

**CALIFORNIA  
BOARD OF BARBERING AND COSMETOLOGY**



**OCTOBER 10, 2022**

**ENFORCEMENT AND INSPECTIONS COMMITTEE**

**PUBLIC  
TELECONFERENCE**



**CALIFORNIA BOARD  
OF  
BARBERING AND COSMETOLOGY**



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**MEMBERS OF THE  
COMMITTEE**

**Tonya Fairley  
Kellie Funk  
Danielle Munoz  
Steve Weeks**

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**ENFORCEMENT AND  
INSPECTIONS MEETING**

**PUBLIC TELECONFERENCE  
MEETING**

**October 10, 2022**

**1:00 P.M. or upon Adjournment of  
the Education and Outreach  
Committee Meeting - Until  
Completion of Business**

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*Action may be taken on  
any item listed on the  
agenda.*

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**The Board may take action on any  
agenda item.**

**NOTE: Pursuant to Government Code section 11133, neither a public location nor teleconference locations are provided. Public participation may be through teleconferencing as provided below.**

**Important Notices to the Public: The Board of Barbering and Cosmetology will hold a public meeting via a WebEx Events. To participate in the WebEx Events meeting, please log on to this website the day of the meeting:**

<https://dca-meetings.webex.com/dca-meetings/j.php?MTID=mb5887a98555d11929c9dbb2d1ec65fa0>

Webinar number: 2482 586 0397

Webinar password: 10102022 (10102022 from phones)

**Instructions to connect to the meeting can be found at:**

[https://www.barbercosmo.ca.gov/about\\_us/meetings/how\\_to\\_join\\_webex\\_event.pdf](https://www.barbercosmo.ca.gov/about_us/meetings/how_to_join_webex_event.pdf)

Members of the public may but are not obligated to provide their names or personal information as a condition of observing or participating in the meeting. When signing into the WebEx platform, participants may be asked for their name and email address. Participants who choose not to provide their names will be required to provide a unique identifier such as their initials or another alternative, so that the meeting moderator can identify individuals who wish to make public comment; participants who choose not to provide their email address may utilize a fictitious email address in the following sample format: XXXXX@mailinator.com.

In order to ensure all public members have an opportunity to speak and in the interest of time, public comments will be limited to two minutes unless, in the discretion of the committee, circumstances require a shorter period or longer period; members of the public will not be permitted to "yield" their allotted time to other members of the public to make comments.

As an alternative, members of the public who wish to observe the meeting without making public comment can do so (provided no unforeseen technical difficulties) at <https://thedcpage.wordpress.com/webcasts/>.

## AGENDA

1. Call to Order/ Roll Call/ Establishment of Quorum
2. Election of Committee Chairperson
3. Discussion of Inspection and Cite and Fine Process
4. Discussion and Possible Action Regarding Remedial Education to Reduce or Remove Administrative Fines
5. Public Comment on Items Not on the Agenda  
*Note: The Committee may not discuss or take any action on any item raised during this public comment section, except to decide whether to place the matter on the agenda of a future meeting (Government Code Sections 11125, 11125.7(a))*
6. Agenda Items for the Next Meeting
7. Adjournment

The time and order of agenda items are subject to change at the discretion of the Committee Chair and may be taken out of order. In accordance with the Bagley-Keene Open Meeting Act, all meetings of the Committee are open to the public.

\*Government Code section 11125.7 provides the opportunity for the public to address each agenda item during discussion or consideration by the Committee prior to the Committee taking any action on said item. Members of the public will be provided appropriate opportunities to comment on any issue before the Committee, but the Committee Chair may, at his or her discretion, apportion available time among those who wish to speak. Individuals may appear before the Committee to discuss items not on the agenda; however, the Committee can neither discuss nor take official action on these items at the time of the same meeting (Government Code sections 11125, 11125.7(a)).

The meeting is being held via WebEx Events. The meeting is accessible to the physically disabled. A person who needs disability-related accommodation or modification in order to participate in the meeting may make a request by contacting: Natalie Mitchell at (916) 244-6644, email: [natalie.mitchell@dca.ca.gov](mailto:natalie.mitchell@dca.ca.gov) or send a written request to the Board of Barbering and Cosmetology, PO Box 944226, Sacramento, CA 94244. Providing your request is a least five (5) business days before the meeting will help to ensure availability of the requested accommodations. TDD Line: (916) 322-1700.

*Agenda Items*

*No. 1-2*

*No Attachments*



BUSINESS, CONSUMER SERVICES, AND HOUSING AGENCY • GAVIN NEWSOM, GOVERNOR  
DEPARTMENT OF CONSUMER AFFAIRS • BOARD OF BARBERING AND COSMETOLOGY  
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Website: [www.barbercosmo.ca.gov](http://www.barbercosmo.ca.gov)



## MEMORANDUM

DATE           October 10, 2022

TO:             Members, Enforcement and Inspections Committee

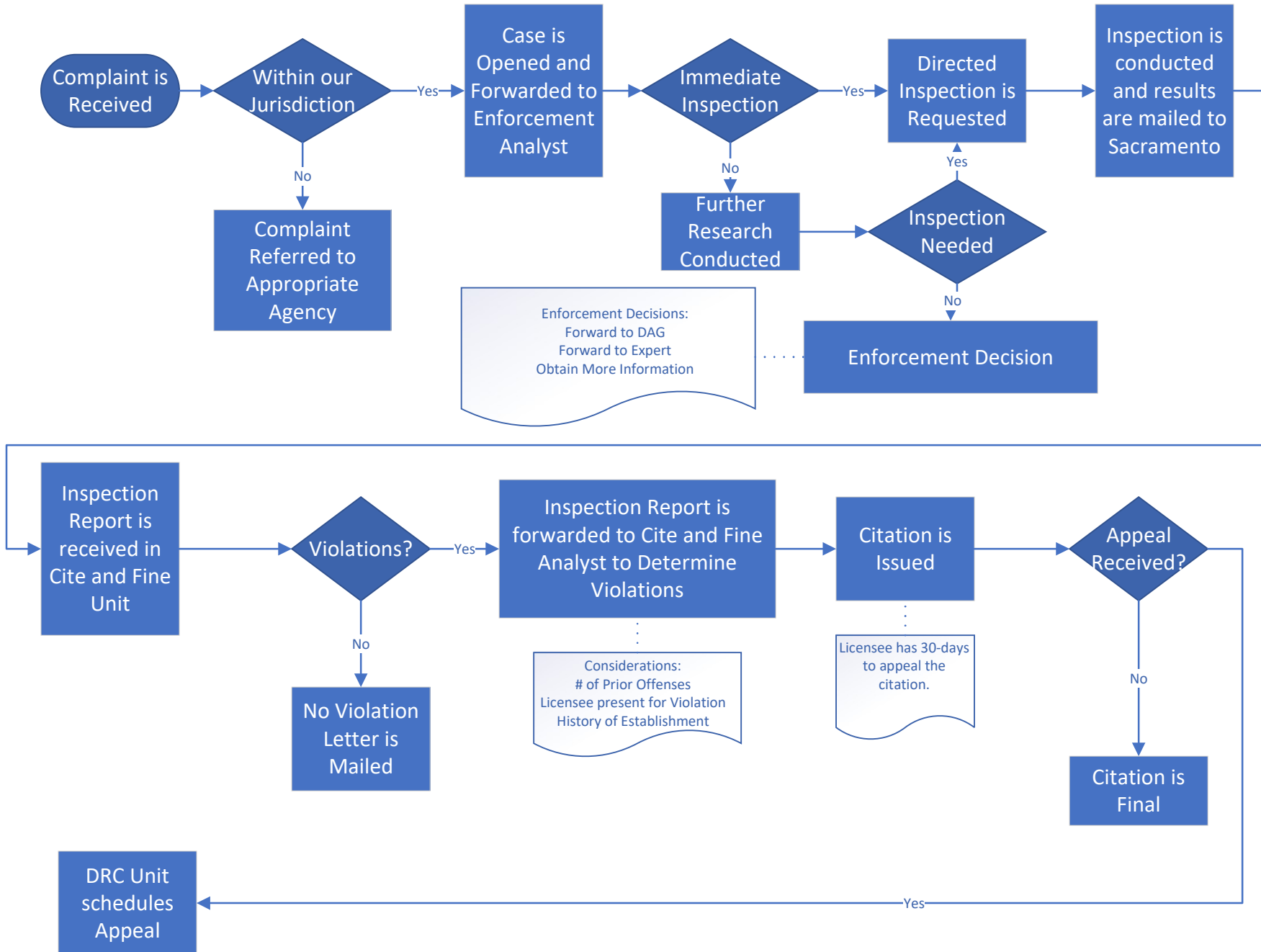
FROM:          Kristy Underwood, Executive Officer

SUBJECT:       Discussion of Inspection and Cite and Fine Process

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As this is the first Enforcement and Inspections Committee meeting in many years, staff wanted to provide an overview of the process from Inspection to Citation. Attached is a flow chart of this process.

## Inspection to Citation Process





## MEMORANDUM

DATE October 10, 2022

TO: Members, Enforcement and Inspections Committee

FROM: Kristy Underwood, Executive Officer

SUBJECT: Discussion and Possible Action Regarding Remedial Education to Reduce or Remove Administrative Fines

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**Action: The Committee shall discuss and possibly make a motion regarding starting the process to allow remedial education to reduce or remove administrative fines.**

Below is information to guide discussion.

### **Department of Motor Vehicles (DMV)**

A common example of an agency involved with education after being issued a citation/fine is the Department of Motor Vehicles (DMV). Below is basic information regarding DMV's traffic school requirements.

- To be eligible for 8-hour traffic school, generally the individual must have a valid driver's license, the offense occurred while driving a noncommercial vehicle, and the ticket is for an infraction that is a moving violation.
- After completion of the course, a confidential conviction is recorded on the individual's driving record, but they will not receive a point on their driving record, and it will not show on their public record.
- Traffic school is not allowed for equipment offenses, non-moving offenses (like parking offenses), misdemeanors, offenses with a mandatory court appearance, and alcohol or drug related offenses.
- Individuals are not eligible for traffic school if they have gone to traffic school for another ticket in the last 18 months.
- If an individual chooses to attend traffic school, they still must pay the traffic fine. Attending traffic school does not remove fines – it is a separate issue only to eliminate the point on the individual's DMV record. There are separate costs/fees for the school also.
- Traffic violator schools (TVS) are licensed by DMV. The owner, operator, and instructor must also be licensed.
- DMV manages traffic violator course completions through the Traffic Violator Course Completion database.

## **Minnesota Board of Cosmetology's Compliance Infection Control Course**

The Minnesota Board of Cosmetology requires a 4-hour compliance infection control course for infection control violations (such as the improper storage of tools and disinfectant not being mixed properly) as part of their disciplinary action requirements. The trainings were designed specifically for Minnesota licensees to reinforce health and safety principles necessary to provide safe services. Below is information regarding their course.

- The trainings are only available to licensees who are referred by the Minnesota Board of Cosmetology. Trainings cannot be used as continuing education renewal requirement.
- There are three course options: in-person (\$50), in-person salon-hosted (starts at \$250 for 5 participants, each additional participant is \$50), and virtual (\$50).
- Licensees pay for the course.
- The course is in addition to the fine– it does not reduce or remove the civil penalty.
- There is an oral exam at the end of the course. If they pass, licensees are granted a certificate and the vendor notifies the Board the course was completed. If they fail, they must complete the course again.
- Licensees are given 3-6 months to complete the course.

### **The Committee may discuss the following questions:**

1. Should remedial education be available only for health and safety violations?
2. Should remedial education only be available if a fine was assessed?
3. Should remedial education be available to all individuals cited?
  - a. Only licensees with outstanding fines already?
  - b. Only licensees in good standing?
  - c. Unlicensed individuals?
  - d. Establishment Owners?
4. Should remedial education be available only if it is a licensee's first offense? Or even if they have a citation history?
5. How many hours should the education be?
6. Upon completion of remedial education, would the violation stay on the licensee's citation history?
7. Who would provide the remedial education?
8. What subjects would the remedial education include?
9. Would the remedial education content only be available for individuals requesting to reduce or remove their fines? Or would it be accessible to all licensees?
10. Should remedial education be required for all violations regardless of the risk (i.e., foot spas)?



*Agenda Items*

*No. 5-6*

*No Attachments*

*Adjournment*