BusinessCosmo
Board of Barbering & Cosmetology

BUSINESS, CONSUMER SERVICES, AND HOUSING AGENCY – Edmund G. Brown Jr.
BOARD OF BARBERING AND COSMETOLOGY
P.O. Box 944226, Sacramento, CA 94244-2260
P (800) 952-5210 F (916) 575-7281 www.barbercosmo.ca.gov

COMPLAINT DISCLOSURE POLICY

Introduction

The Board of Barbering and Cosmetology's (Board) complaint disclosure policy has been developed to provide the public with information regarding complaints and disciplinary actions regarding licensees, candidates for licensure, unlicensed individuals and schools.

The Board's complaint disclosure policy doe not include non-actionable complaints. Non-actionable complaints are those which, after investigation, were determined to be unsubstantiated or complaints which have been determined not to be within the Board's jurisdiction. If a complaint was initially determined to indicate a probable violation of law and is later found, upon further investigation, not to constitute a violation, it shall not be disclosed.

Information regarding actions taken by the Board in the disposition of complaints, disciplinary actions and inspections shall be readily accessible to the public in accordance with the Public Information Act and the Uniform policy of the Department of Consumer Affairs regarding public records.

Information to be Released

The Board will disclose the following information regarding complaints:

Closed Actionable Complaints

Closed actionable complains are defined to mean complaints which the Board has (1) investigated, (2) determined that there was a violation of the laws regulating the practice of barbering, cosmetology, esthetics, manicuring or electrolysis and (3) taken disciplinary action (i.e. Citation, Accusation, Statement of Issues, stipulated settlement and default decision).

With regard to closed action complains, the Board will disclose the number of closed actionable complaints, the nature of the complaints, the disposition or action taken, including any criminal conviction or any decision or stipulation which resulted form the filing of an Accusation or Statement of Issues, and the date of closure.

Pending Complaints

Pending Complaints are defined to include the following:

1. Complaints which after review by Board staff have indicated a probable violation of the Board's laws and/or regulations.
2. A complaint which has been referred to the Office of the Attorney General for prosecution after and investigation has indicated a probable violation of the law.
3. A complaint which has resulted in the initiation of formal disciplinary action (i.e. an Accusation filed by the Office of the Attorney General against the subject in question) but where a decision has not been rendered.

With regard to complaints that are under current investigation, the Board will disclose the number of pending complaints, which are currently being investigated.

With regards to complaints that have been referred to the Office of the Attorney General for prosecution, the Board will disclose the number of pending complaints which have been referred to the Office of the Attorney General.

With regards to complains that have resulted in the issuance of an Accusation or Statement of Issues, the Board will disclose the number of pending complaints which have resulted in the issuance of an Accusation or Statement of Issues if requested.

With regards to inspection reports, the Board will not disclose any inspection reports that are currently under investigation.

Confidentiality of Complainants Respected

If a complaint contains a written request for confidentiality from the complainant and the complainant's identification has not otherwise been provided, the Board shall not release any information regarding the complainant to the public.

A copy of these guidelines shall be made available and free of charge to any person requesting it.

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