

TITLE 16. BOARD OF BARBERING AND COSMETOLOGY

INITIAL STATEMENT OF REASONS

Hearing Date: August 11, 2014

Subject Matter of Proposed Regulations: Text and Reference Books for Students

Sections Affected: .

- Amend Section 961, Division 9 of Title 16, California Code of Regulations.

Specific Purpose of amendment:

1. Problem being addressed:

The Board's existing regulation was written when the Board still developed its own in-house examinations for barber, cosmetologist, manicurist, esthetician and electrologist. At that time, it was necessary for the Board to review school textbooks and teaching materials to ensure that they were relevant to the licensing examinations. Those examinations, however, are now developed by the National Interstate Council of State Boards of Cosmetology (NIC), which has its own approved textbooks and teaching materials.

2. Anticipated benefits from this regulatory action:

The Board anticipates this regulatory proposal will benefit students by making it more likely they will successfully pass their licensing examination.

Factual Basis/Rationale

It is important to the success of students taking the Board's examination for licensure that school curriculums and textbooks and other teaching materials be relevant to the content of the examination. For this reason, the entity that develops the examination is best suited to reviewing textbooks and other materials for relevance, which is why the Board has delegated that task to its examination vendor. This regulatory proposal amends Section 961 to reflect that the vendor, rather than the Board, now conducts those reviews and has a list of approved books and teaching materials.

Students will have a better chance of passing their licensing examination because this proposal will ensure that student textbooks and other teaching materials will continue to be relevant to the examinations, because both the teaching materials and the examinations will be developed and approved by NIC.

Underlying Data

None

Business Impact

This regulation will not have a significant adverse economic impact on businesses because there is no economic or fiscal cost associated with these proposals. It merely acknowledges that the textbooks and teaching materials used by barbering and cosmetology students are no longer being approved by the Board.

Economic Impact Assessment

This regulatory proposal will have the following effects:

- It will not create or eliminate jobs within the State of California. This regulatory proposal merely corrects Board regulations to reflect that the Board no longer approves teaching materials because it no longer develops the examinations.
- It will not create new business or eliminate existing businesses within the State of California. This regulatory proposal merely corrects Board regulations to reflect that the Board no longer approves teaching materials because it no longer develops the examinations.
- It will not significantly affect the expansion of businesses currently doing business within the State of California. This regulatory proposal merely corrects Board regulations to reflect that the Board no longer approves teaching materials because it no longer develops the examinations.
- This regulatory proposal does not affect the health and welfare of California residents because it deals strictly with the issue of approving teaching materials.
- This regulatory proposal does not significantly affect worker safety because it deals strictly with the issue of approving teaching materials.
- This regulatory proposal does not affect the state's environment because it deals strictly with the issue of approving teaching materials.

Specific Technologies or Equipment

This regulation does not mandate the use of specific technologies or equipment.

Consideration of Alternatives

No reasonable alternative to the regulatory proposal would be either more effective in carrying out the purpose for which the action is proposed or would be as effective or less burdensome to

affected private persons and equally effective in achieving the purposes of the regulation in a manner that ensures full compliance with the law being implemented or made specific.

Set forth below are the alternatives which were considered and the reasons each alternative was rejected:

- Maintaining the status quo: The Board has determined that failure to make the proposed changes will make it more difficult to ensure that the textbooks and other teaching materials used by schools and students are relevant to the licensing examinations.