13/2007 CHAPTERED (Chapter 590, Statutes 2007)

SB 45 (Perata / Co-authors: Portantino and Cook)

This bill:

- Authorized the Board to approve schools (with a repeal date of July 1, 2008).
- Required that all matters pending before BPPVE remain so until the extended date of July 1, 2008.

- Authorized DCA to enter into voluntary agreements with institutions that agree to comply with applicable state statutes, rules and regulations as of June 30, 2007 (with a repeal date of July 1, 2008).
- Authorized accredited institutions to make specified modifications to their programs with the approval of their accrediting agencies.
- Established a Bureau for Private Postsecondary Education in DCA, specified its duties and allowed DCA to delegate its duties.

The Board did not declare a position.

10/13/2007 CHAPTERED (Chapter 635, Statutes 2007)

SB 797 (Ridley-Thomas)

- Created a “bridge” provision for the Board:
 - (a) authorized the Department of Consumer Affairs to create advisory committees made up of the prior Board members
 - (b) Kept continuity in place between July 1, 2008 and January 1, 2009.
- Until January 1, 2009, provided that if the Board became inoperative or was repealed, the Governor succeeded to the authority of the Board to appoint an Executive Officer
- Extended the Executive Officer of the Board until January 1, 2012, allowed the Executive Officer to have the same administrative duties with regard to replacing the Board
- Added an urgency clause so this bill was effective once signed by the Governor and chaptered.

The Board took a position of support.

6/23/2008 CHAPTERED (Chapter 33 Statutes 2008)

SB 1545 (Eng)

This bill:

- Established a new Board of Barbering and Cosmetology with the same powers as the previous Board of the same name and authorized the Board to appoint an Executive Officer.
- The bill repealed the authority for certain Boards and their Executive Officers on January 1, 2012. Authorized the Executive Officer of a previous Board to serve as interim of a Board until the appointment of a permanent Executive Officer and provided that members of a previous Board would serve temporarily as interim Board Members until the appointment of members to the Board.

The Board did not declare a position.

6/23/2008 CHAPTERED (Chapter 35 Statute 2008)

AB 518 (Mendoza)

This bill:

Deleted the July 1, 2009, inoperative date for the threading provision, thereby excluded threading from the practice of barbering and cosmetology indefinitely.

The Board took an opposed position.

7/28/2008 CHAPTERED (Chapter 187 Statutes 2008)

SB 963 (Ridley-Thomas)

This bill:

- Abolished the Joint Committee on Boards, Commissions, and Consumer Protection and authorized the appropriate standing committees of the Legislature to carry out its duties. Made the Boards and their Executive Officers inoperative on specified dates, and terminated the terms of office of each Board Member or Bureau Chief within the department.

- Required each Board within the department to post annually on its Internet Web site the aggregate number of reports in specified categories that it received that year for its licensees, and to post an analysis and report.
- Required the department to report to the Legislature and Governor if a Board was unable to meet because of a lack of quorum or vacancy.
- Authorized Boards to promulgate regulations providing requirements for reporting ex parte communication and sanctions for noncompliance and authorize the department to develop guidelines for drafting and making Board minutes available to the public.

The Board took an opposed position.

9/27/2008 CHAPTERED (Chapter 385 Statute 2008)

AB 2423 (Bass)

This bill:

- Authorized certain Boards, Bureaus, and the Director of DCA to issue a probationary license or registration to an applicant subject to specified terms and conditions.
- Requested that an applicant with a dismissed conviction provide proof of that dismissal and required that consideration be given to whether the applicant's criminal conviction had been dismissed, there have been no subsequent criminal convictions, and either at least 3 years have passed since the dismissal of the criminal conviction or at least 5 years have passed since the completion of sentence.
- Required those certain Boards, Bureaus and the Director to conduct a study and report to the Legislature on or before 09//01/10, denials of licensure to applicants with criminal records that may create a barrier to employing people with criminal records.

The Board did not declare a position.

9/30/2008 CHAPTERED (Chapter 675 Statute 2008)

SB 1491 (Negrete McLeod (Chair), Aanestad, Calderon, Correa, Florez, Oropeza, Walters, Wyland, and Yee)

This bill:

- Explicitly allowed the incidental massaging of the hand from the fingertips to the elbow or the foot from the toes to the knee during manicures and pedicures, and allowed the use of metal smoothers on the foot;
- Clarified that unlicensed activity is an administrative violation that may be treated as a misdemeanor;
- Allowed the use of air hand dryers in salon hand-washing facilities;
- Clarified the Board's authority to accept written appeals to the Disciplinary Review Committee.

The Board took a position of support.

9/28/2010 CHAPTERED (Chapter 415 Statute 2010)

SB 294 (Negrete McLeod)

This bill:

- Changed the sunset date on DCA's regulatory Board as follows:

Board of Barbering and Cosmetology, from 2012 to 2014.
- Required review of the following chapters related to:
 - a. Certified Common Interest Development Managers, from 2012 to 2015
 - b. Tax Preparers, from 2012 to 2015.

The Board did not declare a position.

9/30/2010 CHAPTERED (Chaptered 695 Statute 2010)

Regulations Initiated by the Board

Since the last Sunset Review, the Board has adopted a number of regulation changes. Provided below are the highlights of some of the major regulation changes. A full listing of the regulation changes initiated is provided in Appendix 3.

2007

California Code of Regulations **973 -973.6**

On September 17, 2007, regulation went into effect to establish grounds for immediately suspending the establishment's license and placing the licensee on probation for serious health and safety violations of manicuring and pedicuring. It also established the terms and conditions of probation and the appeals process.

2008

California Code of Regulations **974**

On April 23, 2008, regulation went into effect that established administrative fines for violations of cleaning and disinfecting procedures for pipeless footspas and non-whirlpool pedicure tubs or basins.

2009

California Code of Regulations **950.2**

On February 27, 2009, regulation went into effect that established revisions to the Board-approved school curriculum for cosmetology students to give schools more discretion in how and what they teach and strengthen health and safety training.

California Code of Regulations **950.3**

On March 3, 2009, regulation went into effect that revised the Board-approved school curriculum for esthetic students to provide the schools more discretion in how and what they teach their esthetic students.

2011

California Code of Regulations **974**

On September 16, 2011, regulation went into effect that revised the Board's Administrative fine schedule. The revisions included lowering some of the fines and restoring a three-tiered progressive discipline system in which fines increase according to the number of previous offenses.

California Code of Regulations **972**

On November 3, 2011, regulation went into effect that revised the Board's Disciplinary Guidelines handbook.

California Code of Regulations **950.1, 950.4, 950.5 and 962.3-962.6**

On December 16, 2011, regulation went into effect that revised the school

curriculums for barber, manicurist and electrology students to give schools more discretion in how and what they teach and strengthen health and safety.

2012

California Code of Regulations **932**

On June 13, 2012, regulation went into effect that revised the Board's standard for establishing a passing grade to reflect a criterion-referenced methodology.

Major Studies Conducted by the Board

List of Reports

Report to the California Legislature on Unnecessary Barriers to Employment

This report was compiled September 2007. Assembly Bill 861 (Statutes of 2006, Chapter 411) required the Board to conduct a study on the effects of laws, regulations and policy that may create unnecessary barriers to employing people with criminal records.*

A Comprehensive Audit of the National-Interstate Council of State Boards of Cosmetology Written Examinations

This report was compiled in December 2007. The report is a comprehensive audit of the National-Interstate Council of State Boards of Cosmetology, Incorporated national written examinations.*

Focus Group Workshop for the National Practical Examination Audit

This report was compiled in June 2009. The report is a comprehensive audit of the National-Interstate Council of State Boards of Cosmetology, Incorporated national practical examinations.*

Board of Barbering and Cosmetology, CA Department of Consumer Affairs Inspector I, II & III, DCA

This report was compiled in February 2012. The report is a classification study to determine if the qualifications, duties and responsibilities of inspectors at the Board of Barbering and Cosmetology are consistent with the series specification for the Inspector, Department of Consumer Affairs. It includes classification recommendations from CPS HR Consulting in the event of misallocation or inappropriate use of an existing class. *

* Reports in their entirety may be found in Section 12.

National Association Memberships

The Board is considered a partial member of the National Interstate Council of State Boards of Cosmetology (NIC). Partial membership does not allow for voting privileges. Upon relief of travel restrictions the Board would like to pay for full membership. As a full member, the Board has 1 vote in matters before the association. In order to exercise the right to vote on by-laws, officer assignments or general policy, a representative of the Board must be present at the annual conference. Payment of full membership allows entry into the annual conference. There are no provisions set up for a vote by proxy. All memberships must be paid and current in order to exercise voting privileges.

NIC was established in 1956 in a merger of the Interstate Council of State Boards of Cosmetology with the National Council of Boards of Beauty Culture.

In 1969, the NIC testing program was established. The testing program was established to create a national standard, to ensure consistency in the profession, and enhance reciprocity among the states.

Since May 2009 the Board has been using the NIC national written examination and since October 2011 the Board has been using the NIC national examination for the practical portion of the examination. The contract between the Board and NIC requires NIC to provide valid, reliable and legally defensible national examinations that comply with generally accepted psychometric standards applicable to professional licensing examinations.

Further, the Board under its contract with NIC requires NIC to provide the Board or its designated representative test content to review to ensure that successful candidates have the knowledge and skills necessary to perform as competent licensees. California subject matter experts (SME's) and/or examination staff are used for an occupational analysis and/or exam development. The SME's and/or examination staff is scheduled to participate in workshops with other SME's from other states along with the National Examination Committee to analyze or develop the proposed examination. For each test development workshop, NIC strives to assemble a group of SME's that is diverse and representative of the population of practitioners for the discipline. NIC considers demographic data such as years of experience, geographic region, gender, and practice setting. NIC does not limit SME recruitment to only licensees for states that have adopted NIC examinations. NIC administrative staff continually searches for qualified SME's by way of referral from other SME's or practitioners, during the annual conference.

From December 2011 through May 2012, NIC held test development workshops. During this timeframe, SME's from California participated in three of the workshops.

The table below shows the completion years for the current NIC job analysis studies and the target years for the next.

Test Title	Current Job Analysis Completed	Next Job Analysis Target Date
Barber	2006	2011 (Effective 2013)
Cosmetology	2009	2014
Electrology	2011	2016
Esthetics	2007	2012 (In progress)
Nail Technology	2008	2013

Board staff has reviewed and approved the NIC job analyses and development process as well as reviewed and approved test specification for each NIC examination title used in the State of California. Board staff administers and 'rates' the candidates for the practical portion of the exam. The staff of Psychological Services, Incorporated (PSI) administers the computer portion of the examination.

Meetings of National Associations Attended:

- National Interstate Council of Boards of Cosmetology – **“NIC Synergy Creates Building Blocks for Tomorrow.”** August 25-27, 2007 Rapid City, South Dakota. (attended by Board Member Jerry Tyler)





Section 2

Section 2

Performance Measures and Customer Satisfaction Surveys

DCA Performance Measure Report

Customer Satisfaction Online Survey Results

Inspector Satisfaction Online Survey Results

Related Appendices

Appendix 4 - DCA's Quarterly Performance Measure Reports

Appendix 5 - Customer Satisfaction On-line Survey

DCA Performance Measure Report

To ensure that the Department of Consumer Affairs (DCA) and its stakeholders can review DCA's progress in meeting its enforcement goals and targets, DCA has developed an easy- to-understand, transparent system of accountability – performance measures. The performance measures are critical, particularly during the current climate of budget constraint and economic downturn, for demonstrating that DCA is making and will continue to make the most efficient and effective use possible of its resources. Provided below are the annual performance measures for 2011/2012. The annual and quarterly performance measure reports are provided in Appendix 4.

*Department of Consumer
Affairs*

**Board of Barbering
& Cosmetology**

Performance Measures

Annual Report (2011 – 2012 Fiscal Year)

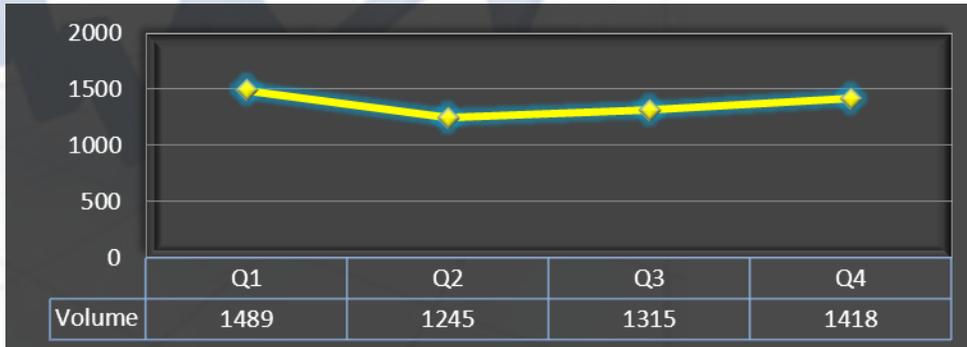
To ensure stakeholders can review the Board's progress in meeting its enforcement goals and targets, we have developed a transparent system of performance measurement. These measures are posted publicly on a quarterly basis.

This annual report represents the culmination of the four quarters worth of data.

Volume

Number of complaints and convictions received.

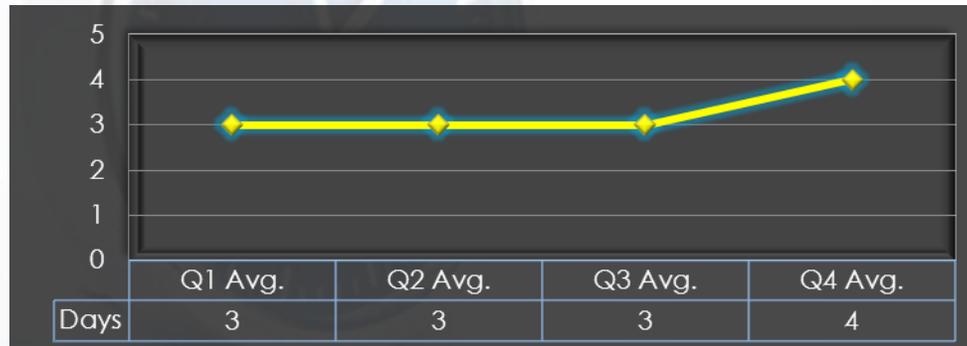
The Board had an annual total of 5,467 this fiscal year.



Intake

Average cycle time from complaint receipt, to the date the complaint was assigned to an investigator.

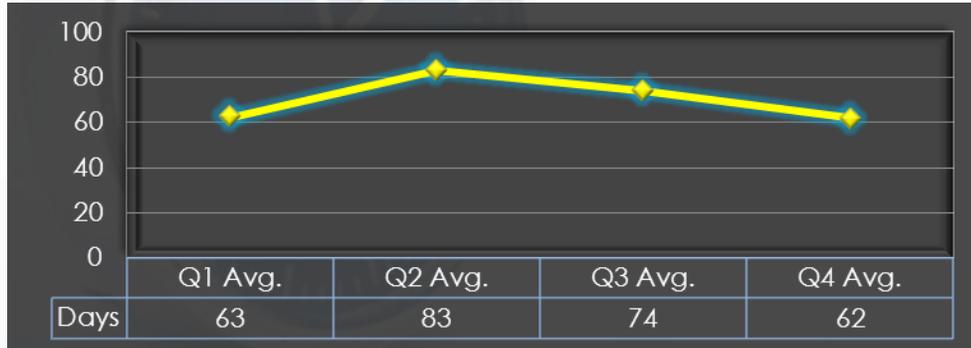
The Board has set a target of 10 days for this measure.



Intake & Investigation

Average cycle time from complaint receipt to closure of the investigation process. Does not include cases sent to the Attorney General or other forms of formal discipline.

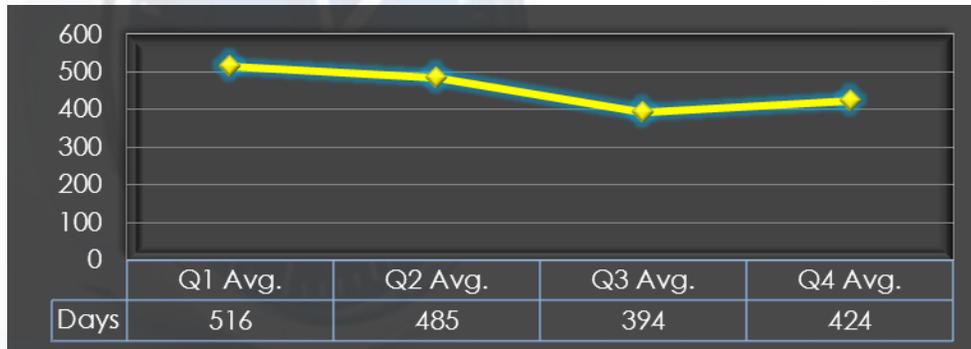
The Board has set a target of 120 days for this measure.



Formal Discipline

Average number of days to complete the entire enforcement process for cases resulting in formal discipline. (Includes intake and investigation by the Board, and prosecution by the AG)

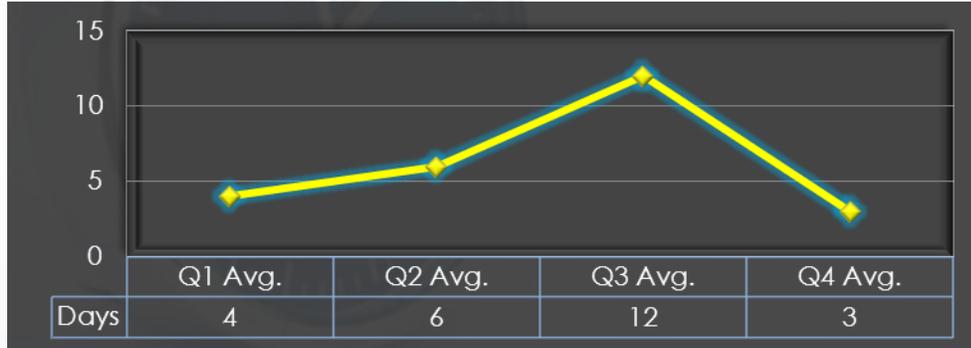
The Board has set a target of 540 days for this measure.



Probation Intake

Average number of days from monitor assignment, to the date the monitor makes first contact with the probationer.

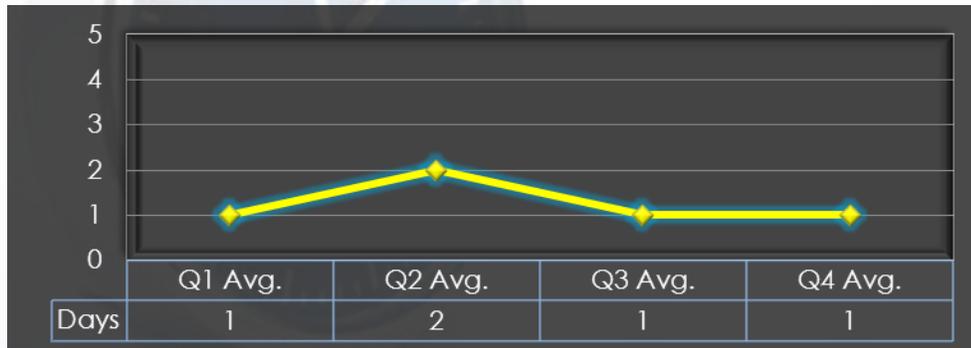
The Board has set a target of 15 days for this measure.



Probation Violation Response

Average number of days from the date a violation of probation is reported, to the date the assigned monitor initiates appropriate action.

The Board has set a target of 5 days for this measure.



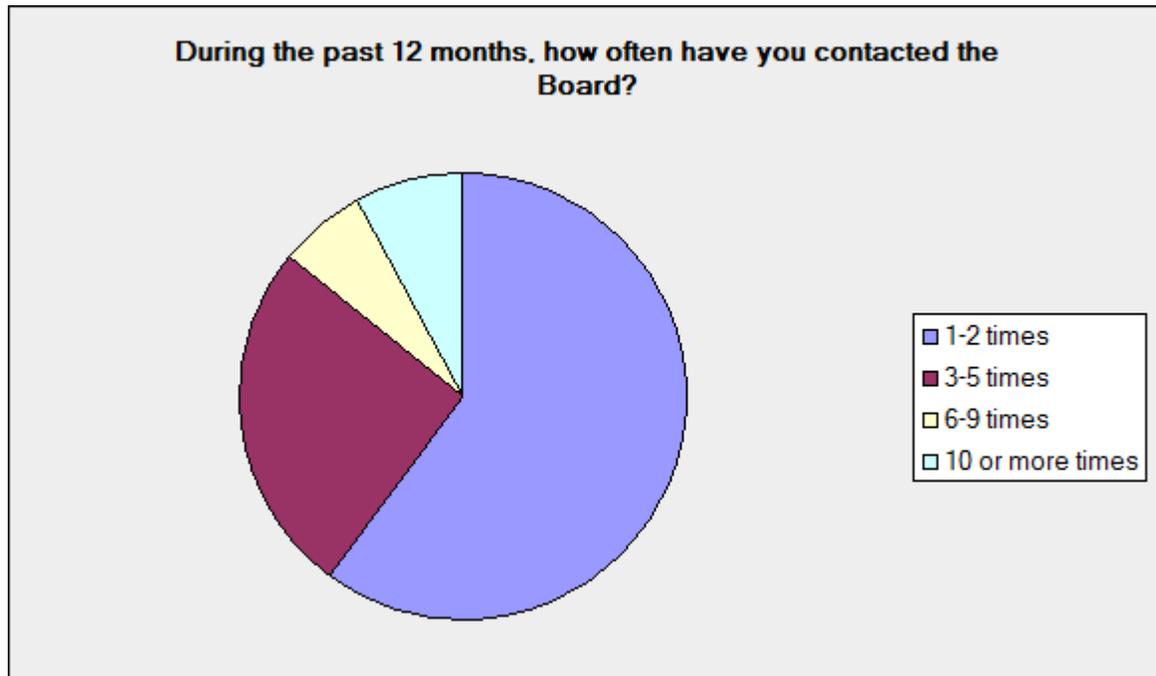
Consumer Satisfaction Online Survey Results

To obtain information on consumer satisfaction, the Board attempts to reach licensees through online surveys. Since April 27, 2009, the Board has posted on the website a direct link utilizing Survey Monkey to track consumer satisfaction. The Board results provided below are from fiscal year 2011/2012. Additional survey results for previous fiscal years can be found in Appendix 5.

Question 1

During the past 12 months, how often have you contacted the Board?

Answer Options	Response Percent	Response Count
1-2 times	60.1%	164
3-5 times	25.6%	70
6-9 times	6.6%	18
10 or more times	7.7%	21
<i>answered question</i>		273
<i>skipped question</i>		0



Question 2

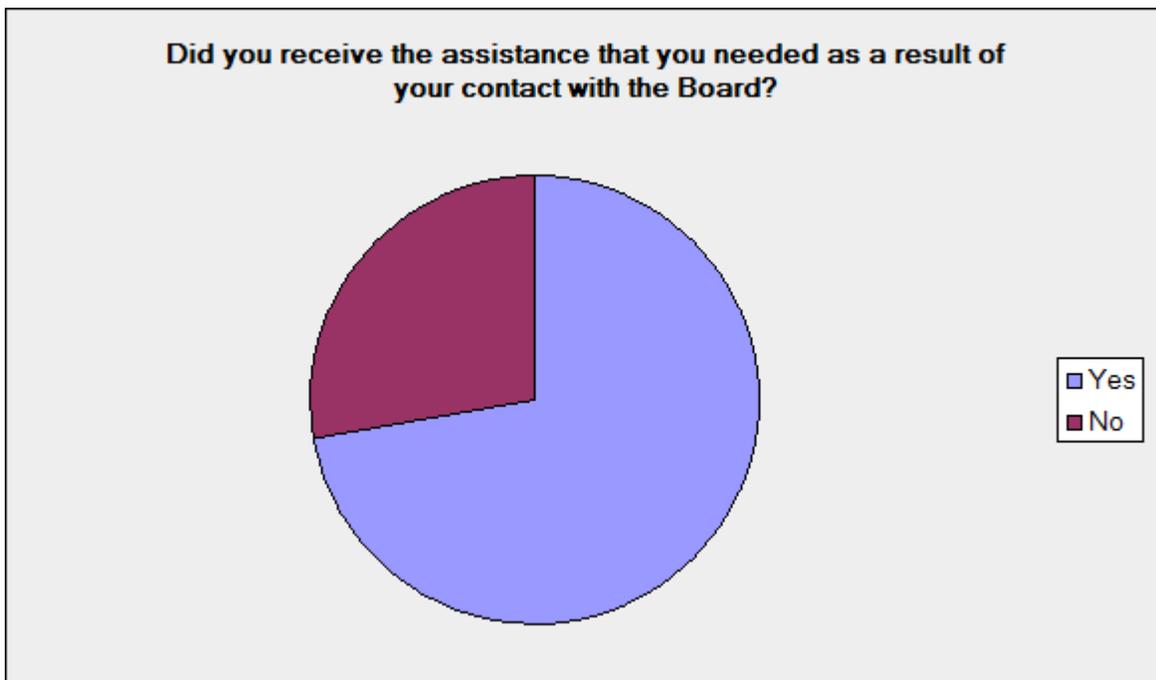
Please rate the following categories and your overall experience with Board staff:

Answer Options	Excellent	Good	Fair	Poor	Unacceptable	N/A	Response Count
Staff Courtesy	45	44	16	11	6	21	143
Staff Accessibility	9	21	32	21	20	12	115
Overall Satisfaction	57	60	31	28	29	12	217
<i>answered question 273</i>							
<i>skipped question 0</i>							

Question 3

Did you receive the assistance that you needed as a result of your contact with the Board?

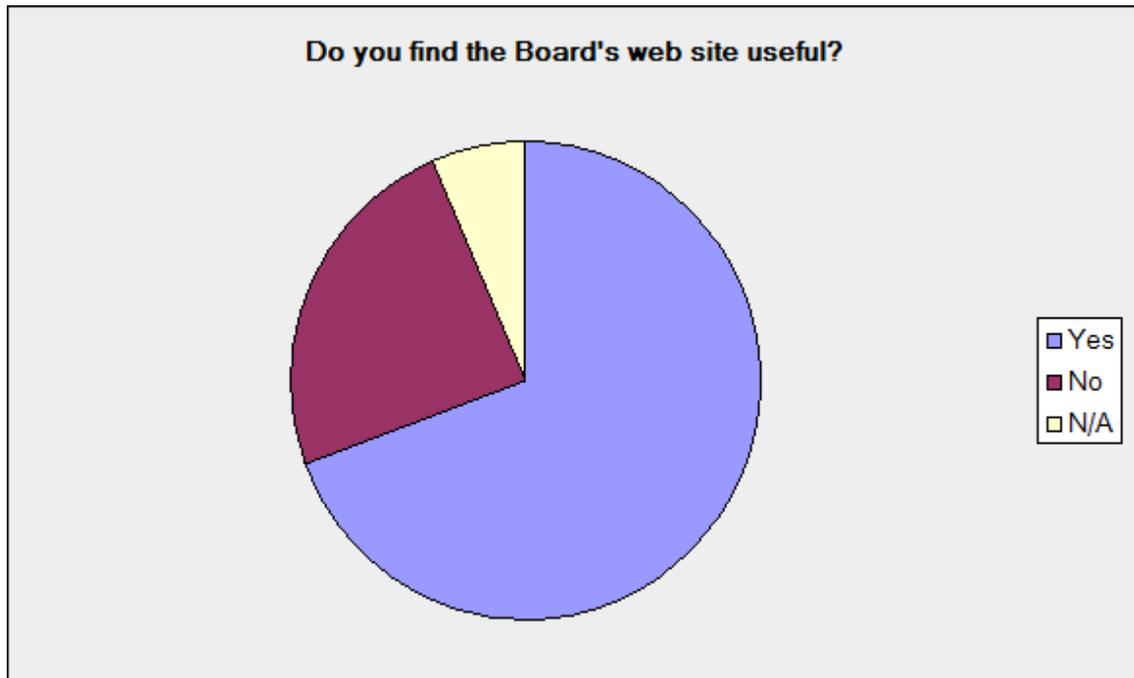
Answer Options	Response Percent	Response Count
Yes	72.2%	197
No	27.8%	76
<i>answered question</i>		273
<i>skipped question</i>		0



Question 4

Do you find the Board's web site useful?

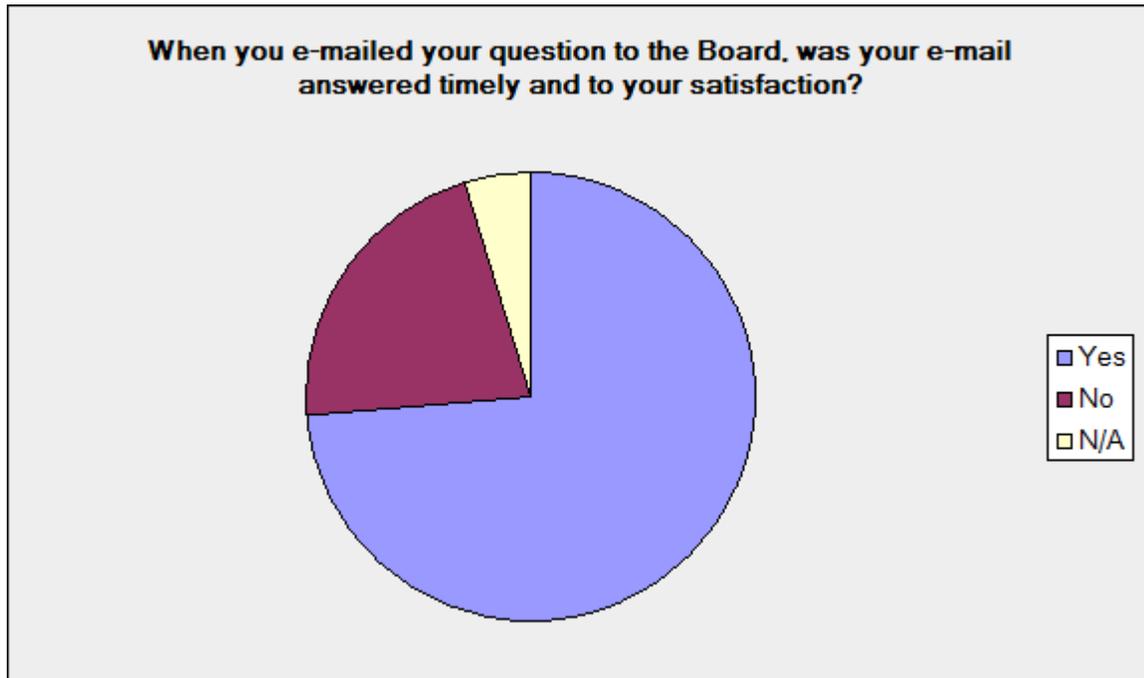
Answer Options	Response Percent	Response Count
Yes	69.1%	188
No	24.6%	67
N/A	6.3%	17
Comments/Suggestions About Web Site		84
<i>answered question</i>		272
<i>skipped question</i>		1



Question 5

When you e-mailed your question to the Board, was your e-mail answered timely and to your

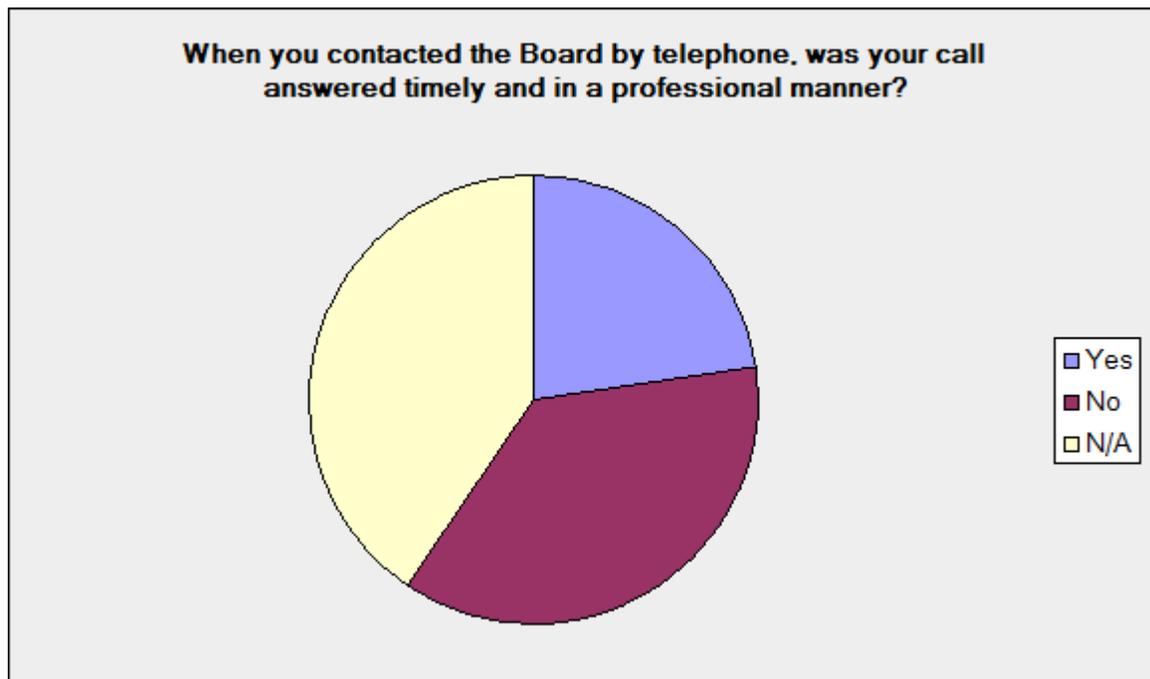
Answer Options	Response Percent	Response Count
Yes	73.6%	198
No	21.6%	58
N/A	4.8%	13
<i>answered question</i>		269
<i>skipped question</i>		4



Question 6

When you contacted the Board by telephone, was your call answered timely and in a

Answer Options	Response Percent	Response Count
Yes	22.8%	61
No	36.7%	98
N/A	40.4%	108
<i>answered question</i>		267
<i>skipped question</i>		6



A comment section is also designated in the survey for specific input from the consumer regarding the consumer's Board experience.

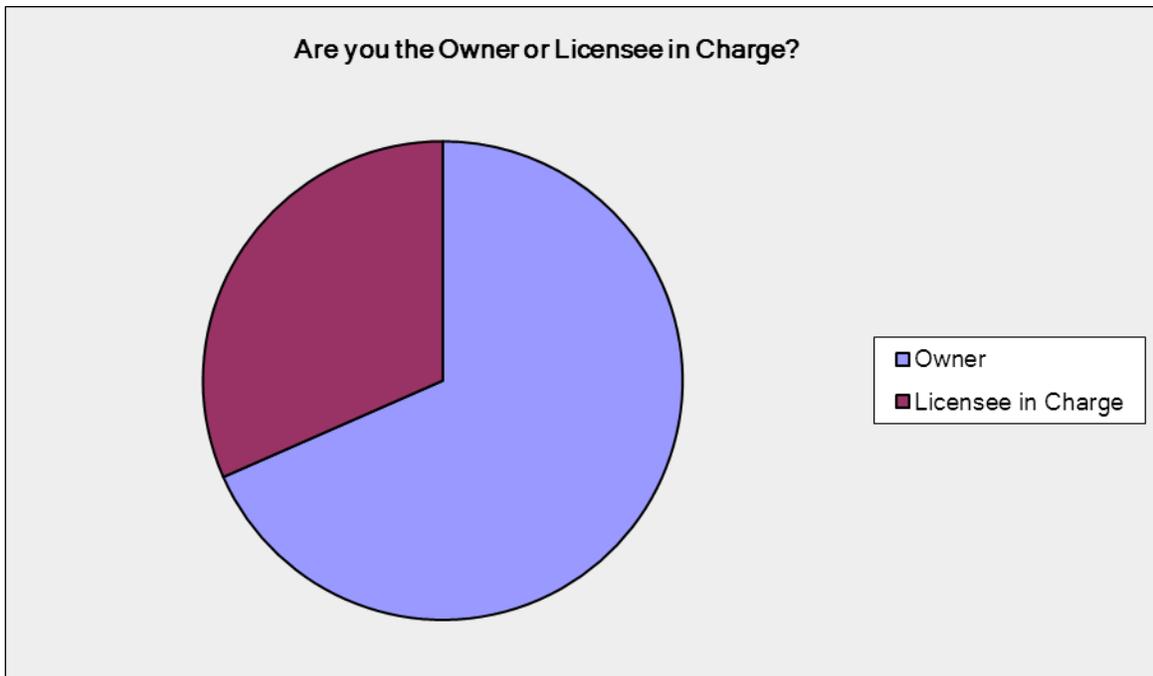
Inspection Satisfaction Online Survey Results

In the spirit of transparency, the Board has developed an anonymous survey that is posted on the Board's website that encourages licensee's to evaluate the Board's inspection and the inspector's conduct during an inspection. Additionally, with all citations issued, the Board includes a postage paid postcard with the Inspection Satisfaction Survey. The report is compiled quarterly and distributed internally to the executive staff, the inspections manager, the inspector supervisors and lastly, it is shared with the inspectors themselves.

Below are the results of report since its inception on May 4, 2009 through June 30, 2012:

Question 1

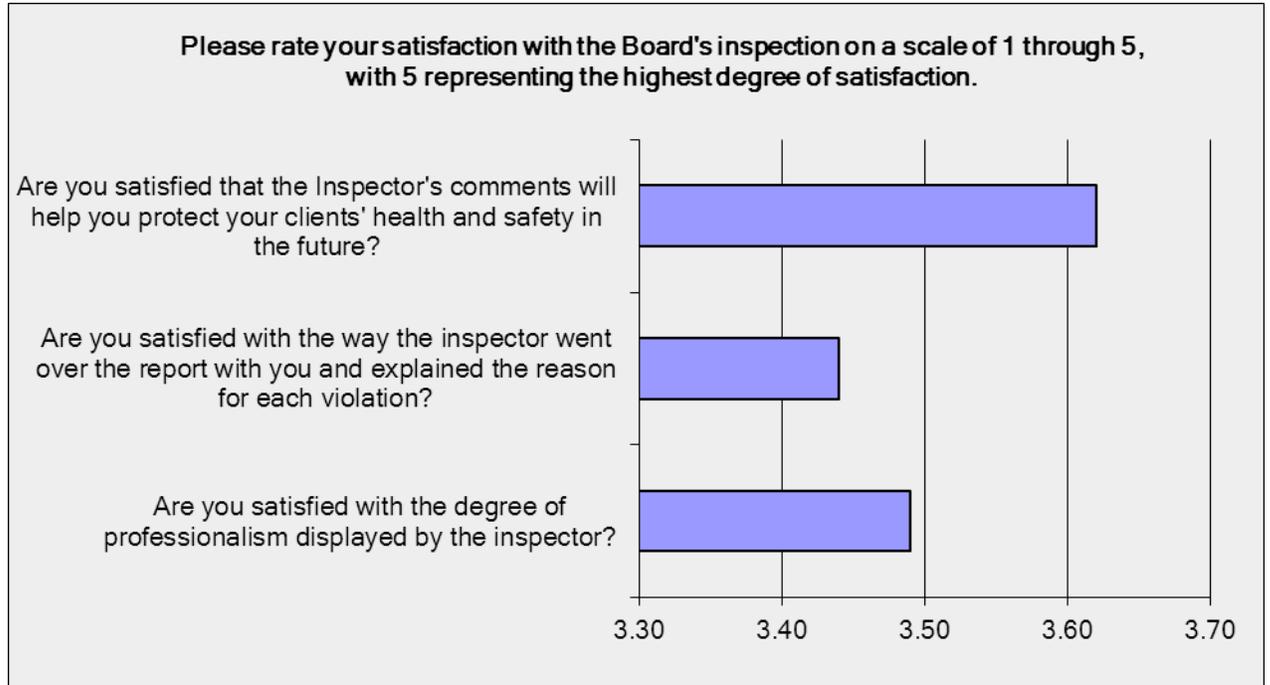
Are you the Owner or Licensee in Charge?		
Answer Options	Response Percent	Response Count
Owner	68.4%	3346
Licensee in Charge	31.6%	1543
<i>answered question</i>		4889
<i>skipped question</i>		504



Question 2

Were you present during the inspection?		
Answer Options	Response	Response Count
Yes	81.3%	4203
No	18.7%	967
<i>answered question</i>		5170
<i>skipped question</i>		223

Question 3



A comment section is also designated in the survey for specific input from the licensee regarding the inspection. Additionally, the survey contains a question regarding zip code assignment. This question is utilized to identify which inspector conducted the inspection.



Section 3

Section 3

Fiscal and Staff

Fiscal Issues

General Fund Loans

Program Expenditures

Renewal Cycles and Fee History

Budget Change Proposals

Board Staffing

Staff Development

Organizational Charts

Fiscal Issues

At the beginning of fiscal year 2011/12, the Board's current reserve level is 12.7 months. Expenditures for the fiscal 2011/12 year topped at just fewer than 16 million. While the Board does not have a specific statute that requires a certain reserve level to be maintained, the Board will be monitoring the reserves to determine if any action is needed. At this time the Board does not plan to increase or reduce fees.

Table 2. Fund Condition

(Dollars in Thousands)	FY 2008/09	FY 2009/10	FY 2010/11	FY 2011/12	FY 2012/13	FY 2013/14
Beginning Balance	\$12,153	\$6,245	\$10,049	\$16,084	\$9,993	\$11,742
Revenues and Transfers	\$19,475	\$19,248	\$21,034	\$21,855	\$21,866	\$22,885
Total Revenue	\$19,475	\$19,248	\$21,034	\$10,855	\$21,866	\$22,885
Budget Authority	\$18,413	\$17,095	\$17,433	\$15,985	\$20,141	\$20,141
Expenditures	\$15,562	\$15,389	\$15,098	\$16,946	\$20,117	\$20,486
Loans to General Fund				\$11,000		
Accrued Interest, Loans to General Fund						
Loans Repaid From General Fund	N/A	N/A	N/A	N/A	N/A	N/A
Fund Balance	\$6,066	\$10,104	\$15,985	\$9,993	\$11,742	\$14,141
Months in Reserve	4.8	8.0	12.7	6.0	6.9	8.1

General Fund Loans

During the fiscal year 2002/03, the Board provided the general fund with a loan of \$9 million. In the fiscal year of 2008/09, the Board provided the general fund with a loan of \$10 million and in the fiscal year of 2011/12 a loan of \$11 million. The total of loans provided to the general fund was \$30 million. The Board has received repayment of these loans in two installments one in the fiscal year of 2005/06 for \$5.5 million and the other in the fiscal year of 2006/07 in the amount of \$3.5 million. This leaves an outstanding loan balance of \$21 million.

Program Expenditures

The following charts detail the Board's program expenditures.

Table 3. Expenditures by Program Component								
	FY 2008/09		FY 2009/10		FY 2010/11		FY 2011/12	
	Personnel Services	OE&E	Personnel Services	OE&E	Personnel Services	OE&E	Personnel Services	OE&E
Enforcement	2,168,855	2,409,882	2,342,980	2,288,579	2,389,750	1,701,420	2,567,614	1,698,073
Examination	1,199,792	1,565,679	1,320,589	1,875,354	1,452,593	2,066,154	1,460,015	2,698,844
Licensing	784,479	636,145	1,235,390	633,881	1,077,731	477,180	1,308,979	637,177
Administration	1,568,959	400,694	681,594	196,587	1,030,873	245,420	755,180	163,399
DCA Pro Rata		4,411,054		4,438,739		4,137,400		5,242,693
Statewide Pro Rata		778,202		562,154		699,846		759,682
TOTALS	5,722,085	10,201,657	5,580,553	9,995,294	5,950,947	9,327,420	6,091,788	11,004,858

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

Renewal Cycles and Fee History

The Board has a continuous renewal cycle for all of its license categories with one exception, the apprenticeship license, which is not renewable. The renewal cycle is biennial and expires at midnight on the last day of the month of issuance. A license that has expired may renew within five years following expiration upon payment of all accrued renewal fees and delinquency fees. If a licensee fails to renew within the five years, the license is cancelled and is no longer renewable.

The Board rarely amends its fee statutes. The Board does not anticipate any fee increases in the near future. There have only been two amendments to the Board's fee structure in the last decade.

- In 2007, the Board established an application and examination fee at \$75, along with an existing separate initial license fee of \$35-\$50, depending on the license type. The Board also increase the license renewal fee by \$10 (§998, California Code of Regulations). These changes were sought to bring the Board's fee in line with the actual cost of providing the services. Without them, the Board might have faced a negative fund balance in 2008-09. The Board made these changes under § 7337.5, 7421, 7423, 7424 and 7425 of the Business and Professions Code

- In 2011, the Board increased its dishonored check fee (§ 999, California Code of Regulations) to reflect the amount charged by the Department of Consumer Affairs, which handles cashiering for the Board. Currently, that fee is \$25. The increase reflects the actual cost of processing a dishonored check and was made in accordance with §1719 of the Civil Code. and § 6157 of the Government Code.

Fee	Current Fee Amount	Statutory Limit	FY 2008/2009 Revenues	FY 2009/2010 Revenues	FY 2010/2011 Revenues	FY 2011/2012 Revenues	% Total Revenue
Apprenticeship Fee	\$25.00	Yes	22,024	20,825	21,370	20,575	0.09%
Baber Delin Renewal	\$20.00	Yes	7,369	3,780	2,120	740	0.02%
Baber Delin Renewal	\$25.00	Yes	26,445	29,889	31,505	34,325	0.10%
Barber Exam Fee	\$75.00	Yes	96,700	124,510	140,805	150,300	0.56%
Barber License Fee	\$50.00	Yes	52,740	66,757	74,833	82,491	0.30%
Barber Renewal	\$40.00	Yes	14,335	7,650	4,220	1,520	0.03%
Barber Renewal	\$50.00	Yes	391,995	414,520	417,210	429,895	1.80%
Bounce Check Fee	\$25.00	Yes	9,445	8,310	9,064	17,252	0.05%
Certification Fee	\$10.00	Yes	41,410	45,300	55,044	57,970	0.22%
Cosmetology Exam Fee	\$75.00	Yes	1,509,242	1,671,700	1,791,385	1,845,508	7.44%
Cosmetology Renewal	\$40.00	Yes	143,328	63,658	33,840	15,842	0.28%
Cosmetology Licensee Fee	\$50.00	Yes	708,589	761,164	796,482	829,228	3.38%
Cosmetology Renewal	\$50.00	Yes	5,380,936	5,450,153	5,804,715	5,765,377	24.43%
Cosmo Delin Renewal	\$20.00	Yes	71,916	31,756	16,860	7,915	0.14%
Cosmo Delin Renewal	\$25.00	Yes	328,324	369,874	424,883	424,344	1.69%
Duplication Fee	\$10.00	Yes	80,231	72,698	76,905	84,785	0.34%
Electrologist Delin Renewal	\$20.00	Yes	340	100	40	20	0.00%
Electrologist Delin Renewal	\$25.00	Yes	1,775	2,570	1,595	2,150	0.01%
Electrologist Exam Fee	\$75.00	Yes	3,150	3,075	2,325	2,775	0.01%
Electrologist License Fee	\$50.00	Yes	1,700	1,500	1,440	1,800	0.01%
Electrologist Renewal	\$40.00	Yes	730	200	80	40	0.00%
Electrologist Renewal	\$50.00	Yes	45,240	41,140	42,840	38,200	0.18%
Establishment Delin Renewal	\$20.00	Yes	38,185	34,290	37,040	35,850	0.16%
Establishment License Fee	\$50.00	Yes	301,200	315,260	314,020	328,345	1.37%
Establishment Renewal	\$40.00	Yes	601,252	668,730	633,652	687,145	2.83%
Esthetician Delin Renewal	\$20.00	Yes	9,461	4,210	2,020	1,485	0.02%
Esthetician Delin Renewal	\$25.00	Yes	57,661	67,314	84,355	87,848	0.32%
Esthetician Exam Fee	\$40.00	Yes	480	320	240	40	0.00%
Esthetician Exam Fee	\$75.00	Yes	617,335	640,159	579,154	544,950	2.60%
Esthetician License Fee	\$50.00	Yes	218,079	215,346	212,202	223,040	0.95%
Esthetician Renewal	\$40.00	Yes	18,985	8,305	4,160	2,960	0.04%

Esthetician Renewal	\$50.00	Yes	962,340	1,010,756	1,172,955	1,193,500	4.73%
Manicurist Delin Renewal	\$20.00	Yes	22,072	9,405	5,100	2,050	0.04%
Manicurist Delin Renewal	\$25.00	Yes	97,364	106,900	122,664	120,545	0.49%
Manicurist Exam Fee	\$75.00	Yes	602,895	553,037	628,770	599,075	2.60%
Manicurist License Fee	\$35.00	Yes	198,366	170,918	197,323	195,966	0.83%
Manicurist Renewal	\$40.00	Yes	44,339	19,084	10,395	3,990	0.08%
Manicurist Renewal	\$50.00	Yes	2,195,888	2,205,258	2,308,865	2,250,857	9.77%
Mobile Delin Renewal	\$20.00	Yes	20	0	40	0	0.00%
Mobile Unit App Fee	\$50.00	Yes	150	150	300	300	0.00%
Mobile Unit Inspection/Lic Fee	\$100.00	Yes	100	300	700	600	0.00%
Mobile Unit Renewal	\$40.00	Yes	320	80	240	80	0.00%
Pre-Application Fee Barber	\$9.00	Yes	3,310	4,644	5,328	6,271	0.02%
Pre-Application Fee Cosmetologist	\$9.00	Yes	76,059	82,854	90,676	97,641	0.38%
Pre-Application Fee Electrologist	\$9.00	Yes	252	198	180	216	0.00%
Pre-Application Fee Esthetician	\$9.00	Yes	28,249	27,135	27,567	27,935	0.12%
Pre-Application Fee Manicurist	\$9.00	Yes	26,870	22,824	24,120	22,619	0.11%
*Miscellaneous Revenue			4,783,812	4,183,761	14,054,732	5,822,804	31.46%
Total			19,843,008	19,542,367	30,234,886	22,069,164	

Budget Change Proposals

The Board continually evaluates its programs to redirect its resources and redesign its processes to achieve efficiency and to identify changes that will benefit the Board’s consumer protection mandate. This has been especially necessary during recent years to respond to budget reductions and restrictions. Sometimes improvements identified may require augmentation to the Board’s spending authority via a budget change proposal. Over the past several years, the Board has balanced the need for additional resources against the fiscal crisis affecting all of California and the U.S. To that end, the board has only submitted a few Budget Change Proposals (BCP’s).

Table 5. Budget Change Proposals (BCPs)

BCP ID #	Fiscal Year	Description of Purpose of BCP	Personnel Services				OE&E	
			# Staff Requested (include classification)	# Staff Approved (include classification)	\$ Requested	\$ Approved	\$ Requested	\$ Approved
111-05	08/09	Request 9.0 positions to conduct statutorily mandated inspections of Boards licensee population	7.0 – Inspector I 1.0 OT(T) 1.0 – AGPA	7.0 – Inspector I 1.0 OT(T) 1.0 – AGPA	\$516	\$516	\$146	\$146
1110-04	10-11	Request 4.0 positions (2-year limited term) to inspect new BBC establishments	4.0 – (LT) 24 month Inspector I	4.0 – (LT) 24 month Inspector I	\$218	\$218	\$85	\$85

Please note that while the Board received approval for 4.0 inspector positions, it was unable to hire due to the hiring freeze.

Board Staffing

Part of managing a complex, dynamic organization is the need to adjust the workforce to respond with maximum efficiency to the emerging and changing needs of the organization. In the recent past the Board has faced several challenges to this end.

The Board remains cognizant of the financial crisis affecting California and the need to fill only the most critical positions. That being said, the Board of Barbering and Cosmetology’s (BBC) historical rate of vacancies is a direct result of executive orders that instituted hiring freezes and eliminated retired annuitants, students, etc. Additionally, the BBC was unable to fill 3.5 of our positions, which were depleted due to the directives of Executive Order S-01-10 (Workforce Cap Plan).

From July 29, 2010 to December 31, 2011, two Inspectors, a Cosmetology Examiner and a Supervisor Cosmetology Examiner retired from the Board. These positions were impacted directly by Executive Order B-3-11, which enforced a hiring freeze. This prohibited all state agencies and departments from filling vacant positions, regardless of the funding source. This order included reinstatements, limited-term appointments, temporary help, increases in time-base, and transfers to/from other departments.

From July 1, 2010 to July 1, 2012, vacancies were a result of the BBC's inability to fill (2) two, (1) one year limited term Inspector I positions. These positions were never filled because they require a candidate who must possess very specific qualifications to effectively perform the job functions, and therefore are classified as hard-to-fill positions. These Inspectors positions are also subject to geographical limitations. Many positions are located in specific regions (Bay Area/Southern California) where the high cost of living hinders BBC's ability to receive qualified candidates, and makes filling their positions difficult.

Delays in the overall recruitment processes have affected the Board's vacancy rate each year and the Board has experienced a high turnover rate due to employees separating and going to departments that were not participating in the furlough program. Generally, the recruitment process can take up to three months to fill a new position. This process includes the time it takes to post an announcement, conduct interviews, perform eligibility verifications, and obtain the necessary approvals to extend an offer.

Staff Development

The board's most important resource is its staff. Without a well trained staff, the board is unable to meet its mandate efficiently and effectively. To that end, the board supports and encourages training opportunities to improve or enhance performance as well as training that will encourage learning and development for future career growth ideally within the board. During employee performance reviews managers and staff work together to identify training opportunities that will promote desired goals. Each staff member is encouraged to develop an Individual Development Plan (IDP). The IDP is then used as a road map for success, outlining areas of accomplishment as well as areas for improvement. The IDP is updated annually. Additionally, over the past several years, the department has developed a very robust training program that is offered at no cost to Board staff. The courses include training for upward mobility; assist in developing better analytical skills, improving in writing skills and general customer service. Additionally, four employees of the Enforcement staff completed the DCA Enforcement Academy. Several staff attended and completed the CLEAR Training Course. Staff is encouraged to take advantage of such training.

Due to Executive order B-06-11 no travel is permitted unless mission critical and there is no cost to the state. Therefore training is limited for staff to attend and must have pre-approval prior to traveling for training. This directive has not hampered the Board's desire for its employees to be well trained. The executive staff and management encourage the staff to

take advantage of the free web-based training, provided to the board via the department and have found this it to be efficient and effective.

The board relies upon training opportunities outside of the department that serve as a complement to the internal training opportunities. For example, the Boards Executive Officer and management attended and completed the State Supervisory Training Program required for new managers.

Below are the board's expenditures related to training:

2008/09: \$6,790
2009/10: \$14,711
2010/11: \$12,009
2011/12: \$730

Organizational Charts

Organizational charts for the last four years are provided in Section 12.





Section 4

Section 4

Licensing Program

Performance Targets

Application Processing

Examinations

School Approvals

Continuing Education/Competency Requirements

Performance Targets

The Board has internal performance measures for application processing as listed below:

Performance Measure	Definition	Target	Actual
Initial Applications	Average days from receipt of application to examination scheduling.	42 days	44 days
Establishment Applications	Average days from receipt of application to license issuance.	28 days	26 days
Apprentice Application	Average days from receipt of application to license issuance.	28 days	8 days
Reciprocity Application	Average days from receipt of application to license issuance.	28 days	22 days
Examination Scheduling	Average number of days from date of approval of qualifications to examination date.	60 days	30 days

The Board monitors its performance in licensing on a weekly basis. Due to the high volume of workload, statistics are provided every Monday by licensing staff on the processing timeframes for the applications on their desks. In addition to the board's internal licensing statistics, statistics are also provided from the DCA's cashiering unit, these numbers include the oldest date of the application being cashiered and the date incoming mail is being processed.

Adjustments are made weekly to maintain the work flow. Due to staffing limitations and budget restrictions the board has at times been unable to meet the above expectations. To combat the high volume of applications the board has instituted overtime for staff members and redirected staff to assist with the backlog.

The Board is always looking for ways to improve the processing times in licensing as this is a direct impact to job creation. The Board is hopeful that the implementation of the new Breeze database will make changes to decrease processing times. Most importantly, the Board will be able to allow approved schools to enter their student information as well as electronically submit the proof of training. A school that chooses this option would eliminate the need for manual cashiering at the DCA (approximately 4 weeks) as well as, reduce the processing time for internal application review at the Board.

The Board has also stated in its strategic plan that one of the most obvious ways to eliminate wait time for applicants taking an examination, is to increase the capacity at the examination sites. The Board will be reviewing the option of adding additional examination facilities. Applicants who can test sooner can gain employment sooner.

As part of the strategic plan, the board is planning to conduct an in depth workload analysis of its licensing and examinations unit to ensure resources are being properly allocated.

Application Processing

The board’s licensing program is responsible for reviewing and processing all individual and establishment licensing applications received by the board. As part of the review process, each application and corresponding documentation is evaluated to determine if the applicant meets the minimum qualifications as specified in statute and regulation.

The Board’s workload has increased over the last three years, however, the increase is minimal. The volume of incoming applications remains steady. The furlough program did have a significant impact to the board’s processing times. The board’s examination sites were closed 3 days a month which resulted in over 6,000 applicants being delayed to sit for the examination. The board is slowly working through this backlog by having staff work additional time at the examination sites.

Licensing Data			
	FY 2009/10	FY 2010/11	FY 2011/12
Total Licenses Issued	26,500	29,297	30,191
Total Licenses Renewed	200,477	209,285	210,107

Table 6. Licensee Population					
		FY 2008/09	FY 2009/10	FY 2010/11	FY 2011/12
Establishments	Active	40,176	40,978	42,090	44,555
	Delinquent	4,892	5,340	5,389	5,548
Mobile Unit	Active	14	14	15	19
	Delinquent	4	4	5	5
Barber	Active	17,925	18,241	18,939	19,519
	Delinquent	3,727	3,658	3,620	3,578
Barber Apprentice	Active	443	566	647	676
Cosmotology	Active	232,584	237,411	243,683	249,865
	Delinquent	34,712	35,960	36,350	37,060
Cosmetology Apprentice	Active	986	1,044	1,018	1,056
Electrology	Active	1,828	1,767	1,692	1,642
	Delinquent	576	544	530	514
Electrology Apprentice	Active	1	0	1	2
Manicurist	Active	97,451	97,318	97,798	99,011
	Delinquent	18,862	20,674	21,660	22,215
Esthetician	Active	45,454	48,979	52,409	55,770
	Delinquent	4,946	5,853	6,796	7,408
Totals		503,151	516,285	532,647	548,466

Table 7a. Licensing Data by Type					
Application Type		Received	Closed*	Issued	Average Days to Issue License
FY 2009/10	Establishments	6,300	U/A	5,864	36
	Mobile Units	3	U/A	1	61
	Barber	1,639	U/A	909	157
	Barber Apprentice	284	U/A	235	88
	Cosmetology	22,248	U/A	10,415	177
	Cosmetology Apprentice	553	U/A	475	98
	Electrology	41	U/A	29	86
	Electrology Apprentice	0	U/A	0	NA
	Manicurist	7,353	U/A	3,982	117
	Esthetician	8,511	U/A	4,590	119
FY 2010/11	Establishments	6,286	U/A	5,950	35
	Mobile Units	6	U/A	7	26
	Barber	1,874	U/A	1,275	109
	Barber Apprentice	301	U/A	287	24
	Cosmetology	23,761	U/A	11,878	147
	Cosmetology Apprentice	548	U/A	517	26
	Electrology	29	U/A	22	82
	Electrology Apprentice	1	U/A	1	13
	Manicurist	8,400	U/A	4,552	91
	Esthetician	7,744	U/A	4,815	88
FY 2011/12	Establishments	6,567	U/A	6,706	29
	Mobile Units	6	U/A	4	46
	Barber	2,016	U/A	1,209	85
	Barber Apprentice	291	U/A	265	20
	Cosmetology	24,676	U/A	11,970	102
	Cosmetology Apprentice	537	U/A	508	17
	Electrology	37	U/A	22	63
	Electrology Apprentice	1	U/A	1	23
	Manicurist	8,008	U/A	4,939	68
	Esthetician	7,286	U/A	4,567	64

*The Board does not utilize the current database to track applications that are withdrawn, abandoned or denied, therefore this data cannot be reported. Please note that denied applications are reported under Section 5.

Table 7b. Total Licensing Data			
	FY 2009/10	FY 2010/11	FY 2011/12
Initial Licensing Data:			
*Initial License/Initial Exam Applications Received	46,932	48,948	49,425
*Initial License/Initial Exam Applications Approved	29,602	44,998	U/A**
*Initial License/Initial Exam Applications Closed**	U/A**	1,974	U/A**
License Issued	26,500	29,297	30,147
Initial License/Initial Exam Pending Application Data:			
Pending Applications (total at close of FY)	1,954	2,854	3,106
Initial License/Initial Exam Cycle Time Data (WEIGHTED AVERAGE):			
Average Days to Application Approval (All - Complete/Incomplete)	104	64	52
Average Days to Application Approval (incomplete applications)**	U/A**	99	U/A**
Average Days to Application Approval (complete applications)**	U/A**	29	U/A**
License Renewal Data:			
License Renewed	200,477	209,285	210,107

* Only exam applications are approved. All other applications result in licensure. The exam applications will also include any retake exam applications.

** The Board does not utilize the database to track this information. During 2010/2011 the DCA provided this information as part of the Licensing for Job Creation Project.

Application Verification

Barbering and Cosmetology regulations establish the requirements for licensure. The Board provides applicants with detailed instructions on the application process and requirements to obtain licensure. For applicants who have received training in this state from a Board approved school, the Board provides the schools a proof of training document that is completed by the school administration. The proof of training document verifies how many hours of training were completed. In order to verify submitted proof of training documents, a representative from the school is required to sign under the penalty of perjury that the information is true and correct.

Criminal History

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

At this time, the Board must rely on the applicants to honestly disclose prior convictions on their applications for licensure, as the Board does not have the ability to utilize fingerprinting for background checks. Once a prior conviction is disclosed, the application is forwarded to the Enforcement Unit for further review. The applicant is required to submit court documents regarding their convictions along with any mitigation and/or rehabilitation information they may have.

In September 2010, the Board established a process that allows an applicant who has past convictions to submit an application prior to enrolling in school. This allows the Board to review the convictions and determine if the convictions are substantially related to the practice prior to a student paying tuition and completing schooling only to later be denied licensure.

There is not a national databank relating to disciplinary actions.

Examinations in State Correctional Facilities

The Board also returned to conducting examinations in state correctional facilities. The Board works closely with the California Department of Corrections and Rehabilitation to schedule and administer these examinations in the correctional facilities. Since 2006 the Board administered 46 exams and licensed 30 individuals.

To administer these examinations, Board staff travels to the correctional facility and provide both the written and practical portions of the examination. The examinations are graded and results are provided on the same day the examination is administered.

Listed below are the statistics for these examinations:

Date of Exam	# of Examinees	Type of Exam	# Passed Written	# Passed Practical
12/13/2006	9	Cosmetology	5	6
7/24/2007	5	Cosmetology	2	4
1/30/2008	2	Cosmetology	1	1
11/6/2008	4	Cosmetology	2	3
	4	Manicuring	4	1
9/23/2009	5	Cosmetology	5	4
	3	Manicuring	3	2
6/21/2011	7	Cosmetology	7	6
6/13/2012	7	Manicuring	7	7

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 an application and the licensing fee
- Submit proof of a current license issued by another state that has not been revoked, restricted, or suspended, is in good standing and has been active for three of the past five years.

The board implemented reciprocity in 2007 and since that time 8,878 licenses have been issued.

Out of Country

Business and Professions Code Article 3 specifies qualifications for admittance into the examination and states 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.

An applicant that is applying to take the examination based on their education from outside of this country must contact an independent evaluation company to review and determine the equivalency of their education. Upon receipt of the application and supporting documentation, the examination is scheduled.

Examinations

The Board requires applicants for licensure as a cosmetologist, barber, manicurist, electrologist and esthetician to take and pass both a practical (hands-on) and written examination. In May 2009, the Board adopted the national written examination and in October 2011 the practical portion was adopted. The Board offers its examinations in English, Spanish, Vietnamese and on September 1, 2012, Korean language examinations became available.

The Board maintains two examination facilities that operate Monday thru Friday; one in Fairfield (Northern) and one in Glendale (Southern). The Board does participate in the computer based testing program and each examination facility is sub-leased to the vendor for the administration of the written examination. This is necessary to facilitate same day licensure for successful candidates. Candidates are able to take the written portion at one of the thirteen computer based testing sites in California.

The testing procedure is really quite simple. Once an application for exam has been received by the board and evaluated for accuracy, the Board staff schedules a written and a practical exam for the applicant. Both tests are generally scheduled to be taken on the same day. The written test may be administered in the morning and the practical examination in the afternoon, or vice versa. Once the applicant has passed both the written and practical portions of the exam, the license is issued immediately at the examination facility. If an applicant fails either part of the exam (written or practical) they must pay another testing fee to schedule a re-examination. The new application and fee must be paid to the board within one year, as the testing scores are only valid for a one year period.

On March 1, 2012 the Board eliminated the use of live models for the practical portion of the examination and switched to mannequin heads. The use of a live model was a common cause of a candidate being eliminated from the examination. Models were often found to have broken skin, insufficient hair for a haircut, or were found to be “coaching” the candidate. The Board’s transition to using mannequins has been smooth. Use of the mannequin still allows examiners to determine the minimal competency performed as well as insuring the required health and safety protocols are being followed.

Pass Rates

Listed below are the pass rates for the board’s examinations. As noted above, an applicant must take and pass both a written and practical portion of the exam. If an applicant fails one of those portions, they are only required to re-take the failed portion.

The Board has seen a decline in pass rates since transitioning to the national exam. It is believed that this is because the national exam is current and relevant to today’s practices. The previous exam had been in circulation for many years and schools often provided courses on how to pass the examination. The implementation of the national examination verifies that the board is testing for minimal competency and that schools are teaching minimal competency.

The Board is currently working with the national organization in an effort to determine the cause for the low pass rates for examinations offered in Spanish. The national organization has already reviewed and verified the translation for Vietnamese and is in the process for reviewing the translations for Spanish.

WRITTEN EXAMINATION

Table 8. Examination Data																
Exam Title		California Written Examination/ National-Interstate Council of State Boards of Cosmetology- Written														
License Type		Barber			Cosmetology			Esthetician			Electrology			Manicurist		
Language		E	Sp	Viet	E	Sp	Viet	E	Sp	Viet	E	Sp	Viet	E	Sp	Viet
FY 2008/09	# of 1 st time takers	908	10	4	10,766	879	22	3,943	0	70	21	0	0	1,308	5	3,687
	Pass %	81%	80%	50%	78%	58%	0%	73%	0%	9%	81%	0%	0%	68%	40%	84%
Exam Title		National-Interstate Council of State Boards of Cosmetology- Written														
Language		E	Sp	Viet	E	Sp	Viet	E	Sp	Viet	E	Sp	Viet	E	Sp	Viet
FY 2009/10	# of 1 st time takers	954	45	48	9,147	817	390	3,004	10	956	26	0	0	732	33	2,978
	Pass %	76%	89%	75%	79%	40%	24%	81%	10%	63%	85%	0%	0%	74%	52%	70%
FY 2010/11	# of 1 st time takers	1,142	69	59	10,127	743	406	3,235	3	1,225	20	0	0	1,188	36	3,239
	Pass %	82%	86%	95%	80%	42%	45%	84%	33%	70%	95%	0%	0%	78%	61%	75%
FY 2011/12	# of 1 st time takers	1,133	70	44	12,732	683	591	3,212	8	1,090	23	0	0	719	33	3,584
	Pass %	83%	81%	98%	70%	33%	50%	85%	50%	78%	91%	0%	0%	79%	55%	82%
Date of Last OA		2006			2009			2007			2011			2008		
Name of OA Developer		National-Interstate Council of State Boards of Cosmetology (NIC).														
Target OA Date		2011			2014			2012			2016			2013		

PRACTICAL EXAMINATION

Exam Title		National-Interstate Council of State Boards of Cosmetology- Practical				
License Type		Barber	Cosmetology	Esthetician	Electrology	Manicurist
FY 2008/09	# of Candidates	1,031	14,623	5,991	22	6,069
	Pass %	80%	76%	89%	95%	84%
FY 2009/10	# of Candidates	1,145	14,559	5,382	29	5,089
	Pass %	75%	72%	86%	93%	81%
FY 2010/11	# of Candidates	1,470	16,466	5,635	24	5,544
	Pass %	81%	72%	86%	96%	78%
FY 2011/12	# of Candidates	1,447	16,292	5,317	25	29,804
	Pass %	81%	86%	90%	88%	86%
Date of Last OA		2006	2009	2007	2011	2008
Name of OA Developer		National-Interstate Council of State Boards of Cosmetology (NIC).				
Target OA Date		2011	2014	2012	2016	2013

Note: National written examination administered effective May 1, 2009 and National practical examination administered effective October 3, 2011.

School Approvals

Business and Professions Code Section 7362 states that a school that is approved by the Board is one which is licensed by the Bureau for Private Postsecondary Education (BPPE). A school that offers cosmetology, barbering or electrology must first be licensed by the BPPE and then must receive approval from the Board. The Board issues a Board school code which must be provided on an applicant's proof of training. To receive approval from the Board, a school must meet the following requirements:

- Possess minimum equipment
- Possess minimum floor space
- Utilize text books approved by the Board
- Obtain board approval of the curriculum to be offered
- Provide a list of potential bona fide students

The Board does not have the authority to require a fee for approval nor does it have clear authority to take action on a school. The issue of school oversight is discussed in greater detail under section 11.

Continuing Education/Competency Requirements

The board does not require continuing education.





Section 5

Section 5

Enforcement Program

Performance Measures

Statistics

Complaints

Cite & Fine

Cost Recovery and Restitution

Enforcement Program

The Board's mission is "to ensure the health and safety of California consumers by promoting ethical standards and by enforcing the laws of the beauty industry." The Enforcement Unit plays a big part in accomplishing this mission. The Board's Enforcement Unit opens complaint cases submitted by consumers, other agencies and internal requests. To ensure the health and safety of the consumer all cases are investigated. Investigations may include an inspection of the establishment, requests for additional information from the consumer or licensee, requests for assistance by the Division of Investigation (DOI), or requests for an expert's opinion. Complaint cases are closed after the investigation has revealed insufficient evidence to proceed, compliance with the Board's rules and regulations has been demonstrated, or disciplinary action has been taken against the licensee. Complaints regarding the health and safety of Barbering and Cosmetology schools are processed by the Enforcement Unit's designated school analyst. To ensure proper oversight of the Apprentice Program and to ensure apprentices are properly trained in their chosen profession and taught proper health and safety standards the Enforcement Unit is working with the Division of Apprenticeship Standards (DAS), Local Education Agencies (LEA), and Apprenticeship Program Sponsors.

Performance Measures

In 2010, the DCA developed standard performance measures for each board and bureau to assess the effectiveness of its enforcement program. DCA established an overall goal to complete consumer complaints within 12 to 18 months. Each Board or Bureau is responsible for determining its performance target for each performance measure. The table below indicates the Board's targets:

Performance Measure	Definition	Target	Actual
PM1 Volume	Number of complaints received	*	5,647
PM2 Cycle Time	Average number of days to complete complaint intake.	10 days	3 days
PM3 Cycle Time	Average number of days to complete closed cases not resulting on formal discipline.	120 days	71 days
PM4 Cycle Time	Average number of days to complete cases resulting in formal discipline.	540 days	472 days
PM5 Efficiency (cost)	Average cost of intake and investigation for complaints not resulting in formal discipline.	**	n/a

PM6 Customer Satisfaction	Customer satisfaction with the service received during the enforcement process.	75% Satisfaction	***
PM7 Cycle Time (probation monitoring)	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	6 days
PM8 Initial Contact Cycle Time (probation monitoring)	Average number of days from the time a violation is reported to the program to the time the monitor responds.	5 days	1 day

*Complaint volume is counted but is not a measurement.

**Current systems do not allow the board to capture this data; however, the new Breeze system will have this functionality.

*** Due to lack of consumer response, data is not available for this measure.

Trends

The Board has seen a significant increase in complaints received since the last reporting period (2005). The average complaints received per year during the last reporting period was 3,350. The average complaints received per year for this reporting period (2009-2012) is 5,006, an increase of fifty (50) percent over the last reporting period. Since the beginning of this reporting period (2009) the Board has experienced a twenty-four (24) percent increase in the number of complaints received. The majority of this increase is due to an increased number of complaints opened internally. The Board opens “follow-up” complaint cases against establishments which have been cited for multiple health and safety violations, dirty foot spa violations, and unlicensed activity. While the number of establishments inspected has increased twenty (20) percent during this reporting period (2009-2012), the number of establishments cited for unlicensed activity has increased forty-three (43) percent. The number of enforcement cases opened for follow-up on unlicensed activity has increased one hundred and fifty-six (156) percent during this reporting period.

	FY 2005/06		FY 2009/10	FY 2010/11	FY 2011/12
Establishments Inspected	12,574		11,095	12,543	14,012
Establishments Cited for Unlicensed Activity	1,664		1,554	2,150	2,224
Internal Unlicensed Activity Follow-up Cases Opened	15*		261	627	669
Health and Safety Follow-Up Cases Opened	4*		148	321	275

*Opening follow-up cases in the FY 2005/09 was not a high priority due to the number of pending cases, 2863.

Even though the Enforcement Unit has experienced an increase in the number of complaints received the number of analysts in the unit has remained constant. The number of cases closed per year during this reporting period has increased each year and the number of pending cases has decreased.

Complaints	FY 2005/06		FY 2009/10	FY 2010/11	FY 2011/12
Opened	3,219		4,404	5,148	5,467
Closed	2,887		4,514	4,986	5,699
Pending	2,863		930	1,094	864
Average Days to Close	274		108	78	72

Performance Barriers

The Board’s enforcement performance barriers include internal and external entities. Staffing and workload issues affecting the Board’s Inspections and Cite and Fine unit, DCA’s Division of Investigation, Office of Administrative Hearings, Attorney General’s (AG) office, and District Attorney’s (DA) offices increase processing times and result in an increase in the Board’s case age.

An inspection request involves the Board’s Inspection and Cite and Fine units. Inspectors run into barriers with inspections that require travel or DOI assistance. The Board has two territories which do not have assigned inspectors and some inspectors are assigned to territories which cover a large geographical area. Requests for inspections in these territories can require the inspector to travel. Travel involves the submission of a Request to Travel document which must go through an approval process delaying the date of inspection. Requests for inspection which include DOI assistance are coordinated according to the DOI investigator’s schedule. Joint Board/DOI inspections can take several months to schedule.

Up until recently, completed Directed Inspection Reports were submitted by the inspector and processed by the Board’s Cite and Fine unit and then distributed to the assigned case analyst. Due to the volume of inspection reports received by the Cite and Fine unit, a backlog occurred in the processing time it took to process the inspection report from the Cite and Fine unit to the case analyst. The process has been re-engineered and Directed Inspection Reports are forwarded to the case analyst first and are then forwarded to Cite and Fine for citation issuance. The new process allows the case analyst to review the inspection report and close cases, which do not warrant follow-up, more efficiently.

The Office of Administrative Hearings, Attorney General’s office, and District Attorney’s office process are beyond the Board’s control. Board analysts provide these offices with as much information as possible when cases are submitted. The submission of complete cases eliminates requests for information and

increases turn-around times. Case analysts regularly check case statuses to ensure cases are processed as quickly as possible.

Table 9a. Enforcement Statistics			
	FY 2009/10	FY 2010/11	FY 2011/12
COMPLAINT			
Intake			
Received	2,886	3,426	3,580
Closed	185	0	0
Referred to INV	2,689	3,430	3,579
Average Time to Close	5	3	3
Pending (close of FY)	18	14	14
Source of Complaint			
Public	2,447	2,461	2,589
Licensee/Professional Groups	3	0	0
Governmental Agencies	0	4	5
Other (Internal)	1,954	2,683	2,873
Conviction / Arrest			
CONV Received	1,518	1,722	1,887
CONV Closed	1,520	1,720	1,889
Average Time to Close	4	5	3
CONV Pending (close of FY)	0	2	0
LICENSE DENIAL			
License Applications Denied	9	8	5
SOIs Filed	27	7	4
SOIs Withdrawn	2	0	0
SOIs Dismissed	0	0	0
SOIs Declined	0	0	0
Average Days SOI	310	0	0
ACCUSATION			
Accusations Filed	53	45	49
Accusations Withdrawn	5	3	3
Accusations Dismissed	0	1	3
Accusations Declined	2	2	6
Average Days Accusations	1,170	919	666
Pending (close of FY)	30	29	35

Table 9b. Enforcement Statistics (continued)			
	FY 2009/10	FY 2010/11	FY 2011/12
DISCIPLINE			
Disciplinary Actions			
Proposed/Default Decisions	29	25	23
Stipulations	29	22	27
Average Days to Complete	1,170	882	908
AG Cases Initiated	108	108	113
AG Cases Pending (close of FY)	82	88	79
Disciplinary Outcomes			
Revocation	37	37	43
Voluntary Surrender	5	6	5
Suspension	1	0	0
Probation with Suspension	44	27	32
Probation	46	11	11
Probationary License Issued	0	0	0
Other	5	1	0
PROBATION			
New Probationers	91	77	87
Probations Successfully Completed	143	108	91
Probationers (close of FY)	277	214	174
Petitions to Revoke Probation	3	25	8
Probations Revoked	0	10	10
Probations Modified	0	0	0
Probations Extended	0	2	4
Probationers Subject to Drug Testing	n/a	n/a	n/a
Drug Tests Ordered	n/a	n/a	n/a
Positive Drug Tests	n/a	n/a	n/a
Petition for Reinstatement Granted	15	4	6
DIVERSION			
New Participants	n/a	n/a	n/a
Successful Completions	n/a	n/a	n/a
Participants (close of FY)	n/a	n/a	n/a
Terminations	n/a	n/a	n/a
Terminations for Public Threat	n/a	n/a	n/a
Drug Tests Ordered	n/a	n/a	n/a
Positive Drug Tests	n/a	n/a	n/a

Table 9c. Enforcement Statistics (continued)			
	FY 2009/10	FY 2010/11	FY 2011/12
INVESTIGATION			
All Investigations			
First Assigned	4,209	5,150	5,467
Closed	4,514	4,986	5,699
Average days to close	108	78	72
Pending (close of FY)	930	1,094	864
Desk Investigations			
Closed	4,455	4,680	3,605
Average days to close	100	75	43
Pending (close of FY)	927	618	296
Non-Sworn Investigation			
Closed	0	275	2,040
Average days to close	0	77	117
Pending (close of FY)	0	452	523
Sworn Investigation			
Closed	59	15	54
Average days to close	667	462	342
Pending (close of FY)	3	24	45
COMPLIANCE ACTION			
ISO & TRO Issued	0	0	0
PC 23 Orders Requested (EM 30)	0	2	1
Other Suspension Orders	0	0	0
Public Letter of Reprimand	0	0	0
Cease & Desist/Warning	0	0	0
Referred for Diversion	0	0	0
Compel Examination	0	0	0
CITATION AND FINE			
Citations Issued	13,040	18,618	18,234
Average Days to Complete	48	39	49
Amount of Fines Assessed	10,142,090	13,033,048	11,049,251
Reduced, Withdrawn, Dismissed*	n/a	n/a	n/a
Amount Collected	4,258,376	4,882,370	5,671,478
CRIMINAL ACTION			
Referred for Criminal Prosecution	0	11	22

*Citations are only reduced, withdrawn or dismissed by DRC and this is discussed in section 13.

Table 10. Enforcement Aging						
	FY 2008/09	FY 2009/10	FY 2010/11	FY 2011/12	Cases Closed	Average %
Attorney General Cases (Average %)						
Closed Within:						
1 Year	27	22	35	31	115	27%
2 Years	125	38	31	42	236	56%
3 Years	25	16	4	14	59	14%
4 Years	2	3	4	1	10	2%
Over 4 Years	2	3	0	0	5	1%
Total Cases Closed	181	82	74	88	425	
Investigations (Average %)						
Closed Within:						
90 Days	2,357	2,715	3,547	4,041	12,660	66%
180 Days	795	894	835	1,078	3,602	19%
1 Year	527	664	457	476	2,124	11%
2 Years	232	207	139	96	674	4%
3 Years	56	24	7	8	95	.05%
Over 3 Years	5	10	1	0	16	.008%
Total Cases Closed	3,972	4,514	4,986	5,699	19,171	

The Board referred 176 cases to the DAG's office in fiscal year 2005-2006. During the same year 137 accusations and 42 statements of issues were filed. The number of cases referred to the DAGs since fiscal year 2005-2006 has decreased thirty-nine percent, (39%) from 176 in 2005-2006 to 108 in 2009-2010.

	FY 2005/06		FY 2009/10	FY 2010/11	FY 2011/12
Referred	176		108	108	113
Accusations Filed	137		53	45	49
Statements of Issues Filed	42		27	7	4

Due to a change in the Board's Enforcement Unit work processes the number of cases referred to the DAG has decreased. Consumer Harm cases are more thoroughly investigated at the Board level and only cases which contain clear and convincing evidence that a violation of the law occurred are forwarded to the DAG's office. Licensees who are found to have committed a violation of the Board's regulations which do not warrant license discipline are issued citations.

	FY 2005/06		FY 2009/10	FY 2010/11	FY 2011/12
Consumer Harm	23%		14%	11%	10%
Health and Safety	40%		40%	48%	51%
Unlicensed Activity	27%		24%	34%	32%
Misc.	10%		12%	7%	7%

In February 2007, the Board raised its fines (revised again in 2011). Prior to 2007 the fines for 1st offenses could be waived if corrected. The Board felt the fines did not act as a deterrent to our licensees. The increase in fines is currently acting as a deterrent. The majority of our cases, seventy-five percent (75%), are closed after the first directed inspection. The chart below shows how many directed inspections the Board requested in 2005/2006 and 2011/2012.

Type of Inspections Requested	2005/2006	2011/2012
Directed 1	1,251	2,192
Directed 2	307	402
Directed 3	7	22
Investigative	263	289
Total	1,828	2,905
Investigatives referred to AG's*	84	38

* The Board sends Investigative Inspections which have violations that warrant follow-up to the AG's office for disciplinary action.

Prioritization

Complaint cases are prioritized using guidelines similar to those found in the DCA's *Complaint Prioritization Guidelines for Health Care Agencies*. Complaints are prioritized according to the most egregious violation alleged in the complaint. Consumer harm, gross negligence, incompetence, or similar violations are considered the highest priority. The highest priority cases are distributed to specified analysts who "specialize" in the type of violation alleged. The processing of similar complaints allows the analyst to identify trends in the industry and identify violations more efficiently. Complaints alleging health and safety or unlicensed activity violations are considered high priority. Cases opened as the result of inspection reports indicating egregious health and safety violations or unlicensed activity are also considered high priority.

Mandatory Reporting and Statute of Limitations

The Board has no mandatory reporting requirements nor does it operate with a statute of limitations.

Unlicensed Activity

Complaints regarding and citations issued for unlicensed activity are increasing. Unlicensed activity violations are considered a high priority by DCA and the Board. As the result of an inspection, owners who are operating unlicensed establishments and owners who employ unlicensed individuals are fined \$1,000.000. Each unlicensed individual is also cited and fined \$1,000.00. Cases involving licensed owners who have been repeatedly cited for employing unlicensed individuals are forwarded to the District Attorney General's office for license discipline. Discipline may include license suspension, probation, and/or revocation.

Unlicensed Activity	FY 2005/06		FY 2009/10	FY 2010/11	FY 2011/12
Complaints Received from the Public	709		876	917	1,027
Citations Issued to Owners for Employing Unlicensed Individuals	614		716	967	994

The Board has no disciplinary recourse for owners and individuals who are performing services without a Board issued license. Administrative citations are issued to unlicensed individuals but sixty-five percent (65%) of these citations go unpaid. Collecting the fines for these citations provides a challenge. In order to process a citation for collections Franchise Tax Board requires a social security number and the collections agency the Board has contracted with requires a valid ID number. Unlicensed individuals often do not provide their legal name, current address, or any type of valid photographic identification. Without proper identification the Board cannot gather identifying information such as a California Identification or Driver's License number, birth date, or social security information.

In an effort to enforce the Board's licensing rules and regulations, beginning July 1, 2010 cases which involve unlicensed establishments and unlicensed activity are referred to the DCA's Division of Investigation (DOI) for assistance. The Board requests that during a joint Board Inspector/DOI Investigator inspection the DOI investigators issue unlicensed owners and unlicensed individuals misdemeanor citations. The Board includes a packet with the DOI Request for Service (RFS) which includes copies of any previously issued citations, correspondence, and License Certifications for the establishment or unlicensed individuals. If the DOI investigator issues a misdemeanor citation the information provided in the RFS packet is used as background information when the case is filed by DOI with the local District Attorney's office (DA). Cases the DA prosecutes could result in probation, BBC fine recovery, and/or jail depending on the county. Every DA's Office handles the Board's unlicensed activities cases differently. Some DA's request multiple misdemeanors be issued to indicate a pattern of unlicensed activity and/or non-compliance. DA's offices with limmited

resources may decline the case. Counties with Unlicensed Activity Task Forces usually accept the Board's cases.

	FY 2010/11	FY 2011/12
DOI Misdemeanors Cited	15	30
Cases Forwarded to DA	11	22
Cases Accepted by DA	7	7
Cases Declined by DA	7	2
Convicted by DA	1	2
Dismissed by DA	0	3

Some owners continue to operate their business without complying with the Board's Licensing Regulations. The cited owners and operators do not pay their fines and because the DA's Office does not prosecute cases fully the issuance of misdemeanor citations is not always a deterrent. The cycle of inspections and non-compliance continues and the safety of the Board's inspectors becomes an issue.

Board inspectors and DOI investigators are experiencing instances where the workers in the establishments are refusing the inspection. The majority of the establishments refusing inspection have previously been cited for unlicensed activity. Even though B&P 7313 authorizes the inspection of an establishment during business hours or at any time Board regulated services are being performed, the inspector cannot force operators to unlock the doors or allow entry for an inspection. The assistance of DOI investigators does not help in these situations because DOI investigators cannot use force for entry during inspections. The Board has no recourse except the issuance of a citation for Inspection Refusal (B&P 7313) which carries a fine of up to \$750.00.

Situations like these make future inspections uncomfortable for inspectors and investigators. Board inspector safety must be taken into account when requesting follow-up inspections at these locations. The Board cannot ensure compliance if inspections cannot be conducted due to inspector safety concerns.

In an effort to decrease the issuance of unlicensed establishment citations in 2009 the Board's Enforcement Unit contacted the Business License Department in each city in the State of California. The City Business License Departments were sent a letter advising them that State Law requires establishments which offer Board regulated services be licensed by the Board of Barbering and Cosmetology. The letter requested that the city representative refer salon owners to the Board's website or toll-free number for licensing information. As a result of this contact the Board opened the lines of communication with the cities. Business License Departments that responded with contact information were provided informational flyers and Board establishment license applications. A handful of Business License Departments still use the Enforcement Unit as a

contact to ask questions about the Board’s rules and regulations and to verify licensure with the Board. Board enforcement analysts use the Business License Department listing and contact information to verify ownership of establishments.

Cite and Fine

To ensure compliance with the Board’s health and safety and licensing rules and regulations, random and targeted inspections of establishments are conducted. Administrative fines are assessed for violations of the Board’s rules and regulations and citations are issued to establishment owners and individual operators.

During the last two fiscal years the Board has conducted an average of 13,200 inspections and issued, an average, of 18,400 citations. The number of inspections resulting in No Violations being cited has increased fifty-eight percent (58%) during the current reporting period from 1815 to 2863.

	FY 2005/06		FY 2009/10	FY 2010/11	FY 2011/12
Establishments Inspected	12,574		11,095	12,543	14,012
Citations Issued to Establishments	6,719		7,565	10,884	10,543
Citations Issued to Individuals	7,067		5,475	7,734	7,683
Total Citations Issued	13,786		13,040	18,618	18,234
Establishments with No Violations Cited	1,070		1,815	2,246	2,863

During the last review period, 2005/06, fine amounts were assessed in accordance with a graduating scale. First, second, and third offenses of a violation were assessed a different fine amount. For example, a violation of 981(a), No Disposal of Non-Disinfectable Items, could result in a fine of \$25, \$50, or \$150 depending on how many times the licensee had been cited for the same violation in the last five (5) years. Payment of fines for first (1st) time violations, indicated by the fine schedule as correctable, could be avoided if the licensee presented written proof the violation had been corrected.

The Board has reviewed and revised the Administrative Fine Schedule twice since the last review period, 2007 and 2011. In 2007, the Administrative Fine Schedule was updated to reflect a single fine amount for each violation regardless of how many times the licensee had been cited for the same violation. The Board also changed the Administrative Fine Schedule to indicate that no first time violations are considered correctable. In 2011, the Board reviewed and revised the Administrative Fine Schedule, again, and returned to a graduating fine scale. Fines are now assessed according to how many times the licensee was cited for the same violation within the last five years.

981(a)	2005/06	2007	2011
1st Occurrence	\$25	\$100	\$100
2 nd Occurrence	\$50	\$100	\$150
3 rd Occurrence	\$150	\$100	\$200
Correctable	Yes	No	No

The Board did increase the maximum fine limit per citation from \$2500 to \$5000. Any citations with fines totaling more than \$5000 are modified so the fine total does not exceed \$5000. Since the beginning of this reporting period 153 citations have had the total fine amount modified.

	FY 2009/10	FY 2010/11	FY 2011/12
Citations Modified to Down to \$5000	44	78	31

Prior to February 2008, all citations were issued by the inspector at the time of inspection. In February 2008, the process was changed and all citations are now issued by Board office staff. The inspectors provide the licensee with a copy of an inspection report as a record of the inspection. The original inspection report, photographs taken during the inspection, and any inspector comments are then forwarded to the Board's main office. The Board's Cite and Fine Unit reviews the inspection report, photographs, and inspector comments for accuracy.

The Top Five Violations cited per year during the last reporting period (2005/2006) and this reporting period (2009-2012) have remained the same. The 979 Series, Disinfecting Non-Electrical Instruments and Equipment, is cited most often. The Health and Safety Violations cited most often are violations of disinfection and storage of tools, implements, instruments, and products. The top non-health and safety related violation cited is for not properly displaying establishment or individual licenses. The fifth most cited violation is the 7317 series, Practice of Barbering, Cosmetology, or Electrology for Compensation without a License (unlicensed establishment or unlicensed individual).

Violation	FY 2005/06		FY 2009/10	FY 2010/11	FY 2011/12*
979	21,159		15,848	20,611	13,442
988	8,278		6,119	8,185	6,563
981(a)	5,496		4,256	5,238	5,546
7317	2,999		3,381	2,154	4,049
965	5,059		2,521	3,881	3,024

*The Board revisions in 2011 of the Administrative Fine Schedule combined some regulations into one fine amount, 979 series, and broke some regulations out into more than one fine amount, 7317 series.

Anyone who is issued a citation by the Board has the right to appeal any or all of the violations cited. The Board has received approximately 12,000 requests for appeal during the last four fiscal years (2008/2012). During the last fiscal year, the average fine per violation before an appeal was \$497 and the average fine amount per violation after an appeal decision by the Disciplinary Review Committee (DRC) was \$207. The role of the DRC will be further explained in Section 13.

	2008/2009	2009/2010	2010/2011	2011/2012
Average Dollar Amount Appealed per Citation	\$1,366	\$910	\$842	\$891
Average Dollar Amount Appealed per Violation	\$516	\$557	\$495	\$497
Average Citation Amount After DRC Adjustment	\$545	\$293	\$354	\$372
Average Violation Amount After DRC Adjustment	\$206	\$179	\$208	\$207

The Board allows thirty days for the payment of fines before the fines become delinquent. Request for Payment Notices are issued for citations which have assessed fines that have not been paid in a timely manner. Three Requests for Payment Notices are issued per citation before the citation is forwarded to Fidelity Creditor Service, Inc. The Board contracted with the collection agency in October of 2010 which has collected approximately \$9000.00 in past due fines through February 2012. The Board is not currently using Franchise Tax Board intercepts.

Request for Payment Notice	FY 2005/06		FY 2009/10	FY 2010/11	FY 2011/12
First	293		6,685	5,718	6,211
Second	6		7,318	3,465	3,222
Third	0		7,124	412	885

Cost Recovery

Business and Professions Code section 125.3(a) provides the Board the authority to recover the reasonable costs of investigation and adjudication of a case. The Board seeks cost recovery regardless of whether the case is heard in administrative hearing or is settled by stipulation.

If revocation and cost recovery are ordered as a result of an administrative hearing, the Board makes three written attempts to contact the respondent to request full payment or develop a payment plan. If the respondent fails to respond, the case is referred to the Franchise Tax Board (FTB) intercept program. Additionally, the Board has the authority to deny reinstatement of the license of any licentiate who has failed to pay all ordered cost recovery.

In cases where the respondent is placed on probation, cost recovery, including compliance with a payment schedule, is generally a condition of probation. Non-compliance with this term may result in transmittal of the case to the Office of the Attorney General to seek revocation or extend the probation until the costs are paid in full.

However, transmittal of the case to the Office of the Attorney to seek revocation or modification of the original terms and conditions of probation, results in additional enforcement costs. In October, 2010, the Board revised the Disciplinary Guidelines, which included revision of many of the terms of probation. Revision of the cost recovery term now includes the provision that probation shall not terminate until full payment has been made, any order for payment of cost recovery shall remain in effect whether or not probation is tolled, and the filing of bankruptcy shall not relieve the respondent of the responsibility to reimburse the Board for costs. These changes close the loophole on those probationers leaving the state or filing bankruptcy, and ensure that cost recovery will be paid by every probationer. In addition, these revisions will result in fewer probation cases referred to the FTB intercept program and eliminate incurring additional Attorney General expenditures for preparation of a stipulation extending the probation period until costs are paid in full.

During the last three fiscal years, the total amount of cost recovery ordered is \$475,681.34. The table below shows the amount ordered for revocation, surrenders and probationers. Approximately \$90,117.25 may be uncollectable. This estimated total represents cost recovery assessed to individuals whose license was revoked or surrendered. In the majority of those cases, payment of cost recovery isn't required unless they reapply or petition for reinstatement of licensure with the Board. Additionally, any case in which the Board loses jurisdiction after the licensee is placed on probation may be uncollectable. However, in those cases the Board does request payment and subsequently refers the case to the FTB intercept program.

Cost Recovery Ordered		
FY 2009/2010 through 2011/2012		
Revocation*	Surrenders*	Probationers
9 cases	5 cases	97 cases
\$65,742.25	\$24,315.00	\$385,624.09
*A case may include more than one license issued to the same respondent. If one of those license types is placed on probation, in addition to revocation or surrender of another license, the cost recovery ordered appears in the Probationers column.		

The Board seeks cost recovery in all formal disciplinary actions. Most cases referred to the Attorney General's office have the potential for a cost recovery order. The Board seeks cost recovery in every case although Administrative Law Judges (ALJ) often reduces the amount of cost recovery payable to the Board.

The ALJ may award full or partial cost recovery to the Board or may reject the Board's request for cost recovery. In an effort to reduce the cost of prosecution and hearings, the Board may reduce the actual cost recovery amount due as an incentive to settle a case prior to a hearing, as hearings cause expenses to the Board that cannot be recovered. The Board cannot order cost recovery for cases which are categorized as "default decisions." These cases involve respondents that fail to file a Notice of Defense or fail to appear at the scheduled hearing. As noted above, only an ALJ can award costs unless a stipulated settlement is reached.

Franchise Tax Board Intercepts

If the respondent has failed to respond to request for payment, has stopped complying with any payment plan, or a petition to revoke probation has resulted in a Default Decision, the case is referred to the Franchise Tax Board intercept program to collect any outstanding cost recovery. Currently the Board has 117 cases in the FTB intercept program; of which 54 cases were referred since July 2009. The intercept program has collected \$11,044.97 over the last three fiscal years; the total amount outstanding as of June 7, 2012, is \$424,965.12.

The intercepted amounts for any case are typically nominal, intercepted one time during the calendar year, and funds are usually only intercepted once. This minimal success with the FTB program has prompted the Board to seek other solutions to collecting cost recovery. After reviewing the success of using Fidelity Creditor Service, Inc. to collect fine payments, the Board plans to use this agency to collect outstanding cost recovery when other collection measures fall short.

Consumer Restitution

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 would be introduced at the administrative hearing or provided during settlement negotiations. Failure to pay restitution would be considered a violation of probation and can result in further discipline or revocation.

*(d) As used in subdivision (b), specified terms of probation may include an order of restitution. Where restitution is ordered and paid pursuant to the provisions of this subdivision, the amount paid shall be credited to any subsequent judgment in a civil action.

Table 11. Cost Recovery			
	FY 2009/10	FY 2010/11	FY 2011/12
Total Enforcement Expenditures	1,384,545	898,490	805,760*
Potential Cases for Recovery **	67	66	69
Cases Recovery Ordered	42	32	37
Amount of Cost Recovery Ordered	163,675.62	135,930.47	176,075.25
Amount Collected	208,352.30	128,695.24	95,613.11
* FY 2011/2012 does not include Division of Investigation costs.			
**Potential Cases for Recovery are those cases in which disciplinary action has been taken based on violation of the license practice act.			

Table 12. Restitution				
	FY 2008/09	FY 2009/10	FY 2010/11	FY 2011/12
Amount Ordered	0	0	0	0
Amount Collected	0	0	0	0



Section 6

Section 6

Public Information Policies

Public Information Policies

Board and Committee Meetings

Webcasting of Meetings

Public Disclosure

Consumer Outreach

Related Appendices

Appendix 6 - Outreach Events

Public Information Policies

The Board is a public agency and performs its activities publically. The Board makes every effort to be as transparent as possible and complies with all code requirements as well as the Bagley Keene Open Meetings Act.

The Board uses its website as a primary conduit for communication with the public, applicants and licensees. The website provides general information about the board including how to file a complaint, consumer brochures, informational fact sheets, Barbering and Cosmetology law and licensing and enforcement information. The Board's website has grown as a communication method and contains more information than ever before.

Over the past three years, the Board has averaged 3.7 million hits per year. The Board's website conforms to the design templates established by the Administration. The Department of Consumer Affairs (DCA) is in the process of updating the current design of the Barbercosmo website to project a more up-to-date, consumer friendly forum. The Board works hard to ensure its website is relevant to the consumers, applicants and licensees alike.

A recently utilized method of communication has been the Board's use of social media by the use of a FaceBook and Twitter account. With 13 percent of Americans on the web using Twitter and close to a billion active users on FaceBook, the Board saw this communication avenue as prime. The FaceBook page is a quick and efficient way to disseminate current information and updates quickly. The Board does realize this is not a primary method of information dissemination and makes it a practice to refer consumers to the Board's website. The Board has received numerous compliments for implementing this current, easy to access method of communication, from its consumers. The Board currently has 42 followers on Twitter and 485 "likes" on FaceBook.

Board and Committee Meetings

The Board posts dates and locations of all meetings in advance to allow the public and others interested in attending meetings to make arrangements.

The Board posts agendas for all board, committee and subcommittee meetings on its website. Agendas are posted at least 10 days in advance of any meeting. The agenda includes a specific description of each topic so the public has a general understanding about what will be discussed in advance. Then typically, seven to ten days in advance of any meeting, meeting materials are also added to the website. These are the same materials provided to Board members. This provides the public with more specific information about Board activities and permits the public to be fully prepared to participate in discussions before the Board. Meeting materials provided by the Board are thorough and generally provide background information, a summary or history of the item as well as any recommendations or action items. Board packets also include draft minutes from the previous meeting. Board minutes serve as a helpful resource for those interested in following board activities.

A concerted effort has been made to encourage public input. In lieu of this, the Board begins each board meeting and ends each Board meeting with an invitation for public comments that are not specifically addressed on the agenda.

The Board maintains information for each meeting for a minimum of 20 years, consistent with the Board's records retention policy and maintains its website information based on the determinations of the current Executive Officer. Final Board meeting minutes are posted approximately two weeks after the Board approves the minutes.

Webcasting of Meetings

In addition to posting all materials, the Board also supports the use of webcasting, and has leveraged the Department's capabilities to do so at Board meetings held in recent years. This includes meetings being held in southern California locations. For example, the October 17, 2011 Board meeting held in Santa Ana was webcast. Copies of all webcasts are posted for viewing on the Board's website.

Public Disclosure

The Board's complaint disclosure policy is similar to that of the Department's and was most recently revised in 2006. The Board follows the DCA's Recommended Minimum Standards for Consumer Complaint Disclosure.

The Board posts a significant amount of information about licensees on its website. From the website's license verification feature, a consumer can find:

- Licensee's name
- License number
- County of residence
- Issue date
- Expiration date
- Current status, including a notation if the individual is currently on probation, has an accusation pending final decision or if the individual was previously disciplined. In addition, the Board provides a link to the accusations and decisions on individual and establishment licenses.

The availability of this information ensures that consumers have ready access to information about the industry professionals, and allows employers, other governmental agencies and other licensees to quickly access license status information about any licensee. The licensure verification feature is a valuable tool to reduce unlicensed activity and provides consumers with status information about their community beauty care provider.

To supplement the information available on the website, the Board also responds to requests in writing. Such public information includes what is available on our website, but also includes some information that is not posted to our website. For instance, a licensee may request a copy of the photographs taken by the Board's inspector during an inspection.

Disciplinary action information remains public for 20 years. The Board does not provide additional personal information about licensees regarding their education, degree, etc.

Consumer Outreach

The Board has a strong outreach and education program. The Board has separated the outreach program into two facets, consumer outreach and industry outreach. The Board has had tremendous success in both avenues of outreach. Listed below are a few highlights of the outreach program. For a disclosure of the outreach events the Board has participated in, please see appendix 6.

- In 2009 the Board in association with Federico's Beauty College developed a Powerpoint presentation that outlined the proper way

to clean footspas. The Board conducted a town hall meeting where a practical demonstration was given on how to properly disinfect foot basins. Public participation was encouraged by sending postcard invitations to targeted consumers. The town hall meeting provided Board staff the opportunity to discuss how establishment owners and licensees could stay in compliance with the Board's rules and regulations.

- In 2009 the Executive Officer conducted the very first live webcast Question and Answer session. A brief summary of what the Board provides and how to stay compliant was followed by an invitation for licensee's to call or email in to ask the Executive Officer Board related questions.
- The Board routinely participates in the California State Fair, wellness fairs, town hall meetings, workshops and seminars to assist with educating the public on health and safety issues.
- The Board customarily has a booth at trade shows, up and down the State of California.
- The Board visits beauty colleges within the state to assist the students of such entities to become familiar with board regulations and to help establish student solidarity within their new career.

On April 26, 2011 Executive Order B-06-11 was imposed upon the Board. This has limited the travel of the Board to outreach events. In addition budget restrictions have been imposed which regrettably have suspended the Board's presence at the above mentioned events. The Board however, has not been deterred in its outreach pursuit. In response to these limitations the Board has made it a practice to mail out materials to trade shows and consumer fairs to encourage interest in the Board and promote health and safety. The Board has also used this time to explore the use of FaceBook and Twitter to reach their public.

In the summer of 2011 the Board produced the first "Smock Talk" newsletter and had it posted to the Board's website.

Over the years the Board has developed a series of consumer materials covering a wide range of topics. These materials have been developed by Board staff to educate the public on health and safety topics. In recent years an innovative approach to develop consumer education materials involved development of a series of topical fact sheets.

Below is a listing of the fact sheets the board currently produces, disseminates to the public and posts on its website. Several of these

items are also available in Spanish and Vietnamese and can be downloaded from the board's website.

[Fact Sheet: Barbering](#)

[Fact Sheet: Chemical Hair Services](#)

[Fact Sheet: Electrology](#)

[Fact Sheet: Esthetics](#)

[Fact Sheet: Manicure & Nail Salon Services](#)

[Fact Sheet: Whirlpool Footspa Safety](#)

[Fact Sheet: Complaints](#)

[Fact Sheet: Summary Suspension](#)

[Fact Sheet: Hair Extensions](#)

[Fact Sheet: Cosmetology](#)

[Fact Sheet: Mole removal](#)

[Disciplinary Review Committee Hearing \(Spanish\) \(Vietnamese\)](#)

[Self Inspection Worksheet \(Spanish\) \(Vietnamese\)](#)

[Illegal Instrument Flyer](#)

[Disinfection](#)

[Fish Pedicures](#)

[Medical Pedicure](#)

[10 Most Common Violations Cited During Inspections](#)

[To Open a New School of Barbering/Cosmetology/Electrology](#)

[Q&A Helpful Hints About the Examination](#)

[Establishment Owner FAQ](#)

[In Home Services](#)

The Board has posted the Center of Disease Controls (CDC) video, "Put Your Hands Together" onto their website. This video provides information on proper hand hygiene.

The Board has posted publications, brochures and photo galleries on their website such as the following to encourage safety and promote healthful working environments.

[Protecting the Health of Nail Salon Workers](#)

[Top Ten Violations Photo Display](#)

[FDA Fact Sheet – Hair Dye and Hair Relaxers](#)

[FDA Fact Sheet - Cosmetics](#)

Industry bulletins that provide the Board’s official position are posted to the website. Some of the recent bulletins have covered information on:

Disinfecting Nail Files

Detox Foot Spas

Callus Removal

Needles Are Prohibited

Monthly, the Board submits articles of interest to “The Stylist”. A newspaper distributed to all licensed establishments in California. Topics include everything from “Meet the Board President” to “BBC’s Top Ten Violations.”





Section 7

Section 7

On Line Practice Issues

On Line Practice Issues

The Barbering and Cosmetology profession cannot be practiced on line.



Section 8

Section 8

Workforce Development and Job Creation

Workforce Development / Job Creation

Impact of Licensing Delays

Outreach to Schools

Workforce Development and Job Creation

Hairdressing made the front page of the respected national business newspaper, *The Wall Street Journal*, July 5th, 2012 in an article by Neil Shah and David Wessel that pointed to the security of personal-service professions in an uncertain economy. David Autor, an economist from the Massachusetts Institute of Technology, noted a 36% increase in personal-service jobs between the years 1989 and 2007. He points out that between 2007 and 2010, as the total number of jobs in the U.S fell by nearly 6%, the number of personal-service jobs actually increased by 2%. The Board is thrilled to be a part of this dynamic industry. The Board's work focuses on ensuring that individuals entering the beauty industry possess the requisite skills and knowledge to provide services to the diverse population of Californians who seek hair, skin and nail services.

Impact of Licensing Delays on Job Creation

The Board has a recognized role in job creation via the licensure of individuals and establishments.

The Board has been impacted in its ability to issue licenses within the Board's established performance standards. Additional information about this is provided in Section 4 of this report.

The Board's delay in licensing an entity prevents that individual or business from working. In cases where the Board delays making a licensing decision, for example, while investigating a criminal background of an applicant, the job intended for an applicant may be given to another individual. As a result, the Board's delay in licensing has a direct impact on the individual.

The Board administers examinations Monday through Friday. Approximately 80 examinations are scheduled per day. The most common delay at the Board is an applicant that has been approved, but is awaiting their scheduled examination date. The Board plans to look at the possibility of adding an additional examination site allowing for a quicker examination. The Board also believes that the implementation of Breeze will reduce the processing times of applications.

The Board works with applicants from establishments that must be licensed by the Board, and strives to ensure that they can open on the date they desire, even when they turn in applications very close to the their desired opening date. Many times this can be accomplished. However, there are a number of components that must be complete before an applicant can receive an establishment and the Board's license is but one of the first requirements needed by the establishment.

Outreach to Schools

Currently schools are regulated by two Department of Consumer Affairs (DCA) entities, the Board of Barbering and Cosmetology, as well as the Bureau for Private Postsecondary Education (BPPE). Due to this dual oversight and state mandated travel restrictions the Board has been limited in its outreach to schools. That being said the Board has attempted to look for ways to positively influence its future professionals. One such avenue has been the utilization of a FaceBook/Twitter accounts to reach out to students with up-to-date information that students will find helpful in the pursuit of their new careers.

In addition, the Board is periodically asked to provide lectures at California Cosmetology and Barbering schools, on the role of the Board, its licensing program, enforcement program, duties of the licensee in charge and other topics. These presentations are intended to ensure that potential licensees understand the Board's role and activities. For example, during presentations about the Board's enforcement program, the Board highlights the top ten violations commonly cited for during an inspection. This discussion was designed to help students better understand how to avoid getting cited for a violation while working in a salon. Thus protecting the consumer while saving the new professional fine incurred expenses.





Section 9

Section 9

Current Issues

Breeze

Consumer Protection Enforcement Initiative

Breeze

The Board is actively involved in the development of the Breeze system. The Board is scheduled to be in release one, and has therefore dedicate resources to ensure the success of this project.

While the dedication of resources puts stress on the current daily operations of the Board, the importance of obtaining a current system will be extremely beneficial in the long run. It is hoped that the Breeze system will allow schools to enter their student information directly on-line and this will make significant improvements in the application processing times.

In addition, the Board is hopeful that the breeze database will allow for an increased ability to run statistical reports. Not only will this be beneficial to the Board, but it will be beneficial to schools. For example, the Board cannot currently report on the pass rate for an individual who is a first time applicant or who is taking a re-examination.

Consumer Protection Enforcement Initiative

The Board was not part of the Consumer Protection Initiative (CPEI) as this was directed to the Allied Health Boards, however, the Board did take steps to improve its enforcement processes that were part of the CPEI. The Board has continuously worked to shorten its case aging time to within 18 months, and has monitored its performance measures to remain consistent with the DCA's goals.





Section 10

Section 10

Board Action and Response to Prior Sunset Issues

Implement Recommendations of the Foot Spa Working Group

Should Reciprocity be put into Statute?

Reestablish the Voluntary "Instructor" License

Issues with Training Requirements

Increase Enforcement on Illegal Laser Procedures

Reduce Meeting Frequency

Audit Deficiencies

Modification of Administrative Fine Schedule

Actual Costs for Exams

Computer Based Testing

Elections and Terms for Officers of the Board

Board Continuation

Question 2

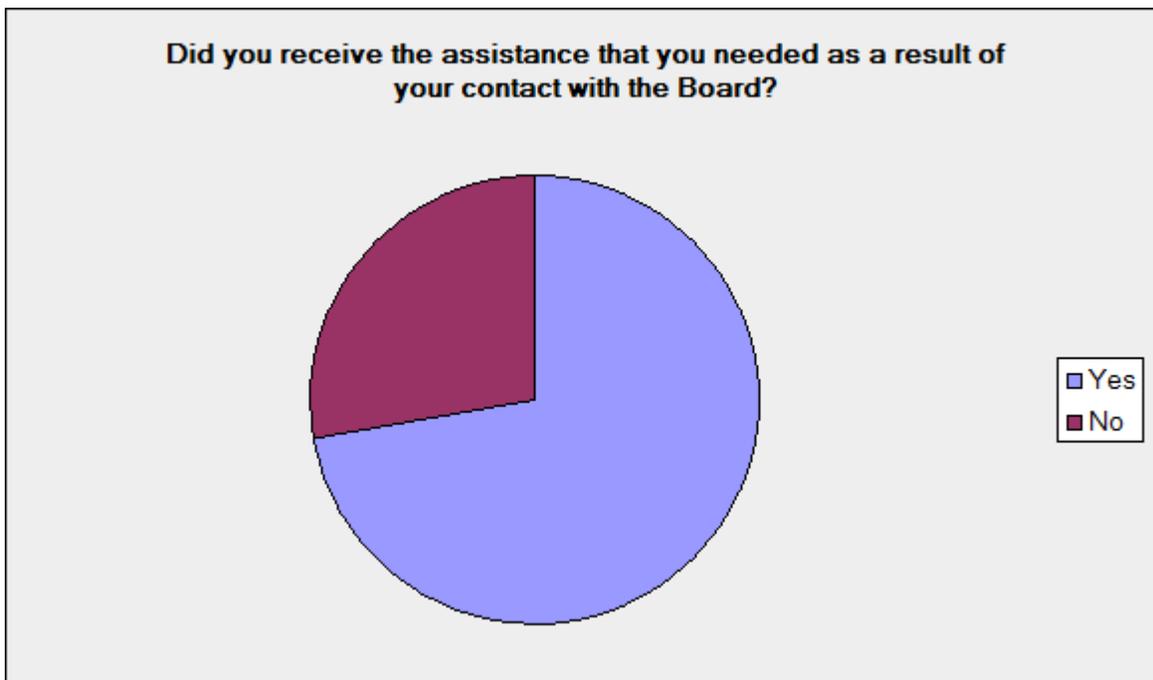
Please rate the following categories and your overall experience with Board staff:

Answer Options	Excellent	Good	Fair	Poor	Unacceptable	N/A	Response Count
Staff Courtesy	45	44	16	11	6	21	143
Staff Aecessibility	9	21	32	21	20	12	115
Overall Satisfaction	57	60	31	28	29	12	217
<i>answered question 273</i>							
<i>skipped question 0</i>							

Question 3

Did you receive the assistance that you needed as a result of your contact with the Board?

Answer Options	Response Percent	Response Count
Yes	72.2%	197
No	27.8%	76
<i>answered question</i>		273
<i>skipped question</i>		0



The Board has also developed a video on how to properly clean foot spas as well as held town hall meetings to discuss these regulations. During the town hall meetings presentations are provided on the steps to properly clean foot spas.

Recommendations for the Future:

The Board continues to make foot spa safety one of its top issues. Under the guidelines of AB 409, the Board will continue to take a strong stand on foot spas that are not cleaned properly.

ISSUE #2: SHOULD RECIPROCITY BE PUT INTO STATUTE?

Recommendation #2: *The Joint Committee and the Department recommend that the statute be amended to allow for reciprocity with other states.*

Staff Comments: Another major example of the lack of action on the part of the Board. The Board has dragged its feet on the implementation of reciprocity. Now reciprocity has to be provided for in statute even though the Board should have done so through regulation.

Action Taken by the Board:

The Board implemented reciprocity in July 2007. Since that time 8,878 licenses have been issued under the guidelines of Business and Professions Code section 7331.

ISSUE #3: REESTABLISH THE VOLUNTARILY “INSTRUCTOR” LICENSE?

Recommendation #3: *The Department recommends that the voluntarily license for barbering instructors and cosmetology instructors and the corresponding continuing education requirements should not be reestablished.*

Staff Comments: This issue is one more prime example of where the Board has either ignored or acted contrary to the will and intent of the Legislature. The Board has wasted enough time on this issue.

Action Taken by the Board:

The Board has not pursued the re-establishment of the instructor license. This issue continues to be brought up to the Board at public meetings and the Board encourages schools to set their own standards for hiring qualified individuals to be instructors.

ADDITIONAL JOINT COMMITTEE STAFF RECOMMENDATIONS

ISSUE #4: RESOLVE ISSUES WITH TRAINING REQUIREMENTS? Should the Board be required to work with the Department’s Office of Examination Resources (OER) to resolve issues with training requirements?

Recommendation #4: *The Board should be required to work with OER to resolve issues with training requirements. The Board should provide OER all necessary resources and assistance to set up another task force with subject matter experts to more fully review the 1,600 hour training requirement. The requirements should be changed to reflect the information in OER's most recent occupational analysis.*

Staff Comments: The Board currently requires that cosmetologists have 1,600 hours of training for licensure. Although a recent Occupational Analysis performed by the Department shows that most licensed cosmetologists only perform hair styling tasks, individuals are required to be trained in a wide variety of skills to receive licensure. This issue has been presented to the Board several times during the sunset review process, beginning in 1999. In the 2003 sunset review, the Board was instructed to complete a review of this licensure requirement because it was seen as an artificial barrier to entry. The Board established a task force comprised of private and public beauty schools, industry representatives, and Board members. The task force met for one day in April 2005 to review the existing curriculum.

The task force recommended to the Board that it maintain the current requirement of 1,600 hours. According to the Board's report, the recommendation, in part, was based on the cosmetology license being considered a "master" license. This license allows a person not only to perform hair services, but also manicuring and esthetic services. The task force stated that a person who wishes to perform only hair styling tasks has the option of obtaining a barber license, which is focused more on hair techniques as opposed to the manicuring and esthetics, and requires 1,500 hours of training.

The OER should be involved to insure articulation of an appropriate methodology for linking the results of recent occupational analyses, subject matter expert input, and curriculum changes.

The Board was given direction to handle this issue and has not effectively done so.

Action Taken by the Board:

The Board believes that the 1600-hour training requirement is valid and is consistent with other states. However, in February 2009, the Board updated its curriculum regulations to provide emphasis on health and safety and to allow schools to better manage their own curriculum based on the guidelines set by the Board. Previous curriculum was specific to the number of tasks that must be completed. The revised curriculums continue to state a minimum however allows schools establish their own method of ensuring students gain skills to be successful in the industry.

ISSUE #5: INCREASE ENFORCEMENT ON ILLEGAL LASER PROCEDURES?

Recommendation #5: *The statute should be amended and clarified to give the Board additional tools and authority to address the illegal use of lasers.*

Staff Comments: There have been instances where cosmetologists are using lasers and have injured consumers. The use of lasers is not within a cosmetologist's scope of practice. Right now, the Board can only cite a person if he or she is actually seen using the laser. Even then, it is only a \$100 fine for a violation of Business and Professions Code Section 7320 which confers no authority to practice medicine or surgery.

The Board believes that it would be helpful if laser equipment was prohibited from being in a salon (unless of course they have a medical license), or at least language that is more specific so that it is easier to enforce and understand by licensees.

Action Taken by the Board:

Business and Professions Code section 7320.5 was implemented in 2007. The board has only cited this section 5 times since 2005.

ISSUE #6: REDUCE MEETING FREQUENCY? Should the Board be meeting bi-monthly?

Recommendation #6: *The Board should adjust its meeting schedule so that it meets on a quarterly basis.*

Staff Comments: It is unclear why it is necessary for the Board to meet so often. The Joint Committee is not aware of any other Department board that meets six times a year. It is standard for boards to meet quarterly. Reducing the number of meetings should not negatively impact the work of the Board. Staff can be directed to work on the various issues between board meetings, and in fact will be able to devote more time to the many issues that need to be addressed if they do not have to prepare for as many board meetings.

Actions Taken by the Board:

The Board meets on a quarterly basis.

ISSUE #7: ADDRESS DEFICIENCIES IN AUDIT? A performance audit conducted in 2002 by the Department's Internal Audit Office revealed some program deficiencies – the enforcement program in particular.

Recommendation #7: *The Board should be actively addressing the deficiencies found in its programs. Further, the Board should take the necessary steps to implement changes recommended in the DCA audit due to be completed in the near future.*

Staff Comments: The Department's Internal Audit Office conducted a performance audit of the then-Bureau in 2002. The audit found that the program lacked important elements that could assist management in measuring the success of its licensing and enforcement operations. The audit stated that the effectiveness of complaint activities could be improved. Specifically, the following areas were concerns that were recommended to be addressed:

- Untimely acknowledgment letters;
- Untimely delays in completing case files;
- Inaccurate determination of processing times for cases opened from inspection reports;
- Missing case files;
- Incomplete file documentation; and
- Inaccurate reporting of processing time for internal complaints opened for establishment inspections.

Deficiencies in the inspection unit were also cited. Specifically, the audit states that inspection operations are inadequate to ensure compliance with regulatory and internal policies and procedures. The audit recommended the monitoring and reporting of performance to ensure the Board's inspection function is in compliance with such policies and procedures, and that it is effective and efficient. Additionally, alternatives to current inspection procedures should be considered, such as decreasing the number of "Closed for the Day" stops and/or conduct specific, targeted violation sweeps in areas identified as having the greatest risk of harming consumers.

The Department's Internal Audit Office has recently begun another performance audit of the Board. The results and findings of the audit are expected in the Spring of 2006.

Action Taken by the Board:

In August 2008, a 360-Day follow up was performed by the Department's Internal Audit Office and the results of this were presented to the Department's Executive Office. This report followed up on six issues previously identified. Of these issues the Board had taken action on three of the issues and had taken partial action on the remaining three. Listed below is a brief summary of each issue and the action taken:

Issue 1: Fully integrating a strategic plan.

Action: The Board implemented a strategic plan and in July 2012 has worked with the department to update their plan as well as objectives. The updated strategic plan was adopted by the Board in October 2012.

Issue 2: Substantial backlogs

Action: The Board continues to deal with a high volume of workload. Since the Board's last review, processing times in have significantly decreased in all units. However, the furlough programs did have an impact on the Board's operations. The Board is currently addressing processing times and exploring ways to reduce those times.

Issue 3: Address deficiencies in the inspections program

Action: Specific items addressed in the audit have been resolved. For example: updating the fine schedule, the Board now follows up on fines that have not been paid, conduct follow-up inspections when serious violations are found and all information is entered into the database.

The inspection program continues to not be able to meet its statutory mandate of inspecting new salons within 90 days of licensure. Inspections that are a result of a consumer complaint are given top priority.

Issue 4: Improve its licensing operations to issue licenses in a timely manner

Action: The Board has streamlined its processes, however, we believe with the implementation of the new Breeze database there will be a greater reduction in processing times. As the Board is in phase 1 of the Breeze roll-out (October 2012) we will be reviewing all business processes to determine what new improvements can be made.

Issue 5: Continued Problems in Enforcement

Action: The audit identified several areas that the Board has resolved. Specifically:

- The Board has performance measures for enforcement cases.
- All complaints are acknowledged within 10 days.
- Internal processes are in place to ensure inspections conducted based on a complaint are forwarded immediately to the case worker.
- The Board discloses its disciplinary actions on its website.
- Procedures are in place for quality control, for example; closed complaint cases are signed off by a manager and reviewed for accurate processing.

Issue 6: Internal Controls for Cash Receipts

Action: The audit indicated that the board should limit access to the safe where cash is stored overnight. The Board has limited its staff having access to the safe.

ISSUE #8: MODIFY ADMINISTRATIVE FINE SCHEDULE? Although the Board has the authority and capability to increase fine amounts, it has not done so.

Recommendation #8: The Board should modify its fine schedule without delay to ensure that fines serve as a sufficient deterrent.

Staff Comments: The Board's Cite and Fine program was initiated in December 1994. Administrative citations are issued for violation of the Board's rules and regulations, primarily related to health and safety issues. Violations range from improper disinfection to unlicensed activity, with fines ranging from \$25 to \$500 for first violations. Most fines are waivable on the first offense, provided the offense is corrected within 30 days. A first offense may only have a \$25 fine assessment. Often, this fine does not serve as a deterrent and inspectors usually have to conduct multiple inspections before compliance is achieved. The fine amounts increase for second and third offenses.

SB 362 (Figueroa), Chapter 783, Statutes of 2003, provided for the revision of the Board's fine structure by increasing the maximum amount that could be imposed for administrative fines from \$2500 to \$5000. However, to date, no changes have been made by the Board.

Action Taken by the Board:

In February 2007 the Board took a strong stand by revising its administrative fine schedule. Progressive fines were eliminated and fines were increased. Over the following years the Board believed that the fines were too high for the types of violations. For example, a violation of mislabeling a clean container could have resulted in a fine of \$600.00. After discussions at Board meetings as well as input during DRC hearings, the Board believes that the high fine amounts were hurting businesses from continuing. As a result, the Board re-visited the fine schedule through its Enforcement Committee and a decision was reached to modify the fine schedule. In September 2011, the Board returned to a progressive fine schedule, however, fines were not reduced to the low levels that existed at the time of the last review. Instead the Board took a hard look at the violations that posed consumer harm and set those at a higher amount to serve as a greater deterrent.

ISSUE #9: ASSESS ACTUAL COSTS FOR EXAMS? The Board continues to spend more on its examination program than it makes.

Recommendation #9: *The Board should assess actual costs for its examinations.*

Staff Comments: Business and Professions Code Section 7423 establishes the license fees for individual practice. The initial license fee for cosmetologists, barbers, and electrologists is \$50; the initial esthetician license fee is \$40; and the initial manicurist license fee is \$35. These fees are all at their statutory maximum and have not been increased since 1993.

Business and Professions Code Section 7423 also states that the fee shall be the actual cost to the board for developing, purchasing, grading, and administering the examination. Further, Business and Professions Code Section 7421 requires that the fees collected by the Board shall be in amounts necessary to cover the expenses of the Board in performing its duties.

To determine where the licensing fees should be set, Board staff conducted a review of all expenditures that the Board incurs and found that the Board expends approximately \$94.00 on processing, examining, and license issuance.

Action Taken by the Board:

On December 1, 2007 the Board implemented a new fee schedule that established an application and examination fee of \$75.00 for each license type.

ISSUE #10. CONTINUE WITH COMPUTER-BASED TESTING? Should the Board continue to administer examinations on computer?

Recommendation #10: *The Joint Committee recommends that the Board continue indefinitely with computer-based testing.*

Staff Comments: There have been discussions in past board meetings regarding the return to paper and pencil testing. This should not occur. It is clear that computer-

based testing has been successful. Additionally, it would only exacerbate the backlogs that the Board is experiencing.

Action Taken by the Board:

Computer based testing continues to be successful and there has been no discussion of returning to a paper/pencil process.

**ISSUE #11. SET ELECTIONS AND TERMS FOR OFFICERS OF THE BOARD?
Should the Board have a specific process for the election of officers?**

Recommendation #11: The Joint Committee recommends that election cycles and the terms of officers be specified in statute.

Staff Comments: Most consumer boards have a process by which the officers are elected. This Board, however, does not. Even though the Chair of the Joint Committee was assured that the new officers would be elected after the December 2005 sunset hearing, the Board re-elected the president and vice president. The president has served two and a half years already, and will have served four years by the end of the current term.

Business and Professions Codes Section 5004 provides that the Board of Accountancy's president, vice president, and secretary-treasurer be elected by the board for a term of one year from among its members at the time of the annual meeting.

Action Taken by the Board:

The Board holds annual elections in January. Each term is set for one year and a member is only allowed to serve two terms.

ISSUE #12. CONTINUE WITH THE BOARD? Should the Board be continued, reconstituted, or become a bureau within DCA?

Recommendation #12: The Joint Committee recommends that the current membership of the Board should be sunset, and the Board should be immediately reconstituted.

The new Board should utilize these recommendations as well as previous sunset recommendations in their strategic plan. Adherence to all recommendations should be made a top priority.

Staff Comments: A number of issues identified in the previous reviews of the Barbering and Cosmetology Board are still ongoing issues. The Board continues to ignore the intent of the Legislature, as well as the recommendations of the Joint Committee and the Department of Consumer Affairs, in a number of areas. Almost three years has passed since the Joint Committee last voted on recommendations and

yet the following key issues remain unresolved:

- The Board has delayed adoption of regulations that are necessary to implement recommendations of the Joint Committee with regard to reciprocity. Additionally, the proposed regulations would have increased requirements for out-of-state licensees instead of facilitating reciprocity. Because of the excessive delay, the timeframe to pass regulations has expired, and the Board now has to start its regulatory process over.
- Although the Board meets every other month, consumer protection does not appear to be high on the agenda. One example is the outbreak of infections at foot spas. The Board did not use its authority to temporarily shut down the offending establishments in San Jose, nor has it used its regulatory authority to promulgate regulations to establish additional standards and requirements for foot spas.
- The law that established a process whereby barbering instructors and cosmetology instructors could voluntarily obtain a license from the Board was repealed pursuant to the recommendations of the Joint Committee. However, the Board is proposing that the voluntary instructor's license be put back in place.
- The Board continues to spend more on its examination program than it makes. The Board has been told – and is required by law – to assess actual costs and requires that the fees collected by the Board shall be in amounts necessary to cover the expenses of the Board in performing its duties. The Board has not yet adjusted examination fees to reflect the true cost of the examination. The Board must link the fees for its examinations with their actual costs and should look for other ways of reducing examination costs as well.
- A number of studies required of the Board were barely examined – leaving the same questions unanswered.
- The Board has not promulgated regulations to revise its existing fine structure although it has had the authority and capability to do so and was directed to do so by the Legislature.
- The Board continually brings up the issue of returning to a paper and pencil examination even though they have been directed to use computer-based testing.
- Even though the Board received additional staffing to address backlogs, applicants still have to wait three months to be examined. Further, the average days to receive a license for applications not requiring examination has increased from 55 days in 2001/02 to 161 days in 2004/05. The problem of a backlog in the application process has been around for many years. This was first addressed in the 1999 sunset review. Because of a long waiting time for the examination, applicants experience significant delays in obtaining licensure.

Action Taken by the Board:

The Board has made significant progress since its last review. It is clear that during the last review the Board was not taking action on outstanding issues. However, there have been significant improvements in that area. Specifically:

- Reciprocity has been implemented.
- Board meetings are held quarterly.
- Foot spa issues have been addressed and are continually being monitored.
- The Board has not pursued re-establishing an instructor license.
- The Board established an application and license fee to cover its expenses.
- The Board has updated its fine schedule.
- The Board does not discuss nor does it believe returning to a paper and pencil examination should be considered.



Section 11

Section 11

New Issues

Oversight of Barbering, Cosmetology and Electology Schools

Oversight of the Practice of Hair Braiding

**Issue #1:
Oversight of Barbering, Cosmetology and Electrology Schools**

The Board recommends it be granted sole oversight over barbering, cosmetology and electrology schools as opposed to dual oversight by the Board and the Bureau for Private Postsecondary Education (BPPE), two entities under the Department of Consumer Affairs.

Background

The Board believes it is the appropriate entity to regulate barbering, cosmetology and electrology schools. Currently, beauty schools are regulated by two DCA entities, the Board as well as the BPPE. The problems incurred from dual oversight of schools have been an on-going issue for multiple years and have been discussed in prior sunset reviews under the old BPPVE. Not only is this not a cost-effective method, it is confusing to students and the lack of oversight by the Board in schools is allowing potentially harmful practices to be carried into the industry.

To differentiate between the two regulatory entities, listed below are the areas of oversight that each entity is responsible for:

Board Oversight of Beauty Schools

- Curriculum
- Minimum Equipment
- Minimum Enrollment
- Minimum Floor Space
- Textbooks
- Health and Safety on Clinic Floor
- Licensing Examination
- School Approval

BPPE Oversight

- Student protection concerns -- tuition issues, catalog, student contracts, unqualified instructors etc.
- School Approval

Section 7362 of the Business and Professions Code states a school must be both licensed by BPPE and approved by the Board. A new school must first go through the initial application process with the BPPE and upon receiving the provisional/conditional/intent to approve, the school will then apply to the Board to secure Board approval and a school code, and then go back to the BPPE for full approval. Once the Board receives an application, a review is conducted of the requirements stated above and an initial inspection is completed. An approved school is issued a school code from the Board that must be noted on

the proof of training (POT) document that is provided to a student that completes their course of instruction (a completed POT is required to qualify for the licensing examination).

Problems

1. To approve a school the Board reviews the application, curriculum, and conducts an inspection, however, the Board does not have the authority to require an application and/or approval fee.
2. Students invariably contact the Board to file complaints against schools and must be referred to another DCA entity (all students are familiar with the "State Board", very few-if any-know about the BPPE).
3. Lack of communication between the Board and the BPPE is causing student harm and potentially increases unlicensed activity in the industry.
4. Lack of complete oversight by the Board creates an environment in far too many schools that are not acceptable in the industry; without the necessary authority to sufficiently discipline –including revocation— irresponsible schools, the Board is unable to enforce health/safety rules and the proper training of such techniques within schools. Therefore, students entering the profession are more likely to cause harm because of the inadequate education and inappropriate habits developed while attending these institutions.
5. Selling of hours continues to take place. The Board investigates this based on fraudulent POT's being issued, however, the lack of oversight prevents the Board from conducting internal investigations and requires the Board to utilize costly options for investigating. With sole oversight, the Board could require schools to provide the Board with the records of each registered student from day-one of their schooling, immediately ending this fraudulent practice of selling hours to individual enrollees.
6. The Board does not have specific authority to take disciplinary action against a school (removal of approval), and therefore must defer to BPPE for sanctions..
7. The Board has no authority for renewal of the school approval; therefore once a school is initially approved by the Board, only the BPPE can act to close a dangerous or repeat offending school.

Discussion

The Board has been attempting to work with the BPPE since it was reconstituted in January 2010, however, many of the same problems that the Board experienced with the prior iteration the BPPE -- the "BPPVE" -- are repeating, to the great consternation of all concerned, including most importantly students. While dual oversight explains a lot of the confusion and issues, there are also intractable communication issues and lack of consistent action on the part of BPPE enforcement staff. This has created an environment where fraudulently operated schools continue to exist and even proliferate, while honest and well-established schools are being hit with costly new fees and long delays in application reviews and approvals that seem largely pointless.

The Board does not receive the information it needs to ensure applicants (students) are attending approved schools. For example, the Board is not made aware of schools that are out of compliance with the BPPE. Schools that are no longer approved (expired) should not be providing services to consumers nor should they be teaching students. The Board must go online and monitor schools on a regular basis to determine if schools are in compliance with the BPPE (rather than have BPPE report this information to the Board when developments warrant). When a school is out of compliance with BPPE, the Board must notify the school that we will no longer admit their students into the examination. Students often are the last to know and are usually informed by being denied admittance to the exam from the Board.

In July 2012, the Board found 8 schools that were approved by the Board but were not in compliance with the BPPE. Had the Board not reviewed the public website of the BPPE, these schools would have continued to operate.

In mid-2011 the Board found an unapproved school operating and utilizing a school code from another location to admit their students into the examination. The Board notified the BPPE multiple times that this school continued to enroll students. Students completed 1500 hours in this school and were denied admittance to the examination. Students contacted the Board to complain and were referred to the BPPE, which only added to their frustrations. The Board issued cease and desist letters and denied students from taking the examination. In July 2012, the BPPE approved the school to operate as a satellite (the Board does not have statutory authority to approve satellite locations). It is the opinion of the Board that this school violated the law by falsifying POT's, the school continued to enroll students when they were not approved, the Board informed the BPPE of their illegal status, and despite these serious errors, this institution now has been granted approval by the BPPE.

As another example, The Board recently conducted an investigation of a single school that allegedly is selling hours to individuals (students pay for completed POT's despite not having sat for any instructional time). As of the date of this report the Board has expended \$61,000 on this investigation and this is expected

to increase. This is an example of the Board taking an active role in the oversight of schools; however, with limited authority it is costly and time consuming for the Board and the Board is placed in a reactive posture rather than proactive from the moment a student is enrolled in a school. Board inspectors do not have the authority to review student records (like the BPPE) while inspecting a school, therefore, the Board was required to obtain the services of the DCA's Division of Investigation to complete the investigation.

Prior to the early 1990's schools were regulated solely by the Barbering and Cosmetology Boards. As part of that oversight, schools were required to register each student with the Board at the time of enrollment. Therefore, the Board would be able to monitor if a student had indeed completed the full course of instruction. The above-outlined infraction would have been detected immediately without any costly investigation if the Board had sole oversight authority.

The Board attempts to conduct annual inspections of schools, in addition to the timely inspections of new applicant-schools seeking approval. The Board receives complaints from students and consumers on the cleanliness of schools and therefore the Board's enforcement staff will request a directed inspection of schools. The Board often finds various health and safety violations. A citation without fine is issued to the school owner, with current law only allowing the Board to forward such violations to BPPE for further actions (which, to the Board's knowledge, are rarely followed-up on by the BPPE). It is unclear if this information is ever relayed to students (i.e. how to correct violations). As a result, bad practices being conducted in some schools are then carried out into the industry which poses a continued and growing threat to consumer safety.

As stated above, the Board is responsible for approving schools, approving text books, setting curriculum, approving minimum space and adequate equipment, and providing the licensing examination that such schooling is directed toward. However, there is no specific authority on how to discipline schools that have violated the Board's laws and regulations. There is no provision on revocation of approval and there is no provision for the renewal of the approval, since the Board's approval is statutorily relegated behind the BPPE's approval. In addition, the dual oversight of schools is convoluted in that BPPE allows for branch locations and satellite locations while the statutes governing the Board do not, among other inconsistencies in law and in practice with two DCA agencies regulating the same institutions. Finally, beauty school students contact the Board with any/all complaints they may have with schools, since the Board is invariably the only known DCA agency in their minds; most of their complaints require BPPE action, and therefore Board staff can only refer these harmed students to another DCA agency and hope their concerns will be adequately and timely addressed.

Statistics

FY	Schools Opened	Complaints Received	Cases Opened	Cases Closed	Inspections Requested
2007/2008	14	5	3	50	0
2008/2009	26	1	0	0	0
2009/2010	16	169	51	156	29
2010/2011	8	134	69	127	36
2011/2012	10	178	90	177	43
Total	74	487	213	510	108

Types of Complaints Received

FY	Health and Safety	Non-Jurisdictional	Instructor	Financial	Hours	Consumer Harm	Unlicensed
2007/2008	3	2	0	0	0	0	0
2008/2009	0	1	0	0	0	0	0
2009/2010	47	120	19	17	23	0	0
2010/2011	56	73	8	5	8	2	3
2011/2012	84	90	6	2	17	2	2
Total	190	286	33	24	48	4	5

Recommendation

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 businesses. The Board cannot be removed from the school oversight because schools offer industry specific, Board regulated services to consumers. The Board recommends the schools be required to register their students with the Board upon enrollment, and that the Board be given authority to charge fees to cover the expense of initial, annual, directed and random inspections and all other necessary oversight duties commensurate with sole licensure authority. Finally, 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 Recovery 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 be transferred to the Board.

Issue #2:
Regulating the Practice of Braiding

The Board recommends that braiding of the hair be considered part of the scope of practice of cosmetology.

Background

Section 7316(d) (2) states that the practice of barbering and cosmetology does not include natural hair braiding. Natural hair braiding is a service that results in tension on hair strands or roots by twisting, wrapping, weaving, extending, locking or braiding by hand or mechanical device, provided that the service does not include hair cutting or the application of dyes, reactive chemicals or other preparations to alter the color of the hair or to straighten, curl, or alter the structure of the hair.

On May 16, 1982, the Attorney General issued an opinion finding African hair braiding is covered by cosmetology licensing requirements. In January 1997 the Institute for Justice filed a lawsuit in a federal district court in San Diego challenging California's cosmetology licensing statutes and regulations on behalf of practitioners of African hair braiding and other forms of natural hair styling. The plaintiffs challenged the constitutionality of the Barbering and Cosmetology Act as it relates to hair braiding as an act of cosmetology. On August 18, 1999 the court ruled in favor of the plaintiffs, stating, in part, the following:

As set forth, the basis of this Order is the finding that the state's mandated curriculum, on its face and upon review of its actual implementation and associated texts and exam, does not teach braiding while at the same time it requires braiders to learn too many irrelevant, and even potentially harmful, tasks.

The Board recognizes that there are types of braiding that are a cultural practice, however, the industry has changed since this ruling and braiding is no longer a cultural specific practice.

Braiding done incorrectly can cause scarring to occur on the scalp and result in hair loss. More specifically, braiding can cause Traction Alopecia, gradual hair loss caused primarily by the inappropriate level of pulling force being applied to the hair by improperly trained braiders. In addition, there is a serious risk of cross contamination if an individual has broken skin.

Because of the exemption, there are no health and safety regulations that braiders and braiding salons must follow. There is also no guarantee that braiding is being performed properly and safely for consumers.

Regardless of how and why braiding is performed (to facilitate the application of hair extensions or to establish a specific hair style) a risk is presented to consumers. Because there are no health and safety guidelines for braiders to follow, there are no guarantees that tools are being disinfected properly.

The popularity of braiding has allowed the practice to become more diverse. Individuals from all ethnic backgrounds are having their hair braided and are having the addition of hair extensions. It is the Board's priority to protect consumers and currently those paying for such service in braiding salons totally unregulated by our Board are not protected. This practice should be properly taught in schools, individuals performing braiding to consumers should understand the risks involved and be fully versed in health and safety practices.

Current Law

Business and Professions Code section 7316(b)(1) defines the scope of cosmetology as arranging, dressing, curling, waving, machineless permanent waving, permanent waving, cleansing, cutting, shampooing, relaxing, singeing, bleaching, tinting, coloring, straightening, dyeing, applying hair tonics to, beautifying, or otherwise treating by any means, the hair of any person.

California Code of Regulations Section 950.2 (1) states that the curriculum for cosmetology includes hairstyling which includes (but is not limited to) hair analysis, shampooing, finger waving, pin curling, comb outs, straightening, waving, curling with hot combs, hot curling irons, and blower styling.

Approved Text Books

The Board approves all textbooks utilized in cosmetology, barbering and electrology schools. Approved textbooks do contain material on braiding. In Chapter 18 "Braiding and Braid Extensions" of the *Milady Standard Cosmetology* text book, steps are provided on how to prepare for a braiding service. Step 1 is to drape the client, and step 2 is to shampoo and condition the client. The steps continue to indicate blow drying the hair, noting caution to not cause a burn to the scalp.

Recommendation

The Board recognizes that some forms of braiding are passed down by generations. The Board believes that individuals that perform this type of braiding, so long as the braiding is not offered as a service to the public, should continue to be exempt. However, the Board recommends that if an individual is offering braiding services to the public, which includes shampooing, combing, blow drying and styling of the hair, that individual falls under the scope of cosmetology and should be licensed as such. In addition, an establishment offering beauty services to consumers should be required to maintain an establishment license.





Section 12

Section 12

Attachments

Administrative Manual

Organizational Chart

Year-end Organizational Charts

Major Studies

*Report to the California Legislature on Unnecessary
Barriers to Employment*

*A Comprehensive Audit of the National-Interstate
Council of State Boards of Cosmetology Written
Examinations*

*Focus Group Workshop for the National Practical
Examination Audit*

*Board of Barbering and Cosmetology, CA Department
of Consumer Affairs Inspector I, II & III, DCA*



Board of Barbering and Cosmetology



Board Member Guidelines and Procedure Manual

Adopted February 15, 2009

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Chapter 1. INTRODUCTION

OVERVIEW

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

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

DEFINITIONS

Agencies:

AGO	Attorney General's Office
BBC	Board of Barbering and Cosmetology
BPPVE	Bureau for Private Post-secondary and Vocational Education
DCA	Department of Consumer Affairs
OAH	Office of Administrative Hearings
OAL	Office of Administrative Law

Codes:

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

Organizations:

AACS	American Association of Cosmetology Schools
ACT	Associated Cosmetology Teachers
AEA	American Electrology Association
CAPS	California Association of Private Post Secondary Schools
CCC	California Community Colleges
CCA	California Cosmetology Association

CEA	Cosmetology Educators of America
NABB	National Association of Barber Boards
NACCAS	National Accrediting Commission of Cosmetology Arts and Sciences
NCA	National Cosmetology Association
NIC	National Interstate Council of State Boards and Cosmetology
PBFC	Professional Beauty Federation of California

Titles:

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

CHAPTER 2. BOARD

COMPOSITION

(B&P section 7303(b))

The Board is comprised of nine members. Five members shall be public members and four members shall represent the professions. The Governor shall appoint three of the public members and four professions members. The Senate Rules Committee and the Speaker of the Assembly shall each appoint one public member. Members shall be appointed for a term of four years, except that the members appointed by the governor, two of the public members and two of the professions members shall be appointed for an initial term of two years. Members may not serve longer than two consecutive terms.

OFFICERS

(Board Policy-Adopted July 24, 2006)

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

Elections shall take place in January of each year. All officers may be elected on one motion or ballot as a slate of officers unless objected to by a Board member.

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

MEETINGS

(Board Policy-Adopted July 24, 2006)

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

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

BOARD MEMBER ATTENDANCE AT BOARD MEETINGS

(Board Policy Adopted July 24, 2006)

Board members shall attend each meeting of the Board. If a member is unable to attend, he/she is requested to contact the Board President or the Executive Officer. (possible insert of AB 1561).

BOARD MEMBER PARTICIPATION

(Board Policy Adopted July 24, 2006)

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

QUORUM

(Board Policy-Adopted July 24, 2006)

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

AGENDA ITEMS

(Board Policy-Adopted July 24, 2006)

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

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

RECORD OF MEETINGS

(Board Policy-Adopted July 24, 2006)

Board meeting minutes are a summary and not a transcript. Minutes are prepared for every Board meeting. The minutes and Assignments of Board Directives shall be prepared by Board staff and submitted for review by Board members within 30 working days after the Board meeting.

Board minutes shall be approved at the next scheduled Board meeting and serve as the official record of the meeting.

Once draft Board minutes and Assignments of Board Directives are distributed to Board members, they can be included in any Committee agenda package with the understanding that the draft minutes shall not be circulated but will be used to expedite the committee work.

Approved minutes of the open session are available for distribution to the public and shall be posted on the Board's website within 7 days following Board approval.

TAPE RECORDING

(Board Policy-Adopted July 24, 2006)

Public Board meetings are tape-recorded. Tape recordings shall be retained for three years. Closed session proceedings shall be taped at the discretion of the Board.

MEETING RULES

(Board Policy-Adopted July 24, 2006)

Board meetings will be conducted under an informal simplified version of Robert's Rules of Order (Rozenberg's Rules of Order: www.cacities.org/store) to the extent that it does not conflict with the Bagley-Keene Open Meeting Act.

COMMUNICATION

(Board Policy-Adopted July 24, 2006)

The Board President or the Executive Officer shall serve as spokesperson media on Board actions or policies.

Any written or oral communications concerning Board matters of a sensitive nature shall be made only by the Board President or the Executive Officer.

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

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

CORRESPONDENCE

(Board Policy-Adopted July 24, 2006)

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

ETHICS TRAINING

(CGC section 11146 et seq.)

(Board Policy-Adopted July 24, 2006)

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

BOARD MEMBER ORIENTATION

(B&P section 453)

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

BOARD MEMBER REMOVAL

(B&P section 106)

The Governor has the power to remove from office at any time, any member of the board, appointed by him for continued neglect of duties required by law or for incompetence, or unprofessional or dishonorable conduct.

RESIGNATION OF BOARD MEMBERS

(GC section 1750)

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

CONFLICT OF INTEREST

(GC section 87100)

No Board member may make, participate in making in any way attempt to use his or her official position to influence a governmental decision in which he or she knows or has reason to know he or she has a direct financial interest. Any Board member who has a direct financial interest shall disqualify him or herself from making or attempting to use his or her official position to influence the decision. Any Board member who feels he or she is entering into a situation where there is a potential for a conflict of interest should immediately consult the EO or the Board's legal counsel.

CHAPTER 3. BOARD PRESIDENT

SUPERVISION OF THE EXECUTIVE OFFICER

(Board Policy-Adopted July 24, 2006)

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

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

PERFORMANCE APPRAISAL OF EXECUTIVE OFFICER

(Board Policy-Adopted July 24, 2006)

The Board President shall request from each Board Member input to the performance appraisal and salary administration of the Executive Officer prior to his/her draft preparations.

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

Matters relating to the performance of the Executive Officer shall be discussed in closed session unless he or she requests that it be discussed in open session.

CHAPTER 4. EXECUTIVE OFFICER

APPOINTMENT

(B&P section 7303 (c))

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

ROLE

(Board Policy-Adopted July 24, 2006)

The Executive Office is the Board's chief administrative officer. He/she implements the policies developed by the Board.

RECRUITMENT

(Board Policy-Adopted July 24, 2006)

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

SELECTION

(Board Policy-Adopted July 24, 2006)

The selection of an Executive Office shall be included as an item of business, which must be included in a written agenda and transacted at a public meeting.

BOARD STAFF

(Board Policy-Adopted July 24, 2006)

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

CHAPTER 5. COMMITTEES

CAPACITY

(Board Policy-Adopted July 24, 2006)

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

APPOINTMENTS

(Board Policy-Adopted July 24, 2006)

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

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

STANDING COMMITTEES

(Board Policy-Adopted July 24, 2006)

The Board has five standing committees:

- Licensing and Examination Committee
- Enforcement and Inspections Committee
- Legislative and Budget Committee
- Education and Outreach Committee
- Industry Advisory Committee
- Disciplinary Review Committee

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

LICENSING AND EXAMINATION COMMITTEE

(Board Policy-Adopted July 24, 2006)

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

ENFORCEMENT AND INSPECTIONS COMMITTEE

(Board Policy-Adopted July 24, 2006)

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

LEGISLATIVE AND BUDGET COMMITTEE

(Board Policy-Adopted July 24, 2006)

The purpose of the Legislative and Budget Committee is to review and track legislation that affects the Board and recommends positions on legislation. Provides information and recommendations to the Board on potential policy matters relating to the budget.

EDUCATION AND OUTREACH COMMITTEE

(Board Policy-Adopted July 24, 2006)

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

INDUSTRY ADVISORY COMMITTEE

(Board Policy-Adopted July 24, 2006)

The purpose of the Industry Advisory Committee is to provide recommendations and information to the Board on industry concerns. The Committee shall be comprised of Board members and selected industry representatives. In the selection of members, the Board shall attempt to include a representative from all licensing categories, public and private schools, salon owners and booth renters, and product manufacturers and distributors.

DISCIPLINARY REVIEW COMMITTEE

(CCR section 974.1)

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

AD HOC COMMITTEES

(Board Policy-Adopted July 24, 2006)

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

TASK FORCES AND WORKING GROUPS

(Board Policy-Adopted July 24, 2006)

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

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

COMMITTEE AGENDAS

(Board Policy-Adopted July 24, 2006)

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

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

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

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

ATTENDANCE AT COMMITTEE MEETINGS

(Board Policy-Adopted July 24, 2006)

If a Board member wished to attend a meeting of a committee of which he/she is not a member, that Board member shall notify the Board President and Executive Officer.

Board members who attend meeting of a committee of which he/she is not a member shall sit in the audience and not participate in the meeting discussion.

DUAL MEMBERSHIP

(Board Policy-Adopted July 24, 2006)

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

COMMITTEE MEETING RULES

(Board Policy-Adopted July 24, 2006)

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

RECORD OF COMMITTEE MEETINGS

(Board Policy-Adopted July 24, 2006)

The minutes are a summary, not a transcript of each committee meeting.

Committee minutes shall be prepared by Board staff and submitted for review by the Committee members within 30 working days after the Committee meeting.

Committee minutes shall be approved at the next scheduled Committee meeting and serve as the official record of the meeting.

Approved minutes of the open session are available for distribution to the public and shall be posted on the Board's website.

STAFF ASSISTANCE

(Board Policy-Adopted July 24, 2006)

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

TAPE RECORDING

(Board Policy-Adopted July 24, 2006)

Public meetings are tape-recorded. Tape recordings shall be retained for three years. Closed session proceedings shall be tape recorded at the Committee's discretion.

CHAPTER 6. TRAVEL PROCEDURES

TRAVEL

(Board Policy-Adopted July 24, 2006)

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

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

TRAVEL ARRANGEMENTS

(Board Policy-Adopted July 24, 2006)

Board members are responsible for making their own travel arrangements.

TRAVEL CLAIMS

(Board Policy-Adopted July 24, 2006)

Board members shall attempt to submit travel claims on a monthly basis. Travel claims will be reviewed for accuracy by Board staff. If a travel claim requires amending, Board staff will make amendment and submit correct claim to the DCA's Travel Unit and provide Board members with a corrected copy.

Travel reimbursement processing times range from 4-6 weeks.

CHAPTER 7. SECURITY PROCEDURES

REQUEST FOR RECORDS ACCESS

(Board Policy-Adopted July 24, 2006)

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

CONTACT WITH CANDIDATES, LICENSEES, COMPLAINTANTS, RESPONDENTS

(Board Policy-Adopted July 24, 2006)

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

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

GIFTS FROM CANDIDATES

(Board Policy-Adopted July 24, 2006)

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

**DEPARTMENT OF CONSUMER AFFAIRS
BOARD OF BARBERING AND COSMETOLOGY**
June 30, 2012

94.7

**CURRENT
2011-12**

BOARD MEMBERS
7 Members

EXECUTIVE OFFICER
Kristy Underwood
636-110-8798-001

ASSISTANT EXECUTIVE OFFICER

Hilda Youngblood
636-110-4801-001

INSPECTIONS

Debra Brown
Staff Services Manager I
636-110-4800-004

ENFORCEMENT

Heather Berg
Staff Services Manager I
636-110-4800-001

LICENSING/DRC

VACANT
Staff Services Manager I
636-110-4800-005

ADMINISTRATION

Karl Frank
Staff Services Manager I
636-110-4800-003

**Centralized
Cashing****

Yun Feng (Angela)
Escamilla
Office Technician (T)
636-110-1139-040
Stephanie Sou
Office Technician (T)
636-110-1139-042
VACANT 04/16/12
Office Assistant (G)
636-110-1141-017
Gina Chun
KOO
636-110-1419-001
Christina Abbott
Office Technician (T)
636-110-1139-XXX

Licensing Program

Theresa Riser (T 3D)
AGPA (Lead)
636-110-5358-002
Kerisha Ingram
Office Technician (T)
636-110-1139-010
Jean Schroeder
Office Technician (T)
636-110-1139-014
Ross Wright
Office Technician (T)
636-110-1139-015
Larry Peoples
Office Technician (T)
636-110-139-024
Key Judson
Office Technician
636-110-1139-030
Deirdre McDonald
Office Technician
636-110-1139-036
Carmela Amaro
Office Technician (T)
636-110-1139-037
Lisa Ammon
Office Technician
636-110-4687-003
Joanne Marcelino
Office Technician (T)
636-110-1139-039
Marshal McKinrick
Office Technician (T)
636-110-1139-805
Schools
Christine Jones
SSA
636-110-5157-026

Fairfield Exam Facility

Jean Moyer
Cosmo. Examiner II (Sup)
636-110-8822-002
Cosmetology Examiners
Marian Chaves
636-110-8818-002
Beverly Adams
636-110-8818-004
Yanna Trinh
636-110-8818-005
Zohal Javidan
636-110-8818-006
Examiner In Barbering
Rolf Blaher
636-110-8828-903
Expert Examiner
(Electrology)
Tara Keam
636-555-8895-903
Teresa Sanchez
636-555-8895-903
Sandra Saldaña
636-555-8895-903
Sarañ Hudson
636-555-8895-903
Clerical Support
Tamara Johnson
Office Technician (T)
636-110-1139-043

Glendale Exam Facility

Mario DeSura
Cosmo. Examiner II
(Sup)
636-110-8822-001
Cosmetology Examiners
Kim Truong
636-110-8818-001
*Xuan Abbott
636-110-8818-003
*Aurora Moreno
636-110-8818-903
Faye Maniangit
636-110-8818-903
Rubina Minasian
636-110-8818-903
Expert Examiner
(Electrology)
Phyllis Cook
636-555-8895-903
Vernon Grace
636-555-8895-903
Jonathan Young
636-555-8895-903
Wilma Baker
(Cosmo)
636-555-8895-903
Veronica Jones (LT)
636-555-8895-903
Erica Stapleton (LT)
636-555-8895-903
Sincerly Layne
636-555-8895-903
Anita Baldwin
636-555-8895-903
Suzanne Leslie
636-555-8895-903
Clerical Support
Adrienne Behnium
Office Technician (T)
636-110-1139-012
*Thu Do
Office Assistant (T)
636-110-1379-012
Seasonal Clerk
Denise Osneya (P)
636-110-1120-907

***Xochitl Camargo
Inspector III (Sup)**

636-110-8832-002
Southern CA Field
*Maria Rivera
Inspector II
636-110-8833-021
Evangeline Medina
Inspector II
636-110-8833-026
Ariene Baulby
Inspector II
636-110-8833-028
*Valerie Esquivel
Inspector II
636-110-8833-032
*Rosemary Rosales
Inspector II
636-110-8833-033
Virginia Addis
Inspector II
636-110-8833-039
VACANT 11/7/11
Inspector I
636-110-8834-024
VACANT
Inspector I (LT)
636-110-8834-033
VACANT
Inspector I (LT)
636-110-8834-034

**Joe Brown
Inspector III (Sup)**

636-110-8832-003
Central CA Field
Lillian Hajek
Inspector II
636-110-8833-016
Vickie Hicks
Inspector II
636-110-8833-022
Chau Soriano
Inspector II
636-110-8833-025
Christine Montano
Inspector II
636-110-8833-034
Allison Heppelle
Inspector II
636-110-8833-036
Michelle De Greie
Inspector II
636-110-8833-037
VACANT 11/07/11
Inspector I
636-110-8834-026
Anthony Olivas
Inspector I
636-110-8834-032
VACANT
Inspector I (LT)
636-110-8834-035
VACANT
Inspector I (LT)
636-110-8834-036

**Jim Jacobs
Inspector III (Sup)**

636-110-8832-004
Northern CA Field
Lisa Morlova
Inspector II
636-110-8833-006
Mark Hornen
Inspector II
636-110-8833-035
Jackie Jones
Inspector II
636-110-8833-038
Ky Nguyen
Inspector I
636-110-8833-021
Kerrie Payton
Inspector I
636-110-8834-025
Linda Nemeth
Inspector I
636-110-8834-031
Pablo Baulista
Inspector I
636-110-8834-037

Enforcement Unit

Shelly Shih (FT)
AGPA
636-110-5393-002 (0.5)
Rosanna Webb-Flores
(FT)
AGPA (Lead)
636-110-5393-008 (0.8)
Rachelle Prescott
AGPA
636-110-5393-802
Nancy Harlow
AGPA
636-110-5393-010
Carrie Harris
AGPA
636-110-5393-803
Valerie Guido
SSA
636-110-5157-009
Janelle Maiberry
SSA
636-110-5157-011
Thalia Singleton
SSA
636-110-5157-023
*Lilia Galvez
SSA
636-110-5157-031
Sandra Torres
SSA
636-110-5157-032
Isabel Barera
Office Technician (T)
636-110-1139-019
Seasonal Clerks
Britnie Aldana
636-110-1120-907
Marta Lopez
636-110-1120-907

DRC Appeals Unit

Vladimir Chepurny
AGPA- (Lead)
636-110-5393-800
Danielle Creegan
SSA
636-110-5157-010
*Nhi (Nina) Ton
SSA
636-110-5157-018
Kevin Gareghiv
Office Technician (T)
636-110-1139-031

Seasonal Clerks

Eda Pariera
636-110-1120-907
Lydia Montejano
636-110-120-907
Alma Amaya
636-110-1120-907
Student Assistant
Brian Barton
636-110-4870-907

Kristy Underwood
Executive Officer

Date

Classification and Pay Analyst

Date

* Bilingual Positions
** Positions at North Market

**DEPARTMENT OF CONSUMER AFFAIRS
BOARD OF BARBERING AND COSMETOLOGY**
June 30, 2011

BOARD MEMBERS
9 Members

EXECUTIVE OFFICER
Kristy Underwood
636-110-8798-001

ASSISTANT EXECUTIVE OFFICER
Hilda Youngblood
636-110-4801-001

Linda Sakauye
Administrative Assistant II
636-110-5358-001

**CURRENT
2010-11**

ADMINISTRATION/DRG
Liz Constanco
Staff Services Manager I
636-110-4800-003

LICENSING
Karl Frank
Staff Services Manager I
636-110-4800-002

VACANT 05/07/11
Supervising Cosmetology Examiner
636-110-8817-001

INSPECTIONS
Debra Brown
Staff Services Manager I
636-110-4800-004

ENFORCEMENT
Heather Berg
Staff Services Manager I
636-110-4800-001

Admin/Operations
Sai Reyes
AGPA
636-110-5393-014 5
Kevin Flanagan
AGPA
636-110-5393-016
Patricia Garcia
AGPA
636-110-5393-801
Darlene Barber
SSA
636-110-5157-008
* Lilia Galvez
SSA
636-110-5157-031

Centralized Cashiering**
Christina Abbott
Account Clerk II
636-110-1733-004
Yun Fang (Angela) Chang
Office Technician (T)
636-110-1139-040
Stephanie Sou
Office Technician (T)
636-110-1139-042
Geanni Irwin
Office Assistant (G)
636-110-1419-001
Gina Chun
KDO (P)
636-110-4887-001
Student Assistant
David Patrick
636-110-4870-907

Licensing Program
Theresa Riser
AGPA - Lead
636-110-5393-015
Kensha Ingram
Office Technician (T)
636-110-1139-010
Jean Schroeder
Office Technician (T)
636-110-1139-014
Ross Wright
Office Technician (T)
636-110-1139-015
Larry Peoples
Office Technician (T)
636-110-1139-024
VACANT 02/18/11
Office Technician (T)
636-110-1139-028
VACANT 03/01/11
Office Technician (T)
636-110-1139-031
Carmela Amaro
Office Technician (T)
636-110-1139-037
Joanne Marcelino
Office Technician (T)
636-110-1139-039
Marshall Micknick
Office Technician (T)
636-110-1139-005
Kay Judson
Office Technician
636-110-1139-030
Deirdre McDonald
Office Technician
636-110-1139-036
Jayna Anderson
Office Technician
636-110-1139-038

Fairfield Exam Facility
Jean Moyer
Cosmo Examiner II (Sup)
636-110-8822-002
Cosmetology Examiners
VACANT 10/17/10
636-110-8818-004
Yanna Trinh
636-110-8818-005
Mercedes Murlie
636-110-8818-006
Examiner in Barbering
Rolf Baber
636-110-8828-903
Expert Examiner
(Electrology)
Tara Kean
636-555-8895-903
(Cosmo)
Teresa Sanchez
636-555-8895-903
Sandra Saldaña
636-555-8895-903
Shelle Marrott
636-555-8895-903
Sarah Hutchison
636-555-8895-903
Chemical Support
Marlie Espinhu (P)
Office Assistant (T)
636-110-1379-011

Glendale Exam Facility
Mario DesJura
Cosmo Examiner II (Sup)
636-110-8822-001
Cosmetology Examiners
Kim Truong
636-110-8818-001
VACANT 05/28/11
636-110-8818-002
*Xuan Abbott
636-110-8818-003
*Aurora Moreno
636-110-8818-003
Beverly Barham
636-110-8818-903
Faye Maniell
636-110-8818-903
Rubina Minassian
636-110-8818-903
Expert Examiner
(Electrology)
Phillis Cook
636-555-8895-903
(Barber)
Vernon Grace
636-555-8895-903
Jonathan Young
636-555-8895-903
(Cosmo)
Wilma Baker
636-555-8895-903
Veronica Jones (LT)
636-555-8895-903
Erica Stapleton (LT)
636-555-8895-903
Michelle McFadden
636-555-8895-903
Sincerely Larne
636-555-8895-903
Chemical Support
Adrienne Behninn
Office Technician (T)
636-110-1139-012
*Thu Do
Office Assistant (T)
636-110-1379-012
Denise Osnaya (P)
636-110-1120-907

***Xochitl Camargo**
Inspector III (Sup)
636-110-8832-002
Southern CA Field
VACANT 06/31/11
Inspector II
636-110-8833-021
Maria Rivera
Inspector I
636-110-8834-023
Evangeline Medina
Inspector II
636-110-8833-026
Arlene Bauby
Inspector II
636-110-8833-028
Valerie Esquivel
Inspector I
636-110-8833-032
*Rosemary Rosales
Inspector II
636-110-8833-033
Virginia Adde
Inspector I
636-110-8834-024
VACANT 07/1/10
Inspector I
636-110-8834-033
VACANT 07/1/10
Inspector I
636-110-8834-034

Joe Brown
Inspector III (Sup)
636-110-8832-003
Central CA Field
Lilian Hayek
Inspector II
636-110-8833-016
Vickie Hicks
Inspector II
636-110-8833-022
Chau Soriano
Inspector II
636-110-8833-025
Christine Montano
Inspector II
636-110-8833-034
VACANT 06/30/11
Inspector II
636-110-8833-036
Michelle De Gale
Inspector II
636-110-8833-037
Allison Heppert
Inspector I
636-110-8834-026
Anthony Olivas
Inspector I
636-110-8834-032
VACANT 07/1/10
Inspector I
636-110-8834-035
VACANT 07/1/10
Inspector I
636-110-8834-036

Jim Jacobs
Inspector III (Sup)
636-110-8832-004
Northern CA Field
Lisa Montoya
Inspector II
636-110-8833-006
Yani McKlume
Inspector II
636-110-8833-029
Mart Hornen
Inspector II
636-110-8833-035
Jackie Jones
Inspector I
636-110-8834-021
VACANT 03/30/11
Inspector I
636-110-8834-022
Kerrie Payton
Inspector I
636-110-8834-025
Linda Nemeth
Inspector I
636-110-8834-031

Entertainment Unit
Rosanna Webb-Flores
AGPA - Lead Probation
636-110-5393-008 8
VACANT 05/03/11
AGPA-Lead
Enforcement
636-110-5393-412
Shelly Shill
AGPA
636-110-5393-002 5
Nancy Harlow
AGPA
636-110-5393-010
Sophie Cornejo
AGPA
636-110-5393-802
Carrie Harms
AGPA
636-110-5393-XXX
Valerie Guido
SSA
636-110-5157-009
Janelle Mayberry
SSA
636-110-5157-011
Thalia Singleton
SSA
636-110-5157-023
Sandra Torres
SSA
636-110-5157-032
Ashley Ostrom
SSA
636-110-5157-034
Isabeli Barrera
Office Technician (T)
636-110-1139-019
VACANT
MST
636-110-5278-002
Seasonal
Alma Araya
Britnie Aldana
636-110-1120-907

DRG Appeals Unit
Vadim Chupunry
AGPA-Lead
636-110-5393-800
Danielle Creagan
SSA
636-110-5157-010
*Nin (Nina) Ton
SSA
636-110-5157-018
Student Assistant
Kristin Elliott
636-110-4870-907

Seasonal
Eda Pantera
Lydia Montelano
636-110-1120-907
Student Assistant
Brian Blanton
636-110-4870-907

Kristy Underwood
Executive Officer
C&P Analyst

* Bilingual Positions
** Positions at North Market

DEPARTMENT OF CONSUMER AFFAIRS BOARD OF BARBERING AND COSMETOLOGY

BOARD MEMBERS

9 Members

EXECUTIVE OFFICER

Kristy Underwood
636-110-8798-001

ASSISTANT EXECUTIVE OFFICER

Hilda Youngblood
636-110-4801-001

June 30, 2010
94.7

CURRENT
2009-10

ADMINISTRATION AND DRG

Liz Constance
Staff Services Manager I
636-110-4800-003

EXAMINATION PROGRAM

Supervising Cosmetology Examiner
636-110-8817-001

LICENSING

Karl Frank
Staff Services Manager I
636-110-4800-002

VACANT 05/31/10
Staff Services Manager I
636-110-4800-004

Heather Berg
Staff Services Manager I
636-110-4800-001

Admin. Operations

Sai Reyes
AGPA
636-110-5393-014, 5
Keyin Flanagan
AGPA
636-110-5393-016
Patricia Garcia
AGPA
636-110-5393-001
*Lilia Galvez
SSA
636-110-5157-031

Fairfield Exam Facility

Jean Moyer
Cosmo. Examiner II
(Sup)
636-110-8822-002

Cosmetology Examiners

Elizabeth Peoples
636-110-8818-004
Vanah Trinh
636-110-8818-005
Mercedes Murillo
636-110-8818-006

Examiner in Barbering

Rolf Bieler
636-110-8828-903

Expert Examiner

Tara Keam
(Electrology)
636-555-8895-903
(Cosmo)
Teresa Sanchez
636-555-8895-903
Sandra Saldana
636-555-8895-903
Shelle Marriott
636-555-8895-903
Sarah Hutchison
636-555-8895-903

Chemical Support
Marita Espiritu (P)
Office Assistant (T)
636-110-1379-011

Glendale Exam Facility

Mario DeSura
636-110-8822-001
Cosmo. Examiner II (Sup)

Cosmetology Examiners

*Kim Truong
636-110-8818-001
Nema Muhammed
636-110-8818-002
*Xuan Abbott
636-110-8818-003
*Aurora Moreno
636-110-8818-903
Beverly Barham
636-110-8818-903
Faye Mangantit
636-110-8818-903
Rubina Miasian
636-110-8818-903

Expert Examiner

Phyllis Cook
(Electrology)
636-555-8895-903
(Cosmo)
Vernon Grace (Barber)
636-555-8895-903
Jonathan Young
(Barber)
636-555-8895-903

Chemical Support
Adrienne Silva
Office Technician (T)
636-110-139-012
*Thu Do
Office Assistant (T)
636-110-1379-012

TEMP HELP
Seasonal
Denise Osrnava
636-110-1120-907

Centralized Casting/Intro

Yun Feng (Angele)
Chang
Office Technician (T)
636-110-139-040
Christina Abbott
Account Clerk, II
636-110-1733-004
Stephanie Sou
636-110-5157-008

Office Technician (T)
636-110-139-042
VACANT 05/31/10
Office Assistant (G)
636-110-1441-017
Gina Chun
KDO (P)
636-110-1419-001
Lisa Tolman
Office Technician (G)
636-110-139-907

Unlicensed Activity Program

David Patrick
Student Assistant
636-110-4870-907

DRG Appeals Unit

Vladimir Chepurny
AGPA - Lead
636-110-5393-900
Danielle Creegan
SSA
636-110-5157-010
*Nhi (Nina) Ton
SSA
636-110-5157-018

Student Assistant
Kristine Elliott
636-110-4870-907

Licensing Program

Theresa Rister
Administrative Assistant II
AGPA (T&D) - Lead
636-110-5398-001
Darlene Barber
SSA
636-110-5157-008
Lena Watson
Office Technician (T)
636-110-139-010
VACANT 05/31/10
Office Technician (T)
636-110-1441-017

Office Technician (T)
636-110-139-028
Office Technician (T)
636-110-139-024
Danny Hicks
Office Technician (T)
636-110-139-028
DeAnn Cervantes
Office Technician (T)
636-110-139-031
Joanne Marcelino
Office Technician (T)
636-110-139-039
Marshall Wickirk
Office Technician (T)
636-110-139-905
Dellian Esquivel
LT 09/1/10
Office Technician (T)
636-110-139-907
Kay Judson
Office Technician (T)
636-110-139-030
Deirdre McDonald
Office Technician (T)
636-110-139-036
Jayna Anderson
Office Technician (T)
636-110-139-038

Southern CA Field

VACANT 11/1/09
Inspector I
636-110-8833-021
Marta Rivera
Inspector I
636-110-8834-023
Evangeline Medina
Inspector II
636-110-8833-026
Ariene Bauby
Inspector II
636-110-8833-028
*Valerie Esquivel
Inspector II
636-110-8833-032
*Rosemary Rosales
Inspector II
636-110-8833-033
Virginia Adlis
Inspector I
636-110-8834-024

Central CA Field

Lillian Hayek
Inspector II
636-110-8833-016
Vicki Hicks
Inspector II
636-110-8833-022
VACANT 1/1/10
Inspector II
636-110-8833-025
Christine Montano
Inspector II
636-110-8833-034
Donald Chaudoin
Inspector II
636-110-8833-036
Michelle De Grate
Inspector II
636-110-8833-037
Alison Hepple
Inspector I
636-110-8834-026
Anthony Olivias
Inspector I
636-110-8834-032

Schools
Carmela Amaro
Office Technician (T)
636-110-139-037

*Xochitl Camargo

Inspector III (Sup)
636-110-8832-002

Joe Brown
Inspector III (Sup)
636-110-8832-003

Jim Jacobs

Inspector III (Sup)
636-110-8832-004

Inspections

Sophia Gomez
AGPA
636-110-5393-802
*Raquel Corrales
MST
636-110-5278-008
Pratice Lomax
Office Technician (T)
636-110-139-008
Jan Spanos
Office Technician (T)
636-110-139-011

TEMP HELP
Seasonal
Eda Pantera
Lydia Hinjosa
Student Assistant
Brian Blanton
636-110-4870-907

Northern CA Field

Lisa Montoya
Inspector II
636-110-8833-006
*Ann Wicklure
Inspector II
636-110-8833-029
Mark Hornen
Inspector II
636-110-8833-035
Jackie Jones
Inspector I
636-110-8834-021
VACANT 04/09/10
Inspector I
636-110-8834-022
Inspector I
636-110-8834-025
Kerrie Payton
Inspector I
636-110-8834-025
Linda Nemeih
Inspector I
636-110-8834-031

Office Technician (T)
636-110-139-024
Office Technician (G)
636-110-139-907
Lisa Tolman
Office Technician (G)
636-110-139-907

Cite & Fine

Jennifer Porcala
AGPA-Lead
636-110-5393-003, 8
Tandra Guess
SSA LT 09/1/10
636-110-5157-025
Christine Jones
SSA
636-110-5157-026
Marlene Melilla
SSA
636-110-5157-033
Isabel Barera
SSA LT 01/09/11
636-110-5157-907
VACANT 04/06/10
Office Technician (T)
636-110-139-019

Enforcement Unit

Rosanna Webb-Flores
AGPA - Lead Probation
636-110-5393-008, 8
Jennifer Jones
AGPA-Lead Enforcement
636-110-5393-012
Shelly Shill
AGPA
636-110-5393-002, 5
Nancy Harlow
AGPA
636-110-5393-010
Kim Duran
AGPA
636-110-5393-015
Valerie Guido
SSA
636-110-5157-009
Janelle Mayberry
SSA
636-110-5157-011
Thalia Singleton
SSA
636-110-5157-023
Tori Gaines
SSA
636-110-5157-027
Carrie Harris 05/01
SSA
636-110-5157-030
Sandra Torres
SSA
636-110-5157-032
Ashley Ostom
SSA
636-110-5157-034
Jimisa Brown
Office Technician (T)
636-110-139-015
**Christina Murrhades
MST
636-110-5278-907

TEMP HELP
Seasonal
Alma Amaya
636-110-1120-907
Britnie Aldana
636-110-1120-907

* Bilingual Positions **

Director
Kristy Underwood
Executive Officer
C&P Analyst
Denise Osrnava
636-110-1120-907

DEPARTMENT OF CONSUMER AFFAIRS BOARD OF BARBERING AND COSMETOLOGY

June 30, 2009

92.5

**CURRENT
2008-09**

BOARD MEMBERS 9 Members

EXECUTIVE OFFICER
Kristy Underwood
636-110-8798-001

Theresa Rister
Administrative Assistant II
636-110-6358-001

ASSISTANT EXECUTIVE OFFICER

Denise Johnson
636-110-9878-001

EXAMINATION PROGRAM

Marion Welch
Supervising Cosmetology Examiner
636-110-8817-001

LICENSING/DRC & EXAMINATION PROGRAM

COMPLAINT & ENFORCEMENT PROGRAM

ADMINISTRATION PROGRAM

Stacy Meza
Staff Services Manager I
636-110-4800-003

Karl Frank
Staff Services Manager I
636-110-4800-002

Heather Berg
Staff Services Manager I
636-110-4800-001

Jim Jacobs
Inspector III (Sup)
636-110-8832-002

Joe Brown
Inspector III (Sup)
636-110-8832-003

VACANT
Inspector III (Sup)
636-110-8832-XXX

Glendale Exam Facility
Mario DeSura
636-110-8822-001
Cosmo Examiner II (Sup)
Cosmo Examiner II (Sup)

Admin Operations
Sal Reyes
AGPA
636-110-5393-014 .5
Kevin Flanagan
AGPA
636-110-5393-016
Kim Duran
AGPA
636-110-5393-015
Beth Ho
AGPA
636-110-5393-XXX
* Lilia Galvez
SSA
636-110-5157-031

Schools
Liz Constanco
AGPA
636-110-5393-907
Carmela Amaro
Office Technician (T)
636-110-1139-037

Licensing Program
Darlene Barber
SSA
636-110-5157-008
Lena Watson
Office Technician (T)
636-110-1139-010
Marlene Weilliz
Office Technician (T)
636-110-1139-014
Lindell Rallens
Office Technician (T)
636-110-1139-018
Larry Peoples
Office Technician (T)
636-110-1139-024
Joanne Marcelino
Office Technician (T)
636-110-1139-026
Danny Hicks
Office Technician (T)
636-110-1139-028
DeyAnn Cervantes
Office Technician (T)
636-110-1139-031
Patricia Garcia
SSA
636-110-5157-010
*Nhi (Nina) Ton
SSA
636-110-5157-018

Enforcement Unit
Nancy Harlow
AGPA
636-110-5393-010
Shelly Shill
AGPA
636-110-5393-002 .5
Rosanna Webb-Flors
AGPA
636-110-5393-008 .8
Jennifer Jones
AGPA
636-110-5393-012
Valerie Guido
SSA
636-110-5157-009
Thella Singleton
SSA
636-110-5157-023
Carlie Harris 05/01
SSA
636-110-5157-030
Tori Gaines
SSA
636-110-5157-027
Sandra Torres
SSA
636-110-5157-032
Ashley Ostrom
SSA
636-110-5157-XXX
Christina Mohaddess
MST
636-110-5278-002 .5
*Tasha Nieto
Office Technician (T)
636-110-1139-008

Northern CA Field Unit
*Yan Mokkine
Inspector II
636-110-8833-029
Lisa Montoya
Inspector II
636-110-8833-006
Mark Horner
Inspector II
636-110-8833-035
VACANT 5/11
Inspector II
636-110-8833-030
Kerrie Payton
Inspector I
636-110-8834-025
Sin Lam
Inspector I
636-110-8834-022
Jackie Jones
Inspector I
636-110-8834-021

Central CA Field Unit
Donald Chaudoin
Inspector II
636-110-8833-036
Lillian Hayek
Inspector II
636-110-8833-016
Christine Montana
Inspector II
636-110-8833-016
Arlene Baudy
Inspector II
636-110-8833-028
Vicki Hicks
Inspector II
636-110-8833-022
Ramona Saunders
Inspector II
636-110-8833-025
Maria Rivera
Inspector I
636-110-8834-023
Allison Hepple
Inspector I
636-110-8834-026

Southern CA Field Unit
*Xochitl Camargo
Inspector II
636-110-8833-031
*Valerie Esquivel
Inspector II
636-110-8833-032
*Rosemary Rosales
Inspector II
636-110-8833-033
*Karen Richard-Ellis
Inspector II
636-110-8833-021
Evangeline Medina
Inspector II
636-110-8833-026
Michelle De Grate
Inspector I
636-110-8834-001
Virginia Addis
Inspector I
636-110-8834-024

Fairfield Exam Facility
Jean Moyer
Cosmo Examiner II (Sup)
636-110-8822-002
Cosmetology Examiners
Elizabeth Peoples
636-110-8818-004
Vanah Trish
636-110-8818-005
Juana Ouellette
636-110-8818-006
Mercedes Murillo
636-110-8818-903
Examiner in Barbering
Rolf Bieber
636-110-8828-903
Expert Examiner
Teresa Sanchez (Cosmo)
636-555-8895-903
Sandra Saldana
636-555-8895-903

Glendale Exam Facility
Mario DeSura
636-110-8822-001
Cosmo Examiner II (Sup)
Cosmo Examiner II (Sup)
Cosmetology Examiners
*Kim Truong
636-110-8818-001
*Xuan Abbott
636-110-8818-003
Nena Multrammed
636-110-8818-002
*Aurora Moreno
636-110-8818-903
Beverly Barnham
636-110-8818-903
Faye Mangalik
636-110-8818-903
Rubina Mhassian
636-110-8818-903
Expert Examiner
Wilma Baker (Cosmo)
636-555-8895-903
Phyllis Cook (Electrology)
636-555-8895-903
Vernon Grace (Barber)
636-555-8895-903
Elarton Jones (Barber)
636-555-8895-903
Veronica Lopez
636-555-8895-903
Erica Stapleton
636-555-8895-903

TEMP HELP
Seasonal
Eda Pantera
Valerie Barton
Alison Hull
636-110-120-907
Student Assistant
Amranda Lei
Krishe Elliott
636-110-4870-907
Youth Aid
Carlos Sanchez
Andrew Renner
636-110-9991-907

DRC Appeals Unit
Vladimir Chepurny
AGPA
636-110-5393-XXX
Patricia Garcia
SSA
636-110-5157-010
*Nhi (Nina) Ton
SSA
636-110-5157-018

Centralized Cashiering
Angela Chang
Office Technician (T)
636-110-1139-001
Terri Booth
Office Technician
636-110-1139-043
Christina Abbott
Account Clerk II
636-110-1139-004
Stephanie Sou
KDO
636-110-1419-001
Scott Baumbach
Office Assistant (G)
636-110-1441-017
Denise Cortez
636-110-1441-907
Lisa Tolman
Seasonal
636-110-1120-907

Cite & Fine Program
Jennifer Porcalia
AGPA
636-110-5393-003 .8
Christine Jones
SSA
636-110-5157-026
Rebecca Teleters
SSA
636-110-5157-025
Janene Mayberry
SSA
636-110-5157-011
Kristy Akins
SSA
636-110-5157-XXX
Isabel Barera
Office Technician (T)
636-110-1139-019

Inspections
*Raquel Corrales
MST
636-110-5278-008
Jan Spanos
Office Technician (T)
636-110-1139-011
Jinisa Brown
Office Technician (T)
636-110-1139-015

Headquarters Staff
Director
Kristy Underwood
Executive Officer
Debra Brown
C&P Analyst

Clerical Support
VACANT 5/28/09
Office Technician (T)
636-110-1139-XXX

Clerical Support
Adrienne Silva
Office Technician (T)
636-110-1139-012
*Thu Do
Office Assistant (T)
636-110-1139-012

* **Bilingual Positions**

Board of Barbering and Cosmetology

**Report to the California Legislature on
Unnecessary Barriers to Employment**

Purpose

Pursuant to Section 7308 of the Business and Professions Code, the Board of Barbering and Cosmetology (Board) is submitting the following report regarding a study on the effects of laws, regulations and policy that may create unnecessary barriers to employing people with criminal records.

Statutory Background

Assembly Bill 861 (Statutes of 2006, Chapter 411) requires the Board to conduct a study on the effects of laws, regulations and policy that may create unnecessary barriers to employing people with criminal records. The findings of the study shall be reported to the Legislature on or before September 1, 2007.

I. Effects of Current Laws

A. Criteria for Denial

The criteria applied by the Board to determine whether an applicant's criminal record is substantially related to the license being sought, are found in the following statute and regulations:

Business and Professions Code Section 480(a):

- (a) A board may deny a license regulated by this code on the grounds that the applicant has one of the following:
 - (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 judgment 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.
 - (2) Done any act involving dishonesty, fraud or deceit with the intent to substantially benefit himself or another, or substantially injure another; or
 - (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.

California Code of Regulations, Title 16, Division 9, Article 10, Section 970

For the purpose of denial, suspension, or revocation of a license issued under Chapter 10 of Division 3 of the Business and Professions Code pursuant to Division 1.5 (commencing with Section 475) of that same code, a crime or act shall be considered substantially related to the qualifications, functions, and duties of the licensee if to a substantial degree it evidences present or potential unfitness of the licensee to perform the functions authorized by the license in a manner consistent with the public health, safety or welfare. The crimes or acts shall include, but not be limited to, those involving the following:

- (a) Any violation of the provisions of Chapter 10 of Division 3 of the Business and Professions Code.
- (b) Criminal offenses, including but not limited to, lewd conduct, or use or sale of drugs or narcotics, committed in the course of or in association with the performance of the functions or duties authorized by such license.

B. Evidence of Rehabilitation

The Board takes into consideration all rehabilitation that has been completed, or is in the process of being completed, by an applicant. For example, if an applicant had a conviction of a non-violent drug charge and was ordered to complete a drug rehabilitation course, the Board would review the certificate of course completion. In determining the criteria for rehabilitation, the Board refers to the following statute and regulations:

Business and Professions Code Section 480(b):

Notwithstanding any other provision of this code, no person shall be denied a license solely on the basis that he has been convicted of a felony if he has obtained a certificate of rehabilitation under Section 4852.01 and following of the Penal Code or that he has been convicted of a misdemeanor if he has met all applicable requirements of the criteria of rehabilitation developed by the board to evaluate the rehabilitation of a person when considering the denial of a license under subdivision (a) of Section 482.

California Code of Regulations, Title 16, Division 9, Article 10, Section 971(a)

- (a) When considering the denial of a license, pursuant to Section 480 of the Business and Professions Code, for which application has been made under Chapter 10, Division 3 of the Business and Professions Code, the board, in evaluating the rehabilitation of the applicant and his or her present eligibility for a license, shall consider the following criteria:

- (1) The nature and the severity of the act(s) or crime(s) under consideration as grounds for denial.
- (2) Evidence of any act(s) committed subsequent to the act(s) or crime(s) under consideration as grounds for denial which also could be considered as grounds for denial under Section 480 of the Business and Professions Code.
- (3) The time that has elapsed since commission of the act(s) or crime(s) referred to in subdivision (1) or (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.

C. Effects of Current Laws

The Board has a low denial rate considering the high population of applicants and licensees. Only applicants who may pose a significant threat to consumer safety are prevented from obtaining a license. In the charts below it is noted that the number of applications denied is minimal to the number of applications that are received.

Applications Received

License Type	2002	2003	2004	2005	2006
Establishment	5,118	5,473	6,172	6,636	6,599
Mobile Unit	2	4	1	1	5
Barber	1,090	1,164	1,055	1,164	1,189
Barber Apprentice	324	303	372	324	220
Barber Instructor	12	17	8	1	0
Cosmetologist	16,470	18,087	20,751	21,652	21,118
Cosmetologist Apprentice	649	730	726	715	557
Cosmetology instructor	170	181	153	1	0
Electrologist	55	42	49	46	31
Electrologist Apprentice	0	0	0	1	1
Manicurist	12,848	12,220	12,212	11,424	10,401
Esthetician	5,934	6,733	9,385	9,993	10,248
Total	42,672	44,954	50,884	51,957	50,369

Denial Statistics

Category	2002	2003	2004	2005	2006
Applications Received	42,672	44,954	50,884	51,957	50,369
Applications Denied	170	94	110	54	73
Applicants who disclosed criminal records	4,480	1,008	1,395	1,079	643
Applicants who disclosed criminal record and were denied	170	94	110	54	73
Applicants who were denied and requested an appeal	50	70	50	19	29
Applicants who's appeal resulted in reversal or modification of denial ¹	0	1	14	13	4
Applicants with non-violent drug offenses	9	16	22	20	4
Applicants with misdemeanor offenses	39	55	55	38	15
Applicants that provided evidence of rehabilitation	2	1	7	14	9

Appeals Pending at the Attorney General's Office

Average length of time an appeal is pending relative to the date of the hearing request and final decision	481 days
The number and percentage of appeals pending longer than 30 days and longer than 100 days from the time the applicant requested the hearing	100% are pending longer than 100 days

Age and Severity

Section 7308(b)(3)(D) requires the Board to report on the age and severity of each offense pertaining to the number of applicants that disclosed a criminal conviction. See Attachment 1 for a listing of each case indicating the age and severity.

¹ Includes the issuance of a probationary license.

II. Identified Changes

A. Examinations in State Correction Facilities

In 2006, the Board returned to conducting licensing examinations within state correctional facilities. In a partnership with the Department of Corrections and Rehabilitation (CDCR), the Board has conducted two examinations at correctional facilities. A total of 14 applicants have taken the examination inside the CDCR facilities. Seven applicants have successfully passed the examination and one of those applicants has already paroled. The Board coordinates the examination dates with the CDCR in an attempt to license individuals as close to their parole date as possible. The goal of this program is to allow an inmate to have a license in their hand as they are paroled. This will allow the individual the ability to seek immediate employment in the field of cosmetology.

B. Processing Consistency

In order to ensure that Board policies remain consistent, a process has been established which requires the Board's Enforcement Manager and Assistant Executive Officer, to review all applicants that are being recommended for denial. In this process the evidence of rehabilitation is reviewed and the circumstances surrounding the offense are examined. All aspects are taken into consideration before an application is denied.

C. Applicant Education

It is often found that a delay in the processing of an application when a criminal conviction is noted is caused by the delay in obtaining certified court documents related to the offense. The Board does not require a fingerprint clearance from the California Department of Justice, therefore all applications are reviewed based on the information that is obtained from the county where an offense was committed. In order to expedite this process, the Board has met with approved schools of barbering and cosmetology and provided specific direction as to what the applicant/student should provide at the time the examination application is submitted.

III. Conclusion

The Board believes that current laws, regulations, and policies do not create a barrier to licensure. The Board is being pro-active in its effort to streamline processes for applicants who have had a criminal conviction in the past.

A Comprehensive Audit of the
National-Interstate Council of State Boards
of Cosmetology Written Examinations

Performed for the
California Department of Consumer Affairs
Board of Barbering & Cosmetology

Performed by Applied Measurement Services, LLC

December 2007

Executive Summary

Licensing boards and bureaus within the California Department of Consumer Affairs are required to ensure that examination programs being considered for use in the California-licensure process are in compliance with psychometric and legal standards. The public must be reasonably confident that an individual passing a licensing examination has the requisite knowledge and skills to competently and safely practice in the respective profession.

In August 2007, the Department of Consumer Affairs Board of Barbering and Cosmetology (BBC) contracted with Applied Measurement Services (AMS), LLC to conduct a comprehensive audit of the National-Interstate Council of State Boards of Cosmetology (NIC), Inc. national written examinations. The contract concluded December 31, 2007.

AMS received and reviewed documents provided by the NIC, Schroeder Measurement Technologies (SMT), Inc. and LaserGrade L.P., working primarily with SMT through Dr. Lee Schroeder and his staff. A comprehensive evaluation of the documents was made to determine whether (a) job analyses, (b) examination development, (c) passing scores, (d) test administration, (e) examination performance, and (f) test security procedures met professional guidelines and technical standards outlined in the *Standards for Educational and Psychological Testing* and *Business and Professions Code Section 139*.

With one exception, it was not in the scope of the contract to compare the NIC written examination program to the BBC written examination program. The exception was a comparative evaluation between the BBC written examination plans and the NIC written examination plans. The purpose of this comparison was to determine if the NIC examinations measured the same knowledge and skills as the BBC examinations.

With a few noted exceptions, AMS found that the procedures used to establish and support the validity and defensibility of the NIC examination program components (i.e., job analyses, examination development, passing scores, test administration, examination performance, and test security) meet professional guidelines and technical standards outlined in the *Standards for Educational and Psychological Testing* and *Business and Professions Code Section 139*.

However, comparisons of the NIC and BBC examination plans demonstrate significant differences between the content domains and expectations associated with entry-level, competent practice for all five professions considered. Therefore, AMS has determined that it would be premature for the BBC to adopt the NIC examinations at this time.

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Chapter 1: Introduction

Licensing boards and bureaus within the California Department of Consumer Affairs are required to ensure that examination programs being considered for use in the California-licensure process are in compliance with psychometric and legal standards. The public must be reasonably confident that an individual passing a licensing examination has the requisite knowledge and skills to competently and safely practice in the respective profession.

In August 2007, the Department of Consumer Affairs Board of Barbering and Cosmetology (BBC) contracted with Applied Measurement Services (AMS), LLC to conduct a comprehensive audit of the National-Interstate Council of State Boards of Cosmetology (NIC), Inc. national written examinations. The contract concluded December 31, 2007.

The NIC is composed of members from cosmetology licensing boards from each of the fifty states and U.S. territories. Officers include a president, an immediate past president, a vice president, a secretary/treasurer, four regional directors, and a board administrator. All of whom, except the immediate past president, is elected by the general membership during the annual conference. The management of the NIC is exercised by an executive board composed of the president, acting as the chairman of the board, all elected officials, and the immediate past president (<http://www.nictesting.org>).

“The mission of the [NIC] is to promote the protection of the health, safety, and welfare of the public and the professional workforce by actively pursuing excellence in cosmetology and related fields (<http://www.nictesting.org>).” Objective 3, listed with the mission statement, states that NIC shall “. . . offer a standardized, valid, and legally defensible National Examination Program based on the highest standards and requirements for entrance into the profession of cosmetology and related fields . . . (<http://www.nictesting.org>).”

According to the NIC homepage, five organizations are responsible for the examination program. The NIC provides industry knowledge and expertise. Schroeder Measurement Technologies (SMT), Inc. conducts test development. Professional Credential Services, Inc. and DL Roope Administrations, Inc. are responsible for test administration. Finally, LaserGrade L.P. provides computer-based test administration.

AMS worked primarily with SMT through Dr. Lee Schroeder and his staff. AMS received and reviewed documents provided by the NIC, SMT, and LaserGrade L.P. A comprehensive evaluation of these documents was made to determine whether (a) job analyses¹, (b) examination development, (c) passing scores², (d) test administration, (e) examination performance, and (f) test security procedures meet professional guidelines

¹ A job analysis is also known as an occupational analysis, practice analysis or task analysis.

² A passing score is also known as a pass point, cut score, or standard score.

and technical standards outlined in the *Standards for Educational and Psychological Testing (Standards)*³ and *Business and Professions Code Section 139* (see the *Examination Validation Policy*)⁴. Note: since the statistical data presented in the documents were considered credible, they were not reanalyzed.

With one exception, it was not in the scope of the contract to compare the NIC written examination program to the BBC written examination program. The exception was a comparative evaluation between the BBC written examination plans and the NIC written examination plans. The purpose of this comparison was to determine if the NIC examinations measured the same knowledge and skills as the BBC examinations.

³ American Educational Research Association, American Psychological Association, & National Council on Measurement in Education. (1999). *Standards for Educational and Psychological Testing*. Washington, DC: American Educational Research Association.

⁴ California Department of Consumer Affairs. (2004). *Examination Validation Policy*. Sacramento, CA: California Department of Consumer Affairs.

Chapter 2: Job Analysis

Standards

The most relevant standard from the *Standards* relating to job analyses, as applied to credentialing or licensing examinations, is:

Standard 14.14

The content domain to be covered by a credentialing test should be defined clearly and justified in terms of the importance of the content for credential-worthy performance in an occupation or profession. A rationale should be provided to support a claim that the knowledge or skills being assessed are required for credential-worthy performance in an occupation and are consistent with the purpose for which the licensing or certification program was instituted. (p. 161)

The comment following Standard 14.14 emphasizes its relevance:

Comment: Some form of job or practice analysis provides the primary basis for defining the content domain. If the same examination is used in the licensure or certification of people employed in a variety of settings and specialties, a number of different job settings may need to be analyzed. Although the job analysis techniques may be similar to those used in employment testing, the emphasis for licensure is limited appropriately to knowledge and skills necessary for the effective practice . . . In tests used for licensure, skills that may be important to success but are not directly related to the purpose of licensure (e.g., protecting the public) should not be included. (p. 161)

Section 139 requires that every board, bureau, commission, and program report annually on the frequency of their occupational analysis, examination validation and development. The Department of Consumer Affairs' *Examination Validation Policy* states:

Occupational analyses and/or validations should be conducted every three to seven years, with a recommended standard of five years, unless the board, program, bureau, or division can provide verifiable evidence through subject matter experts or a similar procedure that the existing occupational analysis continues to represent current practice standards, task, and technology. (p. 2)

Findings and Issues

In collaboration with the NIC, SMT conducted five job analyses. SMT documented these studies in the following five reports: *Barber-Stylist Job Analysis Focus Group (2006)*, *Electrologist Job Analysis Group (2006)*, *Nail Technology Job Analysis Study (2006)*, *Cosmetology Job Analysis Study (2005)*, and *Esthetics Job Analysis Study (2004)*.

Job Analysis Studies – Purpose, Mechanism, and Timeframe

The purpose of the job analyses was either “to define” or “to profile” the respective professions. The mechanism used to achieve the stated purpose of the job analysis studies was either a job analysis survey or a focus group.

Finding 1. The timeframes in which the job analysis studies were conducted are considered to be current, valid, and legally defensible. The earliest study was completed in 2004 and the most recent study was completed in 2006.

Job Analyses – Development of Survey Instrument, Use of Subject Matter Experts, Rating Scale and Sampling Plan

SMT “. . . developed an exhaustive list of knowledge and skill elements using a comprehensive approach” (Cosmetology Job Analysis Study, 2005, p. 3 & Nail Technology Job Analysis Study, 2006, p. 3). Further, previous job analysis studies for entry-level practitioners, previous test specifications, and current textbooks and references were used as part of the comprehensive approach (Barber Job Analysis Study, 2006, p. 1).

Finding 2. The comprehensive approach taken by SMT meets professional guidelines and technical standards for creating a draft or initial list of knowledge and skills required for entry-level practice in the respective professions.

For each of the job analysis studies, the NIC appointed an Advisory Committee (AC) to provide content expertise as subject matter experts (SMEs). SMT provided guidelines (e.g., licensed and in good standing) for selecting SMEs.

Finding 3. The SME recruitment guidelines provided to the NIC are consistent with professional guidelines and technical standards.

Finding 4. Documentation (e.g., Affidavit of Nondisclosure, Subject Matter Expert Demographic Data Sheets) and qualifications of SMEs used in the process met professional guidelines and technical standards.

Issue 1. While some job analysis methods support using a limited number of SMEs (e.g., focus group approaches), research predominately supports using multiple and diverse SMEs during the various phases of a job analysis to strengthen the defensibility. Since the Cosmetology and Nail Technology job analysis studies held two AC meetings, an opportunity to use two different groups of SMEs existed but did not occur.

For the Barber-Stylist, Electrologist, and Esthetics job analyses which used a focus group approach, the AC was asked to evaluate the draft examination plans against specific criteria.

For the Cosmetology and Nail Technology job analyses, the AC was first asked to evaluate which knowledge and skill elements should be included in the survey. Once a final list of statements was approved, SMT created a survey comprised of that list of statements, an importance/frequency scale to measure those statements, and a demographic questionnaire to collect respondent data. Demographic data collected included years of experience, geographic region, practice setting, education level, age, gender, ethnicity, licenses, job role, and number of employees. The demographic questionnaire requested voluntary participation to establish a respondent profile.

For the Cosmetology and Nail Technology job analysis survey instruments, a single rating scale was used to collect quantitative data on the knowledge elements. The instructions provided to the respondents stated “considering both importance and frequency, how important is this activity or knowledge element in relation to the safe and effective entry–level practice . . .” (e.g., Nail Technology Job Analysis Study, 2006, p. 37).

Issue 2. Asking respondents to consider both “importance and frequency,” confounds the intent of the rating scale which was to determine importance of the knowledge element. Research has consistently demonstrated that a measure of importance and a measure of frequency should be used to assess overall task criticality in job analyses. Research further demonstrates that these rating scales measure independent constructs and contribute unique quantitative data. While research has shown that an excessive number of rating scales contributes to rater error, this problem has not been demonstrated to occur when using two independent scales. Use of multiple scales also increases reliability. Combining frequency and importance measures into one rating scale presents psychometric concerns.

The AC then established a protocol for the sampling of licensees. Since “NIC does not maintain, nor do they have direct access to a database of passing candidates or licensed practitioners” (Cosmetology Job Analysis Study, 2005, p. 7 & Nail Technology Job Analysis Study, 2006, p. 6), the AC sought support from state boards, administrators, and industry partners. Letters and survey invitations were distributed to encourage completion of the on-line survey.

Finding 5. The *intent* of the sampling plan was reasonable given the access restrictions placed on the NIC and SMT.

Finding 6. Paper-and-pencil surveys were not made available to possible respondents. In response to an inquiry from AMS about use of paper-and-pencil surveys, SMT stated that based on the recommendation of the AC, it was determined that offering the on-line survey would suffice. Further, from previous experience, SMT has learned that the expense associated with a very low response return rate on paper-and-pencil surveys was not practical (B. Dawadi, personal communications, September 20, 2007).

Job Analyses – Data Review and Survey Results

After beta testing and administering the Cosmetology and Nail Technology surveys, SMT collected the data, established that it met data quality requirements, and analyzed the survey results.

Finding 7. As a result of the AC's [Cosmetology] sampling plan, 652 surveys were completed. The standard error of measurement based on the sample size of 652 was calculated at .039. Confidence in the survey results and the inferences made from the data were associated with minimal error due to the stable sample size and standard error of measurement calculations (Cosmetology Job Analysis Study, 2005, p. 9).

Finding 8. As a result of the AC's [Nail Technology] sampling plan, 210 surveys were completed. The standard error of measurement based on the sample size of 210 was calculated at .069. Confidence in the survey results and the inferences made from the data were associated with minimal error due (Nail Technology Job Analysis Study, 2006, p. 7).

Issue 3. Although statistical confidence in the results has been established, the total numbers for a national survey are relatively low. Further, California respondents were included in the "Western" geographic region analysis, but it is not clear how many respondents were from California. See Chapter 13 for additional comments.

Issue 4. Not all respondents appeared to be actively practicing in their respective profession. For example when answering demographic question number 3, approximately 40 of the 652 Cosmetology job analysis respondents indicated that they were "not working," unemployed," "not currently practicing," or "retired."

Issue 5. For the Nail Technology Job Analysis Study demographic item regarding "Clients Serviced per Week," one respondent indicated 600. The AMS asked SMT if this response/data record was evaluated independent of the group analysis. SMT responded that this response was included in the group analysis and was not evaluated independently. "The important thing to consider is no subgroup analysis was conducted using the criteria; hence it did not have any impact on the results of the JA" (B. Dawadi, personal communications, September 20, 2007). The AMS suggests otherwise; that is, the integrity of the responses could be questioned and a simple visual check of the data record would be a reasonable evaluation.

Finding 9. Given the issues with the samples, approximately 92% of Cosmetology job analysis respondents and 94% of Nail Technology job analysis respondents indicated that the survey either adequately or completely covered the important elements of the respective license.

Finding 10. Further, SMT calculated two reliability estimates (coefficient alpha (KR20) & an intraclass correlation (ANOVA)) to evaluate the amount of error associated with the survey as well as the agreement among the respondents. The resulting statistics demonstrate consistency in rating for both the Cosmetology and Nail Technology job analyses.

Finding 11. The typical [Cosmetology] respondent was a 39-year-old, Caucasian female working in a full-service salon with 16 years of experience and Technical or Trade School graduate (Cosmetology Job Analysis Study, 2005, p. 11).

Finding 12. The typical [Nail Technology] respondent was a 40-year-old Caucasian female. She worked in a salon an average of 23 hours a week, providing acrylic services to an average of 23 clients a week. She participated in Continued Education on a yearly basis via a distributor, supplier, or manufacturer seminars. Her credentials included training in a private school or Cosmetology or Instructor license, and over 11 years of experience (Nail Technology Job Analysis Study, 2006, p. 10).

Job Analyses – Final Examination Plans/Specifications

For the Barber, Electrologist, and Esthetics job analysis studies, the AC evaluated the draft examination plans according to specific guidelines. Final comprehensive examination plans were approved followed by the establishment of content domains and weights. Finally, sub content areas and weights were determined. The AC reviewed all work and approved the final specifications for these written examination programs.

For the Cosmetology and Nail Technology job analysis, SMT hosted an AC meeting to present the results of the survey analysis. “The goal of the meeting was to establish knowledge and skill exclusion criteria to differentiate between important and unimportant elements . . .” (e.g., Nail Technology Job Analysis Study, 2006, p. 2).

Based on decision criteria established by the AC from recommendations made by SMT, knowledge elements were removed, content weights were assigned to content areas, and final examination plans/specifications were approved for the Cosmetology and Nail Technician written examinations.

Finding 13. The criteria used to retain or remove knowledge elements appear reasonable based on professional guidelines and technical standards.

Finding 14. The weights assigned to the content domains and sub content areas are based on qualitative and quantitative data, meeting professional guidelines and technical standards.

Issue 6. Although the NIC, SMT, and SMEs worked together in previous job analysis phases to develop knowledge and skill statements, those resulting knowledge and skill elements listed in the final examination plans do not provide a descriptive reference to level of competency, specificity, or function. The lack of descriptive context *may* impact the use of the examination plans for examination development purposes or candidate examination preparation.

Conclusions

Given the Findings and Issues, the job analyses conducted by the NIC and SMT appear to demonstrate a sufficient level of validity, meeting professional guidelines and technical standards. Improvements to strengthen the process and add to the defensibility include use of more SMEs, better defined and independent rating scales, larger sample sizes, and more detail in the knowledge and skill statements. See Chapter 13 for additional comments.

Chapter 3: Examination Development

Standards

Examination development includes many steps within an examination program, from the development and evaluation of a job analysis to scoring and analyzing questions or items following the administration of an examination. Specific activities evaluated in this section of the report include item writing, linkages to examination plans, developing examination forms, and translation of examinations.

The most relevant standards from the *Standards* relating to examination development, as applied to credentialing or licensing examinations, are:

Standard 3.6

The type of items, the response formats, scoring procedures, and test administration procedures should be selected based on the purposes of the test . . . The qualifications, relevant experiences, and demographic characteristics of expert judges should also be documented. (p. 44)

Standard 3.7

The procedures used to develop, review, and try out items, and to select items from the item pool should be documented. If the items were classified into different categories or subtests according to the test specifications, the procedures used for the classification and the appropriateness and accuracy of the classification should be documented. (p. 44)

Standard 3.11

Test developers should document the extent to which the content domain of a test represents the defined domain and test specifications. (p. 45)

Findings and Issues

SMT provided the following reports documenting examination development activities and techniques: *Test Development Agenda (2006)*, *Cosmetology Item Bank Review, Re-specifications, and Form Review (May 18-21, 2005)*, and *Cosmetology Test Form Review Form 4100 (2005)*. In addition, the following items were provided by SMT at the request of AMS: *A Presentation for Subject Matter Experts: Guidelines for Item Writers and Item Reviewers* and *Item Writing Guide for Subject Matter Experts*.

Examination Development - Use and Training of SMEs and Item Writing

Finding 15. The SME recruitment guidelines provided to the NIC are consistent with professional guidelines and technical standards.

Finding 16. Documentation (e.g., Affidavit of Nondisclosure, Subject matter Expert Demographic Data Sheets) and qualifications of SMEs used in examination development met professional guidelines and technical standards.

Finding 17. The SME training material contained in *A Presentation for Subject Matter Experts: Guidelines for Item Writers and Item Reviewers* and the *Item Writing Guide for Subject Matter Experts* is comprehensive, well-illustrated, and reflects professional guidelines and technical standards associated with examination development.

Finding 18. Also consistent with professional guidelines, item data (e.g., difficulty and discrimination indices) is used in the item development process (B. Dawadi, personal communications, October 16, 2007).

Issue 7. Many of the SMEs used in the examination development meetings were licensed instructors. Some professionals would argue that a conflict of interest exists when individuals who practice as instructors are given access to examination questions.

For example, use of instructors seems to contradict language on the NIC Affidavit of Disclosure and in the NIC Test Administration Manual (revised May 2007). The NIC Affidavit of Nondisclosure states “. . . I further certify and affirm that I do not work for, attend, nor am I affiliated with an examination preparation school; nor have I had such associations for the last three years” (appendices). The NIC Test Administration Manual states “. . . no one associated with the administration of NIC examinations may be actively involved in any course, workshops, or tutoring activities that involve teaching or coaching candidates on any aspect of any NIC examination” (p. 1). Although this statement refers directly to test administration, it appears applicable to examination and/or test item exposure which occurs during examination development workshops.

Issue 8. Although the number of SMEs participating in most of the examination development meetings was sufficient (6-9 individuals), in some cases, SMEs were divided into subgroups reducing the overall quantity of content input and expert judgment.

Examination Development – Linkage to Examination Plans and Use of References

Finding 19. SMEs are instructed to link each item and the examination plan to ensure that the examination measures concepts relevant to day-to-day practice and different cognitive levels.

Finding 20. SMEs are instructed to use approved references to further support the content validity of the examination.

Finding 21. According to SMT, SMEs recommend adding or deleting sources from the reference list. Based on their recommendations, NIC updates the list and items are re-referenced (B. Dawadi, personal communications, October 16, 2007).

Examination Development – Examination Forms

SMT assembles test forms that meet all test specification and psychometric parameters for each respective program. Then, SMEs independently review the forms and evaluate their content based on specific criteria (e.g., confirm key, review for ambiguity and clues). Once the SMEs review the forms independently, issues of concern are discussed as a group. Table 1 lists the examinations, number of questions contained in each one, and the time allowed for each examination.

Finding 22. The Examination Review/Approval Form used during the review illustrates criteria representing acceptable professional guidelines and technical standards.

Finding 23. The criteria applied for item overlap (i.e., items common with a previous form) meets professional guidelines.

Finding 24. Given the guidelines for item writers and reviewers, it appears items discriminating between minimally competent and incompetent candidates for licensure should result from examination development activities.

Table 1 - Examination Information

Examination	Number of Questions	Time Allowed
Barber-Stylist	100	90 minutes
Cosmetology	100	90 minutes
Electrology	100	90 minutes
Esthetics	100	90 minutes
Nail Technology	100	90 minutes

Issue 9. Although examination development is ongoing, pretest items are generated, and new examination forms are created, item/test form exposure is ultimately determined by the states using the NIC examinations and their respective regulations (e.g., retake policy). The NIC and SMT attempt to control for item/test exposure by creating new forms with a low overlap percentage with the previous form.

Examination Development – Foreign Language Translation

Finding 25. SMT uses a certified agency and bilingual SMEs for translation services (B. Dawadi, personal communications, October 16, 2007). Detailed information about the translation services was not provided to AMS.

Examination Development – Size of Item Banks

The SMT recognizes the importance of having a sufficient number of items within each of their item banks. “The goal is to have a healthy distribution of content to address overexposure of items, changes in the professions, or allow the NIC to continue to provide content valid examination should a compromise occur” (B. Dawadi, personal communications, September 20, 2007).

Findings 26. The documentation reviewed shows acceptable item bank levels and efforts to maintain “Optimal Bank Sizes.”

Conclusions

Given the Findings and Issues, the examination development conducted by the NIC and SMT appears to demonstrate a sufficient degree of validity, meeting professional guidelines and technical standards. Use of instructors in the examination development process and overexposure of items are two controversial issues that should be monitored because they can weaken validation efforts.

Chapter 4: Passing Scores⁵

Standards

The passing score of an examination is the score that represents the cut off that divides those candidates for licensure who are minimally competent and those who are incompetent.

The most relevant standards from the *Standards* relating to passing scores, points, cut scores, or standard scores as applied to credentialing or licensing examinations, are:

Standard 4.19

When proposed score interpretations involve one or more cut scores, the rationale and procedures used for establishing cut scores be clearly determined. (p. 59)

Standard 4.21

When cut scores defining pass-fail or proficiency categories are based on direct judgments about the adequacy of item or test performance or performance levels, the judgmental process should be designed so that judges can bring their knowledge and experience to bear in a reasonable way. (p. 60)

Standard 14.17

The level of performance required for passing a credentialing test should depend on the knowledge and skills necessary for acceptable performance in the occupation or profession and should not be adjusted to regulate the number or proportion of persons passing the test. (p. 162)

The supporting commentary on passing or cut scores in the Standards, Chapter 4 – Scales, Norms, and Score Comparability states that there can be no single method for determining cut scores for all tests and all purposes. The process used should be clearly documented and defensible. The qualifications of the judges involved, and the process of selection should be part of the documentation. A sufficiently large and representative group of judges should be involved, and care must be taken to assure that judges understand what they are to do.

In addition, the supporting commentary in the Standards – Chapter 14 – Testing in Employment and Credentialing states that the focus of credentialing standards is on “levels of knowledge and performance necessary for safe and appropriate practice” (p. 156). “Standards must be high enough to protect the public, as well as the practitioner, but not so high as to be unreasonably limiting” (p. 157).

Findings and Issues

SMT provided the following four standard setting reports for review: *Cosmetology Written and Practical Examination Standard Setting Workshop Report (October, 2005)*,

⁵ Recall a passing score is also known as a pass point, cut score, or standard score.

Electrology Written Examination Form 05 and 06 Standard Setting Workshops Report (September, 2000), Esthetics Written and Practical Examination Standard Setting Workshop Report (January, 2005), Nail Technology Written Examination Standard Setting Workshop (December, 2006), and Setting the Standard: A Guide for Subject Matter Experts (March, 2005).

Passing Scores – Purpose, Use of Subject Matter Experts, and Methodology

The process of standard setting relies upon the expertise and judgment of SMEs. In collaboration with SMT, the NIC contacted individuals to participate in the standard setting workshops as SMEs.

SMT uses the standard setting approach referred to as the “Angoff Method.” The SMT workshop coordinator trained the SMEs in the Angoff method and facilitated standard settings workshops for each profession on separate occasions.

Finding 27. The purpose of the standard setting workshops was to determine the passing standard for the examinations for each profession.

Finding 28. The SME recruitment guidelines provided to the NIC are consistent with professional guidelines and technical standards.

Finding 29. Documentation (e.g., Affidavit of Nondisclosure, Subject matter Expert Demographic Data Sheets) used in the process met professional guidelines and technical standards.

Finding 30. The training of the SMEs and the application of the Angoff method appears to be consistent with professional guidelines and technical standards.

Finding 31. The number of SMEs used in the other standard setting workshop met professional guidelines and technical standards.

Issue 10 (same as Issue 7). Many of the SMEs used in the standard setting workshops were licensed instructors. Some professionals would argue that a conflict of interest exists when individuals who practice as instructors are given access to examination questions.

For example, use of instructors seems to contradict language on the NIC Affidavit of Disclosure and in the NIC Test Administration Manual (revised May 2007). The NIC Affidavit of Nondisclosure states “. . . I further certify and affirm that I do not work for, attend, nor am I affiliated with an examination preparation school; nor have I had such associations for the last three years” (appendices). The NIC Test Administration Manual states “. . . no one associated with the administration of NIC examinations may be actively involved in any course, workshops, or tutoring activities that involve teaching or coaching candidates on any aspect of any NIC examination” (p. 1). Although this statement refers

directly to test administration, it appears applicable to examination and/or test item exposure which occurs during the standard setting workshops.

Passing Scores – Analysis and Results

SMT conducted an analysis of the SMEs ratings produced during the Angoff standard setting workshops.

Finding 32. The statistical analysis performed on the SME ratings in each standard setting workshop met professional guidelines and technical standards.

According to SMT, the resulting passing score or standard is not always the mean of the ratings. The NIC adopts a passing score based on calculated confidence intervals and standard errors of measurement.

Finding 33. The resulting passing scores appear to be reasonable given the data provided. Further, the calculations used to establish the passing scores are based on professional guidelines and technical standards.

In response to an inquiry from AMS, SMT stated that the Barber Standard Setting Workshop is scheduled for October 2007. A report is expected to be released in January 2008 (B. Dawadi, personal communications, September 20, 2007).

Conclusions

Given the Findings and Issues, the passing score or standard setting processes conducted by the NIC and SMT appear to demonstrate a sufficient degree of validity, meeting professional guidelines and technical standards. Again, use of instructors in the standard setting process is the controversial issue that can weaken the integrity of this process.

Chapter 5: Test Administration

Standards

The most relevant standards from the *Standards* relating to test administration, as applied to credentialing or licensing examinations, are:

Standard 5.1

Test administrators should follow carefully the standardized procedures for administration and scoring specified by the test developer, unless the situation or a test taker's disability dictates that an exception should be made. (p. 63)

Standard 5.5

Instructions to test takers should clearly indicate how to make responses. Instructions should also be given in the use of any equipment likely to be unfamiliar to test takers. Opportunity to practice responding should be given when equipment is involved, unless use of the equipment is being assessed. (p. 63)

Findings and Issues

The NIC publishes a test administration manual that contains recommended administration policies and procedures for paper-and-pencil examinations. Specifically, the manual states "... the information contained in this manual represents the minimum policies and procedures required by agencies or companies utilizing NIC examinations" (p. 1).

Finding 34. The manual is detailed and comprehensive and includes the following subject areas:

- I. General Responsibilities
- II. Receiving and Accounting for Test Materials
- III. Admission and Seating of Candidates
- IV. Distribution of Test Materials
- V. Collection of Test Materials/Check-Out Procedures
- VI. Monitoring Candidates During the Examination
- VII. Documenting Irregular Incidents
- VIII. Return Shipment of Examination Materials
- IX. Records to be Reviews
- X. Examination Reviews
- XI. Practical Examinations
- XII. Special Accommodations

Issue 11. One important area not addressed in the manual is proctor-to-examinee ratios. This information is important because a sufficient number of proctors are

necessary to facilitate test administration in a standardized manner, including the prevention of examination subversion.

Finding 35. Three companies are approved test administration vendors for the NIC: DL Roope Administrations, Professional Credential Services, and LaserGrade L.P.

DL Roope Administrations is owned by Deborah Roope. The company is located in Hampton, Maine. This company has been approved to administer the NIC practical and written examinations since November 2000. Written examinations are administered in the traditional paper-and-pencil format. Currently, the company administers written and practical NIC examinations in Georgia, Idaho, Maine and New Hampshire and the practical examinations in the state of Washington (D. Norton, personal communications, November 13, 2007).

Professional Credential Services is a wholly owned subsidiary of the National Association of State Boards of Accountancy. The company is located in Nashville, Tennessee. This company has been approved to administer the NIC practical and written examinations since June 2003. Written examinations are administered in the traditional paper-and-pencil format. Currently the company administers the practical examinations in Arkansas, Delaware, Pennsylvania, Virginia, Missouri, New Mexico and South Carolina (D. Norton, personal communications, November 13, 2007).

LaserGrade L.P. is located in Vancouver, Washington. This company has been approved to administer proctored computer-based testing. LaserGrade L.P. has test sites located across the United States and Canada. LaserGrade L.P. has been an approved computer-based test administration vendor for the NIC since August 1999. Currently the company provides computer-based test delivery of the NIC written examinations in Alabama, Arkansas, Delaware, District of Columbia, Pennsylvania, Virginia, Missouri, New Mexico, South Carolina, North Carolina, Ohio, Montana, and Washington and is an alternative to paper and pencil testing in Arizona, Idaho, Nebraska, Oregon and Oklahoma (D. Norton, personal communications, November 13, 2007).

Finding 36. Communications with the NIC confirm that vendors typically exceed the procedures outlined in the NIC Test Administration Manual. Further, last year onsite evaluations were conducted by the NIC on the administration of the practical examinations. The National Examination Committee chairman is currently scheduling on site reviews of the administration of the written examinations. Finally, it was noted that some states monitor the administration of the practical and written examinations as well (D. Norton, personal communications, November 15, 2007).

AMS contacted LaserGrade L.P. and requested information about its computer-based testing operations. AMS was asked to sign a nondisclosure agreement. Therefore, the responses to the twenty-three questions posed to LaserGrade L.P. are confidential and cannot be documented in this report.

For the purposes of this report, however, AMS asked questions pertaining to the following subjects:

- staff, and associated duties, assigned to the NIC examination program;
- test sites (e.g., location, ownership of);
- purpose of test sites (i.e., for testing or other);
- test site proctors and training;
- scheduling of candidates;
- accommodation of candidates (i.e., under ADA);
- use candidate handbooks;
- score reporting procedures; and,
- emergency and security protocols.

Issue 12. One area of concern relates to the access and use of some of the test sites. With permission from LaserGrade L.P., this concern can be disclosed if the BBC requests such action.

Finding 37. With the exception of Issue 12, the information presented to AMS by LaserGrade L.P. appears to meet professional guidelines.

Conclusions

Given the Findings and Issues, the test administration protocols in place by the NIC and LaserGrade L.P. appear to meet professional guidelines and technical standards. However, since test administration and associated services vary across states, the BBC should ensure that contractual protocols meet its needs. Also, Issue 12 should be further explored.

Chapter 6: Examination Performance

Standards

The most relevant standards from the *Standards* relating to examination performance, as applied to credentialing or licensing examinations, are:

Standard 2.1

For each total score, subscore, or combination of scores that is to be interpreted, estimates of relevant reliabilities and standard errors of measurement or test information functions should be reported. (p. 31)

Standard 3.9

When a test developer evaluates the psychometric properties of items, the classical or item response theory (IRT) model used for evaluating the psychometric properties of items should be documented. The sample used for estimating item properties should be described and should be of adequate size and diversity for the procedure. The process by which items are selected and the data used for item selection, such as item difficulty, item discrimination, and/or item information, should also be documented. When IRT is used to estimate item parameters in test development, the item response model, estimation procedures, and evidence of model fit should be documented. (pp. 44-45)

Findings and Issues

SMT supplied the following technical reports as examples of analyses used to evaluate written examination performance: *Cosmetology Examination Form 4100 Item Analysis*, *Technical Test Report for Barber Examination Form 12 (2006)*, *Technical Test Report for Cosmetology Examination Form 38 (2006)*, *Technical Test Report for Esthetics Examination Form 10 (2006)*, and *Technical Test Report for Nail Technology Examination Form 25 (2006)*.

Finding 38. Preliminary item analyses are performed on the examinations to ensure all scored items were valid. SMT uses both item statistics and candidate comments to flag poorly performing items. Flagged items are then reviewed by SMEs and a decision is made whether to retain the item(s) as scored. Follow up communication with SMT confirmed that scored items are seldom removed because of rigorous development and review guidelines (B. Dawadi, personal communications, October 16, 2007).

Finding 39. Each examination includes pretest items. Follow up communication with SMT indicated that approximately 85% of pre-tested items are converted to active status and the remaining 15% are flagged for review based on their marginal statistics (B. Dawadi, personal communications, October 16, 2007).

Finding 40. Descriptive test statistics (e.g., mean, standard deviation, standard error of measurement, KR20 reliability, and decision consistency reliability) were calculated on each examination. Resulting statistics were typical for licensure examinations.

Finding 41. Both Classical Test Theory and Item Response Theory item statistics were calculated and presented in the reports. Item difficulty values and item discrimination indices were in typical ranges for licensure examinations.

Finding 42. The NIC and SMT employ an Item Response Theory-based model to equate the passing point. The raw passing score was then scaled to ensure a constant scaled passing score regardless of form difficulty. The process used to establish the final passing score, although complex when explaining to candidates and the general public, meets professional guidelines and technical standards.

Finding 43. Table 2 presents written examination pass rates for the past three years. Pass rates are reasonable and fall within the parameters for these types of licensing examinations.

Table 2 – Examination Pass Rates

Examination	Percent Passed By Year		
	2007	2006	2005
Barber-Stylist	68%	67%	65%
Cosmetology	85%	61%	67%
Electrology	78%	79%	70%
Esthetics	83%	63%	70%
Nail Technician	61%	61%	66%

Conclusions

Given the Findings and Issues, the steps taken by SMT to evaluate examination performance are valid and legally defensible, meeting professional guidelines and technical standards.

Chapter 7: Information Available to Candidates

Standards

The most relevant standards from the *Standards* relating to candidate information, as applied to credentialing or licensing examinations, are:

Standard 8.1

Any information about test content and purposes that is available to any test taker prior to testing should be available to *all* test takers. Important information should be available free of charge and in accessible formats. (p. 86)

Standard 8.2

Where appropriate, test takers should be provided, in advance, as much information about the test, the testing process, the intended test use, test scoring criteria, testing policy, and confidentiality protection as is consistent with valid responses. (p. 86)

Findings and Issues

The NIC homepage is located at www.nictesting.org. It provides extensive information about the NIC (e.g., Officers, Staff, History, Calendar, NIC Bulletins) and is updated regularly.

Finding 44. By clicking on “Testing Program,” candidates can locate the following informational items in this section of the homepage:

- Veterans benefits information
- Cost of practice examinations for Cosmetology and Nail Technician
- Verbal instructions for practical and written examinations
- Pricing information
- Examination references
- Candidate Information Bulletins (CIBs)
- NIC Test Administration Manual
- National Examination Committee (NEC) contact information
- Testing Services Providers contact information

Conclusions

Given the Findings, and Issues, the information provided to candidates about the NIC testing program meets professional guidelines.

Chapter 8: Test Security

Standards

The most relevant standards from the *Standards* relating to test security, as applied to credentialing or licensing examinations, are:

Standard 5.6

Reasonable efforts should be made to assure the integrity of test scores by eliminating opportunities for test takers to attain scores by fraudulent means. (p. 64)

Standard 5.7

Test users have the responsibility of protecting the security of test materials at all times. (p. 64)

Findings and Issues

Upon request, SMT provided AMS with its *Security Policies and Procedures Manual*.

Finding 45. The manual is comprehensive and includes information about the following components that comprise the SMT security system:

- I. Personnel Screening and Training
- II. Examination Materials and Documents
- III. Vault Security
- IV. MIS-Related Security
- V. Physical Building Security and Alarm Systems
- VI. Mandatory Reporting

Finding 46. The following points highlight the strict security policies and procedures in place:

- Semiannual refresher training is provided to all employees to reinforce written procedures and to share security information.
- SMT's standard approach to printing is to use a company-owned printing operation staffed by personnel with completed background checks.
- Prior to sealing examination booklets, two SMT employees perform a quality check.
- The Vault Monitor, or the designated representative, observes the destruction of confidential materials.
- All users of the SMT Administrative and Test Development networks are required to change their passwords every 30 days.
- All employees wear ID badges while in the SMT building. Employees turn in/check out badges at the reception desk.

- Failure to report suspected violations of security policies or procedures is subject to strict disciplinary action, including possible termination.

Finding 47. According to the NIC, there has not been a security breach with any of the approved test administration vendors. However, if a breach should occur, the vendor must immediately notify the NIC and SMT. Further, vendors are required to maintain records of any irregular incident that may occur while conducting examinations (D. Norton, personal communications, November 15, 2007).

Finding 48. Also, it is important to note that the NIC does not utilize SMT's on-line test development program.

Conclusions

Given the Findings and Issues, the policies and procedures outlined in the SMT *Policies and Procedures Manual* meet professional guidelines and technical standards.

Chapter 9: Comparison of Barber Written Examination Plans

A meeting was held October 29, 2007 to critically compare and evaluate the BBC and NIC Barber written examination plans. The BBC, with direction from AMS, recruited SMEs to participate in the meeting. Five of the seven SMEs scheduled to attend the meeting participated (i.e., two were no-shows). SMEs represented both northern and southern California, rural and urban areas, had been licensed from 1 year to 40 years ($M=12$ years licensed), and worked full-time as barbers in schools or shops open to the public. SMEs completed both Security Agreement and Personal Data forms which are on file with the BBC and document additional SME information.

An orientation was provided by AMS stating the purpose of the meeting, the role of the SMEs and the project background leading to the meeting. Once SMEs understood the purpose of the meeting, they independently reviewed both the BBC and NIC Barber written examination plans.

After independent review, the AMS facilitator worked with the group to identify similarities and differences between the two examination plans. Then, possible explanations for them were discussed. Finally, the references used for both examination programs were reviewed.

Findings and Issues

Finding 49. Table 3 shows the areas of the NIC examination plan not addressed in the BBC examination plan. Implementation of the NIC Barber examination plan is scheduled for March 2008 (B. Dawadi, personal communications, November 27, 2007).

Issue 13. The BBC examination does not address the same percentage of “scientific” content as the NIC examination. The SMEs concurred with the BBC validation report findings. That is, anatomy, physiology, chemistry, and electricity, while important, are not considered critical knowledge for entry-level performance as a Barber in California.

Issue 14. Although infection control is covered in the NIC examination, content area “Safety and Sanitation” of the BBC examination plan measures specific knowledge associated with BBC regulations pertaining to health and safety.

Table 3 – Comparison of the NIC and BBC Barber-Stylist Examination Plans

NIC Examination Plan	Covered in BBC Outline
1. Scientific Concepts (40%)	-
A. Infection Control and Safe Practices	Partial - except "Immunity" and "Parasites"
B. Use of Tools, Implements, and Equipment	Yes
C. Anatomy and Physiology	No
D. Chemistry	No
E. Electricity and Light	No
F. Skin Histology	No – except "Disorders of the Skin"
G. Properties and Disorders of the Hair and Scalp	Yes
2. Facial and Shaving Services (15%)	-
A. Draping	Yes
B. Facial Treatments	Yes
C. Shaving Procedures and Facial Hair Design	Yes
3. Hair Care Services (20%)	-
A. Client Consultation	Yes
B. Draping as Related to Shampooing and Haircutting	Yes
C. Haircutting and Styling	Yes – except "Head Shaving" and "Hairpieces"
D. Treatment of Hair and Scalp	Yes
4. Chemical Services (25%)	-
A. Draping Procedures as Related to Chemical Services	Yes
B. Safety Procedures as Related to Chemical Services	Yes
C. Client Consultation	Yes – except "Recordkeeping"
D. Chemical Texture Services	Yes
E. Hair Color and Lightener	Yes

Finding 50. Both examination programs use *Milady's Standard Textbook of Professional Barbering*. However, the BBC uses a newer edition. The BBC also uses the *Standardized Textbook of Barbering and Styling*. Each examination program also has their respective health and safety reference material.

Conclusions

Given the Findings and Issues, the BBC and NIC examination plans differ significantly. It would be inappropriate at this time to use the NIC Barber-Stylist written examination in California. Candidates seeking licensure in California would be unfairly evaluated since the knowledge and skills expected for entry-level practice as a Barber differ from those expected by the NIC.

Chapter 10: Comparison of Esthetician Written Examination Plans

A meeting was held November 4-5, 2007 to critically compare and evaluate the BBC and NIC Cosmetology, Electrologist, Esthetician, and Manicurist/Nail Technician written examination plans. The BBC, with direction from AMS, recruited SMEs to participate in the meeting. All twelve SMEs scheduled to attend participated in the two-day meeting. SMEs represented both northern and southern California, rural and urban areas, had been licensed from 5 year to 35 years (\bar{M} =18 years licensed), and had high school diplomas, associate, bachelor's, or doctorate degrees. SMEs worked part-time or full-time (\bar{M} =36 hours worked per week) in settings such as private clinics/offices, salons, spas, and schools. SMEs completed both Security Agreement and Personal Data forms which are on file with the BBC and document additional SME information.

An orientation was provided by AMS stating the purpose of the meeting, the roles of the SMEs and the project background leading to the meeting. Once SMEs understood the purpose of the meeting, they began by independently reviewing both the BBC and NIC Esthetician written examination plans.

After independent review, the AMS facilitator worked with the group of SMEs to identify similarities and difference between the two examination plans. Then, possible explanations for them were discussed. Finally, the references used for both examination programs were reviewed.

Findings and Issues

Finding 51. Table 4 shows the areas of the NIC examination plan not addressed in the BBC examination plan. Implementation of the NIC Esthetics examination plan occurred in January 2006 (B. Dawadi, personal communications November 27, 2007).

Issue 15. Although sanitation and infection control are covered in the NIC examination, the BBC content area "Safety and Sanitation" measures knowledge specific to BBC health and safety regulations. Many of the associated job tasks in the BBC examination plan do not appear to be addressed in the NIC examination plan.

Issue 16. In addition to BBC health and safety regulations, SMEs stated that the NIC examination plan did not appear to address or possibly measure the following subjects:

- "epidermas" as the scope of treatment;
- consultation with client to address expectations for esthetic service;
- administration of a patch test to determine whether skin care product can be used;
- preparation of workstation according to type of esthetic service to be performed;

- contraindications to treatment;
- indicators of a reaction to skin care products;
- use of finishing products;
- client follow-up/home treatment;
- basic first aid related to performance of esthetic services; and,
- EPA and OSHA standards.

Table 4 – Comparison of the NIC and BBC Esthetician Examination Plans

NIC Examination Plan	Covered in BBC Outline
1. Scientific Concepts (65%)	-
A. Sanitation and Infection Control	Partial – except as it pertains to BBC regulations
B. Human Physiology and Anatomy	No – except “Muscular” (under Systems and their functions); SMEs stated that many of the topics under this content area are advanced and not entry-level
C. Skin Histology	Yes
D. Skin Conditions and Disorders	Yes
E. Hair and its Growth Cycle	Yes
F. Basic Chemistry	Yes
G. Cosmetic Ingredients	Yes
H. Factors that Affect the Skin	Yes
2. Services (35%)	-
A. Skin Analysis and Procedures related to Consultation, Documentation, and Treatment	Yes – but SMEs assumed that “Treatment protocol” refers to procedures discussed in <i>Milady</i>
B. Cleansing Procedures	Yes
C. Towel Steaming Procedures	Yes
D. Exfoliation Methods	Yes – except no mention of product selection was listed under this content area heading
E. Safe and Proper Methods of Extractions	Yes
F. Massage Movements and their Effects	Yes
G. Contraindications for Massage	Yes
H. Appropriate Use for Masks	Yes
I. Electricity and Use of Various Electrical Equipment	Yes
J. Safe and Proper Methods of Hair Removal	Yes
K. Color Theory and Make Up Application	Yes
L. Advanced Services	No – except “Camouflage makeup” SMEs stated that these services are not considered entry-level or within scope of practice and should <i>not</i> be tested

Finding 52. Both examination programs use *Milady's Standard Fundamentals for Estheticians* and *Salon Fundamentals Esthetics, A Resource for Your Skin Care Career*. However, each examination program has their respective health and safety reference material.

Conclusions

Given the Findings and Issues, the BBC and NIC examination plans differ. It would be inappropriate at this time to use the NIC Esthetician written examination in California. Candidates seeking licensure in California would be unfairly evaluated since the knowledge and skills expected for entry-level practice as an Esthetician differ from those expected by the NIC.

Chapter 11: Comparison of Manicurist / Nail Technician Written Examination Plans

Once the SMEs completed their review of the Esthetician examination plans, they independently reviewed both the BBC and NIC Manicurist/Nail Technician written examination plans.

After independent review, the AMS facilitator worked with the group of SMEs to identify similarities and difference between the two examination plans. Then, possible explanations for them were discussed. Finally, the references used for both examination programs were reviewed.

Findings and Issues

Finding 53. Table 5 shows the areas of the NIC examination plan not addressed in the BBC examination plan. Implementation of the NIC Nail Technician examination plan occurred in January 2007 (B. Dawadi, personal communications, November 27, 2007).

Issue 17. Although infection control procedures are covered in the NIC examination, the BBC content area “Safety and Sanitation” measures knowledge specific to BBC health and safety regulations. Many of the associated job tasks in the BBC examination plan do not appear to be addressed in the NIC examination plan.

Issue 18. “Electric Filing” is measured in the NIC Nail Technician examination but is not within the scope of practice for California manicurists.

Issue 19. SMEs stated that the NIC examination plan did not appear to address or possibly measure the following subjects:

- indicators of a reaction to nail products;
- methods to prevent overexposure to artificial nail products;
- acceptable tools to use as a foot file;
- basic first aid related to performance of nail services; and,
- EPA and OSHA standards.

Table 5 – Comparison of the NIC and BBC Manicurist / Nail Technician Examination Plans

NIC Examination Plan	Covered in BBC Outline
1. Scientific Concepts (45%)	-
A. Infection Control Procedures	Partial - except as it pertains to BBC regulations; also not included was "Handling" under "Safety Procedures"
B. Basic Human Anatomy and Physiology	Partial – "Skin of the hands and feet" and "Muscular system" are covered, but not "Skeletal system" and "Circulatory system"
C. Nail Composition	Yes – except SME noted that "mold" is not a condition of the nail
D. Basic Chemistry	Yes
2. Nail Technology Procedures (55%)	-
A. General Nail Technology Procedures	Yes
B. Nail Service Tools	Yes
C. Natural Nail Service Procedures	Yes
D. Basic Massage Movements	Yes
E. Apply, Repair and Maintain Nails	Yes – except removal of nails did not appear to be addressed
F. Use of Electric Filing	No – not in California scope of practice
G. Specialty Services	Not considered "Specialty Services" by SMEs

Finding 54. Both examination programs use *Milady's Standard Nail Technology*. The BBC examination program also uses *Taylor's Guide to Manicuring and Advanced Nail Technology*. Further, each examination program has their respective health and safety reference material.

Conclusions

Given the Findings and Issues, the BBC and NIC examination plans differ significantly. It would be inappropriate at this time to use the NIC Nail Technician written examination in California. Candidates seeking licensure in California would be unfairly evaluated since the knowledge and skills expected for entry-level practice as a Manicurist/Nail Technician differ from those expected by the NIC.

Chapter 12: Comparison of Electrologist Written Examination Plans

Once the SMEs completed the review of the Manicurist/Nail Technician examination plans, they independently reviewed both the BBC and NIC Electrologist written examination plans.

After independent review, the AMS facilitator worked with the group of SMEs to identify similarities and difference between the two examination plans. Then, possible explanations for them were discussed. Finally, the references used for both examination programs were reviewed.

Findings and Issues

Finding 55. Table 6 shows the areas of the NIC Examination plan not addressed in the BBC examination plan. Implementation of the NIC Electrology examination plan is scheduled for July 2008 (B. Dawadi, personal communications, November 27, 2007).

Issue 20. Although sanitation and infection control are covered in the NIC examination, the BBC content area “Safety and Sanitation” measures knowledge specific to BBC health and safety regulations. Many of the job tasks in the BBC examination plan do not appear to be addressed in the NIC examination plan.

Issue 21. The SMEs concurred with the BBC validation report findings. That is, “Basic Chemistry,” while important, is not considered critical knowledge for entry-level performance as an Electrologist in California.

Table 6 – Comparison of the NIC and BBC Electrologist Examination Plans

NIC Examination Plan	Covered in BBC Outline
1. Scientific Concepts (65%)	-
A. Sanitation and Infection Control Procedures	Partial - except breadth and depth of measurement are unknown and BBC health and safety regulations are not addressed
B. Basic Concepts of Electricity	Yes – except no mention of client holding probe in preparation for treatment
C. Basic Concepts of Chemistry	No – SMEs agreed with BBC occupational analysis results; basic chemistry is not relevant for safe and effective entry-level performance as an Electrologist in California
D. Basic Concepts of Human Physiology	Yes
2. Services (35%)	-
A. Perform Consulting	Yes – except “Confidentiality” is not addressed; SMEs did state that understanding client-confidentiality issues is important
B. Client Record	Yes
C. Issues Related to Safe Practice	Yes
D. Concepts of Treatment Selection	Yes

Finding 56. The examination programs use different reference materials. However, with the exception of health and safety issues, the SMEs indicated that the profession has not changed dramatically over time in terms of techniques and equipment.

Conclusions

Given the Findings and Issues, the BBC and NIC examination plans differ. It would be inappropriate at this time to use the NIC Electrology written examination in California. Candidates seeking licensure in California would be unfairly evaluated since the knowledge and skills expected for entry-level practice as an Electrologist differ from those expected by the NIC.

Chapter 13: Comparison of Cosmetologist Written Examination Plans

Once the SMEs completed the review of the Electrologist examination plans, they independently reviewed both the BBC and NIC Cosmetologist written examination plans.

After independent review, the AMS facilitator worked with the group of SMEs to identify similarities and difference between the two examination plans. Then, possible explanations for them were discussed. Finally, the references used for both examination programs were reviewed.

Findings and Issues

Finding 57. Table 7 shows the areas of the NIC examination plan not addressed in the BBC examination plan. Implementation of the NIC Cosmetology examination plan occurred in January 2006 (B. Dawadi, personal communications, November 27, 2007).

Issue 22. Although infection control procedures are covered in the NIC examination, the BBC content area "Safety and Sanitation" measures knowledge specific to BBC health and safety regulations. Many of the job tasks in the BBC examination plan do not appear to be addressed in the NIC examination plan.

Table 7 – Comparison of the NIC and BBC Cosmetologist Examination Plans

NIC Examination Plan	Covered in BBC Outline
1. Scientific Concepts (30%)	-
A. Principles and Practice of Infection Control	Partial - except breadth and depth of measurement is unknown and BBC health and safety regulations are not addressed
B. Basic Human Anatomy and Physiology	Mostly no – “Cells,” “Tissues,” “Circulatory System” and nervous system not covered; only “Skeletal system” and “Muscular system”
C. Nutrition	No
D. Ergonomics	No
E. Basic Principles of Chemistry	Yes – except SMEs wanted to confirm knowledge of EPA disposal of chemicals requirements were measured
F. Basic Principles of Electricity	No
2. Hair Care and Services (50%)	-
A. Trichology	Yes – except SMEs stated that this content area should be listed under “Scientific Concepts”
B. Principles of Hair Design	No – SMEs stated that this content area measures artistic design and is not critical entry-level knowledge
C. Draping Procedures	Yes
D. Brushing, Shampooing, Conditioning, Hair, and Scalp Treatment Procedures	Yes
E. Procedures for Haircutting	Yes – except SMEs stated that topics listed under “Basic principles of haircutting” are associated with artistic design and not relevant
F. Procedures for Hairstyling	Yes – except products not mentioned
G. Braiding, Wigs, and Hair Enhancement / Additions	No – not in California scope of practice
H. Chemical Texture Services	Yes
I. Hair Coloring Procedures	Yes
3. Skin Care and Services (10%)	-
A. Skin Histology	Yes
B. Draping Procedures	Yes
C. Hair Removal Procedures	Yes
D. Procedures for Facial	Yes
E. Facial Makeup Application	Yes
4. Nail Care and Services (10%)	-
A. Nail Structure and Growth	Yes – except nail anatomy not addressed
B. Manicure and Pedicure Procedures	Yes
C. Advanced Nail Procedures	Yes - SMEs stated that these topics are not considered “advanced” but entry-level

Finding 58. Both examination programs use Milady's *Standard Textbook of Cosmetology* and *Salon Fundamentals, A Resource for You Cosmetology Career*. The BBC examination program lists four additional references. The SMEs concurred that the two common references were comprehensive and the additional reference material likely did not contribute unique information. Similar to the other professions, each examination program has their respective health and safety reference material.

Conclusions

Given the Findings and Issues, the BBC and NIC examination plans differ. It would be inappropriate at this time to use the NIC Cosmetology written examination in California. Candidates seeking licensure in California would be unfairly evaluated since the knowledge and skills expected for entry-level practice as a Cosmetologist differ from those expected by the NIC.

Chapter 13: Overall Conclusions

AMS completed a comprehensive analysis and evaluation of the documents provided by the NIC, SMT, and LaserGrade, L.P.. The procedures used to establish and support the validity and defensibility of the NIC examination program components (i.e., job analyses, examination development, passing scores, test administration, examination performance, and test security) meet professional guidelines and technical standards outlined in the *Standards for Educational and Psychological Testing* and *Business and Professions Code Section 139*.

Although issues of concern are documented, validity is not an all-or-none concept. Rather, validity is a process of accumulating evidence. The NIC and its testing partners have provided a sufficient degree of evidence to support making valid decisions about entry-level job performance from their written examinations. Over time, additional steps should be taken to further strengthen the NIC examination program.

For example, use of more and different SMEs, larger job analysis sample sizes, and more clearly defined and independent job analysis rating scales are examples of steps to take to address weak areas associated with the job analyses. Since job analysis is the first step in the validation process, these are key steps or job analysis phases to address.

Further, review of SME participation across the various reports, shows participation of the same individuals. The NIC needs to expand its pool of SMEs to better represent the respective populations (i.e., including entry-level SMEs) and maintain the integrity of the examination program. Continued partnership with, and guidance from, a qualified psychometric organization (e.g., SMT) will strengthen efforts to accumulate evidence of validity.

Finally, comparisons of the NIC and BBC examination plans demonstrate differences between the expectations associated with entry-level, competent practice across all five professions considered. Failure to sample California practitioners and to use California SMEs may represent possible explanations for the differences observed between the BBC and NIC examination plans.

Based on the issues documented and their possible relationship to the differences between the BBC and NIC examinations plans, it would be premature for the BBC to adopt the NIC examinations at this time and penalize candidates applying for licensure in California as Barbers, Cosmetologists, Electrologists, Estheticians, and/or Manicurists.

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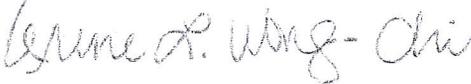
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MEMORANDUM

DATE	July 27, 2009
TO	Kristy Underwood, Executive Officer Board of Barbering and Cosmetology
FROM	 Irene L. Wong-Chi, M.A., Personnel Selection Consultant Office of Professional Examination Services
SUBJECT	Focus Group Workshop for the National Practical Examination Audit

Purpose

The California Board of Barbering and Cosmetology (Board) contracted with the Office of Professional Examination Services (OPES) to conduct a focus group workshop for the purpose of evaluating the National-Interstate Council of State Boards of Cosmetology, Inc. (NIC) practical examination administration procedures and practical examination outlines.

Workshop Participants

The workshop was conducted on June 28 – 29, 2009 by an OPES facilitator. The group consisted of three California-licensed Barbers, three California-licensed Cosmetologists, two California-licensed Electrologists, three California-licensed Estheticians, and three California-licensed Manicurists, who served as subject matter experts (SMEs). The Board recruited currently licensed SMEs representing diverse geographic locations and years of experience.

Workshop Process

The workshop began by having the SMEs complete OPES' security agreement, self-certification, secure area agreement, and personal data (demographic) forms. The OPES facilitator explained the importance of and guidelines for security during and outside the workshop. The SMEs were then asked to introduce themselves.

The OPES facilitator then presented a PowerPoint presentation about the purpose and importance of an occupational analysis, validity, content validity, reliability, test administration standards, examination security, the role of SMEs, the purpose of the workshop, and the difference between an empirical vs. rationale content validation strategy process.

The SMEs reviewed the Business and Professions Code (B&P) and California Code of Regulations (CCR) codes relating to the scope of practice, qualifications, and exam requirements for their respective professions. They also reviewed a document about their profession's scope of examination, obtained from the California Board of Barbering and Cosmetology Website. They were told that the purpose of reviewing these documents was to get an understanding of California's examination requirements, and to use this information when assessing the national examination.

The SMEs were provided with the standards for test administration obtained from the *Standards for Educational and Psychological Testing (Standards, 1999)* set forth by the American Educational Research Association, the American Psychological Association, and the National Council on Measurement in Education, as well as candidate information bulletins, verbal instructions, and scoring sheets obtained from the national practical examination. They were asked to evaluate whether the test administration procedures meet the standards for test administration. The most relevant standards to test administration are:

Standard 5.1

Test administrators should follow carefully the standardized procedures for administration and scoring specified by the test developer, unless the situation or a test taker's disability dictates that an exception should be made.

Standard 5.5

Instructions to test takers should clearly indicate how to make responses. Instructions should also be given in the use of any equipment likely to be unfamiliar to test takers. Opportunity to practice responding should be given when equipment is involved, unless use of the equipment is being assessed.

Standard 5.9

When test scoring involves human judgment, scoring rubrics should specify criteria for scoring. Adherence to established scoring criteria should be monitored and checked regularly. Monitoring procedures should be documented.

Finally, the SMEs were provided with national examination outlines and national practical examinations for their respective professions. They were asked to evaluate whether the practical examination outline is supported by the written examination outline, and whether the practical examination is linked to the practical examination outline. The most relevant standards for testing in employment and credentialing are:

Standard 14.8

Evidence of validity based on test content requires a thorough and explicit definition of the content domain of interest. For selection, classification, and promotion, the characterization of the domain should be based on job analysis.

Standard 14.9

When evidence of validity based on test content is a primary source of validity evidence in support of the use of a test in selection or promotion, a close link between test content and job content should be demonstrated.

Standard 14.10

When evidence of validity based on test content is presented, the rationale for defining and describing a specific job content domain in a particular way (e.g., in terms of tasks to be performed or knowledge, skills, abilities, or other personal characteristics) should be stated clearly.

Standard 14.14

The content domain to be covered by a credentialing test should be defined clearly and justified in terms of the importance of the content for credential-worthy performance in an occupation or profession. A rationale should be provided to support a claim that the knowledge or skills being assessed are required for credential-worthy performance in an occupation and are consistent with the purpose for which the licensing or certification program was instituted.

Workshop Results

B&P and CCR Codes. After reviewing their profession's B&P and CCR codes, a few SMEs commented that the B&P codes are not accurate and should be revised. They were informed that such changes are a process for the Board and Legislature, and are not a focus for discussion within this workshop.

Test Administration. After reviewing candidate information bulletins, verbal instructions, and scoring sheets from the national practical examination against Standards 5.1, 5.5, and 5.9, the SMEs concluded that test administration procedures do meet the standards for test administration. However, the Cosmetologist SMEs suggested that, although the recommended general supplies section of the candidate information bulletin states that all supplies must be labeled in English, labels in other languages should be allowed as well. They felt that English-only labels might be a disadvantage for some candidates for whom English is a second language. Therefore, Standard 5.1 may not be entirely met.

Examination Outline. The purpose of a licensing examination is to identify persons who possess the minimum knowledge and experience necessary to perform tasks on the job safely and competently. To ensure that an examination conforms to professional, technical, and legal standards, the items on a written or oral examination and the tasks on a practical examination must be based on the specifications of an examination outline that was developed from a current (within five years) occupational analysis.

By linking the items/tasks to the specifications of an examination outline, the job-relatedness of the examination can be established, and the examination can be legally defended as valid.

After reviewing the national written and practical examination outlines for their respective professions, the SMEs concluded that the practical examination outline for Barbers, Cosmetologists, Electrologists, and Estheticians is supported by the written examination outline. Information provided by Schroeder Measurement Technologies (SMT) prior to the workshop further indicated that the practical examination outlines were based on the most current occupational/job analyses, and were developed by SMEs.

It should be noted, however, that the Manicurist written examination outline did not specify which elements can be observed through a practical examination. As such, the SMEs could not assess whether the practical outline is supported by the written outline. Therefore, the OPES facilitator instructed the SMEs to review the practical exam and determine if it can be linked to the written outline. The SMEs verified that the practical exam does link to the written outline, which indicates that the practical exam is supported by the written outline.

Practical Examination. The attached table documents areas in which the SMEs felt that their profession's practical examination does not link to the practical outline, and areas in which elements noted in the practical outline is not tested for in the practical exam. Despite these few noted areas, however, all SMEs felt that their profession's practical examination is linked to, and supported by, the practical outline.

The following table also documents areas of confusion and recommendations that should be made to the California Scope of Examinations, the NIC's Candidate Information Bulletins, and the NIC's Practical Examinations.

Conclusions

OPES evaluated NIC's most recent job analyses and practitioners sampled, frequency of report updates, test plans and method to link to the job analyses, exam development, method to ensure that standards are set for entry-level practice, pass-point setting methodology, test security methods, and test administration procedures for the practical examinations. The results of OPES' evaluation and the results of the focus group workshop supports Standards 14.8, 14.9, 14.10, and 14.14. However, if California is to adopt the national practical examinations, OPES recommends a comprehensive review of the comments made by the SMEs within the focus group workshop to update and improve the current practical examinations.

If you have any questions, I can be reached at (916) 575-7240.

Attachment

cc: Sonja Merold, OPES Chief
Bob Holmgren, Ph. D., Supervising Personnel Selection Consultant

Attachment
 Board of Barbering and Cosmetology National Practical Examination Audit Workshop:
 SME Comments and Recommendations

	Barber	Cosmetologist	Electrologist	Esthetician	Manicurist
Is there anything on the practical exam that does not link to the practical exam outline?	n/a	n/a	Question 4 (Model is seated or lying with arm in proper position), Question 6 (Perform analysis of the skin and hair), Question 9 and Question 10 should go under galvanic current, Question 14 (Three hairs are removed and placed on a towel)	n/a	n/a
Is there anything on the practical exam outline that is not tested for on the practical exam?	3C3C (Haircutting methods and procedures with a razor), 1A6 (Federal Regulations and Universal Precautions) - How do you test for it without a blood spill?	1B (Human physiology and anatomy), 1D (Ergonomics), 3C (Hair removal), and 3E (Facial makeup applications)	2A2 (Previous treatments), 2C2B (Eye protection)	2E (Understand exfoliation procedures), 2G5 (Vibration), 2G6 (Dr. Jacquet), 2H (Understand the appropriate uses for masks), and 2I (Understand electricity and the use of electrical devices)	Tasks 107, 108, 109, 110, and 111 (light-cured gels)

	Barber	Cosmetologist	Electrologist	Esthetician	Manicurist
If the national practical exam is adopted, what information needs to be changed to the Scope of Examination that California currently provides to their candidates?	n/a	n/a	n/a	(1) Remove application of artificial eyelashes, facial cleansing scrub, and dermal lights from the scope. Dermal lights are obsolete; the national exam uses LED therapy. (2) The scope states demonstration of proper sanitation techniques. Although the national exam follows proper infection control procedures, the act of demonstrating the process of disinfection of implements are not shown. (3) Update the equipment/supply list requirements. (4) Change scope to allow people with permanent makeup.	Equipment List: (1) Remove cuticle nippers, pedicure tubs, container for disinfection of implements, and disinfectant solution from the list since they are not used on the national exam, (2) Remove the term "odorless" since "odor free" means the same thing and is redundant, (3) Add primer, gloves, safety glasses, base coat, and top coat to the list, (4) Change liquid polish (medium to dark shade) to "red polish". The national candidate bulletin indicates red polish. (5) Note: Some nail wrap material strips come pre-cut.

	Barber	Cosmetologist	Electrologist	Esthetician	Manicurist
What recommendations would you make to the national candidate information bulletin? Is there anything that seems confusing?	n/a	In the "important instructions" section it mentions that candidates may bring a thermos of hot water if desired. The SMEs questioned the purpose of the water.	n/a	The SMEs wondered why the bulletin asks the candidate to bring disinfectants labeled with the manufacturer's label if it is not going to be implemented. The "Wet Disinfection Standard" portion of the bulletin states that all tools and implements must be disinfected, but the exam does not specify this to be performed.	(1) Hand massage should also specify from the wrist down (to distinguish it from the elbows down)

	Barber	Cosmetologist	Electrologist	Esthetician	Manicurist
<p>What recommendations would you make to the national practical examination? Is there anything that seems confusing?</p>	<p>The thermal curling portion of the exam should be performed on a mannequin instead of a live model since it is hard to find a model with hair long enough to curl.</p>	<p>Thermal Curling: (1) The pictures shown are not consistent/accurate. (2) It is not specified if the candidate is going to curl the entire head of hair or how many curls (note: the verbal instructions do indicate this), (3) It does not specify base control. Haircutting: Question 8 and Question 9 refer to the word "uniform" but it could be confusing to the candidate. It should say "even line" or "defined line." Chemical waving: Question 12 should say "Applies protective cream to the hairline and cotton around the section that is wrapped." Hair Lightening/Coloring: Demonstrating the application of virgin hair lightening is different from the California exam.</p>	<p>(1) Compared to the California exam, the national exam tests on three modalities (electrolysis, thermolysis, and blend). (2) In the national exam, the candidates remove three hairs per modality, but it should be a set time rather than a set number of hairs. They also disinfect table surfaces instead of sterilize. (3) California provides "treatments", but the national provides "service". (4) The SMEs want the exam language reviewed for better verbiage and more accurate terminology. (5) The SMEs suggest having presterilized/disposable needles/probes, disposable bag for clean materials, cotton swap, and nail brush with soap. (6) Question 3: How do you test a model's</p>	<p>(1) The SMEs want to keep live models instead of mannequins, prefers the use of the term "sanitation" instead of "disinfection", want to use real wax (i.e., no simulation of wax application), prefer not to have the option of the hard wax, and want the use of eye pads on all hair removal. (2) Setup and client protection section: For Q6 and Q7, the picture they give as an example does not match the verbiage that they are using. (3) Cleansing and steaming the face section: For Q7 (wringing out wet towel), it should be a demonstration of steaming the face with a "towel method" instead of a steamer. (4) The California exam currently has a procedure to establish a</p>	<p>(1) There is no step about removing nail dust before finger immersion or cleaning the nails with a nail brush, (2) Nail tip: Question 10 should be revised to "File on top of nail plate to nail tip," (3) Nail Wrap: Since some wraps have self-adhesive, you wouldn't need glue base. Also, a step should be added about using plastic or paper wrap and pressing the nails to make it stick, (4) Buffing nails should specify with what grip. (5) The picture depicting the mannequin's hand in the water in the manicure section should show only the fingers immersed in the water. One picture looks like the whole hand is in the water.</p>

		<p>Miscellaneous: The SMEs wonder why the demonstration of shampooing and disinfecting implements are not on the practical exam.</p>	<p>skin? You need to set the timing and intensity of the machine on the model's hair. Set the machine instead of "test" the machine. (7) Question 12: It should be "Slide the needle into the follicle to the proper depth". (8) Question 14: It should be placed on cotton, not a towel. (9) Question 11 and Question 13: (Applies current safely and properly). "Tweezed" should be "epilated."</p>	<p>disinfection station where they actually miss their quats, but the national exam does not. (5) Anytime a "no" is used where it says "no cleanser is used," add "or using wrong product" to the statement. (6) For all boxes that says "If immediately picked up - score yes", it should say, "If immediately picked up and disposed of, and hands are resanitized, score yes". (7) Pg. 10 mentions wearing gloves: add a "no" statement to say that if a glove is torn or ripped. (8) On pg. 12 eye protection must be used. (9) Need to identify type of mask for facial masks. (10) The SMEs were not happy with the order of the services.</p>	
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Project No

February 2012

Board of Barbering and Cosmetology, CA Department of Consumer Affairs

Inspector I, II & III, DCA

SUBMITTED BY:

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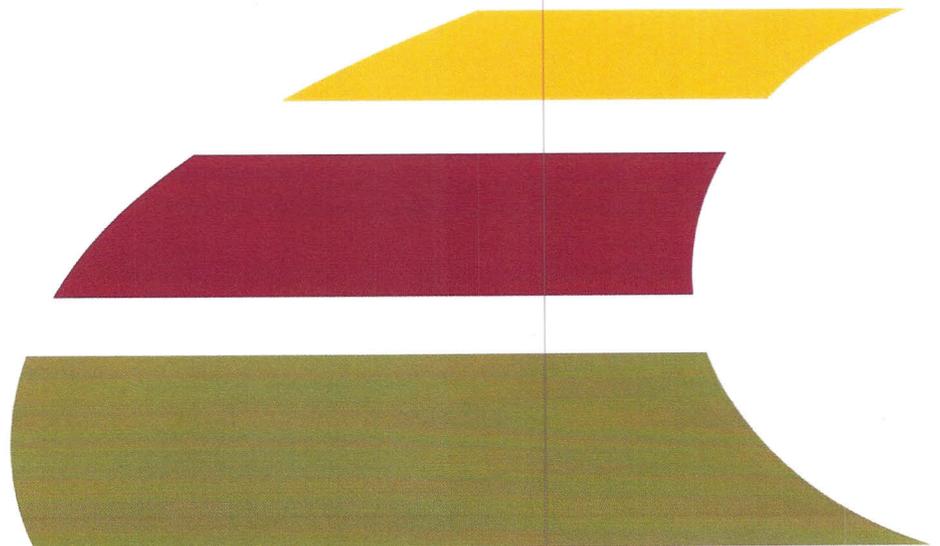


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Problem Identification

The Board of Barbering and Cosmetology, DCA has requested assistance to perform and in-depth classification study to determine if the qualifications, duties and responsibilities of the inspectors at the Board of Barbering and Cosmetology are consistent with the series specification for the Inspector, Department of Consumer Affairs. CPS has also been asked to provide classification recommendations in the event of misallocation or inappropriate use of an existing class.

Background

The California Department of Consumer Affairs (DCA) is established to provide educational information to consumers in order to prevent unscrupulous or unqualified people who promote deceptive products or services. The DCA also supports consumers by providing current license status information, including disciplinary action on professionals licensed or certified through its boards and bureaus. The DCA provides consumer support through more than 40 bureaus, programs, boards, committees, commission and other entities that license practitioners in multiple categories of professions.

Established in 1927, The Board of Barber Examiners and The Board of Cosmetology were merged in 1992 to create what is now known as the Board of Barbering and Cosmetology (BBC). Currently, the BBC is one of the many boards of the DCA established to provide consumer protection by ensuring that only qualified barbers, cosmetologists, manicurists, estheticians, electrologists and establishments are properly qualified and licensed. The BBC is primarily responsible for Business and Professions Code section 7312 and all applicable health and safety rules of the California Code of Regulations. The BBC ensures that applicants for all categories of licensure have completed the necessary training and passed a written and practical examination. The examination ensures that individuals possess the knowledge and skills required to protect the public's health and safety. After successfully passing the examination, applicants are issued the applicable license by the BBC.

The BBC consists of 9 Board Members appointed by the Governor, an Executive Director and 94 employees. The Board oversees approximately 450,000 active licensees and establishments with an operating budget of \$17 million. The BBC's health and safety rules are enforced through the BBC's Inspection Unit which conducts random and targeted health and safety inspections of establishments and schools. For FY 2010/2011, the BBC issued 29,061 licenses, renewed 209,164 licenses, and conducted 11,202 inspections through which 16,782 citations for various violations were issued.

The Inspector Class Series for the BBC was created in 1963 and was last revised in 1972. During this period, the industry consisted mostly of small hair salons and barber shops owned by single proprietors. The majority of services were for hair cutting, styling, coloring,

perms, roller sets and comb-outs. Manicures were incidental to the hair services. “Nail only” shops were nonexistent as were whirlpool pedicure spa chairs; facials were limited to steaming, cleansing and massage, commonly referred to as “basic skin care”. Incidents of consumers contracting communicable diseases were rare or almost nonexistent.

Today, the industry has greatly expanded where establishments are increasing in size and services by offering work space for rent to “independent contractors”. These independent contractors range from barbers and cosmetologists to manicurists and estheticians and have dramatically increased the number of licensed and non-licensed practitioners. This expansion has also increased the number and range of equipment used, as well as various hair and skin products. Many of these products and equipment have not been approved for use in the industry which poses a substantial health and safety risk for the consumer.

In addition to inspection checklists required in the pre-1990s, inspectors are now required to be able to recognize communicable diseases, document and maintain custody of evidence, issue citations with fine assessments up to \$5,000, conduct field investigations and write reports. Inspectors also must have a strong working knowledge of the California Code of Regulations, as well as various California Laws.

In the inspection and enforcement of the laws and regulations, BBC inspectors are subjected to increased risk to their health and safety. As barber shops, hair salons and nail salons proliferate, Inspectors are more and more exposed to hostile conditions. With the proliferation of these shops, there is an increase in unlicensed and untrained operators which promotes conditions for illegal practices and illegal activity. As a result, inspectors are vulnerable to potential criminal activity and individuals who take part in this activity, thus exposing inspectors to potential harm.

Methodology

In response to the client’s identified problems, CPS performed the following:

- Document Review: The CPS consultant worked with the BBC representative to obtain various support documents such as class specifications, duty statements and organization charts, agency information and responsibilities.
- Interviews: The CPS consultant conducted interviews with incumbents selected by BBC to confirm and clarify duties and responsibilities performed. The CPS consultant also conducted job site interviews with inspectors (and supervisors) for the Medical and Dental Boards, the Bureau of Electronic and Appliance Repair and Home Furnishing and Thermal Insulation (BEARHTI).
- Research: Comparison with the Enforcement Representative Class Series (non-peace officer) and other state classes

- PDQs: The CPS Consultant also reviewed and analyzed Position Description Questionnaires from incumbents of the California Contractors State Licensing Board and consulted with the CSLB project consultant for clarification of duties.

Findings

For purposes of this study, CPS used a whole job analysis approach. This approach compares jobs with one another on the basis of an overall evaluation of difficulty or responsibility. The entire position including: the skills required, the decision-making authority, the scope and the magnitude and accountability, is compared as a whole to other positions.

Classification studies often find that positions are assigned a wide range of duties and that incumbents have various levels of responsibility at any one time. Preponderance is a measure of importance and typically positions are classified based on the preponderant duties.

Our research indicates that the Inspector I, II & III, BBC, performs inspections duties and responsibilities that are consistent with the current class specification series. Current inspector Is and IIs are assigned geographical areas and perform inspections on barber shops, hair salons, nail salons, schools and other related practices. The inspections are for compliance with State Health and Safety Laws and Regulations promulgated by the BBC. The Inspector III level is the first line supervisor and supervises a geographical area consisting of five or more inspectors. The Inspector IIIs assign, direct and review the work of inspectors engaged in their inspections and provides information and receives direction from headquarters management. They will also participate in large and complex inspections involving multiple regulatory agencies. Data and information collected supports a finding that Inspector IIIs are performing duties and responsibilities as defined in the existing classification specification.

Working level inspectors conduct unannounced inspections of an establishment in which barbering, cosmetology (including nail services), esthetician and electrology services are performed. In order to ensure compliance with the BBC Laws and Rules, the inspector will locate each work station and verify the license status of the operator before commencing a detailed inspection. The inspector will inspect for cleanliness of the station, equipment and instruments. The inspector will also check that hair products, lotions, creams, and disinfectants are approved and that foot spas, hair cutting tools (electrical and nonelectrical) are clean and free of debris and contamination. Upon completion of the inspection, the Inspector discusses the results of the inspection with each operator and the owner of the establishment. At that time, an Inspection Report will be issued, specifying the nature of any and each violation. The Inspection Report form will then be sent to the Cites and Fines Unit where the penalty for the violations will be determined and sent to the

licensee. The Cites and Fines Unit then determines what, if any, action to take - including fines or suspensions.

Discussion/Analysis

The BBC consists of nine (9) Board Members, an Executive Officer and Assistant Executive Officer. The Inspections Unit is one of five units that make up the BBC and consists of a Staff Services Manager I who manages three regions through three (3) Inspector III (supervisors) and approximately 22 inspector I and II positions for the three regions. Prior to the 1990s, inspectors were required to utilize checklists for their inspections and indicated the most common violations and infractions of regulations. The inspectors needed skills in inspection techniques and a general knowledge of the laws and regulations.

Today, with the proliferation of barber shops, hair salons, nail salons, schools, estheticians, electrologists and other ancillary services, the inspectors must now have knowledge for various instruments and tools used, hair and beauty products (both approved and non-approved for use) and various diseases associated with unsafe and unsanitary practices. Additionally, as a consequence of this proliferation, there exists increased unlicensed establishments and practitioners which exposes the public and inspectors to potential health and safety conditions, hostile environments and in some cases, illegal activity. Working alone, inspectors in the field have been subjected to threats to person and property and vandalism on state vehicles. In many instances, establishment owners/operators who are often unlicensed become irate and hostile and who, on occasion, have physically attacked or threatened inspectors.

As part of this classification study, a review of the Enforcement Representative (Non-peace Officer) class series was conducted. This class series is used exclusively by the Contractors State Licensing Board (CSLB), who is charged with licensing, regulating and enforcing the laws and rules governing contractors working in the state. The CSLB is governed by a 15 Member Board, appointed by the Governor and the executive officer or Registrar of Contractors, who directs the administrative policy and operations of the Board. The CSLB licenses and regulates more than 300,000 licensed contractors that constitute the construction industry.

The Registrar has approximately 400 employees statewide, who receives and processes applications for licenses, maintains disciplinary status of licensees, and investigates consumer complaints against licensed and unlicensed contractors. As part of the enforcement program, the CSLB employs the Statewide Investigative Fraud Team (SWIFT) which focuses on the underground economy and on unlicensed contractors. This unit conducts stings and sweeps to help curtail illegal contracting by citing those who are not licensed.

The Enforcement Representative Class Series (ER) is the primary classification used for the SWIFT Unit and other enforcement activities where the primary assignment is investigations and public consumer contact.

The ERs Investigate consumer complaints against licensed and unlicensed contractors, refers violations for administrative and criminal disciplinary actions, interview complainants, take witness statements, obtain and preserve evidence and when required, testify in court proceedings and serve as expert witnesses. The ERs also serve as team members in SWIFT activities, by participating in sting operations, joint multiagency taskforces, undercover operations and arrests.

As a result of the above findings, incumbents in the Inspector series appear to be appropriately classified; i.e. duties and responsibilities are consistent with the class specifications. In comparing the inspector duties with the ER I and II classes, there are substantive differences. While the inspector's duties are primarily administrative, using an established protocol (i.e. Inspection Report form & BBC laws and rules) the ER duties are investigative and resolution oriented in nature. Investigations are typically open-ended and entail the collection of information (interviews and evidence), analysis, and a recommended action(s) that remedy a problem or situation and are administrative but frequently can be criminal. The enforcement program for inspectors consists of using the Inspection Report Form to determine if operators are in compliance or in violation of the Board's laws and rules and substantiate violations through photographs. Once the inspection of the establishment is completed, the inspector then discusses the report and violations (if any) with each operator and business owner. Enforcement duties for ER's consist of reviewing and analyzing complaints and seeking resolution, participating in sting operations, investigations of fraud, collection of evidence, interviewing witness, issuing stop work orders and working with other law enforcement agencies in suspected criminal activities or administrative violations.

Although the duties of the incumbent Inspectors appears consistent with the class specifications, the disparity in salary between the Inspector class series and the ER class series is concerning. It is reasonable to assume that the ER I entry level salary is based on investigative duties and responsibilities and minimum qualifications of four (4) years of college or journey level experience in the construction trades, whereas the entry level inspector I requires two (2) years of college or two years of inspection experience. Based on the above, it is believed that while commensurate salaries between the two classes is not supportable, a request for an incremental increase in salary for the inspector classes should be considered and the employer may want to request such an increase for the next round of contract negotiations. In making the request to the Department of Personnel Administration (DPA) (or CalHR given the creation of the new agency), recruitment and retention factors must be examined; however, we believe several challenges will be encountered.

The BBC currently has approximately 22 full time permanent Inspector I and II positions, including 5 full time permanent inspector positions vacant (4 Inspector I & 1 inspector II).

The last examination for the Inspector I & II classes were given in 2010, which resulted in a list consisting of 21 eligibles for the inspector I and 8 eligibles for the inspector II. Most, if not all applicants for the exams are current state employees. There appears to be several barriers for recruiting qualified applicants from outside state service. First, is that inspectors must reside in the geographical location of their respective assignment; second, it is speculated that potential applicants can receive higher salaries elsewhere and third, is that aggressive statewide recruitment efforts are restricted because of budget constraints. In view of the above, additional documentation on recruitment efforts must be examined and a review of past exit interviews should be examined to determine the extent and nature of retention difficulties.

Additional Observations

In addition to the above findings, CPS did find that incumbents in the Inspector I and II classes perform the same variety and level of inspections. After a minimal training period and with general supervision, Inspector I incumbents are assigned areas for inspections substantially the same as incumbents in the Inspector II class and conduct the required inspections with the same independence as the Inspector IIs. It would not be unreasonable to allow incumbents in the Inspector I class movement to the Inspector II class (via Alternate Range Change) after a reasonable period and when proficiency is demonstrated.

As previously noted above, while determining an appropriate salary range for the Inspector Class Series was not a CPS primary charge for this study, it was found that a substantial salary disparity exists between the Inspector and Enforcement Representative classes. Although the perception may exist that the Inspector Class Series and the Enforcement Representative Class series may be comparable, there are significant differences in class concept, duties and qualifications that do not bode well as comparisons. To pursue a salary increase for the Inspector Class Series, significant challenges must be met; such as, quantitative data that depict aggressive recruitment difficulties and retention difficulties and qualitative data (exit interviews), without which, the effort would be unsuccessful.

Notwithstanding the fact that the scope of study for this effort was limited to a classification study of the inspector incumbents, and that in fact we find the incumbents to be properly classified, we recommend that the employer consider two other options:

1. Given the similarity of duties, the employer should consider consolidating the current classes of Inspector I and II into a single class with two alternate ranges;
2. As soon as possible, propose a salary increase to be considered for the next round of bargaining, emphasizing the salary disparity between the subject class and ERs and if available any turnover, retention, or recruitment problems.

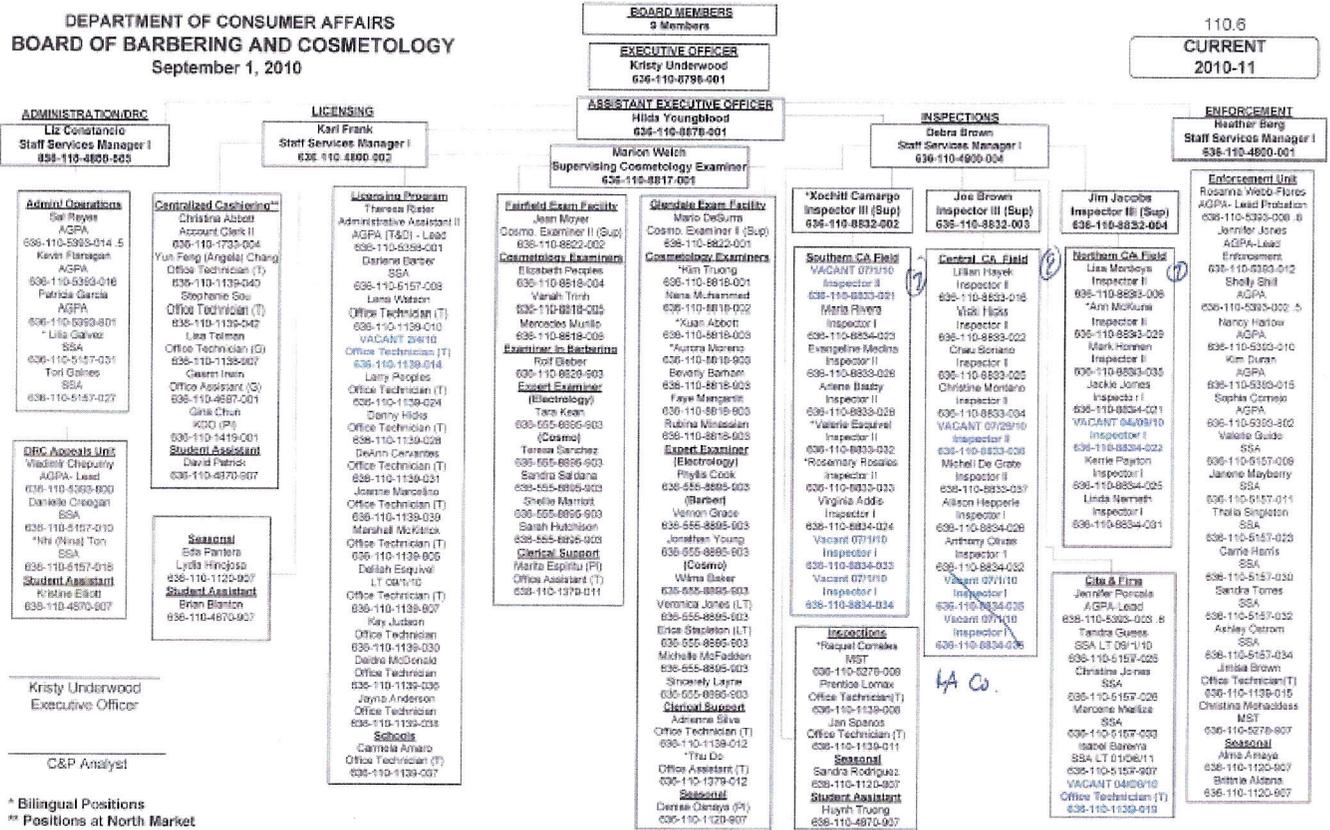
CPS is pleased to submit this Report for your consideration. Once the Department has reviewed these recommendations, CPS will be pleased to meet with you to consider all feedback and suggestions prior to preparing a Final Report. Please contact Roy Minami via email (rminami@cps.ca.gov) or telephone (916)599-0508 with any questions or to schedule the suggested meeting.

Attachment A

Inspector Interviews

<u>Date Interviewed</u>	<u>Name</u>
07/20/2011	Allison Hepperle, Inspector I, BBC
07/21/2011	Anne McKune, Inspector II, BBC
08/10/2011	James Jacobs, Inspector III, BBC
08/10/2011	Joe Brown, Inspector III, BBC
08/10/2011	Xochiti Camargo, Inspector III, BBC *
09/21/2011	Nancy Butler, Supervising Investigator, Dental Board
09/21/2011	Shirley Boldrini, Inspector II, Dental Board
10/05/2011	Rachel Wachholz-Lasota, Inspector III, Medical Board
10/05/2011	Irene Bisson, Inspector III, Medical Board
10/05/2011	Natalie Estrada, inspector II, Medical Board
10/05/2011	Bertha Hernandez, Inspector I, Medical Board
10/06/2011	Terri Lane, Supervising Investigator, Dental Board
10/06/2011	Dwaylon Calhoun, Inspector II, Dental Board
10/25/2011	Joanne Mikami, Bureau Chief (Acting), BEARHFTI
10/25/2011	Theresa Siepert, SSM I, BEARHFTI
10/25/2011	Zenaida Mercado, Inspector II, BEARHFTI

Attachment B
Organization Chart



Attachment C
Class Specifications

Inspector_I_DCA_s8834[1].txt
SPEC: INSPECTOR I, DEPARTMENT OF CONSUMER AFFAIRS
CALIFORNIA STATE PERSONNEL BOARD

SPECIFICATION

Schematic Code: vw10
Class Code: 8834
Established: 10/24/63
Revised: 12/7/72
Title Changed: 11/23/70

INSPECTOR I, DEPARTMENT OF
CONSUMER AFFAIRS

DEFINITION

Under direction, to assure compliance with the provisions of the Administrative and Business and Professions Codes by conducting inspections in one or a combination of business activities; and to do other related work.

TYPICAL TASKS

In an assigned district, makes inspections and investigations and takes samples in the enforcement of the provisions of State laws such as those requiring the licensing of barbers, apprentices, barbershops and schools, cosmetologists, electrologists, instructors in cosmetology and electrology, cosmetology shops and schools, manicurists, dry cleaning shops and plants, spotters and pressers, fur and hat renovators, manufacturers, wholesalers, suppliers, and retailers of upholstered furniture or bedding or those items containing concealed filling materials, veterinary hospitals, and electronic dealer records; investigates complaints in connection with alleged violations of law; gathers evidence for use and assistance in hearings and prosecutions; writes investigation reports and maintains records of inspections and activities; maintains working relationships with law enforcement agencies; has wide contact with the public and assists the public by furnishing information concerning the particular acts within the Business and Professions Code; interviews and consults with licensees to determine causes of violations and to encourage compliance.

MINIMUM QUALIFICATIONS

Either I

Two years of experience with a governmental agency in one or a combination of the following:

1. Inspection of business establishments for compliance with laws, rules, regulations, and standards. or
2. In law enforcement which has included some investigation work.

Inspector I, Department of Consumer Affairs

-2-

Inspector_I_DCA_s8834[1].txt
Or II

Education:

Equivalent to completion of two years of college with at least 12 units in police science or criminology. (Students within one semester of completing the required two years of college will be admitted to the examination but must produce evidence of completion before they can be considered eligible for appointment.)

KNOWLEDGE AND ABILITIES

Knowledge of: State laws, rules, and regulations regarding individuals and businesses licensed by various agencies with the Department of Consumer Affairs; laws of arrest and rules of evidence and procedures followed in court and administrative hearings; inspection techniques and procedures; industry practices and inspection problems such as those encountered in the barber, cosmetology, dry cleaning, and furniture and bedding businesses, veterinary hospitals, and yacht and ship brokerage establishments.

Ability to: Read and write English at a level required for successful job performance; interpret and apply sections of State laws which relate to individuals and businesses licensed by various agencies in the Department of Consumer Affairs; analyze data and draw sound conclusions; think and act quickly in emergencies; write complete and concise reports; deal with the public in a courteous and fair minded manner.

SPECIAL PERSONAL AND PHYSICAL CHARACTERISTICS

Ability to walk long distances; willingness to travel throughout the state and work odd and irregular hours; keenness of observation; and neat personal appearance.

ADDITIONAL DESIRABLE QUALIFICATION

Education equivalent to completion of the twelfth grade.

Inspector_II_DCA_s8833[1].txt
SPEC: INSPECTOR II, DEPARTMENT OF CONSUMER AFFAIRS
CALIFORNIA STATE PERSONNEL BOARD

SPECIFICATION

Schematic Code: VV90
Class Code: 8833
Established: 11/19/65
Revised: --
Title Changed: 11/23/70

INSPECTOR II, DEPARTMENT OF
CONSUMER AFFAIRS

DEFINITION

Under general direction, to assure compliance with the provisions of the Administrative and Business and Professions Codes and (1) in an assigned geographic area or small field office, to act as a field representative of the Department, and to conduct independent inspections in all activities assigned to the Division of Investigation, Department of Consumer Affairs, including the most difficult and complex assignments; or (2) to assist an Inspector 111, Department of Consumer Affairs, in the supervision and administration of a larger district; or (3) to act as a leadperson and provide training for lower level inspection staff; and to do other related work.

TYPICAL TASKS

Assigns, trains, and supervises staff, and plans, organizes and performs the work of inspecting businesses and professional activities for compliance with laws, rules and regulations contained in the Administrative and Business and Professions Codes; acts as a field representative for the Department and interprets and explains the provisions of laws, rules, regulations, and policies to field inspectors, licensees, and the general public; examines records, takes samples for physical and chemical evaluations, collects data and reports facts; prepares cases and appears in court or at administrative hearings; evaluates the performance of the staff and recommends appropriate action; reviews and evaluates reports and prepares workload statistics; makes or participates in the more difficult field inspections and investigations; works closely with and secures the confidence of Federal, State, and local law enforcement agencies; dictates correspondence and prepares reports.

MINIMUM QUALIFICATIONS

Either I
One year of experience performing the duties of an Inspector @,
Department of Consumer Affairs, in the California state service.

Inspector II, Department of Consumer Affairs

-2-

Inspector_II_DCA_s8833[1].txt
Or II

Experience:

Three years of experience with a governmental agency in one or a combination of the following:

1. Inspection of business establishments for compliance with laws, rules, regulations and standards. or
2. In law enforcement which has included some investigation work. (Equivalent to completion of two years of college with at least 12 units in police science or criminology may be substituted for two years of the required experience.) and twelfth grade.

Education:

Equivalent to completion of the twelfth grade. (Additional qualifying experience may be substituted for the required education on a year-for-year basis.)

KNOWLEDGE AND ABILITIES

Knowledge of: State laws, rules, and regulations regarding individuals and businesses licensed by various agencies with the Department of Consumer Affairs; laws of arrest and rules of evidence and procedures followed in court and administrative hearings; inspection techniques and procedures; the techniques of identifying, preserving and presenting evidence; practices and problems of the barber, cosmetology, dry cleaning, furniture and bedding industry, veterinary hospitals and yacht and ship brokerage establishments. Familiarity with principles and techniques of supervision and training.

Ability to: Interpret and apply to specific cases provisions of the laws, rules, or regulations enforced or administered; review and evaluate the work of others and give guidance and counsel in work methods and procedures; speak effectively and prepare complete and concise reports; establish and maintain cooperative relations with Federal, State, and local law enforcement agencies, analyze data and draw sound conclusions; think and act quickly in emergencies; deal with the public in a courteous and fair-minded manner.

SPECIAL PERSONAL AND PHYSICAL CHARACTERISTICS

Ability to walk long distances; willingness to work odd and irregular hours in various locations throughout the State; keenness of observation; and neat personal appearance.

Inspector_III_DCA_s8832[1].txt
SPEC: INSPECTOR III, DEPARTMENT OF CONSUMER AFFAIRS
CALIFORNIA STATE PERSONNEL BOARD

SPECIFICATION

Schematic Code: vv85
Class Code: 8832
Established: 7/13/92
Revised: 12/7/72
Title Changed: 11/23/70

INSPECTOR III, DEPARTMENT OF CONSUMER AFFAIRS

DEFINITION

under general direction, to be responsible for a large district requiring five or more inspectors of lower levels and to plan, organize, direct, and train the staff to conduct inspections of business and professional activities for compliance with the provisions of the Administrative and Business and Professions Codes; and to do other related work.

TYPICAL TASKS

Plans, organizes, and assigns work; reviews reports and passes upon problems in connection with directing the work of a staff engaged in the inspection of commercial shops, schools, stores, plants, or professional offices; attends hearings and court cases and assists in prosecution; consults with and advises industry or professional groups on state laws, rules, and regulations; consults with and interprets departmental policies to inspectors in the field; plans and supervises training programs for inspectors; evaluates their performance and takes appropriate action; maintains liaison with other governmental agencies responsible for regulating the operations of these establishments; dictates correspondence and prepares reports.

MINIMUM QUALIFICATIONS

Either I

Two years of experience in the California state service performing the duties of an Inspector II, Department of Consumer Affairs.

Or II

Five years of experience in inspection or investigation work in connection with law enforcement.

KNOWLEDGE AND ABILITIES

knowledge of: state laws, rules, and regulations regarding individuals and businesses licensed by various agencies with the Department of Consumer Affairs; methods of checking complaints regarding alleged violations, securing facts, and preparing reports; rules of evidence and court procedures; methods of identification, preservation, and presentation of evidence; laws of search and seizure, arrest, and service of legal process, and with the legal rights of citizens; principles of effective supervision and training and directing inspectors engaged in inspection and investigation

Page 1

Inspector_III_DCA_s8832[1].txt

work; the Department's Affirmative Action Program objectives; a manager's role in the Affirmative Action Program and the processes available to meet affirmative action objectives.

Ability to: Read and write English at a level required for successful job performance; train and direct inspectors engaged in inspection and investigation work; interpret and apply to specific cases the provisions of the laws, rules, or regulations enforced or administered; obtain information by observation, record examination, correspondence, and interview, and analyze and evaluate such information; deal with citizens and public officials under conditions requiring a high degree of tact and good judgment; establish and maintain cooperative working relationships with others; analyze situations accurately and take effective action; prepare correspondence and reports; effectively contribute to the Department's affirmative action objectives.

SPECIAL PERSONAL CHARACTERISTICS

Willingness to work long and irregular hours; keenness of observation; and neat personal appearance.

ADDITIONAL DESIRABLE QUALIFICATION

Education equivalent to completion of the twelfth grade.



Section 13

Section 13

Board Specific Issues

Disciplinary Review Committee

DRC Statistics

Disciplinary Review Committee

Business and Professions Code section 7410 established the Disciplinary Review Committee (DRC) for the Board. The DRC allows an individual who has been cited and fined to appeal the violation by appearing in person or submitting in writing their evidence relating to the facts and circumstances regarding the citation. Per CCR section 974.2(d) the cited individual can contest or appeal any of the following aspects of the citation:

- the occurrence of a violation
- the period of time for correction
- the amount of the fine

The DRC is comprised of three members of the Board (CCR section 974.1(a)). The Board President appoints members to the DRC on an annual basis; however, due to the volume of appeals, members that do not serve on a regular basis on the DRC are selected as alternates. These members are called upon, should the need arise. All meetings of the DRC are held in accordance with the Open Meetings Act and are noticed on the Board's website. In addition, statistical updates on the DRC are provided at each Board meeting and the public is encouraged to attend the hearings.

The DRC hearings are held on a monthly basis. The only time there is difficulty in scheduling these meetings is if there is not an approved state budget and therefore, staff is not able to travel. While that has happened over the years, the hearings are held in Sacramento to ensure the work flow continues.

In the last three years the DRC held 107 meetings. The monthly meetings of the DRC are for three days at a time. An average of 80 cases is heard at each meeting (240 cases a month). There are currently 2,686 cases pending. The Board is addressing the backlog by scheduling a higher number of cases each month.

The Board makes every effort to minimize the costs associated with conducting the DRC hearings. All meetings are held at State facilities and the number of staff attending the hearings has been reduced. Costs for DRC can average on a monthly basis anywhere from \$1,000 to \$4,000 depending on the location of the hearings. Costs are primarily related to the costs of travel for members and staff. List below are the annual costs for the DRC.

FY 09/10	FY 10/11	FY 11/12
\$45,021	\$39,030	\$33,448

DRC Statistics

DRC Statistics as of June 30, 2012			
	FY 2009/10	FY 2010/11	FY 2011/12
Total Appeals Received	2,222	3,434	3,660
Appeals Pending at FY End	1,040	1,910	2,550
Hearings			
Scheduled	2,242	2,536	2,971
Appeared	837	941	922
Defaulted	256	301	273
Written Testimony	1,021	1,138	1,622
Withdrawals	128	156	115





Appendices

Appendix 1 Table 1a. Board Member Attendance

Appendix 2 Table 1b. Board/Committee Member Roster

Appendix 3 Regulation Changes That Have Occurred

Since the Last Sunset Review

Appendix 4 DCA Quarterly Performance Measure Reports

Appendix 5 Customer Satisfaction On-line Survey

Appendix 6 Outreach Events

Table 1a. Attendance **Appendix 1**

Christie Truc Tran (Professional Member)

Date Re-appointed: 1/1/2011

Meeting Type	Meeting Date	Meeting Location	Attended?
Board Meeting (Day 1)	1/24/2010	Santa Clara	Yes
Board Meeting (Day 2)	1/25/2010	Santa Clara	Yes
DRC Hearing	1/26/2010	Santa Clara	No
DRC Hearing	1/27/2010	Santa Clara	No
DRC Hearing	1/28/2010	Santa Clara	No
DRC Hearing	2/23/2010	Los Angeles	No
DRC Hearing	2/24/2010	Los Angeles	No
DRC Hearing	2/25/2010	Los Angeles	No
DRC Hearing	3/22/2010	Los Angeles	No
DRC Hearing	3/23/2010	Sacramento	No
DRC Hearing	3/24/2010	Sacramento	No
Board Meeting (Day 1)	4/18/2010	Sacramento	Yes
Board Meeting (Day 2)	4/19/2010	Sacramento	Yes
DRC Hearing	4/27/2010	Los Angeles	Yes
DRC Hearing	4/28/2010	Los Angeles	No
DRC Hearing	4/29/2010	Los Angeles	Yes
DRC Hearing	5/18/2010	Los Angeles	No
DRC Hearing	5/19/2010	Los Angeles	No
DRC Hearing	5/20/2010	Los Angeles	Yes
DRC Hearing	6/22/2010	Los Angeles	No
DRC Hearing	6/23/2010	Los Angeles	No
DRC Hearing	6/24/2010	Los Angeles	Yes
Board Meeting	7/28/2010	Sacramento	Yes
DRC Hearing	7/29/2010	Sacramento	Yes
DRC Hearing	7/30/2010	Sacramento	Yes
DRC Hearing	8/23/2010	Sacramento	No
DRC Hearing	8/24/2010	Sacramento	Yes
DRC Hearing	8/25/2010	Sacramento	Yes
DRC Hearing	9/27/2010	Sacramento	Yes
DRC Hearing	9/28/2010	Sacramento	Yes
DRC Hearing	9/29/2010	Sacramento	Yes
Board Meeting (Day 1)	10/25/2010	Sacramento	Yes
Board Meeting (Day 2)	10/26/2010	Sacramento	Yes
DRC Hearing	10/27/2010	Sacramento	Yes
DRC Hearing	10/28/2010	Sacramento	No
DRC Hearing	10/29/2010	Sacramento	No
DRC Hearing	11/16/2010	San Diego	No
DRC Hearing	11/17/2010	San Diego	No
DRC Hearing	11/18/2010	San Diego	No
DRC Hearing	12/14/2010	Los Angeles	Yes
DRC Hearing	12/15/2010	Los Angeles	Yes
DRC Hearing	12/16/2010	Los Angeles	Yes
DRC Hearing	1/18/2011	Los Angeles	Yes
DRC Hearing	1/19/2011	Los Angeles	Yes
DRC Hearing	1/20/2011	Los Angeles	Yes
Board Meeting	1/21/2011	San Diego	Yes
DRC Hearing	2/23/2011	Los Angeles	Yes

DRC Hearing	2/24/2011	Los Angeles	Yes
DRC Hearing	2/25/2011	Los Angeles	Yes
DRC Hearing	3/28/2011	Sacramento	No
DRC Hearing	3/29/2011	Sacramento	Yes
DRC Hearing	3/30/2011	Sacramento	Yes
Board Meeting (Day 1)	4/25/2011	Sacramento	Yes
Board Meeting (Day 2)	4/26/2011	Sacramento	Yes
DRC Hearing	4/27/2011	Sacramento	Yes
DRC Hearing	4/28/2011	Sacramento	Yes
DRC Hearing	4/29/2011	Sacramento	Yes
DRC Hearing	5/24/2011	San Diego	Yes
DRC Hearing	5/25/2011	San Diego	Yes
DRC Hearing	5/26/2011	San Diego	Yes
DRC Hearing	6/15/2011	Los Angeles	Yes
DRC Hearing	6/16/2011	Los Angeles	No
DRC Hearing	6/17/2011	Los Angeles	Yes
Board Meeting (Day 1)	7/11/2011	Sacramento	Yes
Board Meeting (Day 2)	7/12/2011	Sacramento	Yes
DRC Hearing	7/13/2011	Sacramento	Yes
DRC Hearing	7/14/2011	Sacramento	Yes
DRC Hearing	7/15/2011	Sacramento	Yes
DRC Hearing	8/22/2011	Sacramento	No
DRC Hearing	8/23/2011	Sacramento	No
DRC Hearing	8/24/2011	Sacramento	No
DRC Hearing	9/27/2011	Los Angeles	Yes
DRC Hearing	9/28/2011	Los Angeles	Yes
DRC Hearing	9/29/2011	Los Angeles	Yes
Board Meeting (Day 1)	10/17/2011	Santa Ana	Yes
Board Meeting (Day 2)	10/18/2011	Santa Ana	Yes
DRC Hearing	10/19/2011	Santa Ana	Yes
DRC Hearing	10/20/2011	Santa Ana	Yes
DRC Hearing	10/21/2011	Santa Ana	Yes
DRC - Written Testimony	11/15/2011	Sacramento	No
DRC - Written Testimony	11/16/2011	Sacramento	No
DRC - Written Testimony	11/17/2011	Sacramento	No
DRC Hearing	12/13/2011	Los Angeles	Yes
DRC Hearing	12/14/2011	Los Angeles	Yes
DRC Hearing	12/15/2011	Los Angeles	Yes
DRC Hearing	1/24/2012	Long Beach	Yes
DRC Hearing	1/25/2012	Long Beach	Yes
DRC Hearing	1/26/2012	Long Beach	Yes
Board Meeting	2/6/2012	Sacramento	Yes
DRC Hearing	2/28/2012	Norwalk	Yes
DRC Hearing	2/29/2012	Norwalk	Yes
DRC Hearing	3/1/2012	Norwalk	Yes
Board Meeting	3/19/2012	Sacramento	Yes
DRC Hearing	3/21/2012	Sacramento	No
DRC Hearing	3/22/2012	Sacramento	No
DRC Hearing	3/23/2012	Sacramento	No
DRC Hearing	4/17/2012	San Diego	Yes
DRC Hearing	4/18/2012	San Diego	Yes
DRC Hearing	4/19/2012	San Diego	Yes

Board Meeting	4/30/2012	Sacramento	Yes
Enforcement Committee Meeting	5/1/2012	Sacramento	No
DRC Hearing	5/15/2012	Norwalk	No
DRC Hearing	5/16/2012	Norwalk	Yes
DRC Hearing	5/17/2012	Norwalk	Yes
DRC Hearing	6/19/2012	Sacramento	No
DRC Hearing	6/20/2012	Sacramento	No
DRC Hearing	6/21/2012	Sacramento	No
Enforcement Committee Meeting	7/16/2012	Sacramento	N/A
DRC Hearing	7/23/2012	Sacramento	No
DRC Hearing	7/24/2012	Sacramento	No
DRC Hearing	7/25/2012	Sacramento	No
Board Meeting (Day 1)	7/30/2012	Sacramento	Yes
Board Meeting (Day 2)	7/31/2012	Sacramento	Yes
Licensing Committee Meeting	8/13/2012	Sacramento	No
DRC Hearing	8/27/2012	Sacramento	No
DRC Hearing	8/28/2012	Sacramento	No
DRC Hearing	8/29/2012	Sacramento	No
DRC Hearing	9/25/2012	Norwalk	Yes
DRC Hearing	9/26/2012	Norwalk	Yes
DRC Hearing	9/27/2012	Norwalk	Yes
Board Meeting	10/22/2012	Costa Mesa	Yes
DRC Hearing	10/29/2012	Sacramento	No
DRC Hearing	10/30/2012	Sacramento	No
DRC Hearing	10/31/2012	Sacramento	No
Term Ends	1/1/2015		

Joseph Federico (Professional Member)			
Date Appointed:		12/29/2011	
Meeting Type	Meeting Date	Meeting Location	Attended?
DRC Hearing	1/24/2012	Long Beach	No
DRC Hearing	1/25/2012	Long Beach	No
DRC Hearing	1/26/2012	Long Beach	No
Board Meeting	2/6/2012	Sacramento	Yes
DRC Hearing	2/28/2012	Norwalk	No
DRC Hearing	2/29/2012	Norwalk	No
DRC Hearing	3/1/2012	Norwalk	No
Board Meeting	3/19/2012	Sacramento	Yes
DRC Hearing	3/21/2012	Sacramento	Yes
DRC Hearing	3/22/2012	Sacramento	Yes
DRC Hearing	3/23/2012	Sacramento	Yes
DRC Hearing	4/17/2012	San Diego	No
DRC Hearing	4/18/2012	San Diego	No
DRC Hearing	4/19/2012	San Diego	No
Board Meeting	4/30/2012	Sacramento	Yes
Enforcement Committee Meeting	5/1/2012	Sacramento	No
DRC Hearing	5/15/2012	Norwalk	No
DRC Hearing	5/16/2012	Norwalk	No
DRC Hearing	5/17/2012	Norwalk	No
DRC Hearing	6/19/2012	Sacramento	Yes
DRC Hearing	6/20/2012	Sacramento	Yes
DRC Hearing	6/21/2012	Sacramento	Yes
Enforcement Committee Meeting	7/16/2012	Sacramento	N/A
DRC Hearing	7/23/2012	Sacramento	Yes
DRC Hearing	7/24/2012	Sacramento	Yes
DRC Hearing	7/25/2012	Sacramento	Yes
Board Meeting (Day 1)	7/30/2012	Sacramento	Yes
Board Meeting (Day 2)	7/31/2012	Sacramento	Yes
Licensing Committee Meeting	8/13/2012	Sacramento	No
DRC Hearing	8/27/2012	Sacramento	No
DRC Hearing	8/28/2012	Sacramento	No
DRC Hearing	8/29/2012	Sacramento	No
DRC Hearing	9/25/2012	Norwalk	No
DRC Hearing	9/26/2012	Norwalk	No
DRC Hearing	9/27/2012	Norwalk	No
Board Meeting	10/22/2012	Costa Mesa	Yes
DRC Hearing	10/29/2012	Sacramento	Yes
DRC Hearing	10/30/2012	Sacramento	Yes
DRC Hearing	10/31/2012	Sacramento	Yes
Term Ends	1/1/2015		

Deedee Crossett (Professional Member)			
Date Re-appointed:	1/12/2011		
Meeting Type	Meeting Date	Meeting Location	Attended?
DRC Hearing	7/20/2008	Sacramento	Yes
DRC Hearing	7/21/2008	Sacramento	Yes
DRC Hearing	7/22/2008	Sacramento	No
DRC Hearing	7/23/2008	Sacramento	No
DRC Hearing	8/10/2008	Sacramento	Yes
DRC Hearing	8/11/2008	Sacramento	No
DRC Hearing	8/12/2008	Sacramento	No
DRC Hearing	8/13/2008	Sacramento	Yes
DRC Hearing	9/15/2008	Sacramento	Yes
DRC Hearing	9/16/2008	Sacramento	No
DRC Hearing	10/20/2008	Sacramento	No
DRC Hearing	10/21/2008	Sacramento	No
DRC Hearing	11/15/2008	Los Angeles	No
DRC Hearing	11/16/2008	Los Angeles	No
DRC Hearing	11/17/2008	Los Angeles	No
Board Meeting	11/18/2008	Los Angeles	Yes
DRC Hearing	12/15/2008	Ontario	No
DRC Hearing	12/16/2008	Ontario	No
DRC Hearing	12/17/2008	Ontario	No
DRC Hearing	12/18/2008	Ontario	No
DRC Hearing	12/19/2008	Ontario	No
DRC Hearing	1/26/2009	Ontario	No
DRC Hearing	1/27/2009	Ontario	No
DRC Hearing	1/28/2009	Ontario	No
Board Meeting	2/15/2009	Sacramento	Yes
DRC Hearing	2/23/2009	Los Angeles	No
DRC Hearing	2/24/2009	Los Angeles	No
DRC Hearing	2/25/2009	Los Angeles	No
DRC Hearing	3/23/2009	Los Angeles	No
DRC Hearing	3/24/2009	Los Angeles	No
DRC Hearing	3/25/2009	Los Angeles	No
DRC Hearing	4/23/2009	Sacramento	No
DRC Hearing	4/24/2009	Sacramento	No
DRC Hearing	4/25/2009	Sacramento	No
DRC Hearing	5/14/2009	Long Beach	No
DRC Hearing	5/15/2009	Long Beach	No
DRC Hearing	5/16/2009	Long Beach	No
DRC Hearing	6/25/2009	Sacramento	No
DRC Hearing	6/26/2009	Sacramento	No
DRC Hearing	6/27/2009	Sacramento	No
DRC Hearing	6/28/2009	Sacramento	No
Board Meeting (Day 1)	6/29/2009	Sacramento	Yes
Board Meeting (Day 2)	6/30/2009	Sacramento	Yes
DRC Hearing	7/27/2009	Sacramento	No
DRC Hearing	7/28/2009	Sacramento	No
DRC Hearing	7/29/2009	Sacramento	No
DRC Hearing	8/24/2009	Sacramento	No
DRC Hearing	8/25/2009	Sacramento	No

DRC Hearing	8/26/2009	Sacramento	No
DRC Hearing	9/21/2009	Long Beach	No
DRC Hearing	9/22/2009	Long Beach	No
DRC Hearing	9/23/2009	Long Beach	No
Board Meeting (Day 1)	10/4/2009	San Diego	Yes
Board Meeting (Day 2)	10/5/2009	San Diego	Yes
DRC Hearing	10/6/2009	San Diego	No
DRC Hearing	10/7/1009	San Diego	No
DRC Hearing	10/8/2009	San Diego	No
Board Meeting	11/2/2009	Sacramento	Yes
DRC Hearing	11/16/2009	Orange	No
DRC Hearing	11/17/2009	Orange	No
DRC Hearing	11/18/2009	Orange	No
Enforcement Committee Meeting	11/30/2009	Sacramento	Yes
DRC Hearing	12/14/2009	Los Angeles	No
DRC Hearing	12/15/2009	Los Angeles	No
DRC Hearing	12/16/2009	Los Angeles	No
Board Meeting (Day 1)	1/24/2010	Santa Clara	Yes
Board Meeting (Day 2)	1/25/2010	Santa Clara	Yes
DRC Hearing	1/26/2010	Santa Clara	No
DRC Hearing	1/27/2010	Santa Clara	Yes
DRC Hearing	1/28/2010	Santa Clara	Yes
DRC Hearing	2/23/2010	Los Angeles	No
DRC Hearing	2/24/2010	Los Angeles	No
DRC Hearing	2/25/2010	Los Angeles	No
DRC Hearing	3/22/2010	Sacramento	No
DRC Hearing	3/23/2010	Sacramento	No
DRC Hearing	3/24/2010	Sacramento	No
Board Meeting (Day 1)	4/18/2010	Sacramento	Yes
Board Meeting (Day 2)	4/19/2010	Sacramento	Yes
DRC Hearing	4/27/2010	Los Angeles	No
DRC Hearing	4/28/2010	Los Angeles	No
DRC Hearing	4/29/2010	Los Angeles	No
DRC Hearing	5/18/2010	Los Angeles	No
DRC Hearing	5/19/2010	Los Angeles	No
DRC Hearing	5/20/2010	Los Angeles	No
DRC Hearing	6/22/2010	Los Angeles	No
DRC Hearing	6/23/2010	Los Angeles	No
DRC Hearing	6/24/2010	Los Angeles	No
Board Meeting	7/28/2010	Sacramento	Yes
DRC Hearing	7/29/2010	Sacramento	No
DRC Hearing	7/30/2010	Sacramento	No
DRC Hearing	8/23/2010	Sacramento	No
DRC Hearing	8/24/2010	Sacramento	No
DRC Hearing	8/25/2010	Sacramento	No
DRC Hearing	9/27/2010	Sacramento	No
DRC Hearing	9/28/2010	Sacramento	No
DRC Hearing	9/29/2010	Sacramento	No
Board Meeting (Day 1)	10/25/2010	Sacramento	Yes
Board Meeting (Day 2)	10/26/2010	Sacramento	No
DRC Hearing	10/27/2010	Sacramento	No
DRC Hearing	10/28/2010	Sacramento	No

DRC Hearing	10/29/2010	Sacramento	No
DRC Hearing	11/16/2010	San Diego	No
DRC Hearing	11/17/2010	San Diego	No
DRC Hearing	11/18/2010	San Diego	No
DRC Hearing	12/14/2010	Los Angeles	No
DRC Hearing	12/15/2010	Los Angeles	No
DRC Hearing	12/16/2010	Los Angeles	No
DRC Hearing	1/18/2011	Los Angeles	No
DRC Hearing	1/19/2011	Los Angeles	No
DRC Hearing	1/20/2011	Los Angeles	No
Board Meeting	1/21/2011	San Diego	Yes
DRC Hearing	2/23/2011	Los Angeles	No
DRC Hearing	2/24/2011	Los Angeles	No
DRC Hearing	2/25/2011	Los Angeles	No
DRC Hearing	3/28/2011	Sacramento	Yes
DRC Hearing	3/29/2011	Sacramento	No
DRC Hearing	3/30/2011	Sacramento	No
Board Meeting (Day 1)	4/25/2011	Sacramento	Yes
Board Meeting (Day 2)	4/26/2011	Sacramento	Yes
DRC Hearing	4/27/2011	Sacramento	No
DRC Hearing	4/28/2011	Sacramento	No
DRC Hearing	4/29/2011	Sacramento	No
DRC Hearing	5/24/2011	San Diego	No
DRC Hearing	5/25/2011	San Diego	No
DRC Hearing	5/26/2011	San Diego	No
DRC Hearing	6/15/2011	Los Angeles	No
DRC Hearing	6/16/2011	Los Angeles	No
DRC Hearing	6/17/2011	Los Angeles	No
Board Meeting (Day 1)	7/11/2011	Sacramento	Yes
Board Meeting (Day 2)	7/12/2011	Sacramento	Yes
DRC Hearing	7/13/2011	Sacramento	No
DRC Hearing	7/14/2011	Sacramento	No
DRC Hearing	7/15/2011	Sacramento	No
DRC Hearing	8/22/2011	Sacramento	No
DRC Hearing	8/23/2011	Sacramento	No
DRC Hearing	8/24/2011	Sacramento	No
DRC Hearing	9/27/2011	Los Angeles	No
DRC Hearing	9/28/2011	Los Angeles	No
DRC Hearing	9/29/2011	Los Angeles	No
Board Meeting (Day 1)	10/17/2011	Santa Ana	Yes
Board Meeting (Day 2)	10/18/2011	Santa Ana	Yes
DRC Hearing	10/19/2011	Santa Ana	No
DRC Hearing	10/20/2011	Santa Ana	No
DRC Hearing	10/21/2011	Santa Ana	No
DRC - Written Testimony	11/15/2011	Sacramento	No
DRC - Written Testimony	11/16/2011	Sacramento	No
DRC - Written Testimony	11/17/2011	Sacramento	No
DRC Hearing	12/13/2011	Los Angeles	No
DRC Hearing	12/14/2011	Los Angeles	No
DRC Hearing	12/15/2011	Los Angeles	No
DRC Hearing	1/24/2012	Long Beach	No
DRC Hearing	1/25/2012	Long Beach	No

DRC Hearing	1/26/2012	Long Beach	No
Board Meeting	2/6/2012	Sacramento	Yes
DRC Hearing	2/28/2012	Norwalk	No
DRC Hearing	2/29/2012	Norwalk	No
DRC Hearing	3/1/2012	Norwalk	No
Board Meeting	3/19/2012	Sacramento	Yes
DRC Hearing	3/21/2012	Sacramento	No
DRC Hearing	3/22/2012	Sacramento	No
DRC Hearing	3/23/2012	Sacramento	No
DRC Hearing	4/17/2012	San Diego	Yes
DRC Hearing	4/18/2012	San Diego	No
DRC Hearing	4/19/2012	San Diego	No
Board Meeting	4/30/2012	Sacramento	Yes
Enforcement Committee Meeting	5/1/2012	Sacramento	Yes
DRC Hearing	5/15/2012	Norwalk	No
DRC Hearing	5/16/2012	Norwalk	No
DRC Hearing	5/17/2012	Norwalk	No
DRC Hearing	6/19/2012	Sacramento	No
DRC Hearing	6/20/2012	Sacramento	No
DRC Hearing	6/21/2012	Sacramento	No
Enforcement Committee Meeting	7/16/2012	Sacramento	N/A
DRC Hearing	7/23/2012	Sacramento	No
DRC Hearing	7/24/2012	Sacramento	No
DRC Hearing	7/25/2012	Sacramento	No
Board Meeting (Day 1)	7/30/2012	Sacramento	Yes
Board Meeting (Day 2)	7/31/2012	Sacramento	Yes
Licensing Committee Meeting	8/13/2012	Sacramento	No
DRC Hearing	8/27/2012	Sacramento	No
DRC Hearing	8/28/2012	Sacramento	No
DRC Hearing	8/29/2012	Sacramento	No
DRC Hearing	9/25/2012	Norwalk	No
DRC Hearing	9/26/2012	Norwalk	No
DRC Hearing	9/27/2012	Norwalk	No
Board Meeting	10/22/2012	Costa Mesa	Yes
DRC Hearing	10/29/2012	Sacramento	No
DRC Hearing	10/30/2012	Sacramento	No
DRC Hearing	10/31/2012	Sacramento	No
Term Ends	1/1/2013		

Richard Hedges (Public Member)			
Date Re-appointed:	1/14/2009		
Meeting Type	Meeting Date	Meeting Location	Attended?
DRC Hearing	7/20/2008	Sacramento	Yes
DRC Hearing	7/21/2008	Sacramento	Yes
DRC Hearing	7/22/2008	Sacramento	Yes
DRC Hearing	7/23/2008	Sacramento	Yes
DRC Hearing	8/10/2008	Sacramento	Yes
DRC Hearing	8/11/2008	Sacramento	Yes
DRC Hearing	8/12/2008	Sacramento	Yes
DRC Hearing	8/13/2008	Sacramento	No
DRC Hearing	9/15/2008	Sacramento	Yes
DRC Hearing	9/16/2008	Sacramento	Yes
DRC Hearing	10/20/2008	Sacramento	Yes
DRC Hearing	10/21/2008	Sacramento	Yes
DRC Hearing	11/15/2008	Los Angeles	Yes
DRC Hearing	11/16/2008	Los Angeles	Yes
DRC Hearing	11/17/2008	Los Angeles	Yes
Board Meeting	11/18/2008	Los Angeles	Yes
DRC Hearing	12/15/2008	Ontario	Yes
DRC Hearing	12/16/2008	Ontario	Yes
DRC Hearing	12/17/2008	Ontario	Yes
DRC Hearing	12/18/2008	Ontario	Yes
DRC Hearing	12/19/2008	Ontario	Yes
DRC Hearing	1/26/2009	Ontario	No
DRC Hearing	1/27/2009	Ontario	No
DRC Hearing	1/28/2009	Ontario	No
Board Meeting	2/15/2009	Sacramento	Yes
DRC Hearing	2/23/2009	Los Angeles	No
DRC Hearing	2/24/2009	Los Angeles	No
DRC Hearing	2/25/2009	Los Angeles	No
DRC Hearing	3/23/2009	Los Angeles	Yes
DRC Hearing	3/24/2009	Los Angeles	Yes
DRC Hearing	3/25/2009	Los Angeles	Yes
DRC Hearing	4/23/2009	Sacramento	Yes
DRC Hearing	4/24/2009	Sacramento	Yes
DRC Hearing	4/25/2009	Sacramento	No
DRC Hearing	5/14/2009	Long Beach	Yes
DRC Hearing	5/15/2009	Long Beach	Yes
DRC Hearing	5/16/2009	Long Beach	Yes
DRC Hearing	6/25/2009	Sacramento	Yes
DRC Hearing	6/26/2009	Sacramento	Yes
DRC Hearing	6/27/2009	Sacramento	Yes
DRC Hearing	6/28/2009	Sacramento	Yes
Board Meeting (Day 1)	6/29/2009	Sacramento	Yes
Board Meeting (Day 2)	6/30/2009	Sacramento	Yes
DRC Hearing	7/27/2009	Sacramento	Yes
DRC Hearing	7/28/2009	Sacramento	Yes
DRC Hearing	7/29/2009	Sacramento	Yes
DRC Hearing	8/24/2009	Sacramento	Yes
DRC Hearing	8/25/2009	Sacramento	Yes

DRC Hearing	8/26/2009	Sacramento	Yes
DRC Hearing	9/21/2009	Long Beach	Yes
DRC Hearing	9/22/2009	Long Beach	Yes
DRC Hearing	9/23/2009	Long Beach	Yes
Board Meeting (Day 1)	10/4/2009	San Diego	Yes
Board Meeting (Day 2)	10/5/2009	San Diego	Yes
DRC Hearing	10/6/2009	San Diego	Yes
DRC Hearing	10/7/1009	San Diego	Yes
DRC Hearing	10/8/2009	San Diego	Yes
Board Meeting	11/2/2009	Sacramento	Yes
DRC Hearing	11/16/2009	Orange	Yes
DRC Hearing	11/17/2009	Orange	Yes
DRC Hearing	11/18/2009	Orange	Yes
Enforcement Committee Meeting	11/30/2009	Sacramento	Yes
DRC Hearing	12/14/2009	Los Angeles	Yes
DRC Hearing	12/15/2009	Los Angeles	Yes
DRC Hearing	12/16/2009	Los Angeles	Yes
Board Meeting (Day 1)	1/24/2010	Santa Clara	Yes
Board Meeting (Day 2)	1/25/2010	Santa Clara	Yes
DRC Hearing	1/26/2010	Santa Clara	No
DRC Hearing	1/27/2010	Santa Clara	No
DRC Hearing	1/28/2010	Santa Clara	No
DRC Hearing	2/23/2010	Los Angeles	No
DRC Hearing	2/24/2010	Los Angeles	No
DRC Hearing	2/25/2010	Los Angeles	No
DRC Hearing	3/22/2010	Sacramento	Yes
DRC Hearing	3/23/2010	Sacramento	Yes
DRC Hearing	3/24/2010	Sacramento	Yes
Board Meeting (Day 1)	4/18/2010	Sacramento	Yes
Board Meeting (Day 2)	4/19/2010	Sacramento	Yes
DRC Hearing	4/27/2010	Los Angeles	Yes
DRC Hearing	4/28/2010	Los Angeles	Yes
DRC Hearing	4/29/2010	Los Angeles	Yes
DRC Hearing	5/18/2010	Los Angeles	Yes
DRC Hearing	5/19/2010	Los Angeles	Yes
DRC Hearing	5/20/2010	Los Angeles	Yes
DRC Hearing	6/22/2010	Los Angeles	Yes
DRC Hearing	6/23/2010	Los Angeles	Yes
DRC Hearing	6/24/2010	Los Angeles	Yes
Board Meeting	7/28/2010	Sacramento	Yes
DRC Hearing	7/29/2010	Sacramento	Yes
DRC Hearing	7/30/2010	Sacramento	Yes
DRC Hearing	8/23/2010	Sacramento	Yes
DRC Hearing	8/24/2010	Sacramento	Yes
DRC Hearing	8/25/2010	Sacramento	Yes
DRC Hearing	9/27/2010	Sacramento	Yes
DRC Hearing	9/28/2010	Sacramento	Yes
DRC Hearing	9/29/2010	Sacramento	Yes
Board Meeting (Day 1)	10/25/2010	Sacramento	Yes
Board Meeting (Day 2)	10/26/2010	Sacramento	Yes
DRC Hearing	10/27/2010	Sacramento	Yes
DRC Hearing	10/28/2010	Sacramento	Yes

DRC Hearing	10/29/2010	Sacramento	Yes
DRC Hearing	11/16/2010	San Diego	Yes
DRC Hearing	11/17/2010	San Diego	Yes
DRC Hearing	11/18/2010	San Diego	Yes
DRC Hearing	12/14/2010	Los Angeles	Yes
DRC Hearing	12/15/2010	Los Angeles	Yes
DRC Hearing	12/16/2010	Los Angeles	Yes
DRC Hearing	1/18/2011	Los Angeles	No
DRC Hearing	1/19/2011	Los Angeles	No
DRC Hearing	1/20/2011	Los Angeles	No
Board Meeting	1/21/2011	San Diego	Yes
DRC Hearing	2/23/2011	Los Angeles	No
DRC Hearing	2/24/2011	Los Angeles	No
DRC Hearing	2/25/2011	Los Angeles	No
DRC Hearing	3/28/2011	Sacramento	Yes
DRC Hearing	3/29/2011	Sacramento	Yes
DRC Hearing	3/30/2011	Sacramento	Yes
Board Meeting (Day 1)	4/25/2011	Sacramento	Yes
Board Meeting (Day 2)	4/26/2011	Sacramento	Yes
DRC Hearing	4/27/2011	Sacramento	Yes
DRC Hearing	4/28/2011	Sacramento	Yes
DRC Hearing	4/29/2011	Sacramento	Yes
DRC Hearing	5/24/2011	San Diego	Yes
DRC Hearing	5/25/2011	San Diego	Yes
DRC Hearing	5/26/2011	San Diego	Yes
DRC Hearing	6/15/2011	Los Angeles	Yes
DRC Hearing	6/16/2011	Los Angeles	Yes
DRC Hearing	6/17/2011	Los Angeles	Yes
Board Meeting (Day 1)	7/11/2011	Sacramento	Yes
Board Meeting (Day 2)	7/12/2011	Sacramento	Yes
DRC Hearing	7/13/2011	Sacramento	No
DRC Hearing	7/14/2011	Sacramento	Yes
DRC Hearing	7/15/2011	Sacramento	Yes
DRC Hearing	8/22/2011	Sacramento	Yes
DRC Hearing	8/23/2011	Sacramento	Yes
DRC Hearing	8/24/2011	Sacramento	Yes
DRC Hearing	9/27/2011	Los Angeles	Yes
DRC Hearing	9/28/2011	Los Angeles	Yes
DRC Hearing	9/29/2011	Los Angeles	Yes
Board Meeting (Day 1)	10/17/2011	Santa Ana	Yes
Board Meeting (Day 2)	10/18/2011	Santa Ana	Yes
DRC Hearing	10/19/2011	Santa Ana	Yes
DRC Hearing	10/20/2011	Santa Ana	Yes
DRC Hearing	10/21/2011	Santa Ana	Yes
DRC - Written Testimony	11/15/2011	Sacramento	Yes
DRC - Written Testimony	11/16/2011	Sacramento	Yes
DRC - Written Testimony	11/17/2011	Sacramento	Yes
DRC Hearing	12/13/2011	Los Angeles	Yes
DRC Hearing	12/14/2011	Los Angeles	Yes
DRC Hearing	12/15/2011	Los Angeles	Yes
DRC Hearing	1/24/2012	Long Beach	No
DRC Hearing	1/25/2012	Long Beach	No

DRC Hearing	1/26/2012	Long Beach	No
Board Meeting	2/6/2012	Sacramento	Yes
DRC Hearing	2/28/2012	Norwalk	No
DRC Hearing	2/29/2012	Norwalk	No
DRC Hearing	3/1/2012	Norwalk	No
Board Meeting	3/19/2012	Sacramento	Yes
DRC Hearing	3/21/2012	Sacramento	Yes
DRC Hearing	3/22/2012	Sacramento	Yes
DRC Hearing	3/23/2012	Sacramento	Yes
DRC Hearing	4/17/2012	San Diego	Yes
DRC Hearing	4/18/2012	San Diego	Yes
DRC Hearing	4/19/2012	San Diego	Yes
Board Meeting	4/30/2012	Sacramento	Yes
Enforcement Committee Meeting	5/1/2012	Sacramento	Yes
DRC Hearing	5/15/2012	Norwalk	Yes
DRC Hearing	5/16/2012	Norwalk	Yes
DRC Hearing	5/17/2012	Norwalk	Yes
DRC Hearing	6/19/2012	Sacramento	Yes
DRC Hearing	6/20/2012	Sacramento	Yes
DRC Hearing	6/21/2012	Sacramento	Yes
Enforcement Committee Meeting	7/16/2012	Sacramento	N/A
DRC Hearing	7/23/2012	Sacramento	Yes
DRC Hearing	7/24/2012	Sacramento	Yes
DRC Hearing	7/25/2012	Sacramento	Yes
Board Meeting (Day 1)	7/30/2012	Sacramento	Yes
Board Meeting (Day 2)	7/31/2012	Sacramento	Yes
Licensing Committee Meeting	8/13/2012	Sacramento	No
DRC Hearing	8/27/2012	Sacramento	Yes
DRC Hearing	8/28/2012	Sacramento	Yes
DRC Hearing	8/29/2012	Sacramento	Yes
DRC Hearing	9/25/2012	Norwalk	Yes
DRC Hearing	9/26/2012	Norwalk	Yes
DRC Hearing	9/27/2012	Norwalk	Yes
Board Meeting	10/22/2012	Costa Mesa	Yes
DRC Hearing	10/29/2012	Sacramento	Yes
DRC Hearing	10/30/2012	Sacramento	Yes
DRC Hearing	10/31/2012	Sacramento	Yes
Term Ends	1/1/2013		

Frank Lloyd (Public Member)			
Date Re-appointed:		1/12/2011	
Meeting Type	Meeting Date	Meeting Location	Attended?
DRC Hearing	7/20/2008	Sacramento	No
DRC Hearing	7/21/2008	Sacramento	Yes
DRC Hearing	7/22/2008	Sacramento	Yes
DRC Hearing	7/23/2008	Sacramento	Yes
DRC Hearing	8/10/2008	Sacramento	No
DRC Hearing	8/11/2008	Sacramento	Yes
DRC Hearing	8/12/2008	Sacramento	Yes
DRC Hearing	8/13/2008	Sacramento	Yes
DRC Hearing	9/15/2008	Sacramento	Yes
DRC Hearing	9/16/2008	Sacramento	Yes
DRC Hearing	10/20/2008	Sacramento	Yes
DRC Hearing	10/21/2008	Sacramento	Yes
DRC Hearing	11/15/2008	Los Angeles	Yes
DRC Hearing	11/16/2008	Los Angeles	Yes
DRC Hearing	11/17/2008	Los Angeles	Yes
Board Meeting	11/18/2008	Los Angeles	Yes
DRC Hearing	12/15/2008	Ontario	Yes
DRC Hearing	12/16/2008	Ontario	Yes
DRC Hearing	12/17/2008	Ontario	Yes
DRC Hearing	12/18/2008	Ontario	Yes
DRC Hearing	12/19/2008	Ontario	Yes
DRC Hearing	1/26/2009	Ontario	Yes
DRC Hearing	1/27/2009	Ontario	Yes
DRC Hearing	1/28/2009	Ontario	Yes
Board Meeting	2/15/2009	Sacramento	Yes
DRC Hearing	2/23/2009	Los Angeles	Yes
DRC Hearing	2/24/2009	Los Angeles	Yes
DRC Hearing	2/25/2009	Los Angeles	Yes
DRC Hearing	3/23/2009	Los Angeles	Yes
DRC Hearing	3/24/2009	Los Angeles	Yes
DRC Hearing	3/25/2009	Los Angeles	Yes
DRC Hearing	4/23/2009	Sacramento	Yes
DRC Hearing	4/24/2009	Sacramento	Yes
DRC Hearing	4/25/2009	Sacramento	Yes
DRC Hearing	5/14/2009	Long Beach	Yes
DRC Hearing	5/15/2009	Long Beach	Yes
DRC Hearing	5/16/2009	Long Beach	No
DRC Hearing	6/25/2009	Sacramento	Yes
DRC Hearing	6/26/2009	Sacramento	Yes
DRC Hearing	6/27/2009	Sacramento	Yes
DRC Hearing	6/28/2009	Sacramento	Yes
Board Meeting (Day 1)	6/29/2009	Sacramento	Yes
Board Meeting (Day 2)	6/30/2009	Sacramento	Yes
DRC Hearing	7/27/2009	Sacramento	Yes
DRC Hearing	7/28/2009	Sacramento	Yes
DRC Hearing	7/29/2009	Sacramento	Yes
DRC Hearing	8/24/2009	Sacramento	Yes
DRC Hearing	8/25/2009	Sacramento	Yes

DRC Hearing	8/26/2009	Sacramento	Yes
DRC Hearing	9/21/2009	Long Beach	Yes
DRC Hearing	9/22/2009	Long Beach	Yes
DRC Hearing	9/23/2009	Long Beach	Yes
Board Meeting (Day 1)	10/4/2009	San Diego	Yes
Board Meeting (Day 2)	10/5/2009	San Diego	Yes
DRC Hearing	10/6/2009	San Diego	Yes
DRC Hearing	10/7/1009	San Diego	Yes
DRC Hearing	10/8/2009	San Diego	Yes
Board Meeting	11/2/2009	Sacramento	Yes
DRC Hearing	11/16/2009	Orange	Yes
DRC Hearing	11/17/2009	Orange	Yes
DRC Hearing	11/18/2009	Orange	Yes
Enforcement Committee Meeting	11/30/2009	Sacramento	Yes
DRC Hearing	12/14/2009	Los Angeles	Yes
DRC Hearing	12/15/2009	Los Angeles	Yes
DRC Hearing	12/16/2009	Los Angeles	Yes
Board Meeting (Day 1)	1/24/2010	Santa Clara	Yes
Board Meeting (Day 2)	1/25/2010	Santa Clara	Yes
DRC Hearing	1/26/2010	Santa Clara	Yes
DRC Hearing	1/27/2010	Santa Clara	Yes
DRC Hearing	1/28/2010	Santa Clara	Yes
DRC Hearing	2/23/2010	Los Angeles	Yes
DRC Hearing	2/24/2010	Los Angeles	Yes
DRC Hearing	2/25/2010	Los Angeles	Yes
DRC Hearing	3/22/2010	Sacramento	Yes
DRC Hearing	3/23/2010	Sacramento	Yes
DRC Hearing	3/24/2010	Sacramento	Yes
Board Meeting (Day 1)	4/18/2010	Sacramento	Yes
Board Meeting (Day 2)	4/19/2010	Sacramento	Yes
DRC Hearing	4/27/2010	Los Angeles	Yes
DRC Hearing	4/28/2010	Los Angeles	Yes
DRC Hearing	4/29/2010	Los Angeles	Yes
DRC Hearing	5/18/2010	Los Angeles	No
DRC Hearing	5/19/2010	Los Angeles	No
DRC Hearing	5/20/2010	Los Angeles	No
DRC Hearing	6/22/2010	Los Angeles	Yes
DRC Hearing	6/23/2010	Los Angeles	Yes
DRC Hearing	6/24/2010	Los Angeles	Yes
Board Meeting	7/28/2010	Sacramento	Yes
DRC Hearing	7/29/2010	Sacramento	Yes
DRC Hearing	7/30/2010	Sacramento	Yes
DRC Hearing	8/23/2010	Sacramento	Yes
DRC Hearing	8/24/2010	Sacramento	Yes
DRC Hearing	8/25/2010	Sacramento	Yes
DRC Hearing	9/27/2010	Sacramento	Yes
DRC Hearing	9/28/2010	Sacramento	Yes
DRC Hearing	9/29/2010	Sacramento	Yes
Board Meeting (Day 1)	10/25/2010	Sacramento	Yes
Board Meeting (Day 2)	10/26/2010	Sacramento	Yes
DRC Hearing	10/27/2010	Sacramento	Yes
DRC Hearing	10/28/2010	Sacramento	Yes

DRC Hearing	10/29/2010	Sacramento	Yes
DRC Hearing	11/16/2010	San Diego	Yes
DRC Hearing	11/17/2010	San Diego	Yes
DRC Hearing	11/18/2010	San Diego	Yes
DRC Hearing	12/14/2010	Los Angeles	Yes
DRC Hearing	12/15/2010	Los Angeles	Yes
DRC Hearing	12/16/2010	Los Angeles	Yes
DRC Hearing	1/18/2011	Los Angeles	Yes
DRC Hearing	1/19/2011	Los Angeles	Yes
DRC Hearing	1/20/2011	Los Angeles	Yes
Board Meeting	1/21/2011	San Diego	Yes
DRC Hearing	2/23/2011	Los Angeles	Yes
DRC Hearing	2/24/2011	Los Angeles	Yes
DRC Hearing	2/25/2011	Los Angeles	Yes
DRC Hearing	3/28/2011	Sacramento	Yes
DRC Hearing	3/29/2011	Sacramento	Yes
DRC Hearing	3/30/2011	Sacramento	Yes
Board Meeting (Day 1)	4/25/2011	Sacramento	Yes
Board Meeting (Day 2)	4/26/2011	Sacramento	Yes
DRC Hearing	4/27/2011	Sacramento	Yes
DRC Hearing	4/28/2011	Sacramento	Yes
DRC Hearing	4/29/2011	Sacramento	No
DRC Hearing	5/24/2011	San Diego	Yes
DRC Hearing	5/25/2011	San Diego	Yes
DRC Hearing	5/26/2011	San Diego	Yes
DRC Hearing	6/15/2011	Los Angeles	Yes
DRC Hearing	6/16/2011	Los Angeles	Yes
DRC Hearing	6/17/2011	Los Angeles	Yes
Board Meeting (Day 1)	7/11/2011	Sacramento	Yes
Board Meeting (Day 2)	7/12/2011	Sacramento	Yes
DRC Hearing	7/13/2011	Sacramento	Yes
DRC Hearing	7/14/2011	Sacramento	Yes
DRC Hearing	7/15/2011	Sacramento	Yes
DRC Hearing	8/22/2011	Sacramento	Yes
DRC Hearing	8/23/2011	Sacramento	Yes
DRC Hearing	8/24/2011	Sacramento	Yes
DRC Hearing	9/27/2011	Los Angeles	Yes
DRC Hearing	9/28/2011	Los Angeles	Yes
DRC Hearing	9/29/2011	Los Angeles	Yes
Board Meeting (Day 1)	10/17/2011	Santa Ana	Yes
Board Meeting (Day 2)	10/18/2011	Santa Ana	Yes
DRC Hearing	10/19/2011	Santa Ana	Yes
DRC Hearing	10/20/2011	Santa Ana	Yes
DRC Hearing	10/21/2011	Santa Ana	Yes
DRC - Written Testimony	11/15/2011	Sacramento	Yes
DRC - Written Testimony	11/16/2011	Sacramento	Yes
DRC - Written Testimony	11/17/2011	Sacramento	Yes
DRC Hearing	12/13/2011	Los Angeles	Yes
DRC Hearing	12/14/2011	Los Angeles	Yes
DRC Hearing	12/15/2011	Los Angeles	Yes
DRC Hearing	1/24/2012	Long Beach	Yes
DRC Hearing	1/25/2012	Long Beach	Yes

DRC Hearing	1/26/2012	Long Beach	Yes
Board Meeting	2/6/2012	Sacramento	No
DRC Hearing	2/28/2012	Norwalk	Yes
DRC Hearing	2/29/2012	Norwalk	Yes
DRC Hearing	3/1/2012	Norwalk	Yes
Board Meeting	3/19/2012	Sacramento	Yes
DRC Hearing	3/21/2012	Sacramento	Yes
DRC Hearing	3/22/2012	Sacramento	Yes
DRC Hearing	3/23/2012	Sacramento	Yes
DRC Hearing	4/17/2012	San Diego	Yes
DRC Hearing	4/18/2012	San Diego	Yes
DRC Hearing	4/19/2012	San Diego	Yes
Board Meeting	4/30/2012	Sacramento	Yes
Enforcement Committee Meeting	5/1/2012	Sacramento	Yes
DRC Hearing	5/15/2012	Norwalk	Yes
DRC Hearing	5/16/2012	Norwalk	Yes
DRC Hearing	5/17/2012	Norwalk	Yes
DRC Hearing	6/19/2012	Sacramento	Yes
DRC Hearing	6/20/2012	Sacramento	Yes
DRC Hearing	6/21/2012	Sacramento	Yes
Enforcement Committee Meeting	7/16/2012	Sacramento	N/A
DRC Hearing	7/23/2012	Sacramento	Yes
DRC Hearing	7/24/2012	Sacramento	Yes
DRC Hearing	7/25/2012	Sacramento	Yes
Board Meeting (Day 1)	7/30/2012	Sacramento	Yes
Board Meeting (Day 2)	7/31/2012	Sacramento	Yes
Licensing Committee Meeting	8/13/2012	Sacramento	No
DRC Hearing	8/27/2012	Sacramento	Yes
DRC Hearing	8/28/2012	Sacramento	Yes
DRC Hearing	8/29/2012	Sacramento	Yes
DRC Hearing	9/25/2012	Norwalk	Yes
DRC Hearing	9/26/2012	Norwalk	Yes
DRC Hearing	9/27/2012	Norwalk	Yes
Board Meeting	10/22/2012	Costa Mesa	Yes
DRC Hearing	10/29/2012	Sacramento	Yes
DRC Hearing	10/30/2012	Sacramento	Yes
DRC Hearing	10/31/2012	Sacramento	Yes
Term Ends	1/1/2013		

Katie Dawson (Public Member)			
Date Appointed:	12/22/2011		
Meeting Type	Meeting Date	Meeting Location	Attended?
DRC Hearing	1/24/2012	Long Beach	No
DRC Hearing	1/25/2012	Long Beach	No
DRC Hearing	1/26/2012	Long Beach	No
Board Meeting	2/6/2012	Sacramento	Yes
DRC Hearing	2/28/2012	Norwalk	No
DRC Hearing	2/29/2012	Norwalk	No
DRC Hearing	3/1/2012	Norwalk	No
Board Meeting	3/19/2012	Sacramento	Yes
DRC Hearing	3/21/2012	Sacramento	No
DRC Hearing	3/22/2012	Sacramento	No
DRC Hearing	3/23/2012	Sacramento	No
DRC Hearing	4/17/2012	San Diego	No
DRC Hearing	4/18/2012	San Diego	No
DRC Hearing	4/19/2012	San Diego	No
Board Meeting	4/30/2012	Sacramento	Yes
Enforcement Committee Meeting	5/1/2012	Sacramento	Yes
DRC Hearing	5/15/2012	Norwalk	No
DRC Hearing	5/16/2012	Norwalk	No
DRC Hearing	5/17/2012	Norwalk	No
DRC Hearing	6/19/2012	Sacramento	No
DRC Hearing	6/20/2012	Sacramento	No
DRC Hearing	6/21/2012	Sacramento	No
Enforcement Committee Meeting	7/16/2012	Sacramento	No
DRC Hearing	7/23/2012	Sacramento	No
DRC Hearing	7/24/2012	Sacramento	No
DRC Hearing	7/25/2012	Sacramento	No
Board Meeting (Day 1)	7/30/2012	Sacramento	Yes
Board Meeting (Day 2)	7/31/2012	Sacramento	Yes
Licensing Committee Meeting	8/13/2012	Sacramento	No
DRC Hearing	8/27/2012	Sacramento	No
DRC Hearing	8/28/2012	Sacramento	No
DRC Hearing	8/29/2012	Sacramento	No
DRC Hearing	9/25/2012	Norwalk	No
DRC Hearing	9/26/2012	Norwalk	No
DRC Hearing	9/27/2012	Norwalk	No
Board Meeting	10/22/2012	Costa Mesa	Yes
DRC Hearing	10/29/2012	Sacramento	No
DRC Hearing	10/30/2012	Sacramento	No
DRC Hearing	10/31/2012	Sacramento	No
Term Ends	1/1/2013		

Wen Ling Cheng (Public Member)

Date Appointed: 5/2/2011

Meeting Type	Meeting Date	Meeting Location	Attended?
DRC Hearing	5/24/2011	San Diego	No
DRC Hearing	5/25/2011	San Diego	No
DRC Hearing	5/26/2011	San Diego	No
DRC Hearing	6/15/2011	Los Angeles	No
DRC Hearing	6/16/2011	Los Angeles	No
DRC Hearing	6/17/2011	Los Angeles	No
Board Meeting (Day 1)	7/11/2011	Sacramento	Yes
Board Meeting (Day 2)	7/12/2011	Sacramento	Yes
DRC Hearing	7/13/2011	Sacramento	No
DRC Hearing	7/14/2011	Sacramento	No
DRC Hearing	7/15/2011	Sacramento	No
DRC Hearing	8/22/2011	Sacramento	No
DRC Hearing	8/23/2011	Sacramento	No
DRC Hearing	8/24/2011	Sacramento	No
DRC Hearing	9/27/2011	Los Angeles	No
DRC Hearing	9/28/2011	Los Angeles	No
DRC Hearing	9/29/2011	Los Angeles	No
Board Meeting (Day 1)	10/17/2011	Santa Ana	Yes
Board Meeting (Day 2)	10/18/2011	Santa Ana	Yes
DRC Hearing	10/19/2011	Santa Ana	No
DRC Hearing	10/20/2011	Santa Ana	No
DRC Hearing	10/21/2011	Santa Ana	No
DRC - Written Testimony	11/15/2011	Sacramento	No
DRC - Written Testimony	11/16/2011	Sacramento	No
DRC - Written Testimony	11/17/2011	Sacramento	No
DRC Hearing	12/13/2011	Los Angeles	No
DRC Hearing	12/14/2011	Los Angeles	No
DRC Hearing	12/15/2011	Los Angeles	No
DRC Hearing	1/24/2012	Long Beach	No
DRC Hearing	1/25/2012	Long Beach	No
DRC Hearing	1/26/2012	Long Beach	No
Board Meeting	2/6/2012	Sacramento	Yes
DRC Hearing	2/28/2012	Norwalk	No
DRC Hearing	2/29/2012	Norwalk	No
DRC Hearing	3/1/2012	Norwalk	No
Board Meeting	3/19/2012	Sacramento	Yes
DRC Hearing	3/21/2012	Sacramento	No
DRC Hearing	3/22/2012	Sacramento	No
DRC Hearing	3/23/2012	Sacramento	No
DRC Hearing	4/17/2012	San Diego	No
DRC Hearing	4/18/2012	San Diego	No
DRC Hearing	4/19/2012	San Diego	No
Board Meeting	4/30/2012	Sacramento	Yes
Enforcement Committee Meeting	5/1/2012	Sacramento	No
DRC Hearing	5/15/2012	Norwalk	No
DRC Hearing	5/16/2012	Norwalk	No
DRC Hearing	5/17/2012	Norwalk	No
DRC Hearing	6/19/2012	Sacramento	No

DRC Hearing	6/20/2012	Sacramento	No
DRC Hearing	6/21/2012	Sacramento	No
Enforcement Committee Meeting	7/16/2012	Sacramento	No
DRC Hearing	7/23/2012	Sacramento	No
DRC Hearing	7/24/2012	Sacramento	No
DRC Hearing	7/25/2012	Sacramento	No
Board Meeting (Day 1)	7/30/2012	Sacramento	Yes
Board Meeting (Day 2)	7/31/2012	Sacramento	Yes
Licensing Committee Meeting	8/13/2012	Sacramento	No
DRC Hearing	8/27/2012	Sacramento	No
DRC Hearing	8/28/2012	Sacramento	No
DRC Hearing	8/29/2012	Sacramento	No
DRC Hearing	9/25/2012	Norwalk	No
DRC Hearing	9/26/2012	Norwalk	No
DRC Hearing	9/27/2012	Norwalk	No
Board Meeting	10/22/2012	Costa Mesa	No
DRC Hearing	10/29/2012	Sacramento	No
DRC Hearing	10/30/2012	Sacramento	No
DRC Hearing	10/31/2012	Sacramento	No
Term Ends	1/1/2015		

Ken Williams			
Date Appointed:	1/22/2010		
Meeting Type	Meeting Date	Meeting Location	Attended?
DRC Hearing	7/20/2008	Sacramento	No
DRC Hearing	7/21/2008	Sacramento	No
DRC Hearing	7/22/2008	Sacramento	No
DRC Hearing	7/23/2008	Sacramento	No
DRC Hearing	8/10/2008	Sacramento	No
DRC Hearing	8/11/2008	Sacramento	No
DRC Hearing	8/12/2008	Sacramento	No
DRC Hearing	8/13/2008	Sacramento	No
DRC Hearing	9/15/2008	Sacramento	No
DRC Hearing	9/16/2008	Sacramento	No
DRC Hearing	10/20/2008	Sacramento	No
DRC Hearing	10/21/2008	Sacramento	No
DRC Hearing	11/15/2008	Los Angeles	Yes
DRC Hearing	11/16/2008	Los Angeles	Yes
DRC Hearing	11/17/2008	Los Angeles	Yes
Board Meeting	11/18/2008	Los Angeles	Yes
DRC Hearing	12/15/2008	Ontario	Yes
DRC Hearing	12/16/2008	Ontario	Yes
DRC Hearing	12/17/2008	Ontario	Yes
DRC Hearing	12/18/2008	Ontario	No
DRC Hearing	12/19/2008	Ontario	No
DRC Hearing	1/26/2009	Ontario	Yes
DRC Hearing	1/27/2009	Ontario	Yes
DRC Hearing	1/28/2009	Ontario	Yes
Board Meeting	2/15/2009	Sacramento	Yes
DRC Hearing	2/23/2009	Los Angeles	Yes
DRC Hearing	2/24/2009	Los Angeles	Yes
DRC Hearing	2/25/2009	Los Angeles	Yes
DRC Hearing	3/23/2009	Los Angeles	No
DRC Hearing	3/24/2009	Los Angeles	Yes
DRC Hearing	3/25/2009	Los Angeles	Yes
DRC Hearing	4/23/2009	Sacramento	No
DRC Hearing	4/24/2009	Sacramento	No
DRC Hearing	4/25/2009	Sacramento	Yes
DRC Hearing	5/14/2009	Long Beach	Yes
DRC Hearing	5/15/2009	Long Beach	Yes
DRC Hearing	5/16/2009	Long Beach	Yes
DRC Hearing	6/25/2009	Sacramento	No
DRC Hearing	6/26/2009	Sacramento	No
DRC Hearing	6/27/2009	Sacramento	No
DRC Hearing	6/28/2009	Sacramento	No
Board Meeting (Day 1)	6/29/2009	Sacramento	Yes
Board Meeting (Day 2)	6/30/2009	Sacramento	Yes
DRC Hearing	7/27/2009	Sacramento	No
DRC Hearing	7/28/2009	Sacramento	No
DRC Hearing	7/29/2009	Sacramento	No
DRC Hearing	8/24/2009	Sacramento	No
DRC Hearing	8/25/2009	Sacramento	No

DRC Hearing	8/26/2009	Sacramento	No
DRC Hearing	9/21/2009	Long Beach	Yes
DRC Hearing	9/22/2009	Long Beach	Yes
DRC Hearing	9/23/2009	Long Beach	Yes
Board Meeting (Day 1)	10/4/2009	San Diego	Yes
Board Meeting (Day 2)	10/5/2009	San Diego	Yes
DRC Hearing	10/6/2009	San Diego	Yes
DRC Hearing	10/7/1009	San Diego	Yes
DRC Hearing	10/8/2009	San Diego	Yes
Board Meeting	11/2/2009	Sacramento	Yes
DRC Hearing	11/16/2009	Orange	No
DRC Hearing	11/17/2009	Orange	Yes
DRC Hearing	11/18/2009	Orange	Yes
Enforcement Committee Meeting	11/30/2009	Sacramento	Yes
DRC Hearing	12/14/2009	Los Angeles	Yes
DRC Hearing	12/15/2009	Los Angeles	Yes
DRC Hearing	12/16/2009	Los Angeles	Yes
Board Meeting (Day 1)	1/24/2010	Santa Clara	Yes
Board Meeting (Day 2)	1/25/2010	Santa Clara	Yes
DRC Hearing	1/26/2010	Santa Clara	Yes
DRC Hearing	1/27/2010	Santa Clara	No
DRC Hearing	1/28/2010	Santa Clara	No
DRC Hearing	2/23/2010	Los Angeles	Yes
DRC Hearing	2/24/2010	Los Angeles	Yes
DRC Hearing	2/25/2010	Los Angeles	Yes
DRC Hearing	3/22/2010	Sacramento	No
DRC Hearing	3/23/2010	Sacramento	No
DRC Hearing	3/24/2010	Sacramento	No
Board Meeting (Day 1)	4/18/2010	Sacramento	Yes
Board Meeting (Day 2)	4/19/2010	Sacramento	Yes
DRC Hearing	4/27/2010	Los Angeles	Yes
DRC Hearing	4/28/2010	Los Angeles	Yes
DRC Hearing	4/29/2010	Los Angeles	Yes
DRC Hearing	5/18/2010	Los Angeles	Yes
DRC Hearing	5/19/2010	Los Angeles	Yes
DRC Hearing	5/20/2010	Los Angeles	No
DRC Hearing	6/22/2010	Los Angeles	Yes
DRC Hearing	6/23/2010	Los Angeles	Yes
DRC Hearing	6/24/2010	Los Angeles	No
Board Meeting	7/28/2010	Sacramento	Yes
DRC Hearing	7/29/2010	Sacramento	No
DRC Hearing	7/30/2010	Sacramento	No
DRC Hearing	8/23/2010	Sacramento	No
DRC Hearing	8/24/2010	Sacramento	No
DRC Hearing	8/25/2010	Sacramento	No
DRC Hearing	9/27/2010	Sacramento	No
DRC Hearing	9/28/2010	Sacramento	No
DRC Hearing	9/29/2010	Sacramento	No
Board Meeting (Day 1)	10/25/2010	Sacramento	Yes
Board Meeting (Day 2)	10/26/2010	Sacramento	Yes
DRC Hearing	10/27/2010	Sacramento	No
DRC Hearing	10/28/2010	Sacramento	No

DRC Hearing	10/29/2010	Sacramento	No
DRC Hearing	11/16/2010	San Diego	Yes
DRC Hearing	11/17/2010	San Diego	Yes
DRC Hearing	11/18/2010	San Diego	Yes
DRC Hearing	12/14/2010	Los Angeles	No
DRC Hearing	12/15/2010	Los Angeles	No
DRC Hearing	12/16/2010	Los Angeles	No
DRC Hearing	1/18/2011	Los Angeles	No
DRC Hearing	1/19/2011	Los Angeles	No
DRC Hearing	1/20/2011	Los Angeles	No
Term Ends	1/1/2011		

Jerry Tyler			
Date Appointed:	12/12/2005		
Meeting Type	Meeting Date	Meeting Location	Attended?
DRC Hearing	7/20/2008	Sacramento	No
DRC Hearing	7/21/2008	Sacramento	No
DRC Hearing	7/22/2008	Sacramento	No
DRC Hearing	7/23/2008	Sacramento	No
DRC Hearing	8/10/2008	Sacramento	No
DRC Hearing	8/11/2008	Sacramento	No
DRC Hearing	8/12/2008	Sacramento	No
DRC Hearing	8/13/2008	Sacramento	No
DRC Hearing	9/15/2008	Sacramento	No
DRC Hearing	9/16/2008	Sacramento	No
DRC Hearing	10/20/2008	Sacramento	No
DRC Hearing	10/21/2008	Sacramento	No
DRC Hearing	11/15/2008	Los Angeles	No
DRC Hearing	11/16/2008	Los Angeles	No
DRC Hearing	11/17/2008	Los Angeles	No
Board Meeting	11/18/2008	Los Angeles	Yes
DRC Hearing	12/15/2008	Ontario	No
DRC Hearing	12/16/2008	Ontario	No
DRC Hearing	12/17/2008	Ontario	No
DRC Hearing	12/18/2008	Ontario	No
DRC Hearing	12/19/2008	Ontario	No
DRC Hearing	1/26/2009	Ontario	No
DRC Hearing	1/27/2009	Ontario	No
DRC Hearing	1/28/2009	Ontario	No
Board Meeting	2/15/2009	Sacramento	Yes
DRC Hearing	2/23/2009	Los Angeles	No
DRC Hearing	2/24/2009	Los Angeles	No
DRC Hearing	2/25/2009	Los Angeles	No
DRC Hearing	3/23/2009	Los Angeles	No
DRC Hearing	3/24/2009	Los Angeles	No
DRC Hearing	3/25/2009	Los Angeles	No
DRC Hearing	4/23/2009	Sacramento	No
DRC Hearing	4/24/2009	Sacramento	No
DRC Hearing	4/25/2009	Sacramento	No
DRC Hearing	5/14/2009	Long Beach	No
DRC Hearing	5/15/2009	Long Beach	No
DRC Hearing	5/16/2009	Long Beach	No
DRC Hearing	6/25/2009	Sacramento	No
DRC Hearing	6/26/2009	Sacramento	No
DRC Hearing	6/27/2009	Sacramento	No
DRC Hearing	6/28/2009	Sacramento	No
Board Meeting (Day 1)	6/29/2009	Sacramento	Yes
Board Meeting (Day 2)	6/30/2009	Sacramento	Yes
DRC Hearing	7/27/2009	Sacramento	No
DRC Hearing	7/28/2009	Sacramento	No
DRC Hearing	7/29/2009	Sacramento	No
DRC Hearing	8/24/2009	Sacramento	No
DRC Hearing	8/25/2009	Sacramento	No

DRC Hearing	8/26/2009	Sacramento	No
DRC Hearing	9/21/2009	Long Beach	No
DRC Hearing	9/22/2009	Long Beach	No
DRC Hearing	9/23/2009	Long Beach	No
Board Meeting (Day 1)	10/4/2009	San Diego	Yes
Board Meeting (Day 2)	10/5/2009	San Diego	Yes
DRC Hearing	10/6/2009	San Diego	No
DRC Hearing	10/7/1009	San Diego	No
DRC Hearing	10/8/2009	San Diego	No
Board Meeting	11/2/2009	Sacramento	Yes
DRC Hearing	11/16/2009	Orange	No
DRC Hearing	11/17/2009	Orange	No
DRC Hearing	11/18/2009	Orange	No
Enforcement Committee Meeting	11/30/2009	Sacramento	No
Term Ends	12/31/2009		

Marie Lemelle			
Date Appointed:		5/11/2011	
Meeting Type	Meeting Date	Meeting Location	Attended?
Board Meeting (Day 1)	4/18/2010	Sacramento	Yes
Board Meeting (Day 2)	4/19/2010	Sacramento	Yes
DRC Hearing	4/27/2010	Los Angeles	No
DRC Hearing	4/28/2010	Los Angeles	No
DRC Hearing	4/29/2010	Los Angeles	No
DRC Hearing	5/18/2010	Los Angeles	No
DRC Hearing	5/19/2010	Los Angeles	No
DRC Hearing	5/20/2010	Los Angeles	No
DRC Hearing	6/22/2010	Los Angeles	No
DRC Hearing	6/23/2010	Los Angeles	No
DRC Hearing	6/24/2010	Los Angeles	No
Board Meeting	7/28/2010	Sacramento	Yes
DRC Hearing	7/29/2010	Sacramento	No
DRC Hearing	7/30/2010	Sacramento	No
DRC Hearing	8/23/2010	Sacramento	No
DRC Hearing	8/24/2010	Sacramento	No
DRC Hearing	8/25/2010	Sacramento	No
DRC Hearing	9/27/2010	Sacramento	No
DRC Hearing	9/28/2010	Sacramento	No
DRC Hearing	9/29/2010	Sacramento	No
Board Meeting (Day 1)	10/25/2010	Sacramento	Yes
Board Meeting (Day 2)	10/26/2010	Sacramento	Yes
DRC Hearing	10/27/2010	Sacramento	No
DRC Hearing	10/28/2010	Sacramento	No
DRC Hearing	10/29/2010	Sacramento	No
DRC Hearing	11/16/2010	San Diego	No
DRC Hearing	11/17/2010	San Diego	No
DRC Hearing	11/18/2010	San Diego	No
DRC Hearing	12/14/2010	Los Angeles	No
DRC Hearing	12/15/2010	Los Angeles	No
DRC Hearing	12/16/2010	Los Angeles	No
DRC Hearing	1/18/2011	Los Angeles	No
DRC Hearing	1/19/2011	Los Angeles	No
DRC Hearing	1/20/2011	Los Angeles	No
Board Meeting	1/21/2011	San Diego	Yes
DRC Hearing	2/23/2011	Los Angeles	No
DRC Hearing	2/24/2011	Los Angeles	No
DRC Hearing	2/25/2011	Los Angeles	Yes
DRC Hearing	3/28/2011	Sacramento	No
DRC Hearing	3/29/2011	Sacramento	No
DRC Hearing	3/30/2011	Sacramento	No
Board Meeting (Day 1)	4/25/2011	Sacramento	Yes
Board Meeting (Day 2)	4/26/2011	Sacramento	Yes
Term Ends	4/26/2011		

Socorro Farias			
Date Appointed:	6/1/2007		
Meeting Type	Meeting Date	Meeting Location	Attended?
DRC Hearing	11/15/2008	Los Angeles	No
DRC Hearing	11/16/2008	Los Angeles	No
DRC Hearing	11/17/2008	Los Angeles	No
Board Meeting	11/18/2008	Los Angeles	No
Term Ends	1/1/2009		

Jerri Ann Walters			
Date Appointed:	11/28/2005		
Meeting Type	Meeting Date	Meeting Location	Attended?
DRC Hearing	11/15/2008	Los Angeles	No
DRC Hearing	11/16/2008	Los Angeles	No
DRC Hearing	11/17/2008	Los Angeles	No
Board Meeting	11/18/2008	Los Angeles	No
Term Ends	1/1/2009		

Marlene Gadinis			
Date Appointed:		7/22/2005	
Meeting Type	Meeting Date	Meeting Location	Attended?
DRC Hearing	7/20/2008	Sacramento	No
DRC Hearing	7/21/2008	Sacramento	No
DRC Hearing	7/22/2008	Sacramento	No
DRC Hearing	7/23/2008	Sacramento	No
DRC Hearing	8/10/2008	Sacramento	No
DRC Hearing	8/11/2008	Sacramento	No
DRC Hearing	8/12/2008	Sacramento	No
DRC Hearing	8/13/2008	Sacramento	No
DRC Hearing	9/15/2008	Sacramento	No
DRC Hearing	9/16/2008	Sacramento	No
DRC Hearing	10/20/2008	Sacramento	No
DRC Hearing	10/21/2008	Sacramento	No
DRC Hearing	11/15/2008	Los Angeles	No
DRC Hearing	11/16/2008	Los Angeles	No
DRC Hearing	11/17/2008	Los Angeles	No
Board Meeting	11/18/2008	Los Angeles	No
DRC Hearing	12/15/2008	Ontario	No
DRC Hearing	12/16/2008	Ontario	No
DRC Hearing	12/17/2008	Ontario	No
DRC Hearing	12/18/2008	Ontario	No
DRC Hearing	12/19/2008	Ontario	No
Term Ends		1/1/2009	

David Rabago			
Date Appointed:		2/17/2010	
Meeting Type	Meeting Date	Meeting Location	Attended?
Board Meeting (Day 1)	4/18/2010	Sacramento	Yes
Board Meeting (Day 2)	4/19/2010	Sacramento	Yes
DRC Hearing	4/27/2010	Los Angeles	No
DRC Hearing	4/28/2010	Los Angeles	No
DRC Hearing	4/29/2010	Los Angeles	No
DRC Hearing	5/18/2010	Los Angeles	No
DRC Hearing	5/19/2010	Los Angeles	No
DRC Hearing	5/20/2010	Los Angeles	No
DRC Hearing	6/22/2010	Los Angeles	No
DRC Hearing	6/23/2010	Los Angeles	No
DRC Hearing	6/24/2010	Los Angeles	No
Board Meeting	7/28/2010	Sacramento	Yes
DRC Hearing	7/29/2010	Sacramento	No
DRC Hearing	7/30/2010	Sacramento	No
DRC Hearing	8/23/2010	Sacramento	No
DRC Hearing	8/24/2010	Sacramento	No
DRC Hearing	8/25/2010	Sacramento	No
DRC Hearing	9/27/2010	Sacramento	No
DRC Hearing	9/28/2010	Sacramento	No
DRC Hearing	9/29/2010	Sacramento	No
Board Meeting (Day 1)	10/25/2010	Sacramento	Yes
Board Meeting (Day 2)	10/26/2010	Sacramento	Yes
DRC Hearing	10/27/2010	Sacramento	No
DRC Hearing	10/28/2010	Sacramento	No
DRC Hearing	10/29/2010	Sacramento	No
DRC Hearing	11/16/2010	San Diego	No
DRC Hearing	11/17/2010	San Diego	No
DRC Hearing	11/18/2010	San Diego	No
DRC Hearing	12/14/2010	Los Angeles	No
DRC Hearing	12/15/2010	Los Angeles	No
DRC Hearing	12/16/2010	Los Angeles	No
Term Ends	1/1/2011		

Ted Nelson			
Date Appointed:		2/3/2010	
Meeting Type	Meeting Date	Meeting Location	Attended?
Board Meeting (Day 1)	4/18/2010	Sacramento	Yes
Board Meeting (Day 2)	4/19/2010	Sacramento	Yes
DRC Hearing	4/27/2010	Los Angeles	No
DRC Hearing	4/28/2010	Los Angeles	No
DRC Hearing	4/29/2010	Los Angeles	No
DRC Hearing	5/18/2010	Los Angeles	No
DRC Hearing	5/19/2010	Los Angeles	No
DRC Hearing	5/20/2010	Los Angeles	No
DRC Hearing	6/22/2010	Los Angeles	No
DRC Hearing	6/23/2010	Los Angeles	No
DRC Hearing	6/24/2010	Los Angeles	No
Board Meeting	7/28/2010	Sacramento	Yes
DRC Hearing	7/29/2010	Sacramento	No
DRC Hearing	7/30/2010	Sacramento	No
DRC Hearing	8/23/2010	Sacramento	No
DRC Hearing	8/24/2010	Sacramento	No
DRC Hearing	8/25/2010	Sacramento	No
DRC Hearing	9/27/2010	Sacramento	No
DRC Hearing	9/28/2010	Sacramento	No
DRC Hearing	9/29/2010	Sacramento	No
Board Meeting (Day 1)	10/25/2010	Sacramento	Yes
Board Meeting (Day 2)	10/26/2010	Sacramento	No
DRC Hearing	10/27/2010	Sacramento	No
DRC Hearing	10/28/2010	Sacramento	No
DRC Hearing	10/29/2010	Sacramento	No
DRC Hearing	11/16/2010	San Diego	No
DRC Hearing	11/17/2010	San Diego	No
DRC Hearing	11/18/2010	San Diego	No
DRC Hearing	12/14/2010	Los Angeles	No
DRC Hearing	12/15/2010	Los Angeles	No
DRC Hearing	12/16/2010	Los Angeles	No
DRC Hearing	1/18/2011	Los Angeles	No
DRC Hearing	1/19/2011	Los Angeles	No
DRC Hearing	1/20/2011	Los Angeles	No
Board Meeting	1/21/2011	San Diego	Yes
Term Ends	3/3/2011		

Board of Barbering and Cosmetology - 9 Board Members
Executive Officer: Kristy Underwood

Appendix 2

Member Name (Includes Vacancies)	Date First Appointed	Date Reappointed	Date Term Ends	Appointing Authority	Type (public or professional)
Wen Ling Cheng	5/2/2011	-	1/1/2015	Speaker of the Assembly	Public
Deedee Crossett	1/12/2010	1/13/2011	1/1/2013	Governor	Professional
Katie Dawson	12/22/2011	-	1/1/2013	Governor	Public
Joseph Federico	12/29/2011	-	1/1/2015	Governor	Professional
Richard Hedges	1/1/2003	1/1/2007, 1/14/2009	1/1/2013	Senate President Pro Tempore	Public
Frank Lloyd	1/1/2010	1/12/2011	1/1/2013	Governor	Public
Christie Truc Tran	1/4/2010	1/2/2011	1/1/2015	Governor	Professional
Vacant	-	-	-	Governor	Professional
Vacant	-	-	-	Governor	Public

Business & Professions Code 700-7191 - Senate Confirmation (Govt. Code 1322)

***Codes pertain to Business & Professions Code, unless noted otherwise.**

7303. The board shall consist of nine members. Five members shall be public and four members shall represent the professions. The Governor shall appoint three of the public members and the four professions members. The Senate Committee on Rules and the Speaker of the Assembly shall each appoint one public member. Members of the board shall be appointed for a term of four years, except that of the members appointed by the Governor, two of the public members and two of the professions members shall be appointed for an initial term of two years. No Board member may serve longer than two consecutive terms.

Operative Date*	Code Section	Regulatory Purpose
11/16/06	CCR 928	Updates the pre-application for examination process to include apprentices.
12/18/06	CCR 980.1-980.3	Establishes detailed procedures for cleaning and disinfecting whirlpool foot spas and air-jet basins, pipeless foot spas and pedicure tubs.
02/09/07	CCR 974	Raises the Board's administrative fines for various violations and eliminates progressive fine amounts for first, second and third offenses in favor of a single fine amount.
03/19/07 *	CCR 942-949, 950.6-950.7, 966	Repeals sections related to barbering and cosmetology instructors that were rendered inoperative by legislative action that rescinded the Board's authority over instructors.
04/25/07	CCR 919	Allows apprentices employed by a chain establishment under common ownership to work in multiple locations.
09/17/07	CCR 973-973.6	Establishes grounds for immediately suspending an establishment's license and placing the licensee on probation for serious health and safety violations; also establishes the terms and conditions of probation and an appeals process.
10/11/07	CCR 950.10	Allowed a certain number of apprenticeship credit hours to be transferred to a school program until January 1, 2009, after which such transfers of credit were prohibited.
12/21/07	CCR 998	Establishes an application and examination fee of \$75 for cosmetology, barber, electrologist, manicurist and esthetician licenses; it also raises the renewal fee for each license by \$10.
04/23/08	CCR 974	Establishes administrative fines for violations of cleaning and disinfecting procedures for pipeless footspas and non-whirlpool pedicure tubs or basins.
07/04/08	CCR 931	Repeals subsection that allows male models to be used only for the barber, manicurist and electrologist examinations.
02/27/09	CCR 950.2	Revises the Board-approved school curriculum for cosmetology students to give schools more discretion in how and what they teach and strengthen health and safety training.

03/04/09*	CCR 950.2, 998	Corrects 950.2 language so that it conforms to the style of other school curriculums revised by the Board. Revises section 998 to remove fees for instructors and re-lettering of section.
03/13/09	CCR 950.3	Revises the Board-approved school curriculum for esthetics students to give schools more discretion in how and what they teach.
08/05/09 *	CCR 995	Revises the Board's building standards to reflect changes in California's building and plumbing codes
08/18/11 *	CCR 995	Corrects a citation error in the Board's building standards.
09/02/11	CCR 999	Links the Board's dishonored check fee amount to the amount charged by the Department of Consumer Affairs.
09/16/11	CCR 974	Revises the Board's administrative fine schedule to lower some fines and restore a three-tiered progressive discipline system in which fines increase according to the number of previous offenses.
10/25/11 *	CCR 929	Repeals section concerning a candidate showing "good cause" for failure to appear at an examination because the statute to which it refers was repealed by the Legislature.
11/3/11	CCR 972	Revises the Board's Disciplinary Guidelines handbook that administrative law judges use as a guide for imposing penalties on Board licensees.
12/16/11	CCR 950.1, 950.4, 950.5, and 962.3-962.6	Revises the school curriculums for barber, manicurist and electrology students to give schools more discretion in how and what they teach and strengthen health and safety training.
06/13/12	CCR 932	Revises the Board's standard for establishing a passing grade to reflect a criterion-referenced methodology.

* Indicates a "non-substantive" regulatory change; in these cases, the date represents the date the file was endorsed by the Secretary of State. All other dates are the date the regulatory change went into effect..

Performance Measures

Q1 Report (July - Sept 2010)

To ensure stakeholders can review the Board's progress toward meeting its enforcement goals and targets, we have developed a transparent system of performance measurement.

These measures will be posted publicly on a quarterly basis. In future reports, additional measures, such as consumer satisfaction and complaint efficiency, will also be added. These additional measures are being collected internally at this time and will be released once sufficient data is available.

Volume

Number of complaints received.*

Q1 Total: 1,203 (Complaints: 754 Convictions: 449)

Q1 Monthly Average: 401

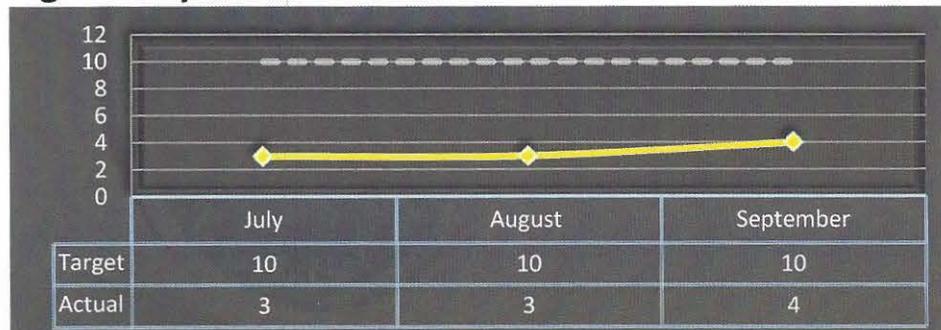


Intake

Average cycle time from complaint receipt, to the date the complaint was assigned to an investigator.

Target: 10 Days

Q1 Average: 4 Days



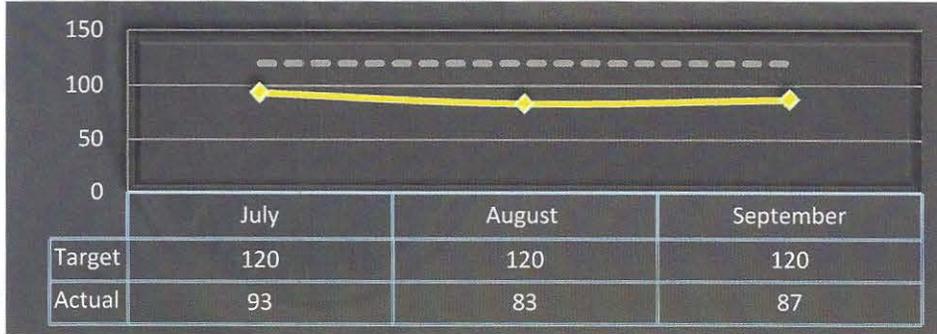
*"Complaints" in these measures include complaints, convictions, and arrest reports.

Intake & Investigation

Average cycle time from complaint receipt to closure of the investigation process. Does not include cases sent to the Attorney General or other forms of formal discipline.

Target: 120 Days

Q1 Average: 88 Days



Formal Discipline

Average cycle time from complaint receipt to closure, for cases sent to the Attorney General or other forms of formal discipline.

Target: 540 Days

Q1 Average: 737 Days

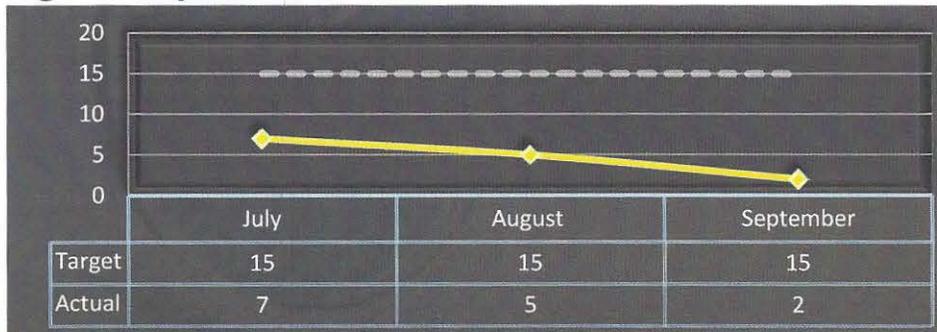


Probation Intake

Average number of days from monitor assignment, to the date the monitor makes first contact with the probationer.

Target: 15 Days

Q1 Average: 5 Days

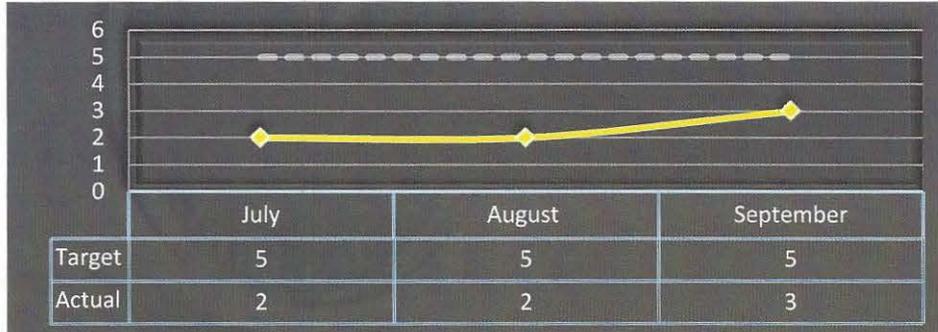


Probation Violation Response

Average number of days from the date a violation of probation is reported, to the date the assigned monitor initiates appropriate action.

Target: 5 Days

Q1 Average: 2 Days



Performance Measures

Q2 Report (Oct - Dec 2010)

To ensure stakeholders can review the Board's progress toward meeting its enforcement goals and targets, we have developed a transparent system of performance measurement. These measures will be posted publicly on a quarterly basis.

In future reports, the Department will request additional measures, such as consumer satisfaction. These additional measures are being collected internally at this time and will be released once sufficient data is available.

Volume

Number of complaints and convictions received.

Q2 Total: 1,083

Complaints: 723 Convictions: 360

Q2 Monthly Average: 361

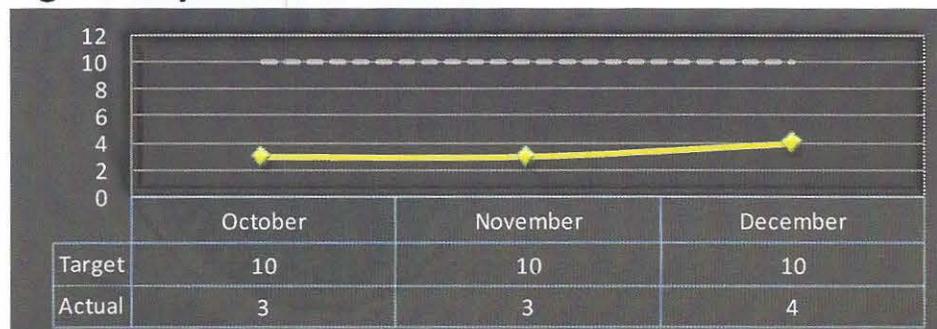


Intake

Average cycle time from complaint receipt, to the date the complaint was assigned to an investigator.

Target: 10 Days

Q2 Average: 3 Days

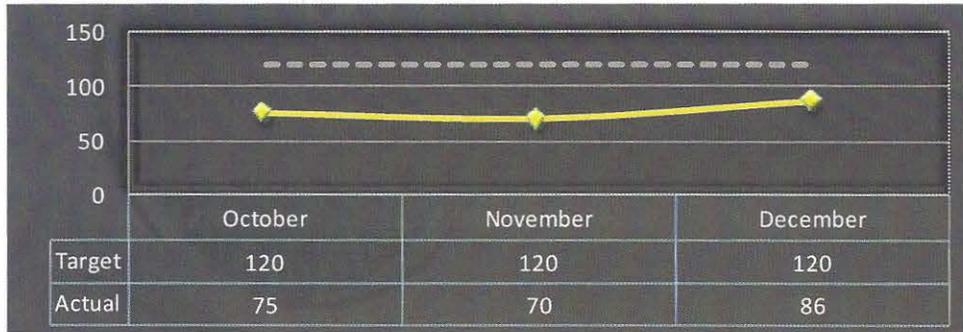


Intake & Investigation

Average cycle time from complaint receipt to closure of the investigation process. Does not include cases sent to the Attorney General or other forms of formal discipline.

Target: 120 Days

Q2 Average: 76 Days



Formal Discipline

Average number of days to complete the entire enforcement process for cases resulting in formal discipline. (Includes intake and investigation by the Board, and prosecution by the AG)

Target: 540 Days

Q2 Average: 490 Days



Probation Intake

Average number of days from monitor assignment, to the date the monitor makes first contact with the probationer.

Target: 15 Days

Q2 Average: 6 Days

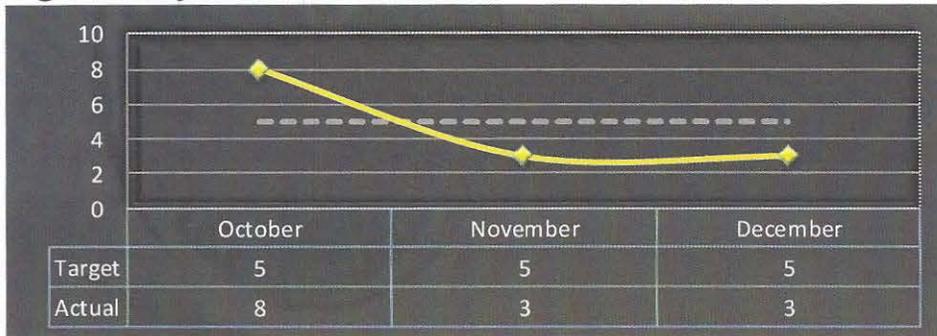


Probation Violation Response

Average number of days from the date a violation of probation is reported, to the date the assigned monitor initiates appropriate action.

Target: 5 Days

Q2 Average: 5 Days



Performance Measures

Q3 Report (January - March 2011)

To ensure stakeholders can review the Board's progress toward meeting its enforcement goals and targets, we have developed a transparent system of performance measurement. These measures will be posted publicly on a quarterly basis.

In future reports, the Department will request additional measures, such as consumer satisfaction. These additional measures are being collected internally at this time and will be released once sufficient data is available.

Volume

Number of complaints and convictions received.

Q3 Total: 1,293

Complaints: 912 Convictions: 381

Q3 Monthly Average: 431

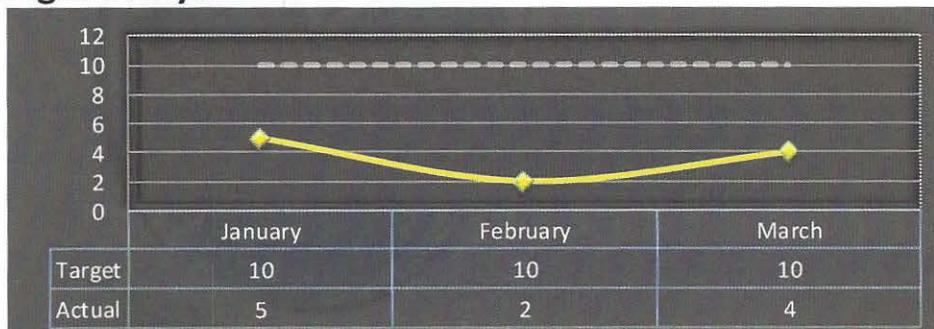


Intake

Average cycle time from complaint receipt, to the date the complaint was assigned to an investigator.

Target: 10 Days

Q3 Average: 4 Days

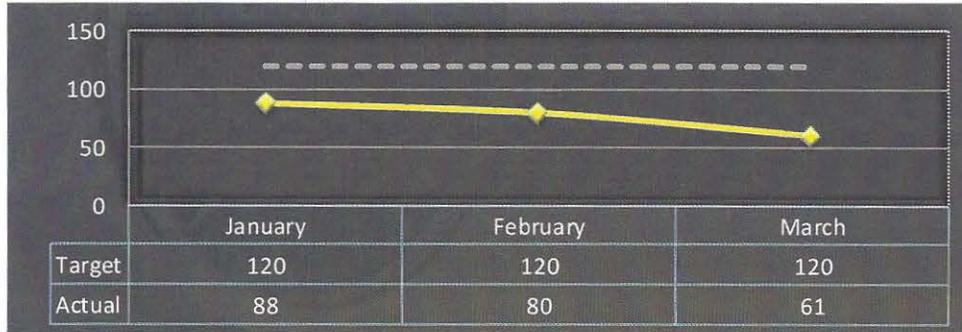


Intake & Investigation

Average cycle time from complaint receipt to closure of the investigation process. Does not include cases sent to the Attorney General or other forms of formal discipline.

Target: 120 Days

Q3 Average: 76 Days

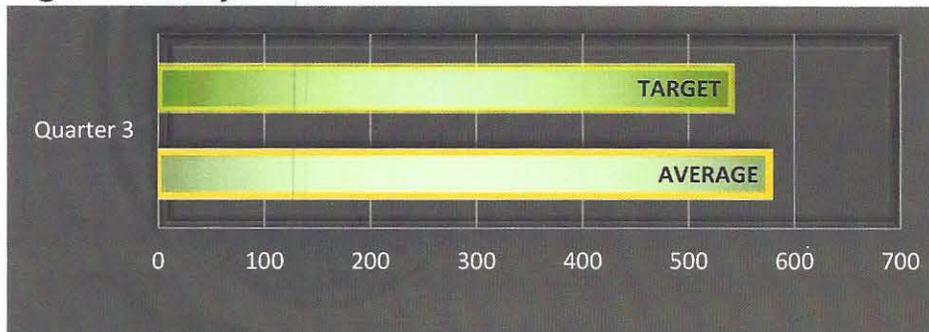


Formal Discipline

Average number of days to complete the entire enforcement process for cases resulting in formal discipline. (Includes intake and investigation by the Board, and prosecution by the AG)

Target: 540 Days

Q3 Average: 576 Days

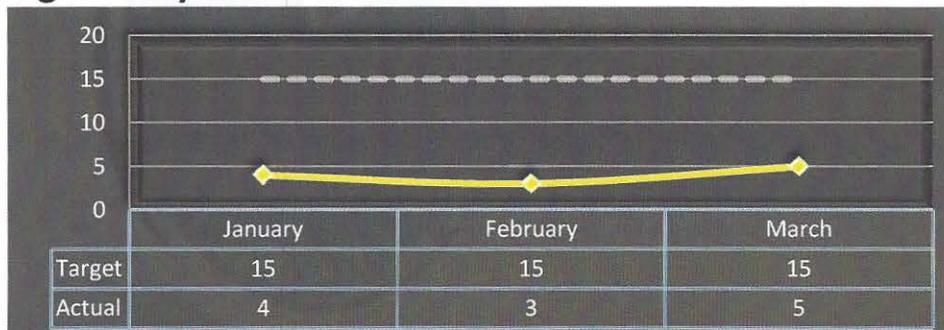


Probation Intake

Average number of days from monitor assignment, to the date the monitor makes first contact with the probationer.

Target: 15 Days

Q3 Average: 4 Days

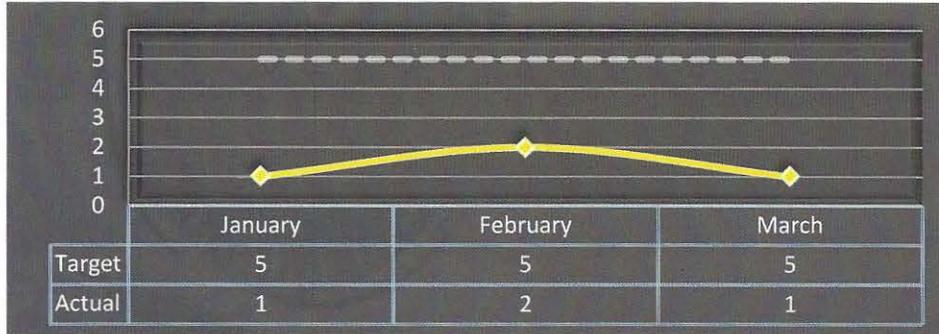


Probation Violation Response

Average number of days from the date a violation of probation is reported, to the date the assigned monitor initiates appropriate action.

Target: 5 Days

Q3 Average: 1 Days



Performance Measures

Q4 Report (April - June 2011)

To ensure stakeholders can review the Board's progress toward meeting its enforcement goals and targets, we have developed a transparent system of performance measurement. These measures will be posted publicly on a quarterly basis.

In future reports, the Department will request additional measures, such as consumer satisfaction. These additional measures are being collected internally at this time and will be released once sufficient data is available.

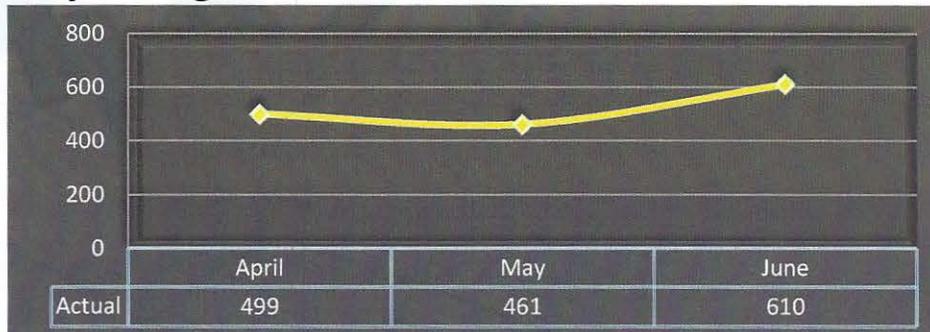
Volume

Number of complaints and convictions received.

Q4 Total: 1,570

Complaints: 1,038 Convictions: 532

Q4 Monthly Average: 523

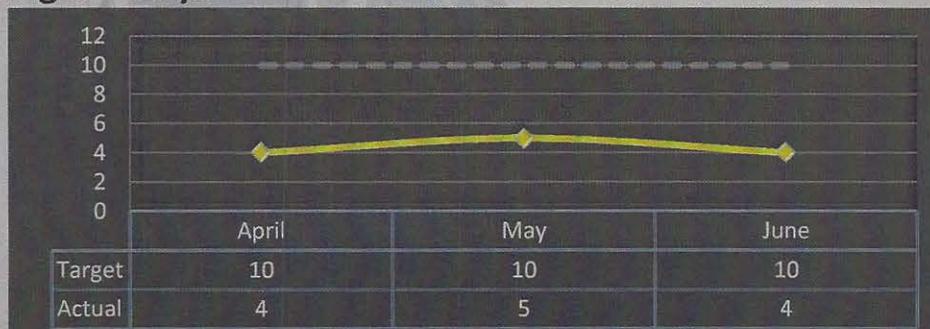


Intake

Average cycle time from complaint receipt, to the date the complaint was assigned to an investigator.

Target: 10 Days

Q4 Average: 5 Days

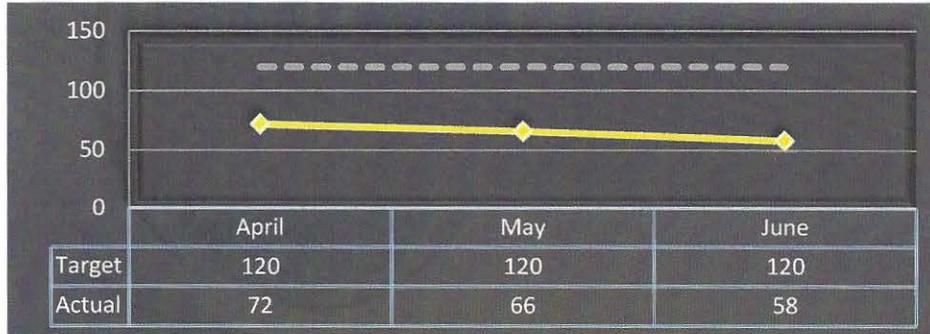


Intake & Investigation

Average cycle time from complaint receipt to closure of the investigation process. Does not include cases sent to the Attorney General or other forms of formal discipline.

Target: 120 Days

Q4 Average: 65 Days



Formal Discipline

Average number of days to complete the entire enforcement process for cases resulting in formal discipline. (Includes intake and investigation by the Board, and prosecution by the AG)

Target: 540 Days

Q4 Average: 446 Days

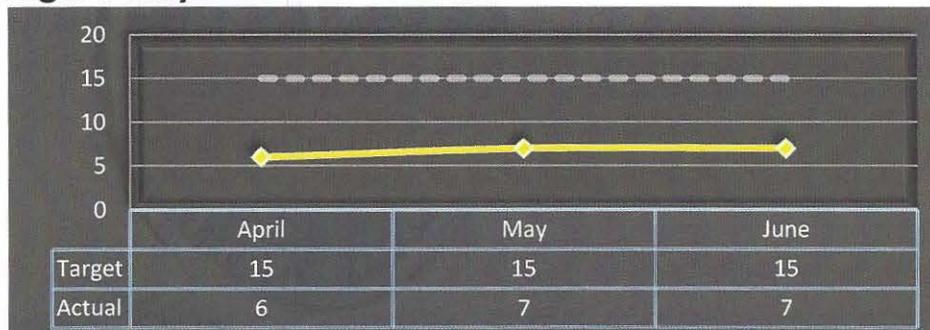


Probation Intake

Average number of days from monitor assignment, to the date the monitor makes first contact with the probationer.

Target: 15 Days

Q4 Average: 6 Days

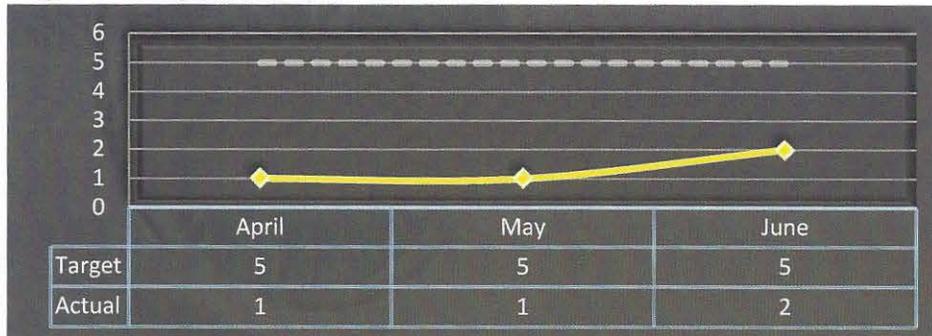


Probation Violation Response

Average number of days from the date a violation of probation is reported, to the date the assigned monitor initiates appropriate action.

Target: 5 Days

Q4 Average: 1 Days



Performance Measures

Annual Report (2010 – 2011 Fiscal Year)

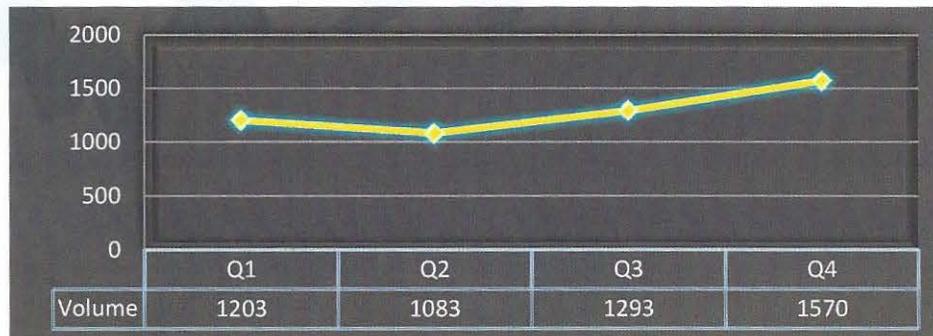
To ensure stakeholders can review the Board's progress in meeting its enforcement goals and targets, we have developed a transparent system of performance measurement. These measures are posted publicly on a quarterly basis.

This annual report represents the culmination of the first four quarters worth of data.

Volume

Number of complaints and convictions received.

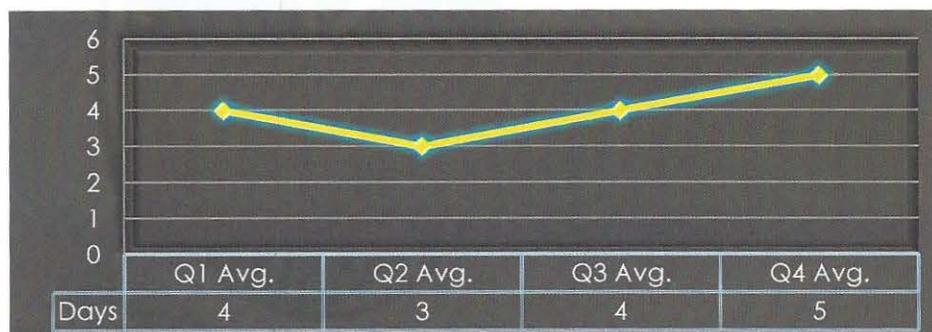
The Board had an annual total of 5,149 this fiscal year.



Intake

Average cycle time from complaint receipt, to the date the complaint was assigned to an investigator.

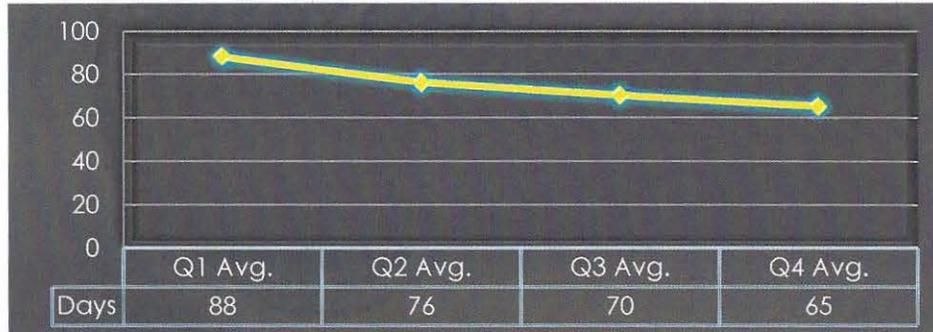
The Board has set a target of 10 days for this measure.



Intake & Investigation

Average cycle time from complaint receipt to closure of the investigation process. Does not include cases sent to the Attorney General or other forms of formal discipline.

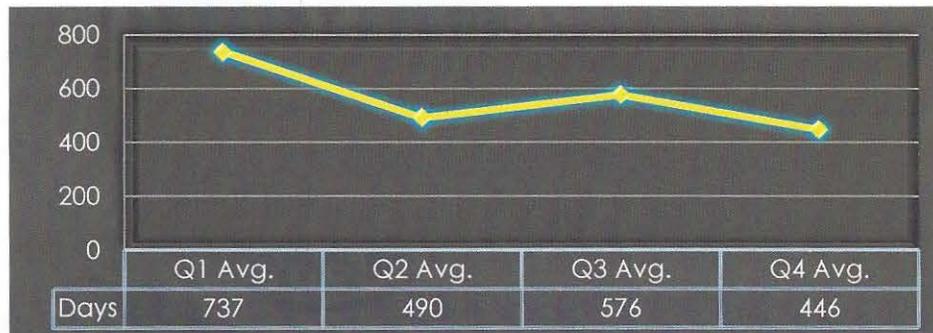
The Board has set a target of 120 days for this measure.



Formal Discipline

Average number of days to complete the entire enforcement process for cases resulting in formal discipline. (Includes intake and investigation by the Board, and prosecution by the AG)

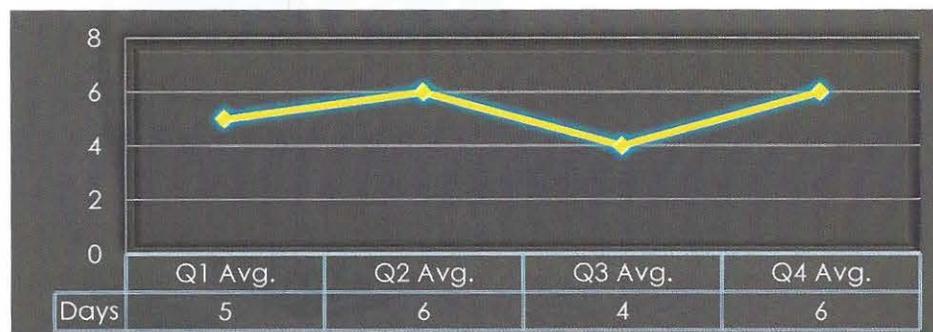
The Board has set a target of 540 days for this measure.



Probation Intake

Average number of days from monitor assignment, to the date the monitor makes first contact with the probationer.

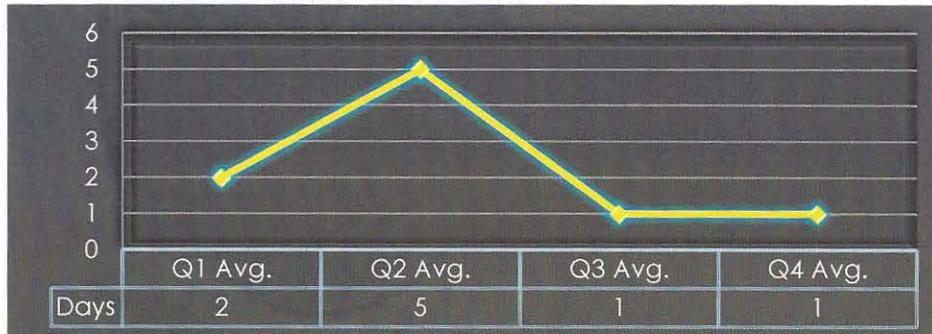
The Board has set a target of 15 days for this measure.



Probation Violation Response

Average number of days from the date a violation of probation is reported, to the date the assigned monitor initiates appropriate action.

The Board has set a target of 5 days for this measure.



Performance Measures

Q1 Report (July - September 2011)

To ensure stakeholders can review the Board's progress toward meeting its enforcement goals and targets, we have developed a transparent system of performance measurement. These measures will be posted publicly on a quarterly basis.

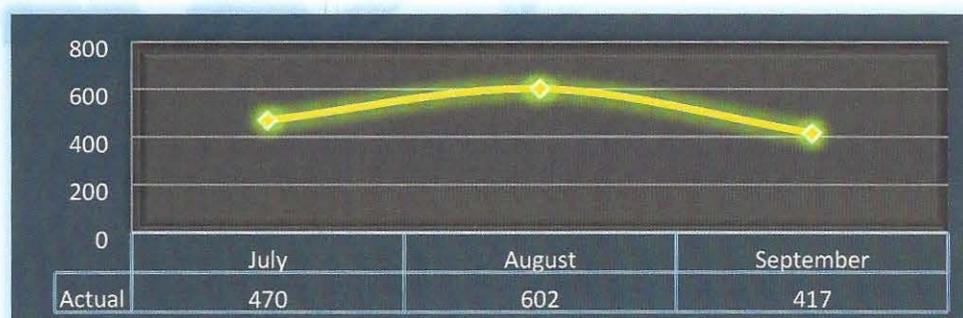
Volume

Number of complaints and convictions received.

Q1 Total: 1,489

Complaints: 1,016 Convictions: 473

Q1 Monthly Average: 496

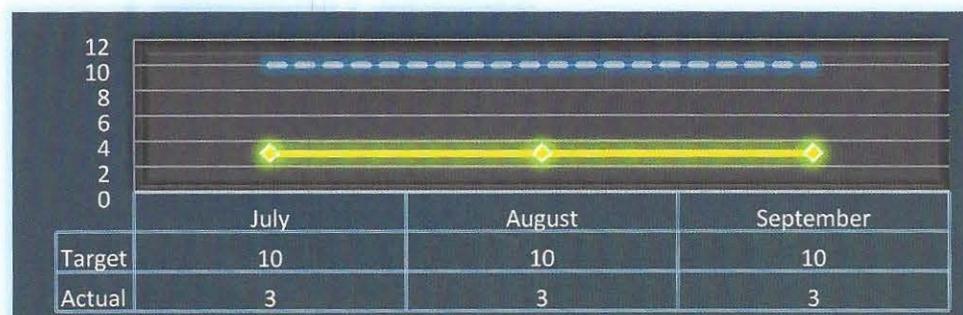


Intake

Average cycle time from complaint receipt, to the date the complaint was assigned to an investigator.

Target: 10 Days

Q1 Average: 3 Days



Intake & Investigation

Average cycle time from complaint receipt to closure of the investigation process. Does not include cases sent to the Attorney General or other forms of formal discipline.

Target: 120 Days

Q1 Average: 63 Days



Formal Discipline

Average number of days to complete the entire enforcement process for cases resulting in formal discipline. (Includes intake and investigation by the Board, and prosecution by the AG)

Target: 540 Days

Q1 Average: 516 Days

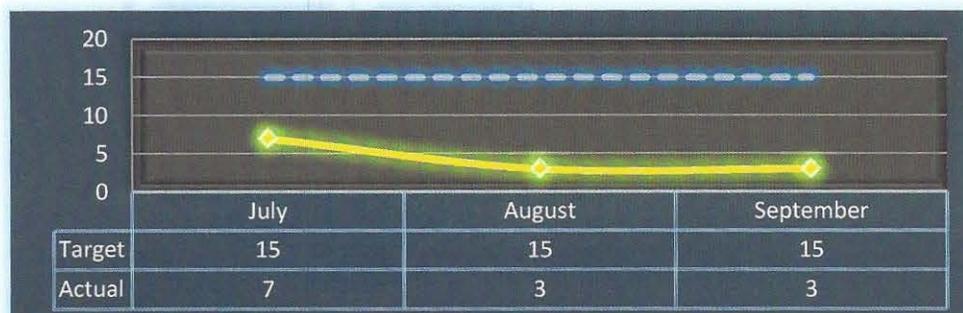


Probation Intake

Average number of days from monitor assignment, to the date the monitor makes first contact with the probationer.

Target: 15 Days

Q1 Average: 4 Days

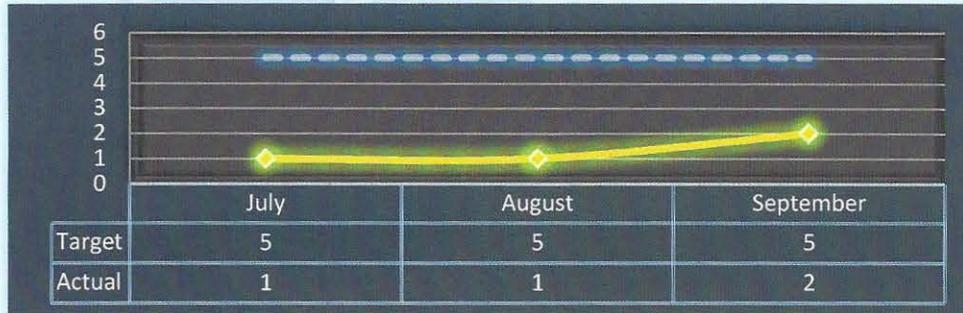


Probation Violation Response

Average number of days from the date a violation of probation is reported, to the date the assigned monitor initiates appropriate action.

Target: 5 Days

Q1 Average: 1 Day



Board of Barbering & Cosmetology

Performance Measures

Q2 Report (October - December 2011)

To ensure stakeholders can review the Board's progress toward meeting its enforcement goals and targets, we have developed a transparent system of performance measurement. These measures will be posted publicly on a quarterly basis.

Volume

Number of complaints and convictions received.

Q2 Total: 1,245

Complaints: 852 Convictions: 393

Q2 Monthly Average: 415

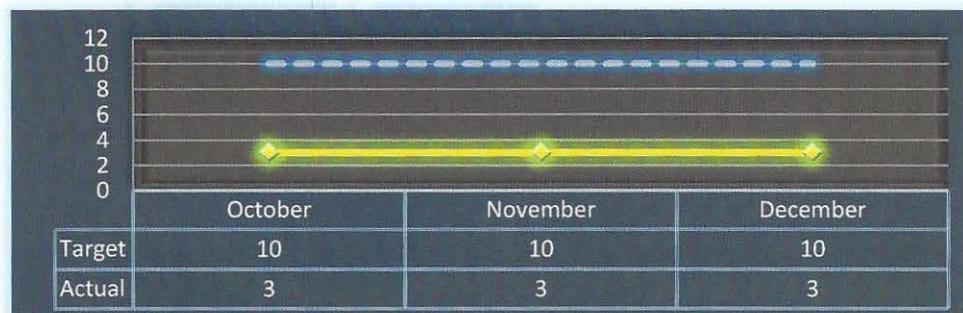


Intake

Average cycle time from complaint receipt, to the date the complaint was assigned to an investigator.

Target: 10 Days

Q2 Average: 3 Days



Intake & Investigation

Average cycle time from complaint receipt to closure of the investigation process. Does not include cases sent to the Attorney General or other forms of formal discipline.

Target: 120 Days

Q2 Average: 83 Days

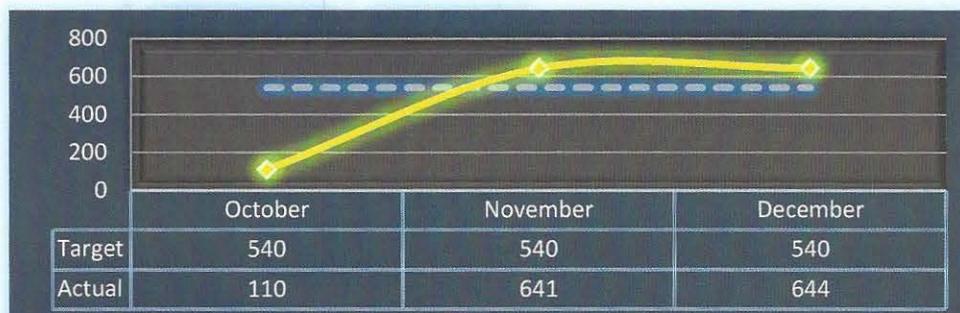


Formal Discipline

Average number of days to complete the entire enforcement process for cases resulting in formal discipline. (Includes intake and investigation by the Board, and prosecution by the AG)

Target: 540 Days

Q2 Average: 485 Days

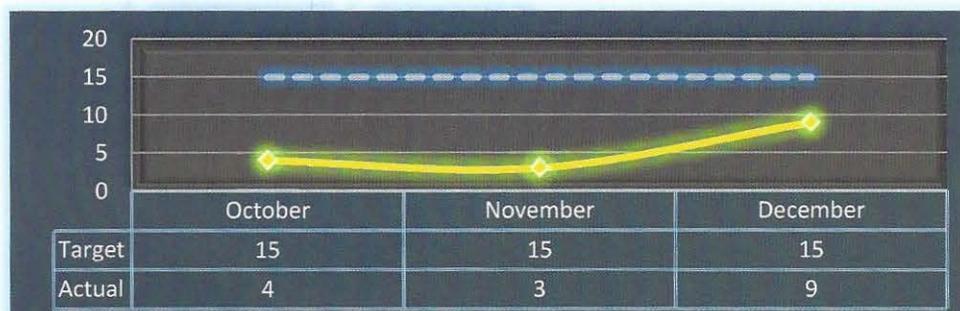


Probation Intake

Average number of days from monitor assignment, to the date the monitor makes first contact with the probationer.

Target: 15 Days

Q2 Average: 6 Days

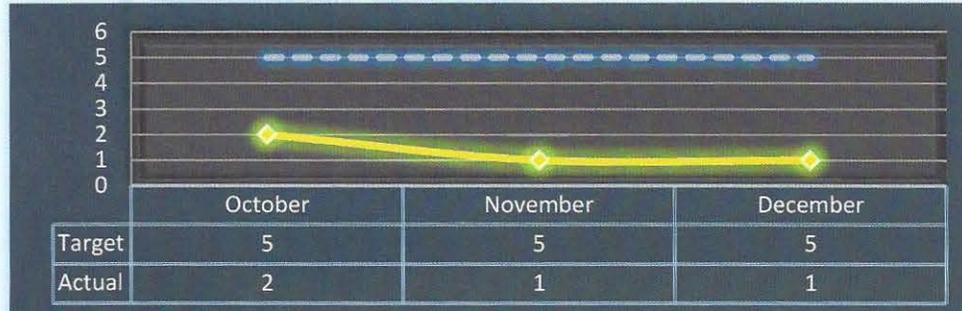


Probation Violation Response

Average number of days from the date a violation of probation is reported, to the date the assigned monitor initiates appropriate action.

Target: 5 Days

Q2 Average: 2 Days



Performance Measures

Q3 Report (January - March 2012)

To ensure stakeholders can review the Board's progress toward meeting its enforcement goals and targets, we have developed a transparent system of performance measurement. These measures will be posted publicly on a quarterly basis.

Volume

Number of complaints and convictions received.

Q3 Total: 1,315

Complaints: 831 Convictions: 484

Q3 Monthly Average: 438

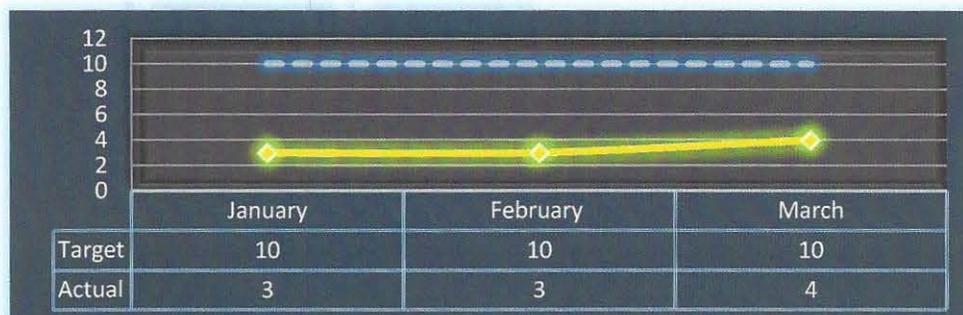


Intake

Average cycle time from complaint receipt, to the date the complaint was assigned to an investigator.

Target: 10 Days

Q3 Average: 3 Days

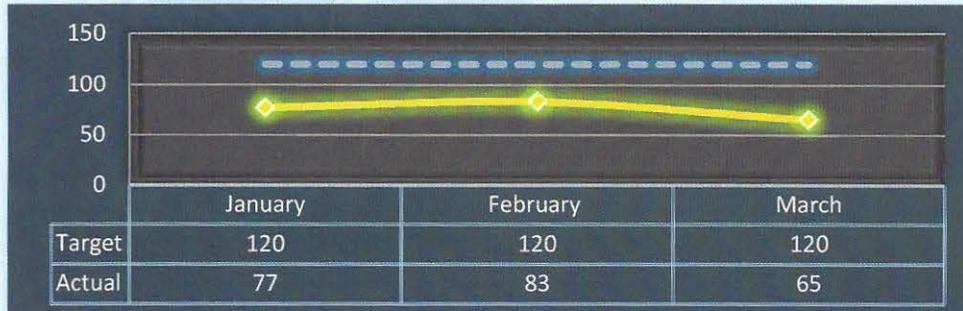


Intake & Investigation

Average cycle time from complaint receipt to closure of the investigation process. Does not include cases sent to the Attorney General or other forms of formal discipline.

Target: 120 Days

Q3 Average: 74 Days



Formal Discipline

Average number of days to complete the entire enforcement process for cases resulting in formal discipline. (Includes intake and investigation by the Board, and prosecution by the AG)

Target: 540 Days

Q3 Average: 394 Days

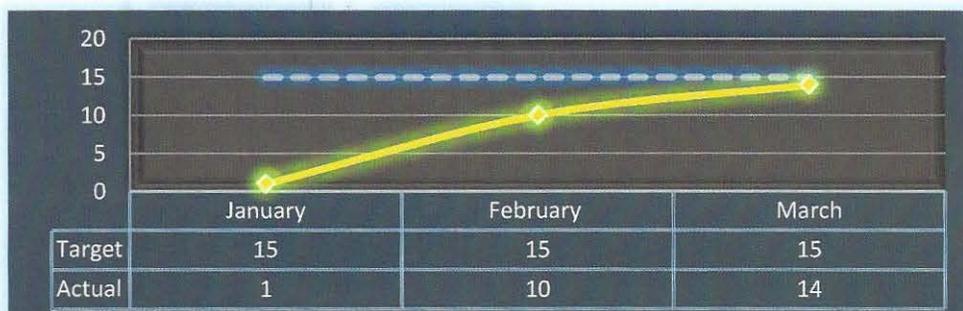


Probation Intake

Average number of days from monitor assignment, to the date the monitor makes first contact with the probationer.

Target: 15 Days

Q3 Average: 12 Days

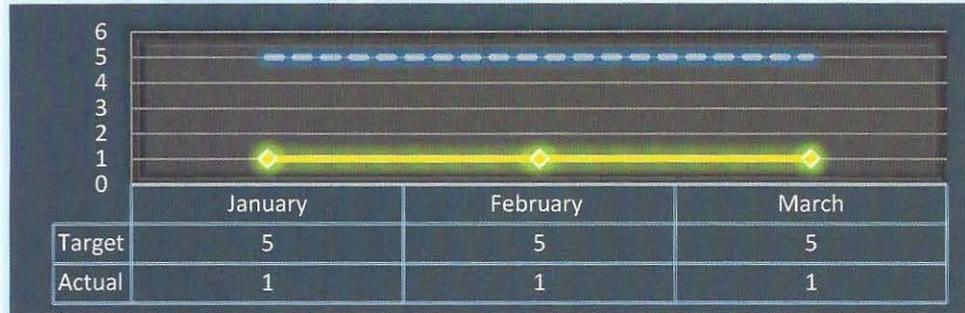


Probation Violation Response

Average number of days from the date a violation of probation is reported, to the date the assigned monitor initiates appropriate action.

Target: 5 Days

Q3 Average: 1 Day



Performance Measures

Q4 Report (April - June 2012)

To ensure stakeholders can review the Board's progress toward meeting its enforcement goals and targets, we have developed a transparent system of performance measurement. These measures will be posted publicly on a quarterly basis.

Volume

Number of complaints and convictions received.

Q4 Total: 1,418

Complaints: 881 Convictions: 537

Q4 Monthly Average: 473

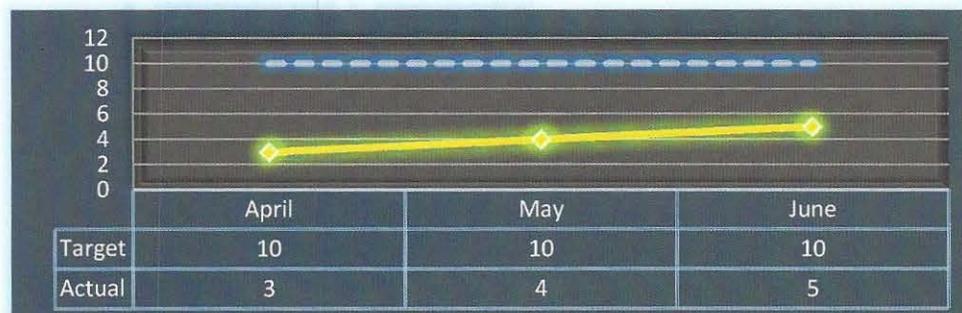


Intake

Average cycle time from complaint receipt, to the date the complaint was assigned to an investigator.

Target: 10 Days

Q4 Average: 4 Days



Intake & Investigation

Average cycle time from complaint receipt to closure of the investigation process. Does not include cases sent to the Attorney General or other forms of formal discipline.

Target: 120 Days

Q4 Average: 62 Days



Formal Discipline

Average number of days to complete the entire enforcement process for cases resulting in formal discipline. (Includes intake and investigation by the Board, and prosecution by the AG)

Target: 540 Days

Q4 Average: 457 Days

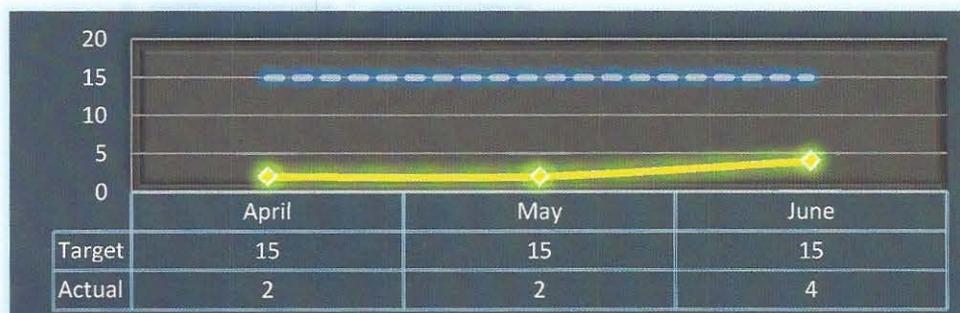


Probation Intake

Average number of days from monitor assignment, to the date the monitor makes first contact with the probationer.

Target: 15 Days

Q4 Average: 3 Days

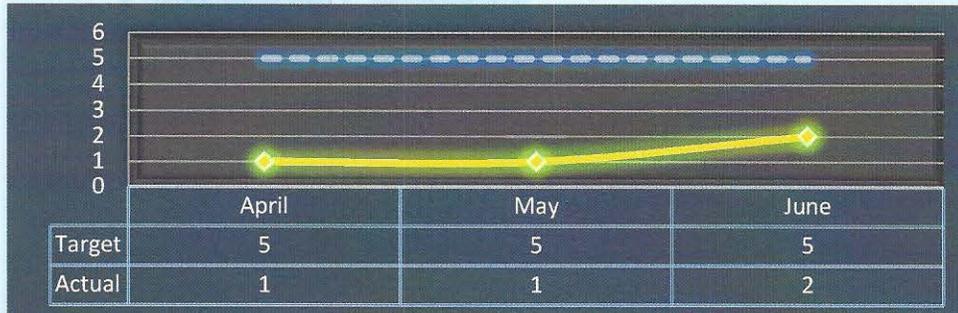


Probation Violation Response

Average number of days from the date a violation of probation is reported, to the date the assigned monitor initiates appropriate action.

Target: 5 Days

Q4 Average: 1 Day

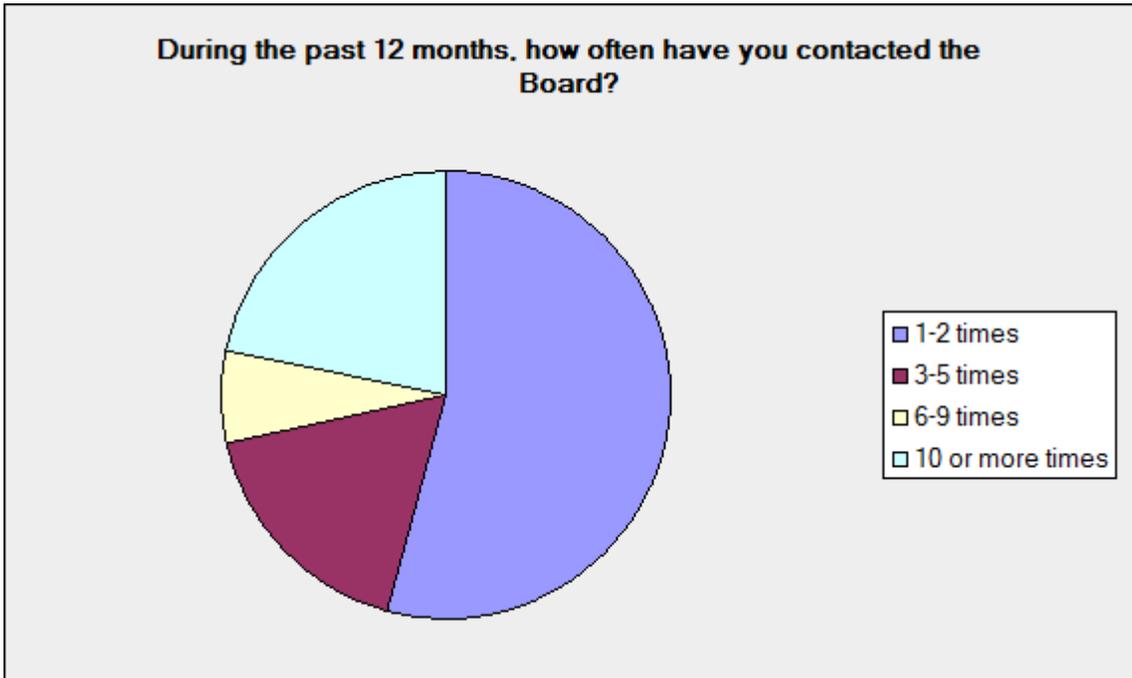


Customer Satisfaction Survey
April 27, 2009 - June 30, 2009

Question 1

During the past 12 months, how often have you contacted the Board?

Answer Options	Response Percent	Response Count
1-2 times	54.3%	57
3-5 times	17.1%	18
6-9 times	6.7%	7
10 or more times	21.9%	23
<i>answered question</i>		105
<i>skipped question</i>		0



Question 2

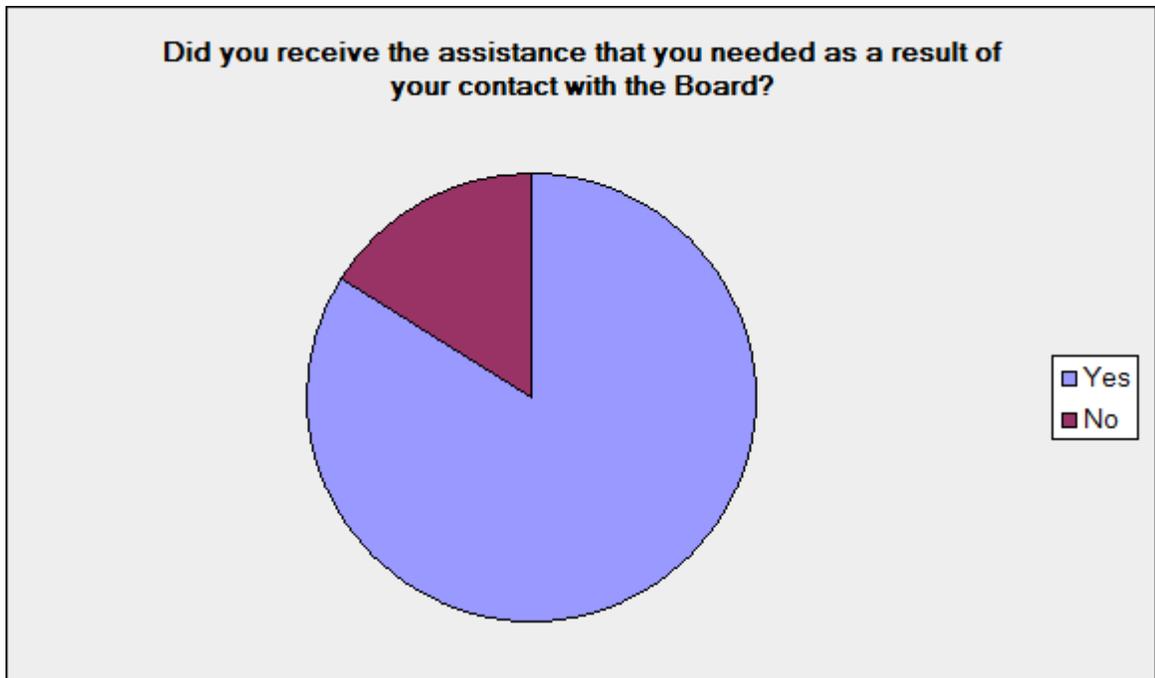
Please rate the following categories and your overall experience with Board staff:

Answer Options	Excellent	Good	Fair	Poor	Unacceptable	N/A	Response Count
Staff Courtesy	18	11	8	1	1		44
Staff Aecessibility	5	19	11	5	1	6	47
Overall Satisfaction	34	24	14	9	4	0	85
<i>answered question 105</i>							
<i>skipped question 0</i>							

Question 3

Did you receive the assistance that you needed as a result of your contact with the Board?

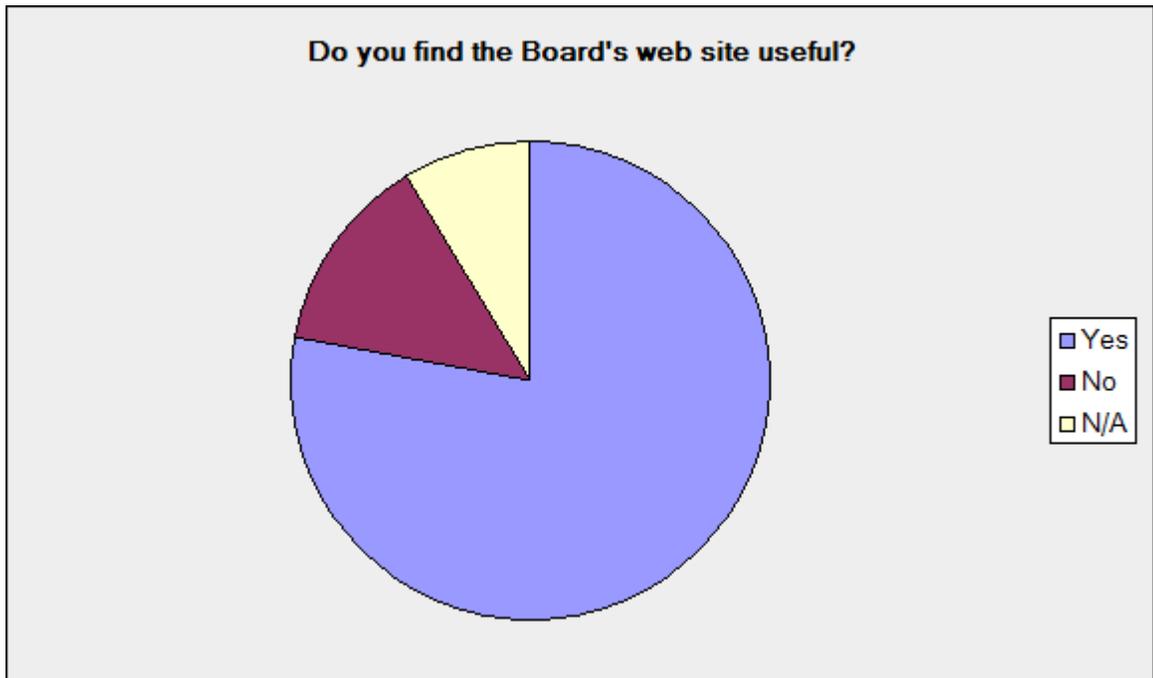
Answer Options	Response Percent	Response Count
Yes	83.8%	88
No	16.2%	17
<i>answered question</i>		105
<i>skipped question</i>		0



Question 4

Do you find the Board's web site useful?

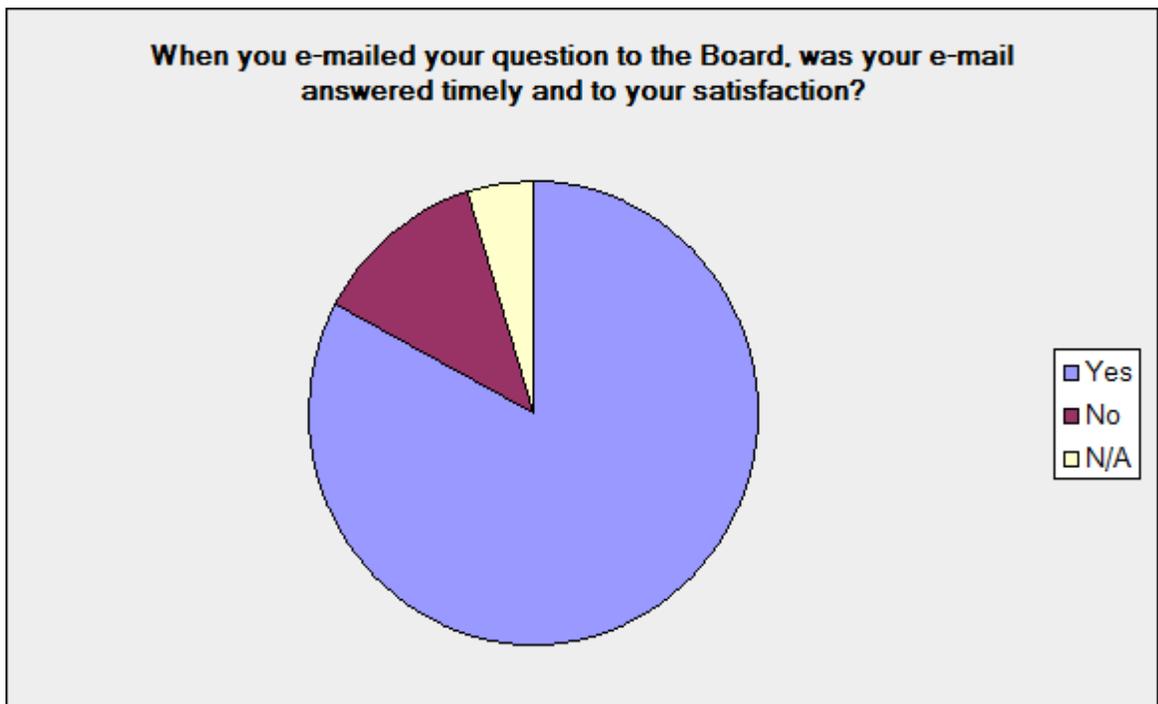
Answer Options	Response Percent	Response Count
Yes	77.9%	81
No	13.5%	14
N/A	8.7%	9
Comments/Suggestions About Web Site		26
<i>answered question</i>		104
<i>skipped question</i>		1



Question 5

When you e-mailed your question to the Board, was your e-mail answered timely and to your

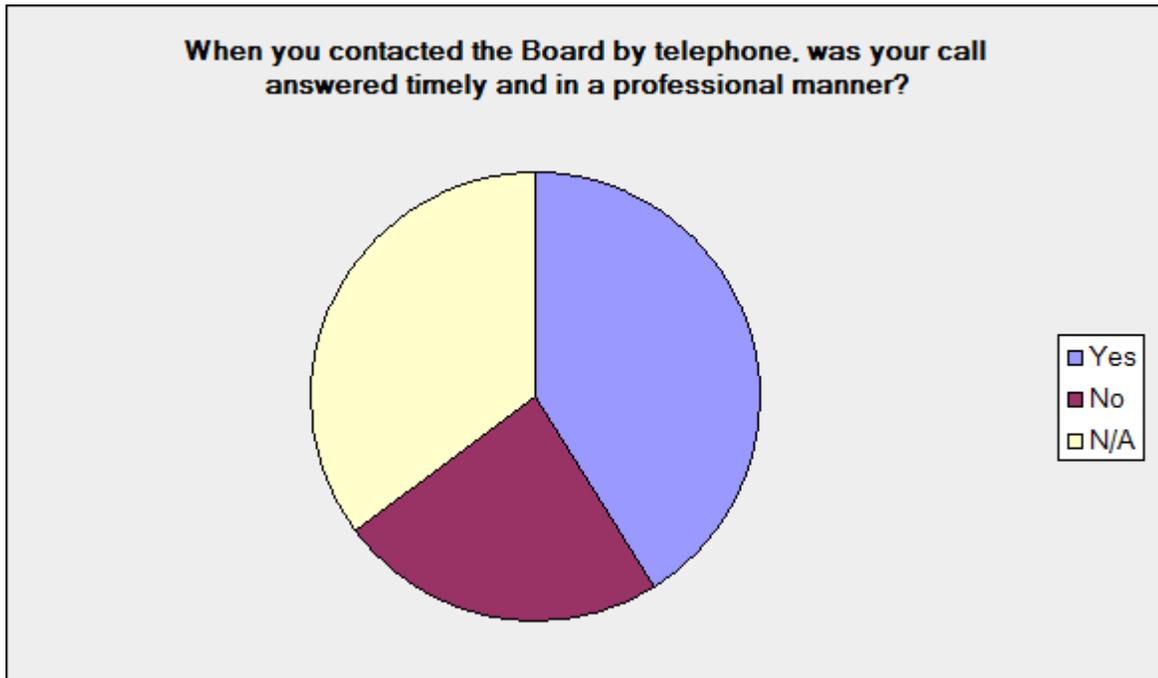
Answer Options	Response Percent	Response Count
Yes	82.7%	86
No	12.5%	13
N/A	4.8%	5
<i>answered question</i>		104
<i>skipped question</i>		1



Question 6

When you contacted the Board by telephone, was your call answered timely and in a professional

Answer Options	Response Percent	Response Count
Yes	41.2%	42
No	23.5%	24
N/A	35.3%	36
<i>answered question</i>		102
<i>skipped question</i>		3

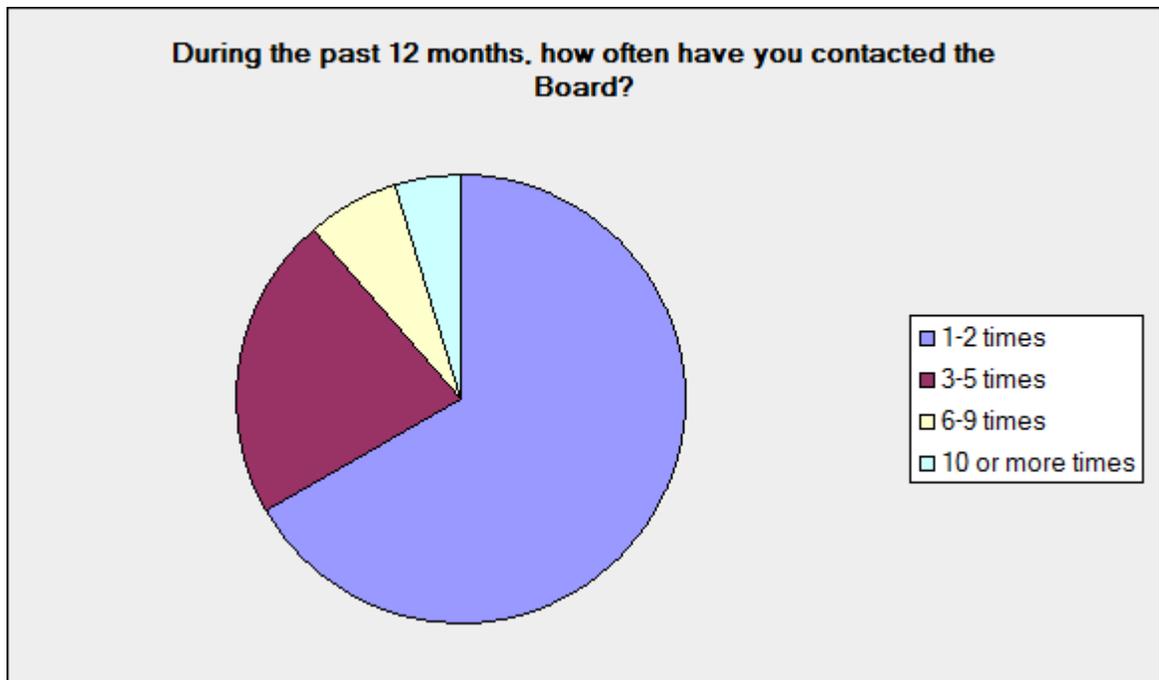


Customer Satisfaction Survey
July 1, 2009 - June 30, 2010

Question 1

During the past 12 months, how often have you contacted the Board?

Answer Options	Response Percent	Response Count
1-2 times	66.6%	237
3-5 times	22.2%	79
6-9 times	6.5%	23
10 or more times	4.8%	17
<i>answered question</i>		356
<i>skipped question</i>		0



Question 2

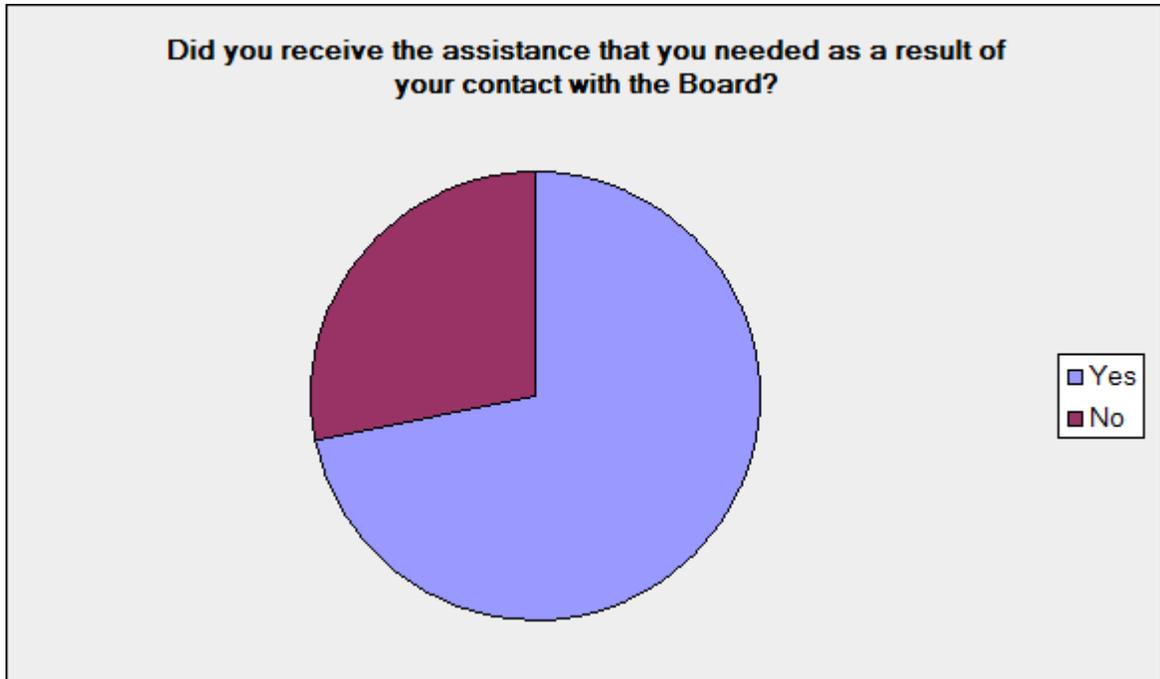
Please rate the following categories and your overall experience with Board staff:

Answer Options	Excellent	Good	Fair	Poor	Unacceptable	N/A	Response Count
Staff Courtesy	66	53	22	9	8	9	167
Staff Aecessibility	11	21	31	22	12	19	116
Overall	95		44	35	26	18	292
<i>answered question</i>							356
<i>skipped question</i>							0

Question 3

Did you receive the assistance that you needed as a result of your contact with the Board?

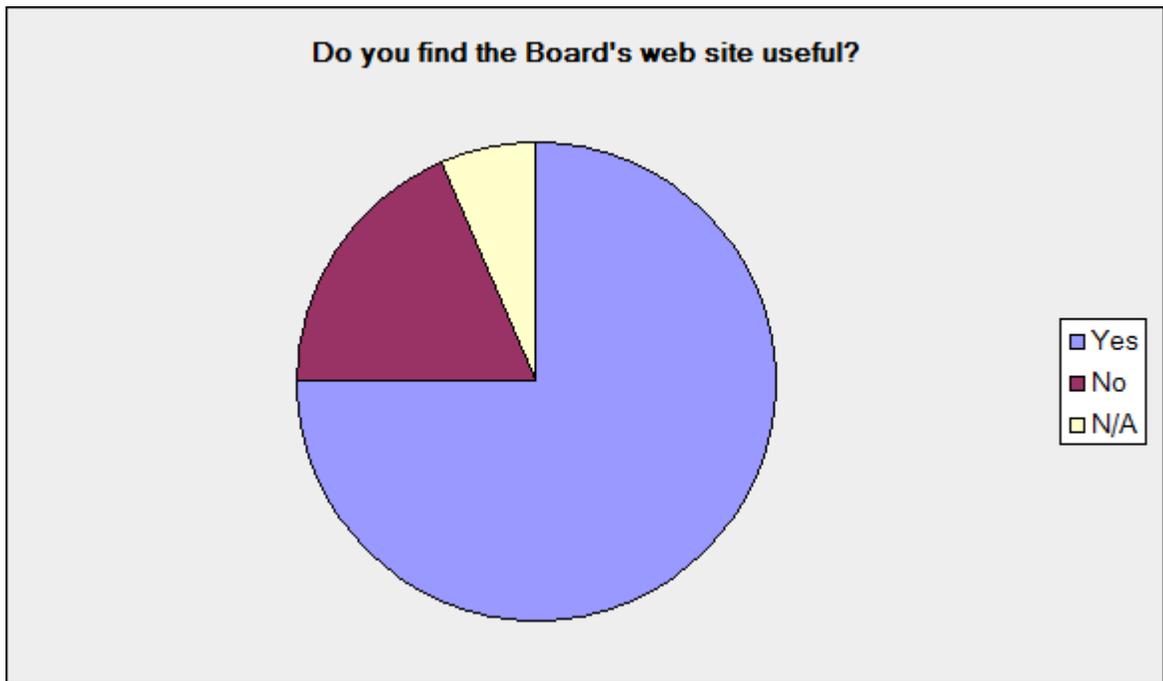
Answer Options	Response Percent	Response Count
Yes	71.6%	255
No	28.4%	101
<i>answered question</i>		356
<i>skipped question</i>		0



Question 4

Do you find the Board's web site useful?

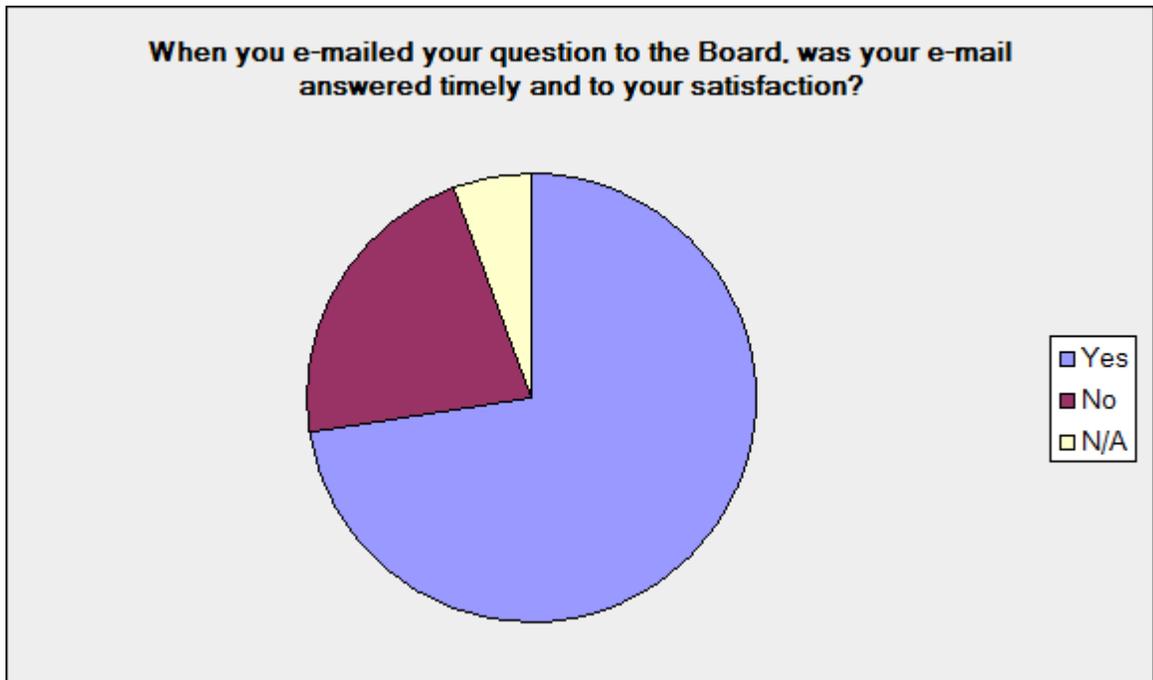
Answer Options	Response Percent	Response Count
Yes	75.0%	264
No	18.5%	65
N/A	6.5%	23
Comments/Suggestions About Web Site		121
<i>answered question</i>		352
<i>skipped question</i>		4



Question 5

When you e-mailed your question to the Board, was your e-mail answered timely and to your

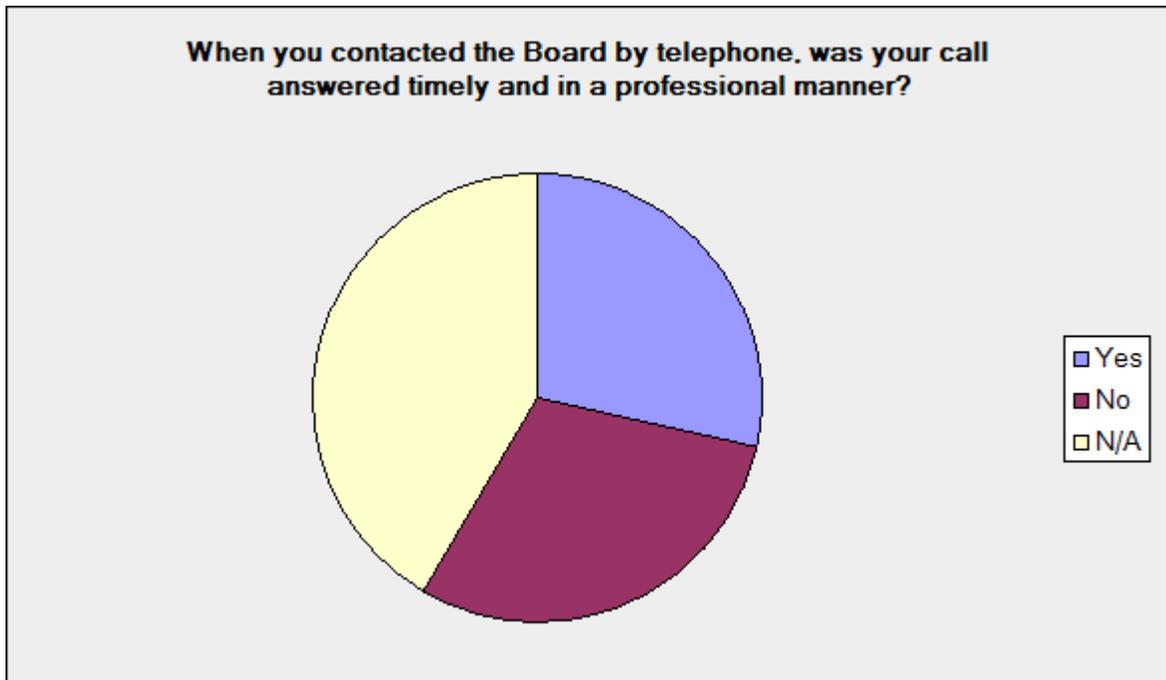
Answer Options	Response Percent	Response Count
Yes	72.6%	257
No	21.8%	77
N/A	5.6%	20
<i>answered question</i>		354
<i>skipped question</i>		2



Question 6

When you contacted the Board by telephone, was your call answered timely and in a professional

Answer Options	Response Percent	Response Count
Yes	28.7%	100
No	29.5%	103
N/A	41.8%	146
<i>answered question</i>		349
<i>skipped question</i>		7



Customer Satisfaction Survey
July 1, 2010 - June 30, 2011

Question 1

During the past 12 months, how often have you contacted the Board?

Answer Options	Response Percent	Response Count
1-2 times	62.8%	169
3-5 times	26.0%	70
6-9 times	5.2%	14
10 or more times	5.9%	16
<i>answered question</i>		269
<i>skipped question</i>		0



Question 2

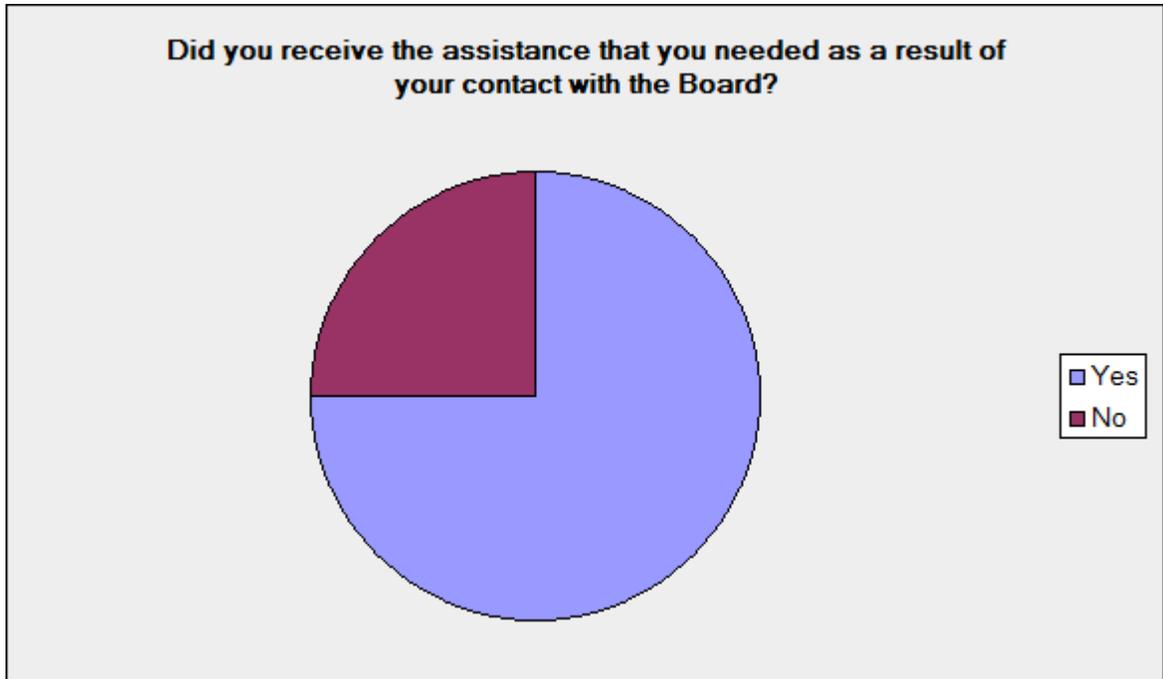
Please rate the following categories and your overall experience with Board staff:

Answer Options	Excellent	Good	Fair	Poor	Unacceptable	N/A	Response Count
Staff Courtesy	31	39	15	10	2	20	117
Staff Aecessibility	12	18	33	24	15	10	111
Overall	69	53	31	21	27	8	209
<i>answered question 269</i>							
<i>skipped question 0</i>							

Question 3

Did you receive the assistance that you needed as a result of your contact with the Board?

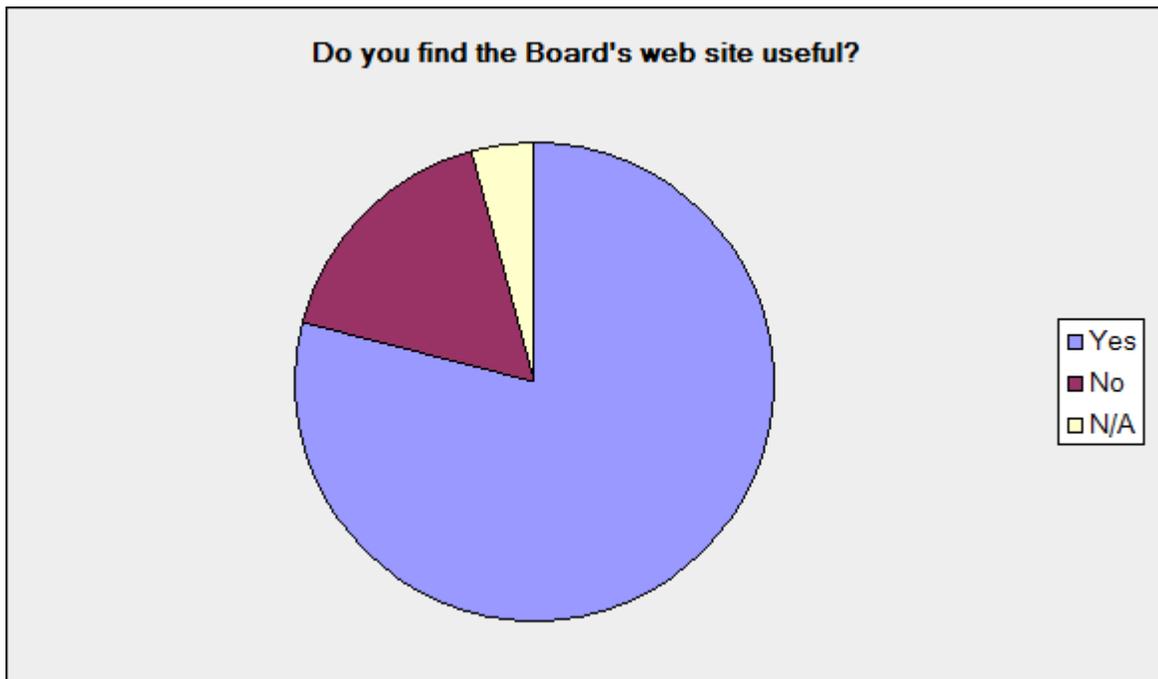
Answer Options	Response Percent	Response Count
Yes	75.1%	202
No	24.9%	67
<i>answered question</i>		269
<i>skipped question</i>		0



Question 4

Do you find the Board's web site useful?

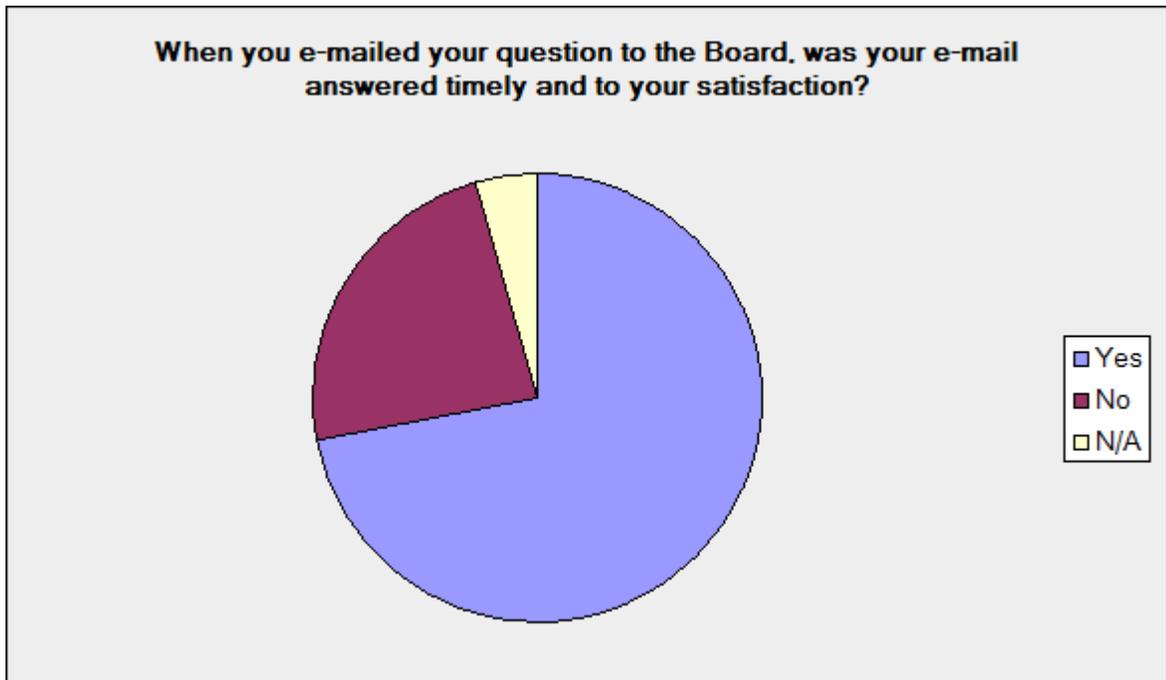
Answer Options	Response Percent	Response Count
Yes	79.0%	211
No	16.9%	45
N/A	4.1%	11
Comments/Suggestions About Web Site		92
<i>answered question</i>		267
<i>skipped question</i>		2



Question 5

When you e-mailed your question to the Board, was your e-mail answered timely and to your

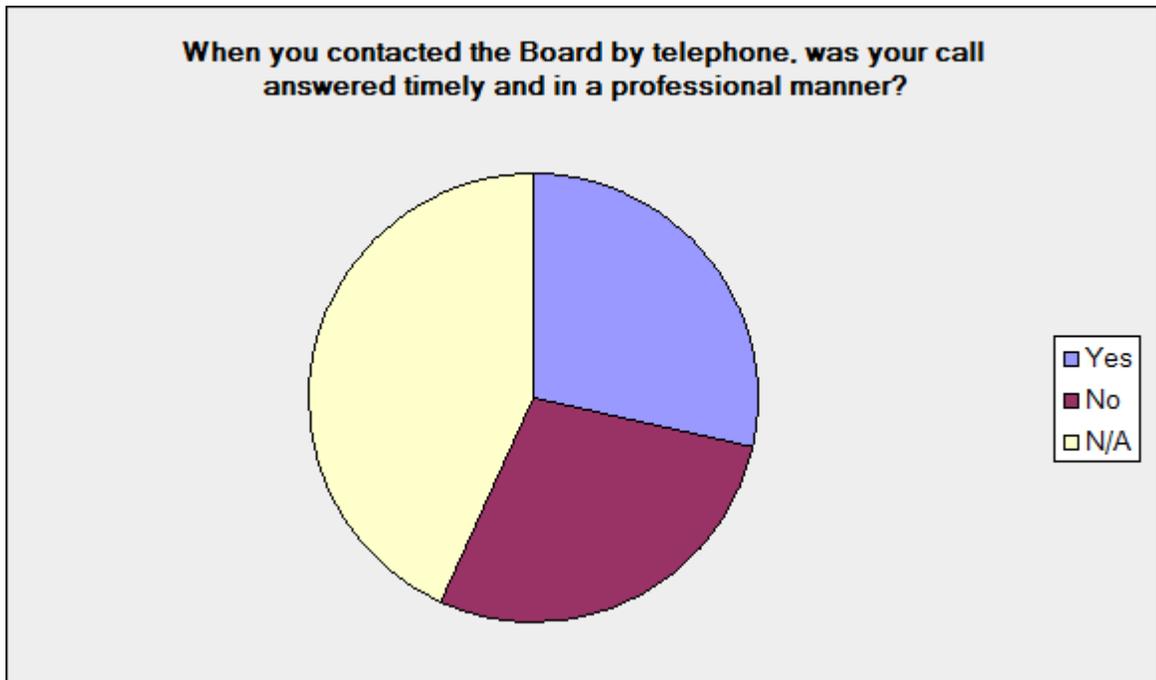
Answer Options	Response Percent	Response Count
Yes	71.9%	192
No	23.6%	63
N/A	4.5%	12
<i>answered question</i>		267
<i>skipped question</i>		2



Question 6

When you contacted the Board by telephone, was your call answered timely and in a professional

Answer Options	Response Percent	Response Count
Yes	28.7%	75
No	28.0%	73
N/A	43.3%	113
<i>answered question</i>		261
<i>skipped question</i>		8



BBC OUTREACH EVENTS (ATTENDED/SENT PUBLICATIONS)

FY 07-08 INDUSTRY EVENTS			
EVENT NAME	ATTENDEE TYPE	DATE	LOCATION
Beauty Revolution	Industry	January 28-29, 2007	Long Beach
Doris Mosely	Industry	March 18-19, 2007	Los Angeles
Global Hair & Beauty Expo	Industry	March 25, 2007	Sacramento
Beauty School Forum	Industry	April 29-30, 2007	Burbank
Josden International Beauty Expo Latino	Industry	May 6, 2007	Oakland
Expo Latino	Industry	July 22-23, 2007	Long Beach
Face & Body Expo	Industry	August 26-27, 2007	San Francisco
Nailpro Trade Show	Industry	October 7, 2007	Sacramento
Beauty School Forum	Industry	September 23-24, 2007	Burbank
FY 07-08 CONSUMER EVENTS			
EVENT NAME	ATTENDEE TYPE	DATE	LOCATION
State Agency Expo	Consumer	May 17, 2007	Arcadia
California State Fair	Consumer	August 17-3, 2007	Sacramento
DCA Senior Summit	Consumer	March 21, 2007	Riverside
Consumer Protection Day	Consumer	March 24, 2007	San Diego
Head to Toe Women's Expo	Consumer	April 20-22, 2007	Del Mar
Head to Toe Women's Expo	Consumer	September 28-30, 2007	Orange County
FY 08-09 INDUSTRY EVENTS			
EVENT NAME	ATTENDEE TYPE	DATE	LOCATION
Face and Body Expo	Industry	August 26-27, 2008	San Francisco
Nailpro Trade Show	Industry	September 14, 2008	Anaheim
Vietnamese Beauty Expo (with Senator Correa)	Industry	October 5, 2008	Westminster
Beauty School Forum	Industry	October 19-20, 2008	Pasadena
Nailpro Trade Show	Industry	October 26, 2008	Sacramento
International Salon and Spa Show	Industry	Jan. 31-Feb. 2, 2009	Long Beach
School Town Hall Meeting	Industry	February. 22, 2009	Sacramento
Advanced Beauty College Vietnamese Beauty Benefits Seminar	Industry	February 25, 2009	Garden Grove
Industry Town Hall Meeting / Mani/Pedi Workshop	Industry	March 15, 2009	Sacramento
Global Hair and Beauty Expo	Industry	April 5-6, 2009	Sacramento
Spring Style Show	Industry	April 26-27, 2009	San Jose
School Town Hall Meeting	Industry	May 23, 2009	Riverside
Industry Town Hall Meeting	Industry	June 7, 2009	Pomona
Healthy Nail Salon Workshop (with Senator Correa)	Industry	June 19, 2009	Garden Grove
FY 08-09 CONSUMER EVENTS			
EVENT NAME	ATTENDEE TYPE	DATE	LOCATION
Wellness Fair	Consumer	October 8, 2008	DCA HQ's
The Westing PACT Summit	Consumer	November. 17-19, 2008	Los Angeles
Evans Consumer Information Fair	Consumer	March 4, 2009	Los Angeles
Stoneridge Mall Consumer Event	Consumer	March 7, 2009	Pleasanton
Fortune Festival	Consumer	June 20, 2009	Sacramento
FY 09-10 INDUSTRY EVENTS			
EVENT NAME	ATTENDEE TYPE	DATE	LOCATION
Expo Latino ISSE	Industry	August 23-24, 2009	Long Beach
Beauty School Forum	Industry	September. 20-21, 2009	Pasadena
NailPro Show	Industry	November 15-16, 2009	Sacramento
Industry Townhall	Industry	December 13, 2009	Westminster
It's All About Hair, Skin and Nails	Industry	September 9, 2009	San Jose
CMRTA Annual Conference	Local Government	October 14, 2009	Burbank
FY 09-10 CONSUMER EVENTS			
EVENT NAME	ATTENDEE TYPE	DATE	LOCATION
DCA's Wellness Fair	Consumer	September 10, 2009	Sacramento

BBC OUTREACH EVENTS (ATTENDED/SENT PUBLICATIONS)

FY 10-11 INDUSTRY EVENTS			
EVENT NAME	ATTENDEE TYPE	DATE	LOCATION
Black Area Black Expo	Industry	July 16-18, 2010	Sent publications Oakland
Nail Pro Show	Industry	October 10, 2010	Sent publications
Barristar Beauty School Forum	Industry	November 21, 2010	San Jose
ISSE Beauty Expo	Industry	January 29-31, 2011	Long Beach
FY 10-11 CONSUMER EVENTS			
EVENT NAME	ATTENDEE TYPE	DATE	LOCATION
Evans Consumer Information Fair	Consumer	March 2 and March 5, 2011	Long Beach
FY 11-12 INDUSTRY EVENTS			
EVENT NAME	ATTENDEE TYPE	DATE	LOCATION
None	Industry	N/A	N/A
FY 11-12 CONSUMER EVENTS			
EVENT NAME	ATTENDEE TYPE	DATE	LOCATION
Evans Consumer Information Fair	Consumer	March 20, 2012	Sent publications