

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

**MODIFIED TEXT
DISCIPLINARY GUIDELINES**

Legend:

For the originally proposed regulatory language:

Added text is indicated with an underline.

Deleted text is indicated by ~~strikeout~~.

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

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

§ 972. Disciplinary Guidelines

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

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