

TITLE. 16. BOARD OF BARBERING AND COSMETOLOGY

INITIAL STATEMENT OF REASONS

Hearing Date: April 10, 2014

Subject Matter of Proposed Regulations: Crossover Courses

(1) Section(s) Affected: **950.8 and 950.9**

Specific Purpose of each adoption, amendment, or repeal:

1. Problem being addressed: The Board's crossover courses for barbers and cosmetologists conflict with state law and other Board regulations concerning students who transfer from one course of study to another.
2. Anticipated benefits from this regulatory action: This regulatory proposal will make it easier for barbers to become cosmetologists and cosmetologists to become barbers, as well as resolve the conflict with state law and other Board regulations.

Factual Basis/Rationale

Business and Professions Code Section 7367 states:

“For students who change from one program of instruction to another, the board shall grant credit from training obtained in one course that is identical to training required in another course.”

Pursuant to Section 7367 of the Business and Professions Code, the Board promulgated Section 950.10 of Title 16, California Code of Regulations, which states in part:

“(a)(2) Credit and balance for the minimum hours of technical instruction and minimum practical operations required. A student transferring from one course of study to another, or a holder of a special license who enrolls in a general course of study, shall receive a credit and balance for the minimum hours of technical instruction and minimum practical operations required by subtracting the number of hours and operations earned by the student or licensee while enrolled in the prior course from the minimum hours of technical instruction and minimum practical operations required for the new course in each applicable subject. If the student has earned more hours or operations in the prior course than are required in a specific subject of the new course, then that student's balance of hours and operations required in that subject shall be zero.”

Applying 950.10(a)(2) to a cosmetologist who would like to become a barber, the cosmetologist would only need 200 hours in shaving to qualify to sit for the barber examination. Similarly, a barber who would like to become a cosmetologist would only need 200 hours in esthetics and 100 hours in manicuring to qualify to sit for the cosmetology examination.

Existing Curriculums

Topic	Cosmetology hours	Barber Hours
Hair Dressing	1100	1100
Shaving	0	200
Health and Safety	200	200
Esthetics	200	0
Manicuring	100	0
Total Hours	1600	1500

The problem is that the Board has established curriculums in the California Code of Regulations for cross-over courses for cosmetologist to barber (Section 950.8) and barber to cosmetologist (Section 950.9) that both require an additional 400 hours, or as many as twice the number of hours that are required under Section 950.10(a)(2). Consequently, the Board has determined that the crossover courses must be repealed to conform to both Section 7367 of the Business and Professions Code and Section 950.10 of the California Code of Regulations.

Underlying Data

None

Business Impact

This regulation will not have a significant adverse economic impact on businesses. This initial determination is based on the fact that very few barbers or cosmetologists take the crossover courses because of the large time commitment necessary to complete them and few schools offer the crossover courses.

Economic Impact Assessment

This regulatory proposal will not create or eliminate jobs within the State of California; or create or eliminate new businesses; or affect the expansion of existing businesses; or affect the health and welfare of California residents; or affect worker safety or the state's environment because the proposed regulations deal only with bringing the Board's educational requirements into compliance with existing state law and other Board regulations concerning the transfer of school credit.

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:

- Maintain the status quo: This alternative was rejected because it would leave the Board's regulations in conflict both with state law and existing Board regulations.