

CALIFORNIA BOARD OF BARBERING AND COSMETOLOGY



MAY 19, 2025

**Board Meeting
and
Petition for Reinstatement Hearings**

**Sheraton Universal Hotel
333 Universal Hollywood Drive
Terrace D Room
Universal City, CA 91608**

**CALIFORNIA BOARD OF
BARBERING AND
COSMETOLOGY
BOARD MEETING NOTICE AND
AGENDA**

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

BOARD MEMBERS:
Tonya Fairley, President
Kellie Funk, Vice President
Anthony Bertram
Megan Ellis
Dr. Yolanda Jimenez
Colette Kavanaugh
Tamika Miller
Danielle Munoz
Calimay Pham
Steve Weeks

**May 19, 2025
333 Universal Hollywood Drive
Terrace D Room
Universal City, CA 91608

10:00 am - Until
Completion of Business**

AMENDED AGENDA

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

OPEN SESSION:

1. Call to Order/ Roll Call/ Establishment of Quorum **(Tonya Fairley)**
2. Petition for Reinstatement Hearing
 - a) Angelina Pedraza, Petition for Reinstatement of License, Cosmetologist License #KK374035
 - b) Francisco Lemus, Petition for Reinstatement of License, Barber License #B85000

CLOSED SESSION: Pursuant to Government Code section 11126 (c) (3), the Board will meet in Closed Session to Deliberate on Disciplinary Matters, including the above petitions.

RECONVENE OPEN SESSION:

3. Board President's Welcome **(Tonya Fairley)**
4. Board Member Updates – Informational only
5. Department of Consumer Affairs (DCA) Update Which May Include Updates on DCA's Administrative Services, Human Resources, Enforcement, Information Technology, Communications and Outreach, and Legislative, Regulatory, or Policy Matters.
6. Discussion and Possible Approval of the February 10, 2025, Board Meeting Minutes

7. Executive Management Reports (**Kristy Underwood**)
 - a) Administration and Operations
 - b) Licensing, Examinations, and Disciplinary Review Appeals
 - c) Enforcement, Inspections, and Cite and Fine
 - d) Outreach Update
 - e) Strategic Plan Update
8. Discussion and Possible Action on Proposed Bills:
 - a) AB 485 (Ortega) – Labor Commissioner: unsatisfied judgments: nonpayment of wages
 - b) AB 504 (Ta) – Worker Classification: Manicurists’ employee or independent contractor
 - c) AB 625 (Nguyen) – Barbering and Cosmetology
 - d) AB 667 (Solache) – Professions and vocations: license examinations: interpreters
 - e) AB 742 (Elhawary) – Department of Consumer Affairs: licensing: applicants who are descendants of slaves.
 - f) AB 1514 (Assembly Members Ortega (Chair), Elhawary, Kalra, and Ward) – Labor contracts
 - g) SB 236 (Pierson) – Cosmetics: chemical hair relaxers.
 - h) SB 470 (Laird) – Bagley-Keene Open Meeting Act: teleconferencing.
 - i) SB 641 (Ashby) – Department of Consumer Affairs and Department of Real Estate: states of emergency: waivers and exemptions
9. Report on the April 14, 2025, Enforcement and Inspections Committee Meeting
10. Discussion and Possible Action on Apprenticeship to be Included in the 2026 Sunset Report
11. Discussion and Possible Action on School Oversight to be Included in the 2026 Sunset Report
12. Discussion and Possible Action on Endorsement to be Included in the 2026 Sunset Report
13. Discussion and Possible Action Regarding Rulemaking Proposals:
 - a) Update Regarding Rulemaking to Amend Title 16, California Code of Regulations (CCR) Sections 910, 918, 919, 926, 941, 965.2, 971, 974.1, 974.2, 983 and 984 (Section 100 Technical Clean-Up)
 - b) Update Regarding Rulemaking to Amend Title 16, CCR section 911 (License by Endorsement (Reciprocity), Application and Out of State License Certifications)
 - c) Update Regarding Rulemaking to Amend Title 16, CCR sections 913, 913.1, 914.1, 914.2, 915, 917, 918, 918.1, 919, 919.1, 920, 921, 921.1, 921.2, 922, 924, 924.1, 925, 926, 927 (Apprenticeship)
 - d) Update Regarding Rulemaking to Amend Title 16, CCR section 917 (Pre-Apprentice Training)
 - e) Update Regarding Rulemaking to Amend Title 16, CCR section 931 (Interpreters for Licensing Exams)
 - f) Update Regarding Rulemaking to Amend Title 16, CCR sections 940, 941, 950.10, 950.12, 962, 962.1, 962.2 (Schools and Externs)
 - g) Update Regarding Rulemaking to Amend Title 16, CCR section 972 (Disciplinary Guidelines)
 - h) Update Regarding Rulemaking to Adopt Title 16, CCR section 974.4 (SB 384: Remedial Education Program)
 - i) Update Regarding Rulemaking to Amend Title 16, CCR section 977 et seq. (Health and Safety)
 - j) Update Regarding Rulemaking to Amend Title 16, CCR Section 998 (Hairstylist Licensing Fee)

14. Public Comment on Items Not on the Agenda

Note: The Board 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, 1125.7(a))

15. Suggestions for Future Agenda Items

16. Adjournment

Note: This meeting will be Webcast, provided there are no unforeseen technical difficulties or limitations. To view the Webcast, please visit <https://thedcapage.wordpress.com/webcasts/>. If you wish to participate or to have a guaranteed opportunity to observe, please plan to attend at a physical location. Adjournment, if it is the only item that occurs after a closed session, may not be webcast.

*Government Code section 11125.7 provides the opportunity for the public to address each agenda item during discussion or consideration by the Board prior to the Board taking any action on said item. Members of the public will be provided appropriate opportunities to comment on any issue before the Board, but the Board President may, at his or her discretion, apportion available time among those who wish to speak. Individuals may appear before the Board to discuss items not on the agenda; however, the Board 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 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: Monica Burris at (916) 417-4637, email: monica.burris@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 Item
No. 1 -5
No Attachments

DRAFT
CALIFORNIA BOARD
OF
BARBERING AND COSMETOLOGY

BOARD MEETING

MINUTES OF FEBRUARY 10, 2025

BOARD MEMBERS PRESENT

Tonya Fairley, President
Kellie Funk, Vice President
Anthony Bertram
Calimay Pham
Dr. Yolanda Jimenez
Colette Kavanaugh
Steve Weeks

STAFF MEMBERS PRESENT

Kristy Underwood, Executive Officer
Carrie Harris, Deputy Executive Officer
Sabina Knight, Legal Counsel
Allison Lee, Board Project Manager
Monica Burris, Executive Analyst

BOARD MEMBERS ABSENT

Megan Ellis
Tamika Miller
Danielle Munoz

1. AGENDA ITEM #1: Call to Order/ Roll Call/ Establishment of Quorum

Board President Calimay Pham convened the meeting at approximately 10:00 a.m. Roll call was conducted, confirming the presence of a quorum.

2. AGENDA ITEM #2: Petition for Reinstatement Hearing

- a. Athena Turner, Petition for Reinstatement of License, Cosmetologist License #KK 533783
- b. Phuong Thi Tong, Petition for Reinstatement of License, Cosmetologist License #KK 544045

CLOSED SESSION: Pursuant to Government Code section 11126 (c) (3), the Board will meet in Closed Session to Deliberate on Disciplinary Matters, including the above petitions.

RECONVENE OPEN SESSION:

3. AGENDA ITEM #3: Board President's Welcome (Calimay Pham)

President Calimay Pham reconvened the meeting and thanked everyone for their attendance. She congratulated Vice President Tonya Fairley, Dr. Yolanda Jimenez, and Steve Weeks on their reappointment to the board. She also welcomed new board member Anthony Bertram, a barber, expressing excitement for his addition to the board.

4. AGENDA ITEM #4: Board Member Updates – Informational only

The board members had no updates to share.

5. AGENDA ITEM #5: Department of Consumer Affairs (DCA) Update Which May Include Updates on DCA's Administrative Services, Human Resources, Enforcement, Information Technology, Communications and Outreach, and Legislative, Regulatory, or Policy Matters.

Deputy Director of Board Relations Melissa Gear addressed the board, congratulating reappointed members Steve Weeks, Tonya Fairley, and Dr. Yolanda Jimenez, as well as welcoming new member Anthony Bertram. She also thanked Reese Isbell for his service.

She continued by providing an update on Governor Newsom's January 29, 2025 Executive Order, which offers relief for DCA licensees affected by the Los Angeles wildfires. The order grants a one-year extension for renewal fee payments for licenses expiring between January 1 and July 1, 2025, in designated affected areas. Duplicate licenses and wall certificates will be free until January 7, 2026, and delinquency fees are suspended until July 1, 2025.

DCA met with board and bureau leadership to discuss implementation and is coordinating messaging to ensure affected licensees are informed. A dedicated disaster help center webpage, toll-free number, and email have been set up for assistance. All DCA board and bureau websites have been updated, and renewal system notifications will inform licensees of the fee deferral. DCA has also provided impacted licensee lists to boards and bureaus, encouraging direct outreach. Ms. Gear expressed gratitude to the governor, board leadership, and staff for their efforts in supporting affected licensees.

Ms. Gear continued by providing an update on Governor Newsom's proposed 2025-2026 state budget, released on January 10. The budget includes eight Budget Change Proposals (BCPs) for DCA's boards and bureaus. Additionally, DCA's vacancy reduction and government efficiency plans were approved by the Department of Finance and may be finalized in the spring revisions.

The Governor remains committed to addressing California's housing and homelessness crisis, proposing the creation of a dedicated California Housing and Homeless Agency. As part of this reorganization, DCA and other regulatory bodies currently under the Business, Consumer Services, and Housing Agency would form a new Consumer Protection Agency. This restructuring aims to enhance consumer protection efforts by consolidating oversight under a Consumer Protection Agency Secretary within the governor's cabinet. The proposal will be reviewed by the nonpartisan Little Hoover Commission and the legislature in the spring. DCA will continue to update board leadership as more details become available.

Ms. Gear informed the board of changes to Form 700 filing requirements effective January 1, 2025. Under AB 1170, board members must now file Form 700 electronically through the Fair Political Practices Commission (FPPC) online system. Filings will no longer be accepted through DCA's NetFile portal or in paper form.

Ms. Gear announced DCA's annual President Training, scheduled for February 19, 2025, from 10:00 a.m. to 12:30 p.m. This virtual training is designed for both new and experienced board presidents and vice presidents. It will cover the role of a board president, communication best practices with the executive officer and board members, and administrative responsibilities.

The training will feature a panel of former board members who will share their insights and answer questions. Board members can register through DCA's Learning Management System (LMS). Special recognition was given to Steve Weeks for his participation and to Ms. Underwood for volunteering her time once again.

The 2025 Board Member Orientation Training (BMOT) will be held on March 26, June 18, and October 22. This mandatory, full-day virtual training must be completed within one year of appointment or reappointment. Board members are encouraged to register for the earliest available session to remain compliant. Registration is available through DCA's LMS.

Ms. Gear announced that Yvonne Dorantes, who had served as Assistant Deputy Director since October 2022, was appointed to a new role in the Governor's Office of Emergency Services. Her last day at DCA was December 31. Ms. Gear expressed appreciation for Ms. Dorantes' contributions and extended well wishes for her new role. She concluded by thanking the board and staff for their dedication, expressing enthusiasm for 2025.

6. AGENDA ITEM #6: Annual Election of Officers

Calimay Pham led the annual election of officers, explaining the nomination and voting process. She nominated Vice President Tonya Fairley to serve as the next President. Tonya Fairley nominated Kelly Funk for Vice President. With no additional nominations or discussion, the board moved forward with the voting process.

Motion: Steve Weeks motioned to approve Tonya Fairley as President and Kelly Funk as Vice President of the Board. Colette Kavanaugh seconded the motion.

Public Comment: Fred Jones from the Professional Beauty Federation expressed gratitude to the outgoing President Pham for her professionalism, leadership, and the way she conducted meetings and interacted with both the public and colleagues. He acknowledged the exceptional leadership and wished the incoming officers the best of luck in their new roles.

Roll Call Vote: Motion to approve Tonya Fairley as President and Kelly Funk as Vice President of the Board carried: 7 yes, 0 no, and 0 abstain, per the following vote:

- Committee Members voted "Yes": Calimay Pham, Tonya Fairley, Anthony Bertram, Kellie Funk, Dr. Yolanda Jimenez, Colette Kavanaugh, Steve Weeks

Kellie Funk expressed her gratitude for the honor to serve, thanking the Governor's Office, board members, and staff. As a practicing esthetician, she emphasized her commitment to consumer safety and ethical leadership.

Tonya Fairley thanked outgoing President Pham for her leadership and guidance, acknowledging their time together on the board. She highlighted her dedication to the industry, leadership, and personal development, looking forward to continuing her service.

7. AGENDA ITEM #7: Appointment of Board Members to Standing Committees for 2025

Tonya Fairley noted that the appointment of board members to standing committees would be skipped for now, deferring to Executive Officer Kristy Underwood for further details.

Ms. Underwood explained that the president has the authority to appoint members to committees and that a list of existing committees and their current members had been provided. She requested that board members reach out to her individually to express their interest in serving on specific committees.

8. AGENDA ITEM #8: Review and Possible Approval of 2025 Board Member Guidelines and Procedures Manual

Kristy Underwood began by reviewing the annual Board Member Guidelines and Procedures Manual, highlighting updates related to travel information. A significant change this year includes granting the Executive Officer the authority to proceed with Section 100 regulatory changes. These are minor, non-substantive changes such as grammatical corrections, renumbering, or reordering, which do not require the full rulemaking process. While the board has approved Section 100 changes in the past through motions, adding this authority directly to the guidelines ensures efficiency.

Steve Weeks suggested a minor revision to the "Recording of Meetings" section on page four. He proposed clarifying that meeting minutes and assignments of board directives, which are currently prepared by an external contractor, should be noted as being completed "under the direction of board staff."

Motion: Colette Kavanaugh made a motion to approve the 2025 Board Member Guidelines and Procedures Manual, incorporating the suggested amendment. Calimay Pham seconded the motion.

Public Comment: No public comments were submitted.

Roll Call Vote: Motion to approve the 2025 Board Member Guidelines and Procedures Manual, incorporating the suggested amendment carried: 7 yes, 0 no, and 0 abstain, per the following vote:

- Committee Members voted "Yes": Tonya Fairley, Kellie Funk, Anthony Bertram, Dr. Yolanda Jimenez, Colette Kavanaugh, Calimay Pham, Steve Weeks

9. AGENDA ITEM #9: Discussion and Possible Approval of the November 4, 2024 Board Meeting Minutes

Motion: Kellie Funk moved to approve the November 4, 2024 Board Meeting Minutes. Calimay Pham seconded the motion.

Public Comment: There were no public comments received.

Roll Call Vote: Motion to approve the November 4, 2024 Board Meeting Minutes carried: 7 yes, 0 no, and 1 abstain, per the following roll call vote:

- Committee Members voted "Yes": Tonya Fairley, Kellie Funk, Anthony Bertram, Dr. Yolanda Jimenez, Colette Kavanaugh, Calimay Pham, Steve Weeks

10. AGENDA ITEM #10: Executive Management Reports

a. Administration and Operations

Kristy Underwood began by discussing administration and operations, noting that a vacancy had been filled, leaving no open positions. The report also included staff training updates and the budget overview.

Steve Weeks inquired about a significant reduction in projected consultant and professional service fees. Ms. Underwood explained that the line item primarily includes exam costs, and projections are based on current spending trends. She reassured that the budget would likely balance out over time with a consistent number of exams conducted annually.

b. Licensing, Examinations, and Disciplinary Review Appeals

Kristy Underwood provided an update on licensing exams, the Disciplinary Review Committee, and industry statistics. She highlighted that this unit had no vacancies, with the recent hiring of a new licensing manager.

Exam pass rates for 2024-2025 were reviewed, noting a typical slowdown in testing during the holiday months. While overall pass rates for cosmetology and barbering have stabilized at historical levels, apprenticeship program pass rates remain low, particularly among Spanish-speaking applicants, with only an 18% pass rate in cosmetology. The report also detailed licensing statistics, showing a total of 652,119 active licenses.

Additionally, a license renewal survey gathered over 28,000 responses. Among establishment owners, 45% reported having independent contractors. Overall, 35% of respondents identified as independent contractors, 23% as employees, 32% were no longer working in the industry but maintained active licenses, and 8.64% were salon owners.

Regarding employment status, over 8,000 respondents reported working full-time in California, while 31% practiced part-time. Among full-time workers, 38% were employees, 40% were independent contractors, and 20% were salon owners. Among part-time workers, 30% were employees, 60% were independent contractors, and a little over 5% were salon owners.

c. Enforcement, Inspections, and Cite and Fine

The Disciplinary Review Committee (DRC) currently has three staff members and no vacancies. A recent hearing saw a high number of appellants, with over 150 cases reviewed. Board members were encouraged to participate in DRC hearings to better understand the process. The DRC provides an informal setting where licensees can dispute citations and fines resulting from inspections.

The Enforcement Report noted one vacancy in the unit. In the last quarter, 1,314 complaints were received, with 33% related to health and safety violations and 46% involving unlicensed activity. The number of cases referred to the Attorney General's office for formal discipline has increased, with 37 recent referrals. There are currently 110 cases on probation.

The School Inspection and Cite & Fine Report indicated two vacancies in the inspections unit and three in the cite and fine unit. There are 269 approved schools, 17 open cases, and active participation in externship programs. Citation and inspection statistics were provided, along with details on payment notices and collections. A backlog of 237 cases was recently sent to collections due to a new contract, and the Franchise Tax Board handles unpaid fines through an intercept program. Payment plan requests and amounts were also outlined.

d. Outreach

Kristy Underwood shared an update on outreach activities, noting the success of their social media campaigns. Staff is scheduled to attend the Premier Anaheim Show on February 23-24, and has been sending out list serves. She highlighted the launch of a Vietnamese-only Facebook page featuring a video explaining AB5 and its impact on manicurists.

Steve Weeks raised concerns about trade shows, specifically about licensees purchasing machines that may not be within their scope of practice. He suggested the board issue a bulletin warning licensees to verify whether products are compliant before buying them at shows. Ms. Underwood responded that the board can promote this message through social media and at shows, where they currently display a sign advising attendees to verify the legality of machines before purchasing.

Tonya Fairley recommended improving visibility at trade shows by using a standing banner rather than a table sign to catch the attention of more attendees. Kristy Underwood acknowledged the suggestion and mentioned that while the board faces budget constraints, they would explore the possibility of creating a banner through the DCA.

Kellie Funk suggested expanding the outreach to out-of-state shows, such as in Las Vegas, but Ms. Underwood clarified that outreach efforts are limited to California shows due to jurisdictional constraints.

Colette Kavanaugh asked whether the board could post images of commonly misused machines on social media to help educate licensees. Kristy Underwood explained that while such posts could be helpful, they are legally restricted from directly calling out specific devices because the law doesn't ban the use of certain machines outright; it focuses on what procedures are being performed. Therefore, the board will continue educating licensees on the scope of practice, particularly regarding prohibited practices like skin piercing.

e. Strategic Plan Update

Kristy Underwood concluded her executive update with a discussion on the board's strategic plan, noting that progress is going well toward achieving its goals by 2027. She highlighted that the board remains active in publishing its quarterly newsletter. Additionally, the board has streamlined the strategic plan update by focusing only on ongoing initiatives rather than completed tasks.

Public Comment: No public comments were made on the executive management reports.

11. AGENDA ITEM #11: Review and Discussion of the Apprenticeship Program Report

Kristy Underwood introduced the draft Apprenticeship Program Report, emphasizing that it is still in draft form and does not require board approval at this time. The report addresses longstanding concerns with the program, including persistently low exam passage rates and various compliance issues. She emphasized the importance of considering potential legislative changes as the board prepares for its upcoming Sunset Review.

A major concern identified is the significant tuition and fees charged by apprenticeship programs, despite poor exam performance among participants. Additionally, the board has discovered unapproved training facilities operating under the guise of legitimate apprenticeship programs. Many of these entities advertise on social media, appear to target Spanish-speaking individuals, and enroll apprentices under their own business names while collecting fees. Investigations revealed that many apprentices are unaware of their official program sponsors.

Further issues include reports of apprentices working without proper supervision. Some apprentices have also disclosed being paid under the table or on a commission-only basis, in violation of labor laws. While apprenticeship programs are designed to provide a "learn while you earn" model, many participants are not receiving proper compensation or training.

Ms. Underwood noted that the financial aspects of apprenticeship funding will be discussed in more detail at the next board meeting. She also highlighted the strain the program places on board resources, requiring staff to be reassigned to address its ongoing challenges.

She outlined the oversight structure of the program, emphasizing the roles of multiple agencies and the challenges in enforcement. The BBC is responsible for issuing licenses and approving Sponsors, while the Division of Apprenticeship Standards (DAS) must first approve sponsors before they seek Board approval. DAS also registers apprentices, whereas the Board issues their licenses.

A critical component of the program is the involvement of Local Education Authorities (LEAs), which oversee the required training for barbers and cosmetologists. Since state law mandates that apprenticeship sponsors be affiliated with DAS, each sponsor must also maintain a partnership with an LEA to remain in compliance.

The board recently became aware of a federal apprenticeship program and has engaged in discussions with the U.S. Department of Labor to understand its implications. However, under current law, only programs approved by DAS and affiliated with a LEA qualify for licensure. Accepting federal programs would require legislative changes.

Concerns over apprenticeship tuition and fees remain a key issue. Many programs charge extensive fees, including enrollment and registration fees, attendance record fees, training log fees, tuition costs, and penalties such as uniform violation fines. Some programs also impose late fees, interest-bearing payment plans, and administrative fines. While DAS regulations state that apprenticeship programs should not entail significant costs, the definition of "significant" remains unclear. With tuition ranging from \$7,000 to \$10,000 in many cases, the board is evaluating whether these costs align with the intent of an "earn and learn" model.

Ms. Underwood highlighted concerns regarding passage rates, particularly among Spanish-speaking apprentices, emphasizing significant issues in training oversight. Many training facilities advertise solely on social media, primarily in Spanish, without transparency on instructional quality, materials, or compliance with board standards. The board has found that Spanish-speaking apprentices may not have access to Spanish-language textbooks or translation guides, which could contribute to the low exam pass rates. In 2024, only 29% of Spanish-speaking barbering apprentices and 22% of cosmetology apprentices passed their exams, compared to 44% and 37% for non-Spanish test takers, respectively.

A major issue identified is the lack of oversight on related training and instructors. The board currently has no authority to regulate or verify instructors' qualifications. Additionally, there is no requirement ensuring Spanish-speaking apprentices receive training in Spanish or have access to Spanish-language textbooks, even though the exams are based on them.

Another alarming finding is the unauthorized franchising of program approvals. In 2024, 76 training facilities were listed as related training locations, and 40% of them falsely advertised themselves as approved program sponsors. These facilities enroll students, contract with them under independent business names, and charge thousands of dollars—often without mentioning the actual approved sponsor in their agreements. While some facilities operate legitimately, many exploit apprentices by misrepresenting their status and imposing high fees without proper oversight.

Ms. Underwood continued by addressing concerns about on-the-job training, highlighting significant gaps in supervision and record-keeping. Many apprentices are left alone in establishments to provide services without proper oversight, and there is no consistent availability of required on-the-job training logs.

A major issue is the submission of incomplete completion forms when apprentices apply for their exams. Sponsors are required to document the total hours and services performed, but the board has found significant discrepancies. Many apprentices are unable to provide training logs upon request. In some cases, logs appear to be pre-filled, while others are hastily completed at the very end of the two-year program.

Another critical concern is the lack of supervision and structured training in establishments. There are no formal trainer requirements beyond holding a valid license with no fines or disciplinary history. Many trainers may not fully understand their responsibility to provide hands-on education, despite signing an agreement outlining their role. Instead, it appears that some establishments view apprentices primarily as additional service providers rather than trainees in need of structured instruction.

Ms. Underwood then moved past the discussion on funding, noting that it would be revisited at the next board meeting. She then shifted focus to wages and workers' compensation, highlighting reports from apprentices regarding payment practices. Some apprentices have stated that they are being paid under the table or compensated solely based on the services they provide.

Additionally, establishments that host apprentices are required to carry workers' compensation insurance, but the board has received reports indicating non-compliance. Since this is not a requirement enforced by the board, inspectors in the field do not specifically check for

compliance. However, these concerns have been brought to the board's attention by apprentices who have filed complaints regarding their experiences in the program.

Ms. Underwood highlighted concerns about the program's overall success, noting that a significant number of apprentices never complete it. In 2021, 44% of barbering apprentices and 37% of cosmetology apprentices did not apply for the exam after receiving their apprentice licenses.

A major issue is whether these apprentices paid tuition for programs that ultimately led nowhere. Unlike traditional schools, there is no refund mechanism such as the Student Tuition Recovery Fund, as apprenticeships are not supposed to have significant costs. However, reports indicate that some training facilities have sued apprentices for unpaid tuition even when the program failed to qualify them for the exam.

Ms. Underwood detailed the significant staff resources required to manage the apprenticeship program. Two full-time licensing staff handle apprentice applications, which are frequently submitted with missing information, leading to a time-consuming review process. Despite efforts to improve accuracy, most applications remain deficient.

Additionally, a full-time special investigator is dedicated solely to apprenticeship-related enforcement cases, as apprentices frequently report concerns about education quality and salon conditions to the board. Ms. Underwood, along with her staff, also spent considerable time addressing ongoing issues within the program.

Ms. Underwood emphasized that the board's findings on the apprenticeship program remain ongoing, with new issues surfacing regularly. Recent discussions with federal agencies have uncovered additional complexities, reinforcing the need for significant changes.

She noted that while the board could implement some regulatory changes under its own authority, broader reforms would require legislative action, particularly regarding funding. Currently, the program is a financial burden, as the only fee collected is a \$25 application fee, while sponsor approvals and enforcement actions generate no revenue.

Ms. Underwood suggested that the board consider addressing these funding challenges during the Sunset review process and explore whether statutory authority is needed to regulate program costs, such as limiting administrative fees. Given the widespread agreement that apprentices are being taken advantage of, she indicated that further discussion may be necessary to determine the next steps.

Tonya Fairley emphasized that fraud is a major issue in the apprenticeship program. She expressed strong support for stricter regulations and accountability, particularly regarding third-party fees, which have ranged from \$7,000 to as high as \$20,000. She questioned who should be responsible for oversight, especially regarding worker classification, workers' compensation, and excessive fees, noting that the board lacks funding to manage these issues effectively.

Ms. Underwood responded that the board works closely with DAS, but current laws are vague. For example, DAS regulations mandate "reasonable" fees but do not define the exact amount. While most LEAs have been cooperative, some were unaware of their responsibilities. The

board has shared exam pass rates with LEAs and maintains regular contact with DAS, but legislative changes are necessary for meaningful reform.

Ms. Fairley asked if a collaborative effort could establish clearer guidelines, such as fee caps. Ms. Underwood agreed that there is room for recommendations, but DAS lacks enforcement staff, leaving oversight gaps—especially with 4,000 apprentices currently in the program. Ms. Fairley commented that if enforcement responsibilities are shifted to the board, additional resources and funding must follow.

Steve Weeks expressed concern about the significant time the executive team is spending on apprenticeship issues, which could impact other operational areas. He highlighted the urgency of addressing these challenges and suggested involving legislators. He also asked if DAS is fully aware of the situation and taking any steps to alleviate the burden. Ms. Underwood responded that DAS is aware of the issues and is actively exploring ways to improve the program. She believes they would be open to cooperating if changes were implemented.

Tonya Fairley asked for clarification on the full responsibilities of LEAs, specifically whether they are responsible for ensuring the completion of pre-hours and any additional duties.

Ms. Underwood explained that LEAs oversee the 230 hours of related training and approve related training centers but was unsure if they had follow-up responsibilities. She noted that public comment might provide further insight.

Colette Kavanaugh expressed concern about apprentices being exploited, stressing the importance of regulations to support their success. Kellie Funk echoed this sentiment, describing the situation as deeply troubling. She advocated for taking swift action, suggesting the possibility of holding additional meetings or including oversight of apprentice instructors in the Sunset review.

Public Comment:

Don Simonich, representing the San Joaquin County Office of Education, which is the largest Local Educational Agency (LEA) provider for barber and cosmetology programs in California, expressed his appreciation for the ongoing dialogue with the board and executive staff over the last six to eight months. He found the report insightful, highlighting issues they had not previously been aware of.

With past experience at DAS, Mr. Simonich shared historical context, noting that when apprenticeship regulations were introduced in the 1990s, his recommendations were largely ignored. He highlighted that early apprenticeship training fees were initially low but later escalated unchecked, leading to issues with oversight. He emphasized his commitment to supporting apprentices and working collaboratively with the board to address ongoing challenges.

Fred Jones from the Professional Beauty Federation recommended that stakeholders, including both the private sector and regulators, collaborate to address the challenges within the apprenticeship program. He provided historical context, explaining that traditional apprenticeships were built around employer mentorship, with labor unions later supporting the model through dues. However, the beauty industry has since shifted away from a unionized

structure toward independent contractors, making the traditional apprenticeship model a difficult fit.

Mr. Jones highlighted the misaligned financial incentives in the current system, where program sponsors must charge upfront rather than relying on ongoing financial support. He also noted that regulators and policymakers have different approaches to apprenticeships, further complicating oversight. He pointed out that state legislators are focused on reducing barriers to entry, viewing traditional beauty school costs and time commitments as major obstacles. While apprenticeships are seen as an attractive alternative, the regulatory and structural challenges remain unresolved.

Mr. Jones reaffirmed his organization's neutral stance, supporting all pathways to licensure, but stressed the need to first identify and address the root problems before meaningful solutions can be implemented. He expressed a commitment to assisting in any way possible.

An attendee voiced concerns about the lack of clear guidance for mentors in the apprenticeship program. She noted that when someone is asked to mentor an apprentice, there is no structured plan or direction for their role. Without this framework, mentors cannot effectively reinforce the theoretical training apprentices receive in school. She emphasized the need for better communication between the apprenticeship program and the Board.

Kristy Underwood concluded the discussion by stating that a more detailed report would be provided at the next board meeting, or possibly sooner.

12. AGENDA ITEM #12: Review and Discussion of the Mobile Inspection Program

Kristy Underwood introduced the Mobile Inspection Program, a collaborative effort with the Veterinary Medical Board and the Department of Technology to transition from paper-based inspection reports to a fully electronic system. The system is being gradually implemented, with initial testing by three inspectors and plans to expand to five more. Inspectors will now conduct inspections using iPads, generating digital reports that are immediately emailed to licensees, complete with photographs of any violations. This initiative aims to streamline the inspection process, eliminate paper reports, and improve efficiency in documentation and compliance tracking.

Carrie Harris then provided a live demonstration of the system. She walked through the process, from requesting an inspection in the back-office system to how inspectors receive assignments on their iPads. The system allows inspectors to document details of the establishment, note compliance or violations, attach photos, and provide additional comments. Violations are recorded with descriptions and images to help licensees understand necessary corrections.

Board members expressed strong support for the new mobile inspection system, highlighting its efficiency and reduction of paperwork. Ms. Fairley welcomed the transition away from paper-based reports, while Ms. Funk praised the system's thoroughness and clarified that it applies to all inspections, not just mobile operators.

Ms. Harris provided an update on the rollout, noting that 217 inspections had already been conducted using the system in November and December. Inspectors are currently undergoing

training, practicing in a test environment before going into the field. The full transition is expected by the end of June, with paper reports retained as a backup.

Ms. Pham inquired about long-term funding for maintaining the system beyond the initial grant. Ms. Underwood confirmed that ongoing costs are estimated at approximately \$50,000 per year.

Mr. Weeks asked if the new system would integrate with the DRC process. Ms. Underwood explained that since inspectors' photos would now be immediately available, it could decrease the number of appeals received.

Ms. Fairley echoed this, suggesting that providing clearer documentation from the start might reduce unnecessary appeals.

Ms. Kavanaugh expressed appreciation as an industry member, emphasizing the value of electronic reports with photos. Overall, the board commended the team for their work in modernizing the inspection process.

13.AGENDA ITEM #13: Discussion and Possible Action on Possible New Items to be Included in the 2026 Sunset Report, Which May Include: AB 5, School Oversight, Endorsement, Apprenticeships, Fines, and Licensees in Charge

Kristy Underwood provided an update on the upcoming 2026 Sunset Report, explaining that while no immediate decisions were needed, the board would need to begin preparing for the review process. The Sunset Report, which occurs every five years, will include recommendations and requests for legislative changes and will be followed by a hearing next year.

She then provided updates on the issues from the previous Sunset report, highlighting those that had been resolved and those still needing attention. Board composition, personnel flexibility, medical practice regulations, and scope of practice for aestheticians were all successfully resolved. Issues such as the practice of medicine and licensure for endorsement have been addressed, though they remain unresolved. Further work is still needed on school oversight, citations, the apprenticeship program, and licensee responsibilities. Additionally, the elimination of mandatory inspections for new establishments was discussed, as it was determined that new businesses may not require immediate inspection.

Kristy Underwood continued the discussion on potential items to be included in the 2026 Sunset report. She outlined several areas requiring attention:

1. School Oversight: There is an ongoing challenge with school oversight, as the Board shares responsibility with the Bureau of Private Postsecondary Education. While schools must pay a substantial fee to the Bureau for approval, they do not pay the board for services such as inspections or handling complaints. Ms. Underwood recommended asking for fees to be implemented for schools, especially as their oversight demands significant staff time.
2. Impact of AB5: Effective January 1, 2025, manicurists are no longer exempt and are required to be classified as employees rather than independent contractors. Although

this law falls outside the board's direct jurisdiction, Ms. Underwood recommended including the board's policy statement in the Sunset Report to advocate for equal employment opportunities for all licensees.

3. Endorsement Process: The board has encountered issues with fraud in the license-to-license process. Ms. Underwood proposed requesting legislation that would mandate proof of licensure from the original testing jurisdiction, ensuring that individuals transferring licenses from other states or countries have met the appropriate testing standards.
4. Apprenticeship Program: Detailed recommendations for improvements to the apprenticeship program will be submitted.
5. Administrative Fines: The Enforcement Committee is currently refining the process for administrative fines and plans to hold a meeting to finalize its recommendations for the board.
6. Licensee in Charge: The Business and Professions Code states that a licensed individual must be in charge of an establishment, but the language lacks clarity regarding ownership and who qualifies as the "licensee in charge." Recommendations will be made to clarify the language, ensuring it aligns with current practices.

Steve Weeks inquired whether including six items in the Sunset Review could be excessive. Ms. Underwood responded that it's best to request all items, even if not all are ultimately approved.

The last recommendation presented was adding a new request to allow establishments to operate as limited liability companies (LLCs). Ms. Underwood clarified that no approvals are required today. The board will review and approve the Sunset Report, which is due by December, with additional discussions planned to finalize the language.

Kellie Funk suggested adjusting the phrasing for the "licensee in charge" section to make it clearer by omitting the detailed list of services and focusing on the requirement that a licensee in charge must be present when board-regulated services are offered.

Public Comment:

Jaime Schrabek of Precision Nails shared good news, informing the board that Assemblyman Tri Ta introduced a bill that would grant manicurists a permanent exemption, allowing them to return to independent contractor status. She expressed hope that the board would support the bill as it progresses and advocate for adding hired stylists to the exemption, given that they were not included due to being a newer license type.

Fred Jones from the Professional Beauty Federation suggested that the board take over the oversight of beauty colleges from the Bureau of Private Postsecondary Education. He argued that the board is already handling many of the responsibilities, so it should officially take on this role and collect the fees, rather than BPPE, which would prevent additional costs from being passed on to students. Additionally, he mentioned that there is more to be discussed regarding apprenticeship recommendations, and more policy suggestions could be added to the list.

14. AGENDA ITEM #14: Discussion and Possible Action Regarding Rulemaking Proposals:

- a) **Update Regarding Rulemaking to Amend Title 16, California Code of Regulations (CCR) section 911 (License by Endorsement (Reciprocity), Application and Out of State License Certifications)**
- b) **Update Regarding Rulemaking to Amend Title 16, CCR sections 913, 913.1, 914.1, 914.2, 915, 917, 918, 918.1, 919, 919.1, 920, 921, 921.1, 921.2, 922, 924, 924.1, 925, 926, 927 (Apprenticeship)**
- c) **1. Discussion and Possible Action to Consider Comments Received During the 45-Day Comment Period and Proposed Responses Thereto for the Board's Rulemaking to Amend Title 16, CCR section 917 (Pre-Apprentice Training)**
2. Discussion and Consideration of Proposed Regulation to Amend Title 16, CCR section 917 (Pre-Apprentice Training)
- d) **Update Regarding Rulemaking to Amend Title 16, CCR sections 940, 941, 950.10, 950.12, 962, 962.1, 962.2 (Schools and Externs)**
- e) **Update Regarding Rulemaking to Amend Title 16, CCR section 977 et seq. (Health and Safety)**
- f) **Discussion and Possible Action to Consider Changes to Previously Proposed Text and Reauthorization of Initiation of a Rulemaking to Amend Title 16, CCR section 931 (Interpreters for Licensing Exams)**
- g) **Update Regarding Rulemaking to Amend Title 16, CCR section 972 (Disciplinary Guidelines)**
- h) **Update Regarding Rulemaking to Adopt Title 16, CCR section 974.4 (SB 384: Remedial Education Program)**
- i) **Update Regarding Rulemaking to Amend Title 16, CCR Section 998 (Hairstylist Licensing Fee)**

Kristy Underwood began by noting that only the action items would be discussed, with the details of all other items included in the package for the board's review.

c) 1. Discussion and Possible Action to Consider Comments Received During the 45-Day Comment Period and Proposed Responses Thereto for the Board's Rulemaking to Amend Title 16, CCR section 917 (Pre-Apprentice Training)

Kristy Underwood explained that the Board received comments on the Pre-Apprentice Training package and staff provided recommended responses as provided in the meeting materials. Board Member Calimay Pham stated she appreciated the time students and licensees took to submit comments, but she agrees with staff's recommended responses. She stated that a lot of things being highlighted by the students in their comments are items that are already offered in the apprenticeship on-the-job training itself and that this proposal would be a significant reduction in barriers to licensure. She further stated that if the Board is comfortable providing the pre-apprentice training for 2 hours, that is a net benefit to apprentices. President Fairley expressed agreement with Board Member Pham's comments and support for moving Option 1 in the meeting materials.

Motion: Calimay Pham moved to direct staff to proceed as recommended to reject comments as specified and provide the responses to the comments as indicated in the meeting materials. Tonya Fairley seconded.

Public Comment: There were no public comments received.

Roll Call Vote: Motion to direct staff to proceed as recommended to reject comments as specified and provide the responses to the comments as indicated in the meeting materials carried: 7 yes, 0 no, and 0 abstain, per the following roll call vote:

- Board Members voted “Yes”: Calimay Pham, Tonya Fairley, Anthony Bertram, Kellie Funk, Dr. Yolanda Jimenez, Colette Kavanaugh, Steve Weeks.

c) 2. Discussion and Consideration of Proposed Regulation to Amend Title 16, CCR section 917 (Pre-Apprentice Training)

Regulations Counsel covered the options for acting on this item as presented in the meeting materials. She indicated that the proposal implements the Board’s policy decision that was proffered in the Board’s 2018 Sunset Report, which is to remove barriers to licensure and allow the Board to administer the program as recommended by staff.

Motion: Calimay Pham moved to direct staff to take all steps necessary to complete the rulemaking process including the filing of the final rulemaking package with the Office of Administrative Law, authorize the Executive Officer to make any non-substantive changes to the proposed regulation and the rulemaking documents, and adopt the proposed regulations as noticed for 16 CCR section 917 as set forth in Attachment 2. Tonya Fairley seconded.

Public Comment: There were no public comments received.

Roll Call Vote: Motion to direct staff to take all steps necessary to complete the rulemaking process including the filing of the final rulemaking package with the Office of Administrative Law, authorize the Executive Officer to make any non-substantive changes to the proposed regulation and the rulemaking documents, and adopt the proposed regulations as noticed for 16 CCR section 917 as set forth in Attachment 2 carried: 7 yes, 0 no, and 0 abstain, per the following roll call vote:

- Board Members voted “Yes”: Calimay Pham, Tonya Fairley, Anthony Bertram, Kellie Funk, Dr. Yolanda Jimenez, Colette Kavanaugh, Steve Weeks.

f) Discussion and Possible Action to Consider Changes to Previously Proposed Text and Reauthorization of Initiation of a Rulemaking to Amend Title 16, CCR section 931 (Interpreters for Licensing Exams)

Kristy Underwood introduced the final item under regulations, Agenda Item 14(f), discussing the previously proposed text and reauthorization of the initial rulemaking to amend Title 16 CCR Section 931, regarding interpreters for licensing exams. She noted that the Board had previously reviewed the change to reduce the period for which interpreters are barred from participating in exams from two years to one year. Kristy Schieldge provided an explanation that the regulation text and the application were being amended accordingly, with changes shown in strikeout and underline.

Motion: Kellie Funk made a motion to rescind the board's prior motion on February 26, 2024 and instead approve the proposed regulatory text for Title 16 CCR Section 931 as set forth in Attachments 1 and 2 and direct staff to submit the text to the Director of the Department of Consumer Affairs and the Business Consumer Services and Housing Agency for review. If the board does not receive any objections or adverse recommendations specifically directed at the proposed action or to the procedures followed by the board in proposing or adopting this action, authorize the Executive Officer to take all steps necessary to initiate the rulemaking process, make any non-substantive changes to the package, and set the matter for a hearing if requested. If no objections or adverse recommendations are received during the 45-day comment period and no hearing is requested, authorize the Executive Officer to take all steps necessary to complete the rulemaking and adopt the proposed regulations at Section 931 as noticed. Calimay Pham seconded the motion.

Public Comment: There were no public comments.

Roll Call Vote: Motion carried per the following vote: 7 yes, 0 no, and 0 abstain.

- Committee Members voted "Yes": Tonya Fairley, Kellie Funk, Anthony Bertram, Dr. Yolanda Jimenez, Colette Kavanaugh, Calimay Pham, Steve Weeks

15. AGENDA ITEM #15: Public Comment on Items Not on the Agenda

No public comments were made on items not on the agenda.

16. AGENDA ITEM #16: Suggestions for Future Agenda Items

Steve Weeks inquired about the start time for board meetings. After a brief discussion, the consensus remained at 10 a.m.

Calimay Pham asked about upcoming legislation and whether another legislative committee meeting would be scheduled. Kristy Underwood reported that no new bills had emerged yet but would keep the board updated. She mentioned that legislative activity tends to be limited in sunset years, though any developments would prompt a meeting if necessary.

17. AGENDA ITEM #17: Adjournment

There being no further business to discuss, the meeting adjourned at approximately 2:30 p.m.



BUSINESS, CONSUMER SERVICES, AND HOUSING AGENCY • GAVIN NEWSOM, GOVERNOR
 DEPARTMENT OF CONSUMER AFFAIRS • BOARD OF BARBERING AND COSMETOLOGY
 P.O. Box 944226, Sacramento, CA 94244-2260
 Phone: (800) 952-5210 Email: barbercosmo@dca.ca.gov
 Website: www.barbercosmo.ca.gov



MEMORANDUM

DATE	May 19, 2025
TO	Members, Board of Barbering and Cosmetology
FROM	Noel Cassens, Operations and Administration Manager
SUBJECT	Administration and Operations Report

Staffing Update

Current Number of Positions Allocated	Current Number of Vacant Positions
6	0

Noel Cassens started as the Board's Administration/Operations Staff Services Manager I on 02/10/2025. The unit is currently fully staffed.

Staff Training

The Board of Barbering and Cosmetology staff completed one training this past quarter with DCA's Strategic Organizational Leadership and Individual Development (SOLID) Unit.

The Board participated in *Let's Get Interpersonal: Communicate with Emotional Intelligence* with SOLID on January 6, 2025. This training focused on developing interpersonal skills and promoting self-awareness for better communication.

The Board's in-office staff completed *Safety Training* on January 23, 2025. This training is provided quarterly as part of DCA's Illness and Injury Prevention Plan and covers how to prevent and respond to potential hazards in the workplace.

Return to Office

In response to Governor Gavin Newsom's executive order issued on March 3, 2025, mandating that California state employees return to the office at least four days per week starting July 1, 2025, the Board is actively preparing for this transition. We are currently procuring office space and equipment to accommodate our staff's increased in-person presence.

Budget Projection Reports and Fund Condition

Below is the Budget Report Fiscal Year (FY) 2024-25 Expenditure Projection based on Fiscal Month 8 (FM) (February 2025). Based on these projections, the Board is scheduled to revert \$2,164,134 back into the Board's Fund.

**Board of Barbering and Cosmetology
FM 8 Fiscal Year 2024/25
Projected Expenditures February 2025**

Personnel Services	ALLOTMENT	BBC Projected Expenditures	Projected Year End Balance
5100 Permanent	\$5,816,000	\$5,286,300	\$529,700
5100 Temporary	\$587,000	\$428,794	\$158,206
5105-5108 Per Diem, Overtime & Lump Sum	\$0	\$69,142	(\$69,142)
5150 Staff Benefits	\$3,485,000	\$3,284,114	\$200,886
5170 Salary Savings	\$0	\$0	\$0
Total of Personnel Services	\$9,888,000	\$9,068,350	\$819,650
Operating Expenses & Equipment (OE&E)	Allotment	BBC Projected Expenditures	Projected Year End Balance
5301 General Expense	\$428,000	\$102,095	\$325,905
5302 Printing	\$348,000	\$631,064	(\$283,064)
5304 Communication	\$21,000	\$33,130	(\$12,130)
5306 Postage	\$232,000	\$38,820	\$193,180
5308 Insurance	\$4,000	\$13,073	(\$9,073)
53202-204 Travel In State	\$73,000	\$52,971	\$20,029
53206-208 Travel, Out-of-State	\$0	\$0	\$0
5322 Training	\$11,000	\$8,401	\$2,599
5324 Facilities Operations	\$1,022,000	\$301,367	\$720,633
53402-53403 Attorney General, OAH, C&P Services Interdept	\$1,672,000	\$1,508,541	\$163,459
53404-53405 Consultant & Professional Svs. - External	\$1,793,000	\$1,396,402	\$396,598
5342 DCA Pro Rata	\$6,190,000	\$6,190,000	\$0
5342 Interagency Services	\$1,000	\$106,880	(\$105,880)
5344 Consolidated Data Center	\$68,000	\$44,245	\$23,755
5346 Information Technology	\$38,000	\$12,954	\$25,046
5362-5368 Equipment	\$77,000	\$155,486	(\$78,486)
5390 Other Items of Expense & Vehicles	\$41,000	\$75,086	(\$34,086)
54 Special Items and Expenses	\$0	\$4,000	(\$4,000)
Total Operating Expenses & Equipment	\$12,019,000	\$10,674,515	\$1,344,485
Total Expenses	\$21,907,000	\$19,742,866	\$2,164,134
Schedule Reim. Other	(\$289,000)	(\$289,000)	
Net Appropriation	\$21,618,000	\$19,453,866	\$2,164,134
SURPLUS/(DEFICIT)			10.01%

The figures above are estimates provided by DCA Budgets, based on recent trends and historical data. If a significant change in spending is observed, the Allotment and Projected Expenditures are adjusted accordingly.

The below analysis of the Board's Fund Condition projects to have 7.1 months in reserve for FY 2024-25. This means the Board would be able to continue to operate for 7.1 months without collecting any additional revenue. The Board is expected to receive a loan back from the General Fund in FY 2024-25, which would increase the Board's reserve to 19.2 months.

**0069 - Barbering and Cosmetology Contingency Fund Analysis of Fund Condition
(Dollars in Thousands)
2024 Budget Act w FM 8 Projections**

	Actuals 2023-24	CY 24-25	BY 25-26	BY +1 26-27	BY +2 27-28
BEGINNING BALANCE	\$ 24,775	\$ 11,926	\$ 39,860	\$ 37,819	\$ 35,686
Prior Year Adjustment	\$ 63	\$ -	\$ -	\$ -	\$ -
Adjusted Beginning Balance	\$ 24,838	\$ 11,926	\$ 39,860	\$ 37,819	\$ 35,686
REVENUES, TRANSFERS AND OTHER ADJUSTMENTS					
Revenues					
4121200 - Delinquent fees	\$ 1,129	\$ 1,160	\$ 1,174	\$ 1,174	\$ 1,174
4127400 - Renewal fees	\$ 11,738	\$ 13,308	\$ 13,637	\$ 13,637	\$ 13,637
4129200 - Other regulatory fees	\$ 2,041	\$ 2,115	\$ 2,126	\$ 2,126	\$ 2,126
4129400 - Other regulatory licenses and permits	\$ 5,472	\$ 5,576	\$ 5,708	\$ 5,708	\$ 5,708
4143500 - Miscellaneous Services to the Public	\$ 5	\$ 6	\$ -	\$ -	\$ -
4163000 - Income from surplus money investments	\$ 688	\$ 997	\$ 119	\$ 527	\$ 485
4170400 - Capital Asset Sales Proceeds	\$ 1	\$ -	\$ -	\$ -	\$ -
4171400 - Escheat of unclaimed checks and warrants	\$ 15	\$ 13	\$ 12	\$ 12	\$ 12
4172500 - Miscellaneous revenues	\$ 7	\$ 6	\$ 8	\$ 8	\$ 8
Totals, Revenues	\$ 21,096	\$ 23,181	\$ 22,864	\$ 23,192	\$ 23,150
Loan Repayment from the General Fund (0001) to the Barbering and Cosmetology Contingent Fund (0069) per Item 1111-011-0069, Budget Act of 2020	\$ -	\$ 25,000	\$ -	\$ -	\$ -
Loan from the Barbering and Cosmetology Contingent Fund (0069) to the General Fund (0001) per Control Section 13.40, Budget Act of 2023	\$ -15,000	\$ -	\$ -	\$ -	\$ -
Totals, Transfers and Other Adjustments	\$ -15,000	\$ 25,000	\$ -	\$ -	\$ -
TOTALS, REVENUES, TRANSFERS AND OTHER ADJUSTMENTS	\$ 6,096	\$ 48,181	\$ 22,864	\$ 23,192	\$ 23,150
TOTAL RESOURCES	\$ 30,934	\$ 60,107	\$ 62,724	\$ 61,011	\$ 58,836
Expenditures:					
1111 Department of Consumer Affairs Regulatory Boards, Bureaus, Divisions (State Operations)	\$ 18,332	\$ 19,454	\$ 22,326	\$ 22,996	\$ 22,701
9892 Supplemental Pension Payments (State Operations)	\$ 360	\$ 250	\$ 250	\$ -	\$ -
9900 Statewide General Administrative Expenditures (Pro Rata) (State Operations)	\$ 316	\$ 543	\$ 2,329	\$ 2,329	\$ 2,329
Less funding provided by the General Fund (State Operations)	\$ -	\$ -	\$ -	\$ -	\$ -
TOTALS, EXPENDITURES AND EXPENDITURE ADJUSTMENTS	\$ 19,008	\$ 20,247	\$ 24,905	\$ 25,325	\$ 26,015
FUND BALANCE					
Reserve for economic uncertainties	\$ 11,926	\$ 39,860	\$ 37,819	\$ 35,686	\$ 32,822
Months in Reserve	7.1	19.2	17.9	16.5	14.7

NOTES:

1. Assumes workload and revenue projections are realized in BY +1 and ongoing.
2. Expenditure growth projected at 3% beginning BY +1.



MEMORANDUM

DATE	May 19, 2025
TO	Members, Board of Barbering and Cosmetology
FROM	Michael Magat, Licensing Manager Linda Kingsbury, Licensing Manager
SUBJECT	Licensing, Exams, and Disciplinary Review Committee Report

Staffing Update

Current Number of Positions Allocated	Current Number of Vacant Positions
19	0

The Board is seeking to hire two Limited Term Program Technician IIs, to complete our communications unit and a Limited Term Program Technician III to help support the current Program Technician III workload.

Examinations

Pass rates are up for the third quarter FY 24/25 compared to the same quarter the previous year. All license types saw an increase in pass rates, with significant increase of pass rates with examinees taking the electrology and hairstylist exam.

License Type	FY23/24 Q3 Pass%	FY24/25 Q3 Pass %
Barber	53%	57%
Cosmetology	63%	69%
Esthetician	75%	77%
Manicurist	73%	77%
Electrology	52%	67%
Hairstylist	33%	100%

*Based on quarter comparison

Emails

The Board continues to receive about 150 emails a day and our response time is two business days.

Applications

The Board received 15,828 applications during the third quarter of FY 24/25. This was an increase of 2% over the second quarter of FY 24/25. The following license type saw an increase in applications; barber 2.8%, cosmetology .5% and electrology 11%. Reciprocity applicants showed growth in cosmetology 16.3%, cosmetology apprentice applicants saw 17.49% growth. All other license types decreased in numbers.

The Board has about 1,500 applications pending daily. All applications are being processed within three to four weeks.

Establishment Applications Received

As a result of outreach regarding the sunset of the exemption for manicurists in AB5, the Board has not seen an increase in establishment applications.

FY	Jul-Sep	Oct-Dec	Jan-Mar	Apr-June	YTD
21/22	1,927	1,551	1,862	1,829	7,169
22/23	1,751	1,543	1,712	2,247	7,253
23/24	2,090	1,902	2,303	2,127	8,422
24/25	2,319	1,824	2,167	-	6,310

Licenses Issued

The Board issued 8,668 licenses during the third quarter of FY 24/25. This was a decrease of 15.39% from the second quarter of FY 24/25. The number of barber apprentice licenses issued decreased by 14.69% and cosmetology apprentice licenses issued also decreased by 28.12%.

Our current license population is 655,506.

Performance Measures**Applications Received****Quarterly Applications Received Fiscal Year 24/25**

License Type	Jul-Sep	Oct-Dec	Jan-Mar	Apr-June	YTD
Personal Service Permit	19	6	11		36
Establishment	2,319	1,825	2,167		6,310
Mobile Unit	3	2	6		11
Barber					
Initial Application	1,249	1,044	1,084		3,377
Re-Exam	1,309	1,167	1,190		3,666
Sub-Total	2,558	2,211	2,274	-	7,043
Reciprocity	80	94	69		243
Apprentice	435	368	352		1,155
Cosmetologist					
Initial Application	3,018	2,805	2,743		8,566
Re-Exam	2,280	1,951	2,038		6,269
Sub-Total	5,298	4,756	4,781	-	14,835
Reciprocity	659	684	796		2,139
Apprentice	193	230	211		634
Electrologist					
Initial Application	26	28	34		88
Re-Exam	26	24	24		74
Sub-Total	52	52	58	-	162
Reciprocity	3	-	2		5
Apprentice	-	-	-		-
Esthetician					
Initial Application	2,018	1,672	1,628		5,318
Re-Exam	1,101	954	954		3,009
Sub-Total	3,119	2,626	2,582	-	8,327
Reciprocity	223	239	229		691
Manicurist					
Initial Application	1,420	1,366	1,358		4,144
Re-Exam	658	628	606		1,892
Sub-Total	2,078	1,994	1,964	-	6,036
Reciprocity	357	362	295		1,014
Hairstylist					
Initial Application	17	21	15		53
Re-Exam	11	10	2		23
Sub-Total	28	31	17	-	76
Reciprocity	20	11	14		45
Total	17,444	15,490	15,828	-	48,762

Written Exam Results

Overall re-exams have a lower pass rate than first-time test takers. Spanish pass rates for first time test takers have the lowest pass rate out of all the languages for the cosmetology, manicurist, electrology, and hairstylist license types while Vietnamese has the lowest pass rate for first time test takers for the barber and esthetician license type.

January 1, 2025 – March 31, 2025

First Time Test Takers

Barber	Passed	Failed	Total	Pass Rate
Chinese	0	1	1	0%
English	461	311	772	60%
Korean	0	1	1	0%
Spanish	25	49	74	34%
Vietnamese	1	5	6	17%
Total	487	367	854	57%

Re-Exam Test Takers

Passed	Failed	Total	Pass Rate
1	0	1	100%
270	478	748	36%
0	0	0	0%
34	141	175	19%
2	12	14	14%
307	631	938	33%

First Time Test Takers

Cosmetologist	Passed	Failed	Total	Pass Rate
Chinese	479	125	604	79%
English	968	418	1,386	70%
Korean	9	6	15	60%
Spanish	43	112	155	28%
Vietnamese	71	57	128	55%
Total	1,570	718	2,288	69%

Re-Exam Test Takers

Passed	Failed	Total	Pass Rate
107	92	199	54%
325	582	927	36%
7	11	18	39%
58	290	348	17%
45	63	108	42%
542	1,038	1,580	34%

First Time Test Takers

Esthetician	Passed	Failed	Total	Pass Rate
Chinese	40	12	52	77%
English	1,073	289	1,362	79%
Korean	4	4	8	50%
Spanish	4	10	19	47%
Vietnamese	34	27	61	56%
Total	1,160	342	1,502	77%

Re-Exam Test Takers

Passed	Failed	Total	Pass Rate
26	8	34	76%
285	361	646	44%
2	2	4	50%
6	25	31	19%
30	42	72	42%
349	438	787	44%

First Time Test Takers

Manicurist	Passed	Failed	Total	Pass Rate
Chinese	35	3	38	92%
English	438	101	538	81%
Korean	1	1	2	50%
Spanish	16	22	38	42%
Vietnamese	355	127	482	74%
Total	845	254	1,099	77%

Re-Exam Test Takers

Passed	Failed	Total	Pass Rate
5	7	12	42%
95	86	181	52%
2	2	4	50%
13	40	53	25%
104	158	262	40%
219	293	512	43%

First Time Test Takers

Electrologist	Passed	Failed	Total	Pass Rate
Chinese	0	0	0	0%
English	14	6	20	70%
Korean	0	0	0	0%
Spanish	0	1	1	0%
Vietnamese	0	0	0	0%
Total	14	7	21	67%

Re-Exam Test Takers

Passed	Failed	Total	Pass Rate
0	0	0	0%
5	16	21	24%
0	0	0	0%
0	1	1	0%
0	0	0	0%
5	17	22	23%

First Time Test Takers

Hairstylist	Passed	Failed	Total	Pass Rate
Chinese	2	1	3	67%
English	1	0	1	100%
Korean	0	0	0	0%
Spanish	0	1	1	0%
Vietnamese	1	0	1	100%
Total	4	2	6	67%

Re-Exam Test Takers

Passed	Failed	Total	Pass Rate
1	0	1	100%
0	2	2	0%
0	0	0	0%
1	1	2	50%
0	0	0	0%
2	3	5	40%

Written Exam Results by Educational Background**January 1, 2025 – March 31, 2025****Written Exam Results - Apprentice Program****First Time Test Takers**

License Type	Passed	Failed	Total	Pass Rate
Barber	64	75	139	46%
Cosmetologist	42	62	104	40%
Electrologist	0	0	0	0%
Total	106	137	243	44%

Re-Exam Test Takers

Passed	Failed	Total	Pass Rate
69	164	233	30%
47	176	223	21%
0	0	0	0%
116	340	456	25%

Written Exam Results - Out of Country**First Time Test Takers**

License Type	Passed	Failed	Total	Pass Rate
Barber	2	28	30	7%
Cosmetologist	451	178	629	72%
Electrologist	1	0	1	100%
Esthetician	27	25	52	52%
Hairstylist	2	2	4	50%
Manicurist	38	27	65	58%
Total	521	260	781	67%

Re-Exam Test Takers

Passed	Failed	Total	Pass Rate
20	77	97	21%
116	182	298	39%
0	4	4	0%
22	32	54	41%
2	3	5	40%
19	25	44	43%
197	323	502	36%

Written Exam Results - School Program**First Time Test Takers**

License Type	Passed	Failed	Total	Pass Rate
Barber	421	264	685	61%
Cosmetologist	1,077	478	1,555	69%
Electrologist	13	7	20	65%
Esthetician	1,133	317	1,450	78%
Hairstylist	2	0	2	100%
Manicurist	807	227	1,034	78%
Total	3,453	1,293	4,746	73%

Re-Exam Test Takers

Passed	Failed	Total	Pass Rate
218	390	608	36%
379	680	1,059	36%
5	13	18	28%
327	406	733	45%
0	0	0	0%
200	268	468	43%
1,129	1,757	2,886	39%

Written Exam Results by Language by Educational Background

January 1, 2025 – March 31, 2025

Apprentice Programs By Language**First Time Test Takers**

Barber	Passed	Failed	Total	Pass Rate
Chinese	0	0	0	0%
English	60	59	119	50%
Korean	0	0	0	0%
Spanish	4	16	20	20%
Vietnamese	0	0	0	0%
Total	64	75	139	46%

Re-Exam Test Takers

Passed	Failed	Total	Pass Rate
0	0	0	0%
59	125	184	32%
0	0	0	0%
10	39	49	20%
0	0	0	0%
69	164	233	30%

First Time Test Takers

Cosmetologist	Passed	Failed	Total	Pass Rate
Chinese	0	0	0	0%
English	25	20	45	56%
Korean	1	0	1	100%
Spanish	15	42	57	26%
Vietnamese	1	0	1	100%
Total	42	62	104	40%

Re-Exam Test Takers

Passed	Failed	Total	Pass Rate
2	1	3	67%
18	49	67	27%
0	0	0	0%
27	126	153	18%
0	0	0	0%
47	176	223	21%

Out of Country Schools by Language**First Time Test Takers**

Barber	Passed	Failed	Total	Pass Rate
Chinese	0	1	1	0%
English	2	12	14	14%
Korean	0	0	0	0%
Spanish	0	15	15	0%
Vietnamese	0	0	0	0%
Total	2	28	30	7%

Re-Exam Test Takers

Passed	Failed	Total	Pass Rate
0	0	0	0%
9	23	32	28%
0	0	0	0%
11	54	65	17%
0	0	0	0%
20	77	97	21%

Out of Country Schools by Language (continued)

First Time Test Takers

Cosmetologist	Passed	Failed	Total	Pass Rate
Chinese	403	112	515	78%
English	17	22	39	44%
Korean	2	1	3	67%
Spanish	8	25	33	24%
Vietnamese	21	18	39	54%
Total	451	178	629	72%

Re-Exam Test Takers

Passed	Failed	Total	Pass Rate
84	83	167	50%
8	26	34	24%
3	0	3	100%
12	59	71	17%
9	14	23	39%
116	182	298	39%

First Time Test Takers

Electrologist	Passed	Failed	Total	Pass Rate
Chinese	0	0	0	0%
English	1	0	1	100%
Spanish	0	0	0	0%
Total	1	0	1	100%

Re-Exam Test Takers

Passed	Failed	Total	Pass Rate
0	0	0	0%
0	4	4	0%
0	0	0	0%
0	4	4	0%

First Time Test Takers

Esthetician	Passed	Failed	Total	Pass Rate
Chinese	10	3	13	77%
English	12	10	22	55%
Korean	0	0	0	0%
Spanish	4	5	9	44%
Vietnamese	1	7	8	13%
Total	27	25	52	52%

Re-Exam Test Takers

Passed	Failed	Total	Pass Rate
8	4	12	67%
8	18	26	31%
0	0	0	0%
3	5	8	38%
3	5	8	38%
22	32	54	41%

First Time Test Takers

Manicurist	Passed	Failed	Total	Pass Rate
Chinese	6	1	7	86%
English	7	5	12	58%
Korean	0	0	0	0%
Spanish	1	2	3	33%
Vietnamese	24	19	43	56%
Total	38	27	65	58%

Re-Exam Test Takers

Passed	Failed	Total	Pass Rate
1	1	2	50%
6	3	9	67%
0	0	0	0%
2	1	3	67%
10	20	30	33%
19	25	44	43%

Out of Country Schools by Language (continued)

First Time Test Takers

Hairstylist	Passed	Failed	Total	Pass Rate
Chinese	2	1	3	67%
English	0	0	0	0%
Spanish	0	1	1	0%
Total	2	2	4	50%

Re-Exam Test Takers

Passed	Failed	Total	Pass Rate
1	0	1	100%
0	2	2	0%
1	1	2	50%
2	3	5	40%

School Programs by Language

First Time Test Takers

Barber	Passed	Failed	Total	Pass Rate
Chinese	0	0	0	0%
English	399	240	639	62%
Korean	0	1	1	0%
Spanish	21	18	39	54%
Vietnamese	1	5	6	17%
Total	421	264	685	61%

Re-Exam Test Takers

Passed	Failed	Total	Pass Rate
1	0	1	100%
202	330	532	38%
0	0	0	0%
13	48	61	21%
2	12	14	14%
218	390	608	36%

First Time Test Takers

Cosmetologist	Passed	Failed	Total	Pass Rate
Chinese	76	13	89	85%
English	926	376	1,302	71%
Korean	6	5	11	55%
Spanish	20	45	65	31%
Vietnamese	49	39	88	56%
Total	1,077	478	1,555	69%

Re-Exam Test Takers

Passed	Failed	Total	Pass Rate
21	8	29	72%
299	507	806	37%
4	11	15	27%
19	105	124	15%
36	49	85	42%
378	680	1,059	36%

First Time Test Takers

Electrologist	Passed	Failed	Total	Pass Rate
English	13	6	19	68%
Vietnamese	0	1	1	0%
Total	13	7	20	65%

Re-Exam Test Takers

Passed	Failed	Total	Pass Rate
5	12	17	29%
0	1	1	0%
5	13	18	28%

School Programs by Language (continued)

First Time Test Takers

Esthetician	Passed	Failed	Total	Pass Rate
Chinese	30	9	39	77%
English	1,061	279	1,340	79%
Korean	4	4	8	50%
Spanish	5	5	10	50%
Vietnamese	33	20	53	62%
Total	1,133	317	1,450	78%

Re-Exam Test Takers

Passed	Failed	Total	Pass Rate
18	4	22	82%
277	343	620	45%
2	2	4	50%
3	20	23	13%
27	37	64	42%
327	406	733	45%

First Time Test Takers

Manicurist	Passed	Failed	Total	Pass Rate
Chinese	29	2	31	94%
English	431	96	527	82%
Korean	1	1	2	50%
Spanish	15	20	35	43%
Vietnamese	331	108	439	75%
Total	807	227	1,034	78%

Re-Exam Test Takers

Passed	Failed	Total	Pass Rate
4	6	10	40%
89	83	172	52%
2	2	4	50%
11	39	50	22%
94	138	232	41%
200	267	468	43%

First Time Test Takers

Hairstylist	Passed	Failed	Total	Pass Rate
Chinese	0	0	0	0%
English	1	0	1	100%
Spanish	1	0	1	100%
Total	2	0	2	100%

Re-Exam Test Takers

Passed	Failed	Total	Pass Rate
0	0	0	0%
0	0	0	0%
0	0	0	0%
0	0	0	0%

Licenses Issued

The total number of licenses issued decreased from 10,245 to 8,668, a 15.39% decrease from the last quarter.

Licenses Issued Fiscal Year 24/25

License Type	Jul-Sep	Oct-Dec	Jan-Mar	Apr-June	YTD
Barber	1,106	974	844		2,924
Barber Apprentice	374	347	296		1,017
Cosmetologist	3,271	3,262	2,740		9,273
Cosmetologist Apprentice	166	224	161		551
Electrologist	34	28	19		81
Electrologist Apprentice	-	-	-	-	-
Esthetician	2,220	1,889	1,651		5,760
Manicurist	1,606	1,643	1,277		4,526
Hairstylist	16	20	19		55
Establishment	2,212	1,889	1,651		5,709
Mobile Unit	3	2	3		8
Personal Service Permit	12	0	7		29
Totals	11,020	10,245	8,668		29,933

Licenses Issued Last 5 Years

29,933 licenses have been issued in FY 24/25.

Licenses Issued Last 5 Years

License Type	FY 20/21	FY 21/22	FY 22/23	FY23/24	FY24/25*
Barber	1,085	3,036	1,952	3,553	2,294
Barber Apprentice	874	1,422	1,398	1,392	1,017
Cosmetologist	3,153	6,901	6,246	9,270	9,273
Cosmetologist Apprentice	584	963	1,035	940	551
Electrologist	26	66	62	94	81
Electrologist Apprentice	-	-	-	-	-
Esthetician	2,887	7,505	7,601	7,958	5,760
Manicurist	2,065	4,581	4,350	5,597	4,526
Hairstylist	-	-	-	25	55
Establishment	6,302	6,604	6,351	7,754	5,709
Mobile Unit	8	12	11	10	8
Personal Service Permit	-	16	116	93	29
Totals	16,976	31,090	29,122	36,686	29,933

*July 1, 2024 – March 31, 2025

License Population

Compared to the previous quarter, the license population has increased from 652,119 to 655,506, a 0.52% increase.

License Population

License Type	License Population
Barber	41,334
Barber Apprentice	2,502
Cosmetologist	306,154
Cosmetologist Apprentice	1,525
Electrologist	1,619
Electrologist Apprentice	-
Esthetician	112,496
Manicurist	130,306
Hairstylist	76
Personal Service Permit	256
Establishment	59,161
Mobile Unit	77
Total	655,506

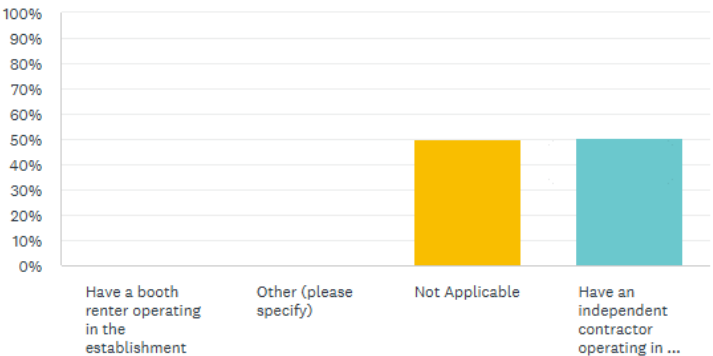
Survey Results

Establishments:

The Board continues to collect information regarding the type of workers within establishments. 50% of respondents report having independent contractors. This is slightly higher than last quarter’s responses of 45% reporting having independent contractors. The other 50% of respondents report these categories of employment as not applicable to their establishments.

Please mark all that are applicable to your establishment

Answered: 371 Skipped: 4



ANSWER CHOICES	RESPONSES
Have a booth renter operating in the establishment	0.00% 0
Other (please specify)	Responses 0.00% 0
Not Applicable	50.13% 186
Have an independent contractor operating in the establishment	50.67% 188
Total Respondents: 371	

Independent Licensees:

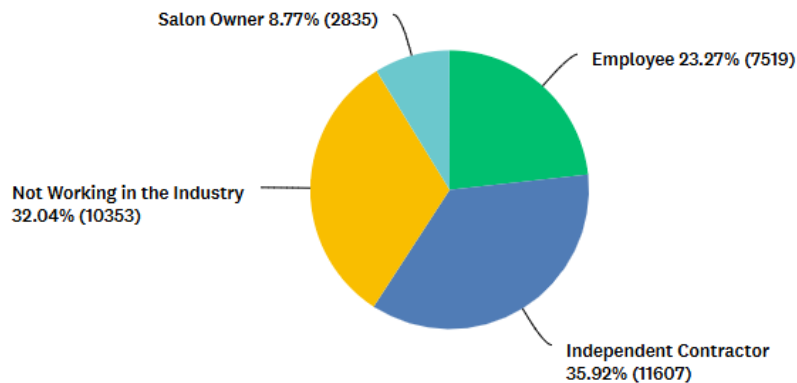
The Board received 32,314 responses to the survey of independent licensee renewals during the January through March 2025 period. An analysis of the recent quarter's data shows that employment status responses are as follows: 23.27% of the licensees identify as employees, 35.92% as independent contractors, 8.77% salon owners, and 32.04% are not working in the industry.

When looking at licensees working in California who identify as having full-time versus part-time employment, no significant difference in the type of employment can be identified. Licensees who report working full-time make up 30.71% of licensees, licensees who report working part-time make up 31.45% of licensees, and 29.87% of respondents are not working in the industry.

Of those licensees working full-time, 41.80% are independent contractors, 37.09% are employees, and 20.53% are salon owners. Of those licensees reporting working part-time 61.02% are independent contractors, 29.39% are employees, and 6.95% are salon owners.

Please indicate your Employment Identification

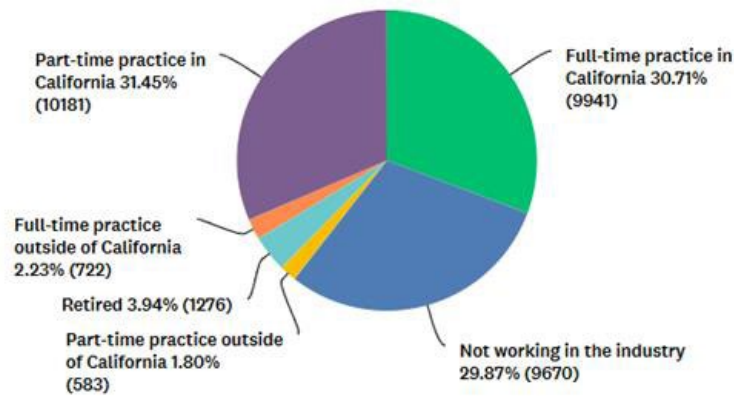
Answered: 32,314 Skipped: 182



ANSWER CHOICES	RESPONSES	
Employee	23.27%	7,519
Independent Contractor	35.92%	11,607
Not Working in the Industry	32.04%	10,353
Salon Owner	8.77%	2,835
TOTAL		32,314

Please Indicate Employment Status

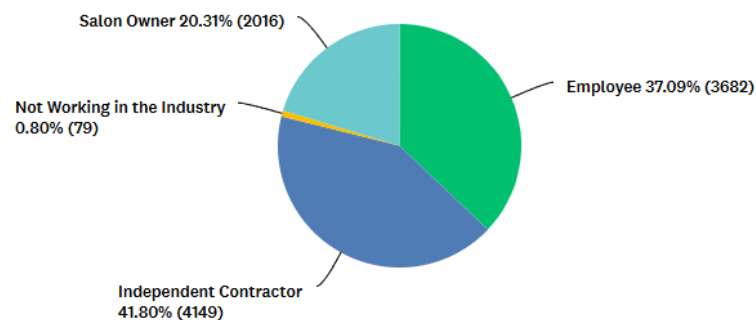
Answered: 32,373 Skipped: 123



ANSWER CHOICES	RESPONSES	
Full-time practice in California	30.71%	9,941
Not working in the Industry	29.87%	9,670
Part-time practice outside of California	1.80%	583
Retired	3.94%	1,276
Full-time practice outside of California	2.23%	722
Part-time practice in California	31.45%	10,181
TOTAL		32,373

Analysis of Licensees Identified as Full-Time

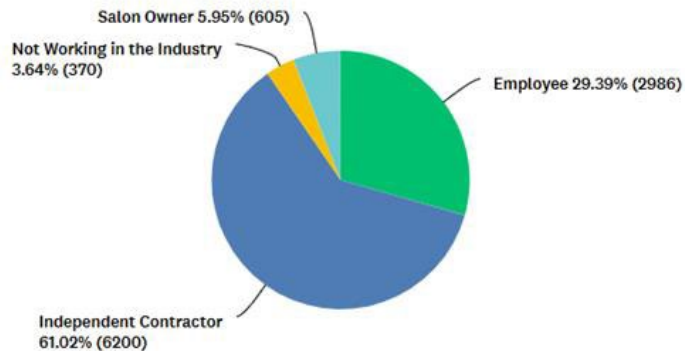
Answered: 9,926 Skipped: 15



ANSWER CHOICES	RESPONSES	
Employee	37.09%	3,682
Independent Contractor	41.80%	4,149
Not Working in the Industry	0.80%	79
Salon Owner	20.31%	2,016
TOTAL		9,926

Analysis of Licensees Identified as Part-Time

Answered: 10,161 Skipped: 20



ANSWER CHOICES	RESPONSES	
Employee	29.39%	2,986
Independent Contractor	61.02%	6,200
Not Working in the Industry	3.64%	370
Salon Owner	5.95%	605
TOTAL		10,161

Disciplinary Review Committee

Staffing Update

Current Number of Positions Allocated	Current Number of Vacant Positions
3	0

Disciplinary Review Committee Appeals

Compared to the previous quarter, for the North, the number of appeals received has decreased by 40% and the amount pending has increased by 12%. Compared to the previous quarter, for the South, the number of appeals received has decreased by 18% and the amount of pending has decreased by 37%.

Disciplinary Review Committee Appeals Fiscal Year 24/25

Northern	Jul - Sep	Oct - Dec	Jan - Mar	Apr - Jun	YTD
Heard	0	0	0		0
Received	22	40	24		86
Pending ¹	56	91	102		102 ²

Southern	Jul - Sep	Oct - Dec	Jan - Mar	Apr - Jun	YTD
Heard	57	0	152		209
Received	88	105	86		279
Pending ¹	114	199	126		126 ²

¹Pending refers to the number of appeals received but not yet heard by DRC.

²Figure represents number of pending requests as of report date 03/31/2025.

The table below shows the number of pending appeals as of 03/31/2025.

Pending	South	North
Pending	126	102



MEMORANDUM

DATE	May 19, 2025
TO	Members, Board of Barbering and Cosmetology
FROM	Addison Beach, Enforcement Chief
SUBJECT	Enforcement Report

Staffing Update

Current Number of Positions Allocated	Current Number of Vacant Positions
20.5	3

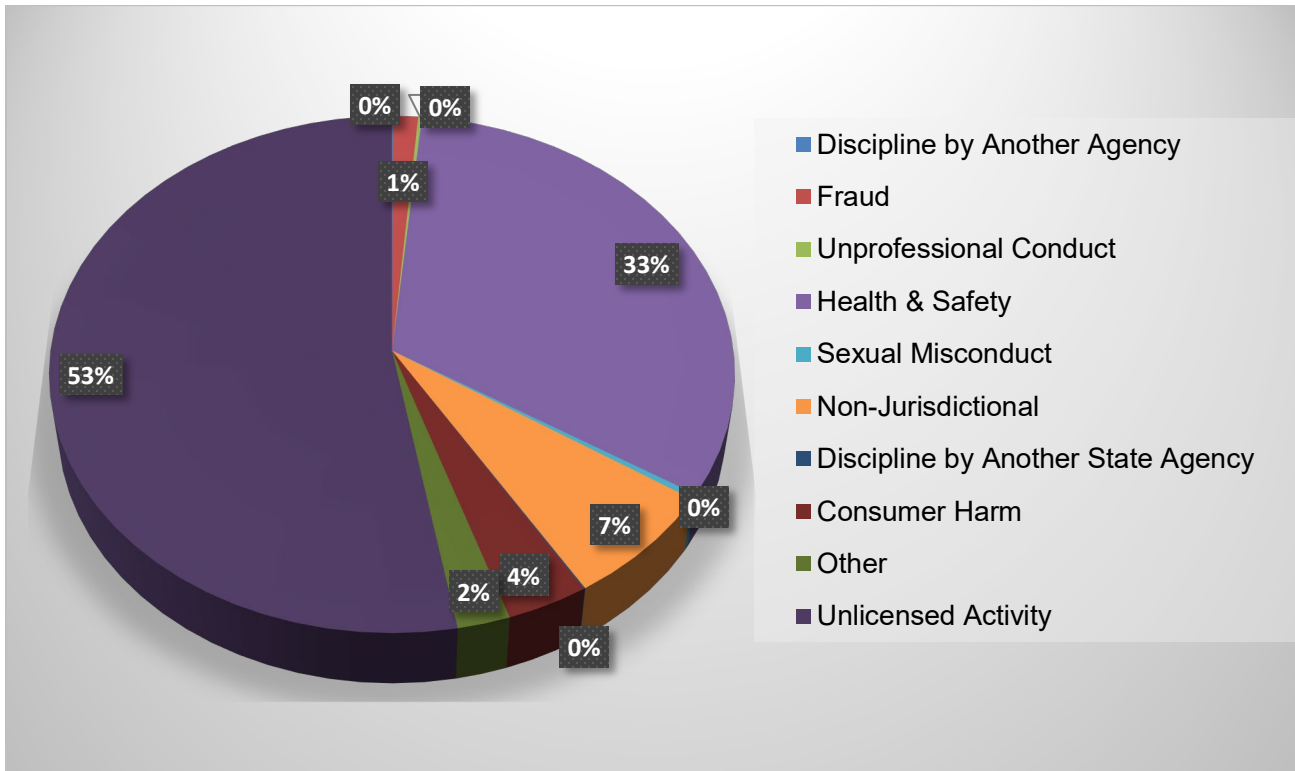
The Enforcement Unit is recruiting for two vacant Enforcement Manager positions and one vacant Complaint Analyst position.

Complaint Intake

The Board received 1,569 complaints for the third quarter of FY 24/25. This was an increase of nineteen percent from the previous quarter where 1,314 complaints were received. The Enforcement Division has received a total of 4,395 complaints for the first quarter of FY 24/25.

COMPLAINTS RECEIVED				
FY 2024/25				
Jul-Sept	Oct-Dec	Jan- Mar	Apr-Jun	YTD
1,512	1,314	1,569		4,395

Complaints Received by Complaint Type – January 1, 2025 – March 31, 2025



Attorney General's Office

The Board referred 21 cases to the Attorney General's Office in the third quarter of FY 2024/25. This is a 43% decrease from the previous quarter, where 37 cases were referred to the Attorney General's Office. Additionally, the Board referred 1 case for subsequent discipline in the third quarter of FY 2024/25. The Board currently has 130 cases at the Attorney General's Office.

Probation

PROBATION CASES				
FY 2024/25				
	Jul-Sept	Oct-Dec	Jan- Mar	Apr-Jun
Active Cases	57	62	59	
Tolled Cases	27	25	23	
Subsequent Discipline	19	17	13	
Immediate Suspension	3	3	1	
Reinstatements	3	3	4	
Total Cases	109	110	100	

Enforcement Statistics

COMPLAINTS							
	FY 2022/23	FY 2023/24	FY 2024/25				
	YTD	YTD	Jul- Sept	Oct- Dec	Jan- Mar	Apr- Jun	YTD
Complaints Received	5,153	5,624	1,512	1,314	1,565		4,390
Referred to DOI	59	36	1	7	1		9
Complaints Closed	4,052	6,741	1,147	1,128	1,367		3,642
Total Complaints Pending	2,502	1,447	1,309	1,305	1,530		1,530
Average Days to Close (Quarterly)	127	141	135	124	117		121

APPLICATION INVESTIGATIONS							
	FY 2022/23	FY 2023/24	FY 2024/25				
	YTD	YTD	Jul- Sept	Oct- Dec	Jan- Mar	Apr- Jun	YTD
Received	20	4	1	5	4		10
Pending	54	1	3	7	6		21
Closed	15	8	1	3	5		9

ATTORNEY GENERAL							
	FY 2022/23	FY 2023/24	FY 2024/25				
	YTD	YTD	Jul- Sept	Oct- Dec	Jan- Mar	Apr- Jun	YTD
Referred	74	83	55	37	21		113
Accusations Filed	43	51	22	35	29		86
Statement of Issues Filed	4	4	2	0	0		2
Total Pending Cases	73	89	111	130	130		130

DISCIPLINARY PROCESS							
	FY 2022/23	FY 2023/24	FY 2024/25				
	YTD	YTD	Jul- Sept	Oct- Dec	Jan- Mar	Apr- Jun	YTD
Proposed Decisions	3	4	3	3	0		6
Default Decision	5	22	4	2	5		11
Stipulation	11	14	5	9	7		21

DISCIPLINARY OUTCOMES							
	FY 2022/23	FY 2023/24	FY 2024/25				
	YTD	YTD	Jul- Sept	Oct- Dec	Jan- Mar	Apr- Jun	YTD
Revocation	8	25	4	3	5		12
Revoke, Stay, Probation	5	2	1	2	2		5
Revoke, Stay, Suspend/Prob	5	8	3	8	4		15
Revocation, Stay w/ Suspend	0	0	0	0	0		0
Probation Only	1	1	0	0	0		0
Suspension Only	0	0	0	0	0		0
Suspension & Probation	0	0	0	0	0		0
Suspension, Stay, Probation	0	0	0	0	0		0
Surrender of License	2	3	1	1	1		3
Public Reprimands	0	1	0	0	0		0
License Denied	0	1	0	0	0		0
Other	2	0	1	0	0		1
Total	23	41	10	14	12		36

PROBATION							
	FY 2022/23	FY 2023/24	FY 2024/25				
	YTD	YTD	Jul- Sept	Oct- Dec	Jan- Mar	Apr- Jun	YTD
Active	97	58	57	62	59		59



MEMORANDUM

DATE	May 19, 2025
TO	Members, Board of Barbering and Cosmetology
FROM	Tiffany Moore, Cite and Fine, Inspections Manager Jennifer Porcalla, Cite and Fine, Inspections Manager
SUBJECT	Schools, Inspections, and Cite and Fine Report

Staffing Update

	Inspections Unit	Cite & Fine Unit
Current Number of Positions Allocated	21	12
Current Number of Vacant Positions	2	1

The Cite and Fine/Inspections Unit is currently recruiting for two inspector positions, one in Northern California and one in Southern California, and a limited term Cite and Fine/Inspections Manager.

Schools

The Board currently has 271 approved schools and 17 open school cases. In quarter three of FY 2024/25 the Board received 48 school complaints.

Externs

The chart below indicates how many schools are participating in the extern program and how many establishments externs are working in.

Extern Programs						
	2021	2022	2023	2024	2025	Total
Number of Schools	10	13	16	14	7	60
Number of Establishments	74	62	94	54	17	301

Inspections and Citations Statistics

CITATIONS							
	FY 2022/23	FY 2023/24	FY2024/25				
	YTD	YTD	Jul- Sept	Oct- Dec	Jan- Mar	Apr- Jun	YTD
Establishments	3,646	3,173	1,486	1,147	1,097		3,730
Barber	355	319	183	121	95		399
Barber Apprentice	71	48	48	26	19		93
Cosmetologist	751	602	311	234	207		752
Cosmetologist Apprentice	29	14	9	7	11		27
Electrologist	1	1	0	0	1		1
Electrologist Apprentice	0	0	0	0	0		0
Manicurist	719	512	278	259	153		690
Esthetician	139	123	52	44	30		126
Hairstylist	0	0	0	0	0		0
Unlicensed Est.	364	224	64	50	64		178
Unlicensed Individual	299	277	117	112	90		319
Total	6,374	5,293	2,548	2,000	1,767		6,315

INSPECTIONS							
	FY 2022/23	FY 2023/24	FY2024/25				
	YTD	YTD	Jul- Sept	Oct- Dec	*Jan- Mar	Apr- Jun	YTD
Establishments with violations	4,868	6,263	1,102	932	531		2,565
Establishments without violations	1,211	1,740	371	261	167		799
Total	6,079	8,003	1,473	1,193	698		3,364

*Inspections updated through February 28, 2025.

Inspections

FY 2024/25	July	Aug	Sep	Oct	Nov	Dec	Jan	*Feb	Mar	Apr	May	Jun	YTD
Out of Business	154	145	172	145	98	110	131	102					1,057
Closed on Call	287	180	166	226	132	108	140	92					1,331
Total Issued	441	325	338	371	230	218	271	194					2,388

*Inspections updated through February 28, 2025.

Mobile Inspection Project (MIP)

The chart below indicates how many inspectors and special investigators are using, being trained on, and preparing to train on conducting inspections using the Mobile Inspection Software.

Mobile Inspection Project Implementation	
Number of Inspectors Using MIP	6
Number of Inspectors Being Trained on MIP	11
Number of Inspectors Not Trained on MIP	2
Inspector Vacancy – Future MIP Training	2

MIP Inspections

The chart below indicates how many inspections were conducted each month using the MIP software during field investigations.

FY 2024/25	July	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	YTD
Total MIP Inspections	-	-	-	-	61	120	105	166	281				733

During the month of March, 281 inspection reports were completed with the MIP software. This is an increase of 115 from the number of inspections completed with the mobile application in the month February which was 166. Since MIP was implemented in November, the number of inspections completed using MIP has increased each month. As of March 31, 2025, 733 inspections have been conducted using MIP.

In March, six inspectors used the mobile inspection application while conducting inspections. In April, nine inspectors and two special investigators were trained on completing inspections through the mobile inspection application. We anticipate all inspectors will be using the mobile inspection application in the field by June 1, 2025.

The longer each inspector uses the mobile inspection software, the more comfortable they become with completing inspections using an iPad. The inspectors have assisted with identifying issues or challenges with the mobile inspection application while conducting inspections in the field. This has allowed management to address these issues or challenges right away and provide support on best practices when using the mobile inspection application.

Citations

The Cite and Fine Unit is at a 29-day turnaround time frame from when an inspection is completed to when the citation is mailed out to the establishment or licensee. This is 20 days less than last quarter which was a 49-day turnaround time frame.

FY 2024/25	July 24	Aug 24	Sept 24	Oct 24	Nov 24	Dec 24	Jan 25	Feb 25	Mar 25	April 25	May 25	June 25
Number of Inspectors	18	17	16	16	16	18	18	17	17			
Number of Inspections	1,008	827	779	840	636	619	678	582	674			
Number of Citation Analysts	3	3	3	3	2	2	2	3	4			
Inspection reports processed												
Closed on Call	252	102	519	305	223	104	88	188	104			
Out of Business	73	137	303	259	257	103	53	193	91			
No Violation	152	131	61	376	77	21	97	113	76			
Citations Issued	760	1,046	787	710	699	979	746	453	529			
Total Processed	1,237	1,416	1,670	1,650	1,256	1,207	984	947	800			
Number of Days to process Citations	101	76	68	71	70	49	32	31	29			

Request For Payment Notices

BBC is actively sending request for payment notices to establishments and individuals that have outstanding fines. First request for payment notices is sent approximately 30 days after the fine was due. Second request for payment notices are sent approximately 30 days after the first notice. Third request for payment notices are sent via certified mail approximately 30 days after the second notice. Citations for licensees that have not paid their fine in full after the third request for payment notice are sent to the Franchise Tax Board. Citations for unlicensed individuals that have not paid their fine in full after the third request for payment notice, are referred to a collection agency.

REQUEST FOR PAYMENT NOTICES SENT - FY 2024-2025					
	July-Sept	Oct-Dec	Jan-Mar	Apr-Jun	Total
Request for Payment Notice 1	405	662	540		1607
Request for Payment Notice 2	239	475	431		1145
Request for Payment Notice 3	276	303	473		1052
Referred to Collections*	0	237	274		511
Referred to FTB	491	358	191		1040
Grand Total	1,411	2,035	1,909		5,355

*BBC contracted with Cedar Financial (debt collection agency) to collect outstanding fees, fines, and cost recovery from unlicensed respondents, corporations, partnerships, and LLCs. The first batch of outstanding accounts were referred to Cedar Financial on October 28, 2024.

Payment Plans

Per B&P 7408.1 and CCR 974.3 the Board may enter a payment plan for citations with administrative fines that exceed five hundred dollars (\$500.00). The average fine amount for quarter 3 of fiscal year 24-25 is \$1,423.15.

Payment Plans – FY 2024-2025					
	July-September	October - December	January – March	April – June	Total
Payment Plan Requested	47	63	105		
Payment Plan Developed	16	33	39		
Paid in Full	1	7	9		
Payment Plan Cancelled	3	8	6		
Total Pending Payment Plans	45	68	92		
Initial Fine Amount Total	\$64,300.00	\$93,250.00	\$135,200.00		
Total Amount Paid	\$25,905.83	\$33,177.65	\$47,581.68		
Current Total Balance	\$38,394.17	\$60,072.35	\$87,618.32		



MEMORANDUM

DATE	May 19, 2025
TO	Members, Board of Barbering and Cosmetology
FROM	Kristy Underwood, Executive Officer
SUBJECT	Outreach Update

Outreach Events

- Premiere Anaheim Beauty Show February 23-24, 2025 in Anaheim, CA

List Servs

- February 11, 2025, the Board emailed all licensees affected from the LA Fire regarding to the Executive Order Fee Deferral.
- February 12, 2025, the Board emailed Interested Parties regarding the new issue of TheBarberCosmo Update.
- March 26, 2025, the Board emailed Interested Parties regarding the newest version of Workers' Rights publications, available in Korean, Spanish, Vietnamese and Simplified Chinese.
- April 3, 2025, the Board emailed Interested Parties regarding the upcoming Enforcement and Inspections Committee Meeting.
- April 25, 2025, the Board emailed Interested Parties regarding the Notice of Proposed Rulemaking: Hairstylist Licensing Fees.
- May 8, 2025, the Board emailed Interested Parties regarding the upcoming Board Meeting.

Social Media

Since the last Board Meeting, the Board has been focusing on posting more information for licensees, consumers, and applicants. The Board's Facebook has 23,000 followers, Instagram has 13,600 followers, X has 910 followers, and Vietnamese Facebook currently has 252 followers. The Board has posted 14 different topics since the last Board Meeting which include but are not limited to topics such as licensee scope of practice, workers' rights, caution of California Tradeshows, health and safety, invasive procedures, and State issued resources for those affected by the LA fires.

- [Vietnamese Facebook](#) - Hội Đồng Cắt Tóc và Thẩm Mỹ - California
- [Facebook](#) – California State Board of Barbering and Cosmetology
- [Instagram](#) - @cabarbercosmo
- [X](#) (Twitter) – @ca_bbc



MEMORANDUM

DATE	May 19, 2025
TO	Members, Board of Barbering and Cosmetology
FROM	Kristy Underwood, Executive Officer
SUBJECT	Strategic Plan Update

The Board continues to work on the goals and objectives identified in the 2022-2027 Strategic Plan. Between March 2025 and May 2025, the Board has participated in the following goal related activities:

- Task 4.3.3: The Mobile Inspection Application went live on November 12, 2024. In March, six inspectors used the application while conducting inspections. In April, four additional inspectors and two special investigators were trained on completing inspections through the mobile inspection application. The remaining inspectors will be trained in stages and we expect to have all Inspectors and Special Investigators using the Mobile Application by June 30, 2025.
- Task 6.2.6: Staff are still publishing the quarterly newsletter, *The BarberCosmo Update*. The ninth issue is expected to be published in March 2025.

Goal 2: Legislation and Regulation			
2.1	Review policies and regulations that advocate for and support consumer protection to ensure consumer safety.		
Success Measure:	Regulations and procedures are updated and current.		
Objectives/Tasks		Target Completion	CurrentStatus
2.1.3	Review and update health & safety regulations. • Regulation updates drafted. Staff working with Reg Counsel.	Q2 2025	Pending
2.1.4	Update school regulation pertaining to health & safety. • Staff reviewing schools and externships language.	Q2 2025	Pending
2.3	Implement Senate Bill 803 with thoroughly vetted regulations to remain in compliance with the law and support the industry.		
Success Measure:	Regulations are adopted; Hair Stylist and Pre-Apprentice licenses implemented.		
Objectives/Tasks		Target Completion	CurrentStatus
2.3.3	Develop and implement pre-apprentice training. • Development of course completed. Staff working on regulation package.	Q3 2025	Pending
2.5	Develop regulation packages for on-going regulations that affect the industry to provide clarity on state statutes.		
Success Measure:	Updated regulations filed with OAL.		
Objectives/Tasks		Target Completion	CurrentStatus
2.5.3	Depending on board response, pursue a regulation package.	Q2 2025	Pending
Goal 4: Inspections			
4.3	Increase technology for inspections to streamline the process for inspectors and licensees.		
Success Measure:	Mobile inspection process available to inspectors.		
Objectives/Tasks		Target Completion	CurrentStatus
4.3.3	Work with vendor on configuration and implementation. • Application live and being slowly rolled out to inspectors and Special Investigators.	Q2 2025	Pending
4.3.4	Develop training materials for inspectors.	Q2 2025	Pending

Goal 5: Enforcement			
5.2	Collaborate with the Bureau of Private Post-Secondary Education (BPPE) to conduct quality school investigations, to improve the qualifications of applicants and consumer protection.		
Success Measure:	Joint inspections held.		
Objectives/Tasks		Target Completion	CurrentStatus
5.2.2	Schedule and conduct joint inspections of schools.	Q2 2025 and Ongoing	On Hold
5.3	Investigate unlicensed activity in licensed and unlicensed locations (including phone application/web-based on-demand services) to increase consumer protection.		
Success Measure:	Procedures have been updated and implemented.		
Objectives/Tasks		Target Completion	CurrentStatus
5.3.2	Create and update procedures for forwarding cases to DOI for investigation.	Q1 2023 and Ongoing	Pending
	• Met with DCA's Division of Investigation January 2023. Updating procedures.		
5.4	Explore and collaborate with industry booking platforms to require license verification to enhance consumer protection.		
Success Measure:	Met with at least one booking platform contact.		
Objectives/Tasks		Target Completion	CurrentStatus
5.4.3	Develop standardized language for contacting booking platforms.	Q2 2025	Pending
5.4.4	Attempt to hold meetings with booking platforms contact person.	Q2 2025	Pending
5.4.5	Present request for booking platforms to require license.	Q2 2025	Pending
5.5	Review probationary process and existing remedial education information to ensure remedial education procedure and communication is clear.		
Success Measure:	Report delivered to the Board.		
Objectives/Tasks		Target Completion	CurrentStatus
5.5.3	Review probationary process.	Q2 2025	Pending
5.5.4	Develop and update to the Board.	Q2 2025	Pending

5.6	Develop remedial education material to assist in probationer compliance.		
Success Measure:	Recommendation made to the Board.		
Objectives/Tasks		Target Completion	CurrentStatus
5.6.1	Review existing remedial education requirements.	Q2 2025	Pending
5.6.2	Develop materials to present to the Board.	Q2 2025	Pending
5.6.3	Make recommendation to the Board on new remedial education program for probationers.	Q3 2025	Pending
Goal 6: Outreach			
6.4	Solicit feedback from licensees on a more continuous basis to engage with licensees.		
Success Measure:	Feedback has been received; increased survey responses.		
Objectives/Tasks		Target Completion	CurrentStatus
6.4.1	Continue sending postcard surveys after inspections done and re-examine questions.	Q1 2023 and Ongoing	Pending
	• Reviewing and updating the postcard survey questions.		
6.4.3	Identify topics of interest.	Q2 2023 and Ongoing	Pending
	• Created a SurveyMonkey link for the public to complete after their interactions with the Board by email. Also exploring the option of an automated phone survey and sending surveys by mail or posting a link to the website.		
6.4.5	Explore offering a rating of how phone calls went (CIC or Admin).	Q2 2025 and Ongoing	Pending
6.4.6	Request feedback about program area effectiveness.	Q2 2025 and Ongoing	Pending
6.4.8	Conduct a post-town hall survey on the topic addressed, desire for future events.	Q2 2025 and Ongoing	Pending
6.7	Explore within the outreach committee to create Board-specific outreach/media to expand access of information to the public and licensees.		
Success Measure:	Outreach plan has been developed and implemented.		
Objectives/Tasks		Target Completion	CurrentStatus
6.7.4	Re-evaluate outreach plan annually.	Q2 2025 and Ongoing	Pending



MEMORANDUM

DATE	May 19, 2025
TO	Members, Board of Barbering and Cosmetology
FROM	Kristy Underwood, Executive Officer
SUBJECT	Discussion and Possible Action on Proposed Bills

Legislation is amended, statuses are updated, and analyses are added frequently; thus, hyperlinks, identified in [blue, underlined text](#), are provided throughout this document to ensure Board members and the public have access to the most up-to-date information.

a) **[Assembly Bill 485 \(Ortega\) Labor Commissioner: Unsatisfied judgements: nonpayment of wages.](#)**

Version: 3/3/2025

Status: Re-Referred to Appropriations Committee

Bill Analysis: 4/8/25 - Assembly Appropriations

Hearing Date: Unknown

Summary: This bill proposes that any state agency issuing licenses or permits must deny new applications or renewals to employers found in violation of the unsatisfied judgment provisions for nonpayment of wages. Additionally, the Labor Commissioner is required to notify the relevant state agency overseeing the employer's license or permit upon identifying such violations.

Recommended Position: Watch

Comments: For the Board of Barbering and Cosmetology, [AB 485](#) extends the enforcement mechanisms related to unsatisfied wage judgments to all licensed industries, including barbering and cosmetology. If a licensee under the California Board of Barbering and Cosmetology (BBC) has an unsatisfied final judgment for nonpayment of wages and fails to obtain the required surety bond, the BBC would be mandated to deny the renewal or issuance of their license. This measure strengthens compliance with wage laws within the barbering and cosmetology sectors by leveraging licensure as an enforcement tool.

Support: Santa Clara County Wage Theft Coalition (Sponsor)

Asian Law Alliance

CA Conference of Machinists

California Conference of the Amalgamated Transit Union

California Federation of Labor Unions

California Nurses Association
California State Association of Electrical Workers
California State Pipe Trades Council
California Teamsters Public Affairs Council
Engineers and Scientists of CA, IFPTE Local 20
UNITE HERE
Utility Workers Union of America
Western States Council Sheet Metal, Air, Rail and Transportation

Opposition: California Hospital Association

Fiscal Impact: \$816,000 for additional personnel. There will be an IT impact, but it is currently unknown.

b) **Assembly Bill 504 (Ta) Worker Classification: employees and independent contractors: manicurists**

Version: 2/10/25

Status: Referred to Committee on Labor and Employment

Bill Analysis: None

Hearing Date: Unknown

Summary: This bill would delete the January 1, 2025, inoperative date, thereby making licensed manicurists subject to this exemption indefinitely.

Recommended Position: Support

Comments: This bill will allow for manicurists to be exempt from the ABC test in determining if they can be an independent contractor. This bill would allow all of the Boards licensees to be treated equally in regards to their employment status.

Support: None

Opposition: None

Fiscal Impact: None

c) **Assembly Bill 625 (Nguyen) Barbering and Cosmetology**

Version: 3/4/225

Status: Hearing cancelled at the request of the author.

Bill Analysis: None

Hearing Date: Unknown

Summary: This bill would remove hairstyling from the regulatory scope of BBC, eliminating the hairstylist license and its associated education, training, and examination requirements. The bill would amend the definitions of barbering and cosmetology to exclude hairstyling services such as shampooing, curling, waving, and arranging hair, allowing unlicensed individuals to perform these services without BBC oversight. Additionally, while the bill requires hairstylists to disclose their licensure status to consumers, it eliminates state-mandated sanitation, safety, and professional standards for hairstyling services.

Recommended Position: Oppose

Comments: Board staff have been notified that the author does not plan to pursue this bill at this time.

Support: None

Opposition: None

Fiscal Impact: Significant (\$1,325,000)

d) **Assembly Bill 667 (Solache) Professions and Vocations: licensing examination interpreters**

Version: 2/14/25

Status: Re-referred to Committee on Health

Bill Analysis: 4/4/25 - Assembly Business and Professions

Hearing Date: Unknown

Summary: This bill would, beginning July 1, 2026, require certain boards under the jurisdiction of the Department of Consumer Affairs to permit an applicant who cannot read, speak, or write in English to use an interpreter to interpret the English written and oral portions of the license or certification examination, as applicable, if the applicant meets all other requirements for licensure.

This bill would require an interpreter to satisfy specified requirements, including not having the license for which the applicant is taking the examination. The bill would also require those boards to post on their internet websites that an applicant may use an interpreter if they cannot read, speak, or write in English and if they meet all other requirements for licensure or certification.

This bill would require those boards to include in their licensure or certification applications a section that asks the applicant to identify their preferred language and, beginning July 1, 2027, to conduct an annual review of the language preferences of applicants. The bill would require those boards, beginning July 1, 2029 and until January 1, 2033, to annually report to specified committees of the Legislature on language preference data.

Recommended Position: Support

Comments: The Board currently offers examinations in English, Spanish, Korean, Vietnamese and Simplified Chinese. Applicants that speak a language in which the examination is not offered, can utilize an interpreter of their choosing.

Support: California Immigrant Policy Center (Co-Sponsor)

Economic Mobility for All Coalition (Co-Sponsor)

Immigrants Rising (Co-Sponsor)

AdvancED Consulting, LLC, Alliance for a Better Community, AltaMed Health Services, Amigos De Guadalupe Center for Justice and Empowerment, APRIL Parker Foundation, Asian Pacific Islander Small Business Collaborative, Bay Area Medical Academy, Bet Tzedek Legal Services, Binational of Central California, Buen Vecino, Building Skills Partnership

California, Healthy Nail Salon Collaborative, California Primary Care Association, Canal Alliance, Central Valley Immigration Integration Collaborative, Central Valley Workers, Center Centro Community Hispanic Association, Children's Institute Chinese for Affirmative Action, City Heights Community Development Corporation, CLEAN Carwash Worker Center, Democracy at Work Institute, Diversity in Health Training Institute, East Bay Sanctuary Covenant, Education and Leadership Foundation, First Gen Empower, First Graduate, Foundation for California Community Colleges, Hmong Innovating Politics, Inclusive Action for the City, Initiating Change in Our Neighborhoods Community Development Corporation, Inland Coalition for Immigrant Justice, Inland Empire Immigrant Youth Collective, Interfaith Refugee & Immigration Service, International Rescue Committee, LA Cocina, Language Access, LISC San Diego, Los Angeles Economic Equity Accelerator and Fellowship, Loyola Law School Sunita Jain Anti-Trafficking Initiative, Moreno Seeds Foundation, Multicultural Institute, National Immigration Law Center, New Mexico Immigrant Law Center, Nile Sisters Development Initiative, O Community Doulas, On the Move, ORALE: Organizing Rooted in Abolition Liberation and Empowerment, Pars Equality Center, Pre-health Dreamers, Robinson HR & Benefits, Second Harvest of Silicon Valley, Slavic Refugee and Immigrant Services Organization, Small Business Majority, Somali Family Service of San Diego, South Asian Network, Southern California College Attainment Network, Survivors of Torture, International, TODEC Legal Center, Trabajadores Unidos Workers United, UNITE-LA, Upvalley Family Centers of Napa County, Upwardly Global, Veggielution, Vision y Compromiso

Opposition: None

Fiscal Impact: None

e) **Assembly Bill 742 (Elhawary) DCA: Licensing: applicants who are descendants of slaves.**

Version: 3/13/25

Status: Referred to Committee on Judiciary

Bill Analysis: 4/4/25 - Assembly Business and Professions

Hearing Date: Unknown

Summary: This bill would require boards to prioritize applicants seeking licensure who are descendants of American slaves, once a process to certify descendants of American slaves is established, as specified. The bill would make those provisions operative when the certification process is established and would repeal those provisions 4 years from the date on which the provisions become operative or on January 1, 2032, whichever is earlier.

Recommended Position: Watch

Comments: This bill would impact the Board by requiring modifications to its application and processing systems. The Board would need to implement a method to identify applicants who qualify for prioritization, potentially requiring demographic data collection or self-identification from applicants. Since the Board does not currently track ethnicity or ancestral background, this change could necessitate system updates and additional staffing resources. Furthermore, the Board may face challenges in ensuring compliance with anti-discrimination laws while maintaining fairness in the licensure process.

Support: Greater Sacramento Urban League

Opposition: California Landscape Contractor's Association
Pacific Legal Foundation
17 Individuals

Fiscal Impact: \$284,000 plus IT costs that are currently unknown.

f) **Assembly Bill 1514 (Committee on Labor and Employment: Assembly Members Ortega (Chair), Elhawary, Kalara, and Ward) Labor Contracts**

Version: 3/10/25

Status: To Consent Calendar

Summary: It is anticipated that this bill will be amended to address the manicurist exemption regarding independent contractors.

g) **Senate Bill 236 (Pierson) Cosmetics: chemical hair relaxers**

Version: 4/9/25

Status: Senate Environmental Quality

Bill Analysis: None

Hearing Date: 4/29/25

Summary: This bill seeks to prohibit, starting January 1, 2030, the manufacture, distribution, sale, or offering for sale of any hair relaxer containing specified chemicals. The bill mandates the Department of Toxic Substances Control to adopt regulations by January 1, 2030, to implement and enforce these provisions. Additionally, manufacturers of hair relaxer products would be required to register with the department by July 1, 2030, providing specified information and a registration fee.

Recommended Position: Watch

Comments: This bill would regulate the products used by licensed professionals. This would require professionals to adjust their product selections and potentially seek alternative products that comply with the new regulations. This could necessitate new or adjusted health and safety guidelines to ensure safe and effective use of alternative products.

Furthermore, the bill's requirements for manufacturer registration and compliance may lead to changes in product availability and pricing, affecting both professionals and consumers. The Board may need to update its guidelines and inform licensees about these changes.

Support: None

Opposition: None

Fiscal Impact: Minimal to None

h) **Senate Bill 470 (Laird) Bagley-Keene Open Meeting Act: teleconferencing**

Version: 4/10/2025

Status: Senate Appropriations

Bill Analysis: 4/4/25 - Senate Judiciary

Hearing Date: Unknown

Summary: This bill proposes to remove the January 1, 2026, repeal date, thereby making the alternative teleconferencing provisions under the Bagley-Keene Open Meeting Act permanent.

Recommended Position: Support

Comments: For the California Board of Barbering and Cosmetology, SB 470's enactment would provide continued flexibility in conducting meetings via teleconference. This permanence would allow board members to participate remotely under specified conditions, potentially increasing meeting accessibility and efficiency. It would also facilitate greater public participation by enabling stakeholders to attend meetings virtually, aligning with the board's mission to ensure consumer health and safety by promoting ethical standards and enforcing industry laws.

Support: AARP, Alzheimer's Association, California Association of Licensed Investigators, California Coalition on Family Caregiving, California Commission on Aging, California Foundation for Independent Living Centers, California Long Term Care Ombudsman Association, Disability Rights California, Family Caregiver Alliance, LeadingAge California, Little Hoover Commission

Opposition: ACLU California Action, California Broadcasters Association, California Chamber of Commerce, California Common Cause, California News Publishers Association, CCNMA: Latino Journalists of California, First Amendment Coalition, Freedom of the Press Foundation, Howard Jarvis Taxpayers Association, League of Women Voters of California, Media Guild of the West, National Press Photographers Association, Orange County Press Club, Pacific Media Workers Guild, Local 39521, Radio Television Digital News Association, Society of Professional Journalists of Northern California Chapter

Fiscal Impact: \$55,000 annually if not passed.

i) **Senate Bill 641 (Ashby) DCA-States of Emergency: Waivers and Exemptions**

Version: 4/9/25

Status: Senate Public Safety

Bill Analysis: 4/3/25 - Senate Business, Professions and Economic Development

Hearing Date: Unknown

Summary: This bill would authorize the Boards within DCA to waive the application of certain provisions of Board licensure requirements for licensees and applicants impacted by a declared federal, state, or local emergency or whose home or business is located in a declared disaster area, including certain examination, fee, and continuing education requirements. Additionally, it would require all applicants and licensees of the Board to provide the Board with an email address.

Recommended Position: Support

Comments: This bill would allow the Board to increase its contact with licensees by requiring an e-mail address.

Support: California Association of Licensed Investigators
Contractors State License Board

Opposition: None

Fiscal Impact: \$111,000 for personnel to handle the initial workload.



BUSINESS, CONSUMER SERVICES, AND HOUSING AGENCY • GAVIN NEWSOM, GOVERNOR
DEPARTMENT OF CONSUMER AFFAIRS • BOARD OF BARBERING AND COSMETOLOGY
P.O. Box 944226, Sacramento, CA 94244-2260
Phone: (800) 952-5210 Email: barbercosmo@dca.ca.gov
Website: www.barbercosmo.ca.gov

Agenda Item No. 9



MEMORANDUM

DATE	May 19, 2025
TO	Members, Board of Barbering and Cosmetology
FROM	Danielle Munoz, Enforcement and Inspections Committee Chair
SUBJECT	Report on the April 14, 2025, Enforcement and Inspections Committee Meeting

On April 14, 2025, the Enforcement and Inspections Committee convened to finish discussing possible changes to the Board's schedule of administrative fines and consider proposed administrative fines that directly impact consumer safety.

The Committee agreed with the majority of staff's proposed changes, however decided to change the fines for 980.4 and 993 for consistency with other violations.

The Committee received feedback during public comment and many agreed that increasing fines would be helpful for consumer protection.

Staff are preparing the proposed regulatory language and will bring it to the full Board at a future meeting for discussion and possible initiation of a rulemaking proposal.

Board of Barbering and Cosmetology
Report on the Status of the Apprentice Program
DRAFT REPORT 5-2025

The Board of Barbering and Cosmetology (Board) offers an apprentice program as a pathway to licensure. This program allows an individual to receive on-the-job training while also receiving classroom training. There are several components to the apprentice program as well as several entities that provide oversight.

Throughout the past several years, the Board has seen significant issues develop within the apprentice program, these are:

- Tuition and Fees
- Low Passage Rates (Especially Spanish Pass Rates)
- Training Facilities/Academies
- On the Job Training Concerns
- Funding
- Wages and Workers Compensation
- Overall Success of the Program
- Board Dedicated Resources

Apprenticeships and Oversight

This report is intended to address the issues noted above, however, it is important to understand the background of apprenticeships and the oversight of the programs.

What are Apprentice Programs?

An Apprenticeship Program is a work-based learning model that combines paid on-the-job training with classroom instruction to prepare for skilled careers. Apprenticeships are a partnership between the industry, education, and government.

Who has Oversight?

The Apprentice Program has multiple agencies that play a role in the oversight of the program:

- The Board of Barbering and Cosmetology
- The Division of Apprenticeship Standards (DAS)
- Local Education Agencies (LEA)

The Board:

The Board issues an approval to a Program Sponsor to offer an Apprenticeship Program. The Apprenticeship Program must first be approved by DAS before the Board will approve it. Program Sponsors must follow the Shelley-Maloney Apprentice Labor Standards Act of 1939 which is part of the CA Labor Code. For the Board to approve a Program Sponsor and program, the following must be provided:

- A completed application
- Proof of DAS approval
- A detailed outline of the training program
- A copy of the apprenticeship agreement

No fee or renewal is required for the Program Sponsor application process.

The Board also issues a license to an apprentice. A person who enters into an agreement with an approved Program Sponsor first completes a pre-apprentice training course for basic patron protection. The apprentice then finds an establishment and a trainer that are willing to take them on as an employee and as an apprentice and provides that information to the sponsor. The Program Sponsor then submits all the paperwork for the apprentice to obtain the license from the Board. The apprentice license is issued for two-years. The total requirement for an apprentice to complete a program is 3,200 hours of on-the-job training over that two-year period. The apprentice is required to work a minimum of 32-hours per week and not exceed 42 ½ hours and attend in-person classes ranging from 216-220 classroom hours, referred to as related training hours or related supplemental instruction (RSI).

Once the program is complete the apprentice can apply for the examination to become fully licensed.

During the two-year term, many changes may occur. The apprentice can change employers or trainers multiple times during the two-year program. Each of these processes, requires a form to be submitted to the Board by the Program Sponsor and a new license must be issued. The Board has no authority to charge for any of these tasks. The only fee the Board receives for all apprentice activities is the \$25.00 processing fee for the initial apprentice license.

The Division of Apprenticeship Standards:

The Division on Apprenticeship Standards (DAS) is a division within the Department of Industrial Relations. The DAS creates opportunities for Californians to obtain skills leading to gainful employment and provides employers with a highly skilled and experienced workforce while strengthening California's economy.

The DAS carries out this mission by administering California apprenticeship law and enforcing apprenticeship standards regarding wages, hours, working conditions, and the specific skills required for state certification as a journey person in an occupation that is appropriate for apprenticeship.

The DAS approves Program Sponsors and their programs, as well as registers apprentices.

The Local Education Agency:

A Local Education Agency (LEA) is a local entity involved in education, including but not limited to school districts, county offices of education, district funded charter schools, etc. Program Sponsors must have an LEA that they are working with and the LEA provides some oversight of the RSI hours and the facilities where the RSI is offered.

Federal Apprenticeship Programs:

The U.S. Department of Labor also approves apprenticeship programs. This would allow a program to operate in other states. In California though, a sponsor must be approved by both the Board and the DAS in order to allow an apprentice to qualify for the examination.

Review of Issues

#1 Tuition and Fees

An apprenticeship program allows an individual to earn while they learn. It is an alternative to traditional school. However, Board staff have found that apprentice programs are charging the apprentices tuition fees. Labor Code section 3091 provides, “[a]cceptance of an application for entrance into an apprenticeship training program shall not be predicated on the payment of any fee. Reasonable costs for expense incurred may be charged after an applicant has been accepted into the program.” Nonetheless, some approved programs appear to charge fees in excess of that permitted under the Labor Code, including:

- Enrollment Fee
- Registration Fee
- Attendance Records
- On the Job Training (OJT) Logs
- Tuition Fee
- Late Fees and Payment Plans with Interest on Tuition
- Penalty Fees – Apprentice being out of uniform
- Administrative Fees and Fines – Records requests and printing costs per page

Some programs are withholding completion forms for apprentices who owe money on their tuition and/or fees.

In 2022, Board staff found the fees that are charged to apprentices in various programs can range from between \$5,500 to \$20,508. These fees include tuition, books, and various other fees.

In March 2025, Board staff spoke with 115 apprentices and found the following:

- 25 apprentices stated they paid \$2,500 to \$2,800
- 7 apprentices stated they paid \$3,000 to \$3,500
- 2 apprentices stated they paid \$4,000 to \$4,500
- 28 apprentices stated they paid \$5,000 to \$5,900
- 19 apprentices stated they paid \$6,000 to \$6,500
- 22 apprentices stated they paid \$7,000 to \$7,500
- 4 apprentices stated they paid \$8,000 to \$8,500
- 5 apprentices stated they paid \$9,000 to \$9,500
- 3 apprentices stated they paid \$10,000

- 2 apprentices stated they paid \$15,000

This information was provided to both the DAS and the LEA and no action has been taken.

In July 2022, the Board, DAS, and the Bureau for Private Postsecondary Education (BPPE) authored a joint letter to all apprentices. The DAS portion of the letter stated:

At any establishment where an apprentice is employed, the apprentice is an employee who must be covered by workers' compensation insurance (Lab. Code, §§ 3351, 3700) and paid at least the applicable wage package stated in the approved apprenticeship program standards. (Cal. Code of Regs, tit. 8, § 208.) Apprentices are being trained under a learn-and-earn model and their participation should not entail significant costs, because any costs incurred by an apprentice for their training must be "reasonable." (Lab. Code, § 3091.) Training programs for which participants must pay unreasonable sums are not apprenticeships as defined in the law.

Unfortunately, there is no clear limit on what an apprenticeship program can charge and the legal standard permitting "Reasonable costs" is difficult to enforce.

#2 Low Passage Rates (Especially Spanish Test Takers)

The apprentice program has struggled for years in educating individuals to meet the minimum standards of licensure. This is evident in the passage rates for each program. In a review of pass rates from 2019 to 2024, the following average pass rates were found:

License Type	Pass	Fail	Total	Pass %
Barber	947	1,630	2,577	37%
Cosmetology	1,346	2,185	3,531	32%

The apprentice program is often utilized by Spanish-speaking individuals. Based on the examination results from 2019 through 2024, 40% of apprentice cosmetology test takers are Spanish speaking, while 17% of apprentice barber test takers are Spanish speaking.

APPRENTICE SPANISH EXAMINATIONS 2024

License Type	Pass	Fail	Total	Pass %
Barber	24	59	83	29%
Cosmetology	63	229	292	22%

APPRENTICE NON-SPANISH EXAMINATIONS 2024

License Type	Pass	Fail	Total	Pass %
Barber	292	372	664	44%
Cosmetology	199	334	533	37%

There are many factors that could be attributed to the low passage rates. One significant difference between the apprentice program and traditional schools is the theory education or the classroom

education. Apprenticeship programs are required to conduct related training in the classroom and the requirement is 216 hours for barber and 220 hours for cosmetology.

The theory portion of any educational program is critical to the success of an applicant. This is where the apprentice will learn the “why” of a topic as opposed to just the “how”. As the Board’s main goal is consumer protection, there is a strong need for the theory portion of the program. The Board is concerned with how safe a licensee can perform a service and not necessarily how good the service is. For example, a client may want their hair a specific shade of blonde and the licensee was not able to fulfil this request but in providing the service, professional standards were followed, and no harm was caused.

In addition to the minimal time in the classroom and the minimal time learning the technical aspect of the profession, the following are also possible contributors to low pass rates:

- Lack of oversight of the related training and no instructor requirements
- No requirement for Spanish speaking students to be provided education in Spanish
- No requirement for Spanish speaking students to have the Spanish approved textbooks
- Sponsors are franchising out their approval (See Issue #3)
- Unknown if there are any pre-admittance requirements for an apprentice that is verified by a Sponsor (i.e. 10th Grade Education)

#3 Training Facilities/Academies

One of the most significant issues in the apprentice program is the increase of “training facilities”. These are locations that have been approved by the program’s LEA to provide the required related training (classroom theory education). Over the past several years, there have been more and more training facilities that are now operating as approved apprentice programs. These facilities claim to be a “franchise” or an “affiliate” of an approved Program Sponsor. The facilities are advertising, enrolling, contracting, and charging potential apprentices under their own business name and not under the approved Program Sponsor. In fact, most apprentices that have contracted with these training facilities have no idea who the approved Program Sponsor is. These training facilities are operating as Approved Sponsors, and many are targeting Spanish-speaking individuals.

Most of these training facilities are licensed establishments. Therefore, when the Board does an inspection there are licensed apprentices working with trainers and there are no violations. If the BPPE does an inspection to determine if it is an unlicensed school, the facility states they are affiliated with an approved Program Sponsor and are not a school.

On August 7, 2024, a letter was sent to all of the identified training facilities to advise them that they cannot operate as an approved apprentice Program Sponsor unless approved by the Board and the DAS. It is acceptable for these facilities to provide the related training, however they have no authority to advertise, enroll via a contract, or charge a fee to a potential apprentice. The Board mailed 29 letters and did not receive any responses. The Board also sent a letter to all approved Program Sponsors advising them there is no authority that allows them to franchise out their approval.

In 2024, the Board documented 76 “training facilities” listed as an RSI locations for approved programs. Approximately 40% of these training facilities are enrolling their own apprentices, under their own business names and collecting monies paid by the apprentice.

#4 On the Job Training Concerns

An integral part of being an apprentice is to earn while you learn. An apprentice is a full-time employee who should be regularly supervised. An apprentice program for many other industries is established to hire an individual as an apprentice and then ultimately hire them once their apprenticeship is completed. In the barbering and cosmetology industry, one of the main forms of workforce is booth rental which means that often these employers are bringing on an apprentice knowing that they will only have them for a short amount of time.

Board staff is finding that, often, the apprentice is not receiving training on the job at all and is being utilized as a full-time licensed employee. The staff regularly finds:

- Apprentices left alone in establishments providing services
- No required on-the-job training logs are available
- Required on-the-job training logs are being pre-filled out
- On-the-job training logs are being completed at the end of the program as opposed to throughout the program.
- No supervision or training is being provided.

In addition, the only requirement for a trainer is that they hold a valid license and that they have no outstanding fines or formal discipline. The trainer often does not understand that they are agreeing to provide training and simply sign off to bring the apprentice on board.

#5 Funding

There are various opportunities for funding for apprenticeship programs. These range from federal funds and state funds that are intended to off-set the cost of administering the program. **Below are examples of funding that many programs receive:**

1. **Reimbursement for related training hours.**
A program sponsor can submit an invoice to their LEA and receive a reimbursement for each apprentice per hour of related training. For example: Cosmetology requires 220 hours of related training, if the reimbursement is \$9.00 an hour, the sponsor can invoice their LEA 220 hours X \$9.00 = \$1,980 that would be provided to the program sponsor per apprentice.
2. **Workforce Innovation and Opportunity Act (WIOA)**
The WIOA funds are federal funds intended to off-set the cost of administering an apprentice program. WIOA funds are available via the Employment Development Department through CalJobs training programs. For example, one program is currently listed on the CalJobs list as charging a tuition of \$10,000. This program has received this amount 33 times.
3. **Apprentice Innovation Funds (AIF)**

The AIF are state funds that are awarded by the DAS. A review of the DAS website shows that two programs have received AIF funds, with one of these programs receiving \$484,375.00. For this same program the Board has confirmed that they are charging \$7,500 tuition. AIF funds are awarded based on enrollment of apprentices and not the success of the program.

There are no “checks and balances” to ensure that a program sponsor is not receiving funds for the same apprentice that was required to pay tuition. Most importantly, there should not be tuition but regardless of how many times the Board has reported this to other entities, minimal to no action has been done.

Some programs are receiving WIOA funds, AIF funds, related training funds and charging tuition and the apprentices never apply for the examination or fail the examination.

#6 Wages and Workers Compensation

All apprentice employers are required to provide an hourly wage to the apprentice and the establishments are required to maintain workers compensation insurance. During several interviews with licensed apprentices, the Board learned that apprentices are:

- Paid under the table
- Paid only based on the services provided
- Establishments do not have workers compensation insurance

The Board spoke to 103 apprentices who reported:

- 52 are booth renters
- 27 are paid by commission only
- 17 are paid only by the service provided
- 7 are not paid at all

The Board’s statutes and regulations have no requirements for an establishment to provide proof of insurance or proof that an apprentice is an employee receiving a hourly wage.

#7 Overall Success of the Program

The issues addressed in this report raise the concern regarding the overall success of the program. In a review of the data, it was found that very few individuals that receive an apprentice license ever apply for the examination.

From 2018 to 2021, 47% of individuals that received a barber apprentice license, never applied for the examination.

BARBERS	2018	2019	2020	2021
Apprentice Licenses Issued	882	804	764	1224

# That Applied for Exam	432	377	436	689
# That Never Applied for Exam	450 (51%)	427 (53%)	328 (43%)	535 (44%)

From 2018 to 2021, 42% of individuals that received a cosmetology apprentice license, never applied for the examination.

COSMOTOLOGY	2018	2019	2020	2021
Apprentice Licenses Issued	725	771	533	788
# That Applied for Exam	394	402	350	499
# That Never Applied for Exam	331 (46%)	369 (48%)	183 (34%)	289 (37%)

#8 Board Dedicated Resources

The Board must dedicate a significant number of staff to address the apprentice program. The Board currently has 51 complaint cases under investigation. There is one full-time Special Investigator that handles these investigations. The Board has 2 full time staff dedicated to the licensing functions of the program. In addition, one manager, the Deputy Executive Officer and the Executive Officer are dedicating 50%-90% of their time to dealing with apprentice program issues.

Discussion

The Board should discuss options on how to proceed with the apprenticeship program.

Apprenticeship programs have been operating for many years in various industries. It can be a valuable tool for an individual to earn while they learn to ultimately achieve lasting employment.

The following questions are provided to assist the Board's discussion:

1. Should apprenticeship be maintained as a pathway to licensure for the barbering and cosmetology industries?
2. What is the advantage of an apprentice (earn while you learn) program when the pass rates are so low, tuition is high, booth rental is often the only option, and it is more than double the amount of time an individual would spend in a traditional school?
3. Should the Board pursue legislative changes that will allow oversight and stricter requirements for the apprentice program as well as funding to support the extensive amount of work required by staff?

The Board does have some authority to develop stronger regulations for the program, however, resources must be considered. Board staff are currently re-directed from other mission critical programs to handle the issues and investigations that are generated from the apprentice program.

Possible Statutory Recommendations

Board staff have prepared the first draft of possible legislation that we believe would strengthen the program.

1. Amend section 7332 to make it clear that an apprentice is an employee and must earn a wage.

7332.

(a) An apprentice is any person who is licensed by the board, and employed by a licensed establishment and earning an hourly wage, to engage in learning or acquiring a knowledge of barbering, cosmetology, skin care, nail care, or electrology, in a licensed establishment under the supervision of a licensee approved by the board.

2. Amend section 7333 to clarify the conduct of an apprentice training program. This recommendation includes specifications that no fees can be charged, no franchising out the sponsor's approval, clarifies that the sponsor must ensure the establishment has worker's compensation insurance, the establishment provides all services in the scope of practice of the apprentice, that the apprentices are receiving a wage, specify that a sponsor cannot enter into a financial contract with an apprentice, and specifies that the apprentice cannot be paid by commission or rent a booth in an establishment.

7333. Conduct of Apprentice Training Program

(a) The apprentice training program shall be conducted in compliance with the Shelley-Maloney Apprentice Labor Standards Act of 1939, Chapter 4 (commencing with Section 3070) of Division 3 of the Labor Code, according to apprenticeship standards approved by the administrator of apprenticeship. A copy of the act shall be maintained on file with the board.

(b) In the conduct of the apprentice training program, there shall be no fee's charged for an individual to participate in the apprentice program, other than fees for textbooks and required minimum equipment.

(c) An approved program sponsor shall not franchise, sponsor, or loan their approval. All enrollments between and individual and a program sponsor shall be done only with the approved program sponsor.

(d) An approved program sponsor shall verify that the establishment where on-the-job training is being completed maintains worker's compensation insurance, provides all services that are within the scope of practice of the licensed profession, and ensure that the apprentice is receiving an hourly wage.

(e) An approved program sponsor shall not enter into any financial contract with an apprentice for any reason.

(f) In the conduct of the apprentice program, an apprentice shall be treated as an employee and shall not be paid by commission and must earn an hourly wage. An apprentice shall not rent a station within the establishment.

3. Add section 7333.1 to clarify the Board's process for approving a program sponsor which shall include a fee and a renewal.

7333.1 (a) The Board may issue an approval to operate an apprenticeship program a joint apprenticeship committee, unilateral management or labor apprenticeship committee, or an individual employer wishing to conduct apprenticeships in barbering, cosmetology or Electrology and they shall be known as apprenticeship program sponsor.

(b) An applicant seeking board approval as an apprenticeship program sponsor to conduct apprenticeships in barbering, cosmetology or electrology shall:

- (1) Submit a completed application and fee for board approval of its apprenticeship program and identify the subject matter of the apprenticeship. The application for apprenticeship approval shall be signed by the individual employer or, where the program sponsor is not an individual, by a responsible officer of the organization.
- (2) Submit proof that the program sponsor is approved by the California Apprenticeship Council to offer the apprenticeship.
- (3) Submit a detailed outline of the proposed training program which demonstrates compliance with the apprenticeship regulations contained in this article.
- (4) Submit a copy of the agreement between the program sponsor and the apprentice (hereafter know as the "apprenticeship agreement"). The apprenticeship agreement shall comply with the provisions of the Shelley-Maloney Apprenticeship Labor Standards Act of 1939 (Labor Code section 3070 et seq.) and the regulations adopted pursuant thereto.

(c) An apprenticeship program sponsor shall notify the board within 10 days of any changes to the information filed with the board in accordance with subsection (b) of this section for board approval.

(d) An approval for a program sponsor shall be valid for two-years and shall be renewed by payment of the renewal fee established by the Board.

4. Add section 7333.2 to clarify the Board's process to take disciplinary action against an approved program sponsor who is found to be in violation of the Boards laws and/or regulations including immediate suspension of an approved program sponsors ability to enroll new apprentices.

(a) Notwithstanding any other law, the Board may revoke, suspend or deny approval of a program sponsor, in a preceding that shall be conducted in accordance with Chapter 5 (commencing with section 11500) of Part 1 of Division 3 of Title 2 of the Government Code, when a program sponsor has engaged in paragraphs (1) to (4)

- (1) Unprofessional conduct which includes, but is not limited to, any of the following:

(A) Incompetence or gross negligence, including repeated failure to comply with generally accepted standards for the practice of barbering, cosmetology, or electrology, or disregard for the health and safety of patrons.

(B) Repeated similar negligent acts.

(C) Conviction of any crime substantially related to the qualifications, functions, or duties of the of an approved program sponsor, in which case, the records of conviction or a certified copy thereof shall be conclusive evidence of the conviction.

(2) Repeated failure to comply with the rules adopted by the board for the regulation of board-approved program sponsors.

(3) Repeated failure to comply with the Boards statutes pertaining to the apprentice program.

(4) Any action or conduct that would have warranted the denial of a program sponsor approval.

(b) Notwithstanding any other provision of law, the executive officer or his or her designee, pursuant to an investigation where violations of the Act and Regulations have been found and a citation issued, may, without advance hearing, suspend temporarily an approval of a program sponsor issued under this chapter if, in the opinion of the executive officer or his or her designee, the action is necessary to protect the apprentice from fraud and misconduct. The suspension shall be effective upon the executive officer or his or her designee providing written notice of the suspension to the approval. The suspension shall prohibit the program sponsor from enrolling new apprentices until a final decision is received on formal discipline.

5. Amend section 7334 to require a cope of the apprenticeship agreement be attached to the application for an apprentice license.

7334.

(a) The board may license as an apprentice in barbering, cosmetology, skin care, or nail care any person who has made application to the board upon the proper form, has paid the fee required by this chapter, and who is qualified as follows:

(1) Is over 16 years of age.

(2) Has completed the 10th grade in the public schools of this state or its equivalent.

(3) Is not subject to denial pursuant to Section 480.

(4) Has submitted evidence acceptable to the board that any training the apprentice is required by law to obtain shall be conducted in a licensed establishment and under the supervision of a licensee approved by the board.

(5) Has submitted a copy of the apprentice agreement that was entered into between the approved program sponsor and the apprentice.

(b) The board may license as an apprentice in electrolysis any person who has made application to the board upon the proper form, has paid the fee required by this chapter, and who is qualified as follows:

(1) Is not less than 17 years of age.

(2) Has completed the 12th grade or an accredited senior high school course of study in schools of this state or its equivalent.

(3) Is not subject to denial pursuant to Section 480.

(4) Has submitted evidence acceptable to the board that any training the apprentice is required by law to obtain shall be conducted in a licensed establishment and under the supervision of a licensee approved by the board.

(5) Has submitted a copy of the apprentice agreement that was entered into between the approved program sponsor and the apprentice.



MEMORANDUM

DATE	May 19, 2025
TO	Members, Board of Barbering and Cosmetology
FROM	Kristy Underwood, Executive Officer
SUBJECT	Possible Action on School Oversight to be Included in the 2026 Sunset Report

In 2021 the Board submitted a response to current sunset issues regarding the oversight of schools. The Board has long believed that one regulatory entity should oversee the regulation of barbering and cosmetology schools. The Board has not been successful in gaining sole oversight of schools nor have we been successful in gaining the authority to charge a fee or establish a renewal process.

Currently, the Board:

- Issues a one-time approval to schools with no requirement to renew the approval. The approval process includes:
 - Review and approval of the curriculum.
 - Conduct an inspection to verify square-footage and minimum equipment.
- Receives complaints from students and if related to health and safety will conduct an inspection.
- Prepares and provides examinations results to all schools on a quarterly basis.
- Conducts investigation on the alleged selling of hours.

Business and Professions Code section 7313 states:

(b) To ensure compliance with health and safety requirements adopted by the board, the executive officer and authorized representatives shall, except as provided in Section 159.5, have access to, and shall inspect the premises of, all schools in which the practice of barbering, cosmetology, or electrolysis is performed on the public. Notices of violation shall be issued to schools for violations of regulations governing conditions related to the health and safety of patrons. Each notice shall specify the section violated and a timespan within which the violation must be corrected. A copy of the notice of violation shall be provided to the Bureau for Private Postsecondary Education.

This section allows the Board to inspect schools for adherence to regulations governing conditions related to the health and safety of patrons. The Board does not have authority to oversee the quality of education of schools, however, the Board is often asked about the pass/fail rate of the examination.

Options:

The Board should discuss three options when it relates to our sunset request regarding schools.

1. Request Sole Oversight
2. Request all oversight be handled by the BPPE
3. Request for proper funding and increased oversight

Discussion

Option 1. Sole Oversight

Requesting sole oversight of barbering and cosmetology schools is not likely going to be successful. The Bureau for Private Postsecondary Education's mission is to protect students and consumers in California and beyond, through the oversight of California's private postsecondary educational institutions, by conducting qualitative reviews of educational programs and operating standards, proactively combating unlicensed activity, impartially resolving student and consumer complaints, and providing support and financial relief to harmed students. While the Board's mission is to ensure the health and safety of California consumers by promoting ethical standards and by enforcing the laws of the barbering and beauty industry.

The Board has requested sole oversight of barbering and cosmetology schools since 2012 and has not been successful.

Option 2-Transfer all Oversight to the BPPE

The next option is for the Board to not be involved in the oversight of schools. There are other Boards within the Department of Consumer Affairs that have no oversight of their schools. Veterinary Medicine Board does not oversee the schools that their veterinary technicians attend. With such clear requirements for the curriculum being spelled out in statute, the Board should discuss why our involvement needed.

An argument can be made that the Board must be involved to ensure that the health and safety regulations are being followed by students who are performing services on consumers. To do this, the Board conducts inspections of the schools, however, most violations that are found within the school are often caused by a student in a learning environment. The Board does not (and should not) issue a citation to a student who is in the process of learning. The Board can issue a citation to a school where there are violations that the owner is responsible for (for example, no disinfection product being available to students). It is possible to maintain this oversight of schools while relinquishing the approval of the education aspects.

Option 3-Request the Proper Funding and Increased Oversight

As identified in the most recent sunset report, the Board has no fee's that are related to schools but is mandated to inspect and approve any new school, change of ownership and change of locations. In addition, the Board conducts inspections of schools, receives complaints on schools and provides schools with regular updates as well as quarterly pass/fail examination results for each school. The Board should have the authority to charge a fee to recover the costs of this workload.

In addition, A school does not have to renew its approval with the Board. Schools should be required to renew their board approval on a regular basis. This renewal fee would be able to cover the costs of conducting regular inspections as well as providing the schools with the requested pass/fail data.

Aside from the lack of funding, the Board should also have clear authority to inspect student files. This will assist Board investigations on the selling of hours.

Action

The Board should discuss the oversight of schools and direct staff on preparing legislative language to be included in the Sunset Report.



MEMORANDUM

DATE	May 19, 2025
TO	Members, Board of Barbering and Cosmetology
FROM	Kristy Underwood, Executive Officer
SUBJECT	Possible Action on Endorsement to be Included in the 2026 Sunset Report

During the last sunset review, legislation was enacted that allowed for individuals who are licensed in another state to apply for a license in California with the only requirements being that the out of state license is current and in good standing.

Business and Professions Code section 7331 states:

The board shall grant a license to practice to an applicant if the applicant submits all of the following to the board:

- (a) A completed application form and all fees required by the board.
- (b) Proof of a current license issued by another state to practice that meets both of the following requirements:
 - (1) It is not revoked, suspended, or otherwise restricted.
 - (2) It is in good standing.

This change has made it easier for licensees to move from one state to another. Unfortunately, many individuals have found a loophole that is allowing them to gain licensure in California without ever taking the examination.

The Board has found many individuals who are submitting fraudulent documentation to other states indicate they have education and examined from other countries. Some states are issuing a license to these individuals, only to have them apply for license in California the very same day.

In order to maintain health and safety standards in California, the following statutory change is recommended:

- (a) A completed application form and all fees required by the board.
- (b) Proof of a current license issued by another state to practice that meets both of the following requirements:
 - (1) It is not revoked, suspended, or otherwise restricted.
 - (2) It is in good standing.

(3) Indicates that the examination for licensure was taken and passed in the United States of America.

Recommended Motion:

I make a motion to include the proposed amended language to Business and Professions Code section 7331 in the Boards 2026 Sunset Report.



MEMORANDUM

DATE	May 19, 2025
TO	Members, Board of Barbering and Cosmetology
FROM	Kristy Underwood, Executive Officer
SUBJECT	<p>Update Regarding Rulemaking Proposals</p> <ul style="list-style-type: none"> a) Update Regarding Rulemaking to Amend Title 16, California Code of Regulations (CCR) Sections 910, 918, 919, 926, 941, 965.2, 971, 974.1, 974.2, 983 and 984 (Section 100 Technical Clean-Up) b) Update Regarding Rulemaking to Amend Title 16, CCR section 911 (License by Endorsement (Reciprocity), Application and Out of State License Certifications) c) Update Regarding Rulemaking to Amend Title 16, CCR sections 913, 913.1, 914.1, 914.2, 915, 917, 918, 918.1, 919, 919.1, 920, 921, 921.1, 921.2, 922, 924, 924.1, 925, 926, 927 (Apprenticeship) d) Update Regarding Rulemaking to Amend Title 16, CCR section 917 (Pre-Apprentice Training) e) Update Regarding Rulemaking to Amend Title 16, CCR section 931 (Interpreters for Licensing Exams) f) Update Regarding Rulemaking to Amend Title 16, CCR sections 940, 941, 950.10, 950.12, 962, 962.1, 962.2 (Schools and Externs) g) Update Regarding Rulemaking to Amend Title 16, CCR section 972 (Disciplinary Guidelines) h) Update Regarding Rulemaking to Adopt Title 16, CCR section 974.4 (SB 384: Remedial Education Program) i) Update Regarding Rulemaking to Amend Title 16, CCR section 977 et seq. (Health and Safety) j) Update Regarding Rulemaking to Amend Title 16, CCR Section 998 (Hairstylist Licensing Fee)

This memorandum provides a general update for the Board's pending regulations listed under Agenda Item No. 13.

The following final regulation proposals are under review with the Office of Administrative Law:

- Title 16, CCR section 917 (Pre-Apprentice Training)
- Title 16, CCR section 910, 918, 919, 926, 941, 965.2, 971, 974.1, 974.2, 983, and 984 (Section 100 Technical Clean-Up)

The following initial regulation proposal was submitted to the Office of Administrative Law on April 11, 2025, for publication in the California Regulatory Notice on April 25, 2025:

- Title 16, CCR section 998 (Hairstylist Licensing Fee)

The following initial regulation proposals are under review with DCA's Fiscal Office:

- Title 16, CCR section 972 (Disciplinary Guidelines)
- Title 16, CCR section 931 (Interpreters for Licensing Exams)

The following initial regulation proposals are being prepared by Staff:

- Title 16, CCR section 911 (License by Endorsement (Reciprocity), Application and Out of State License Certifications)

The following initial regulation proposals are pending further development:

- Title 16, CCR sections 913, 913.1, 914.1, 914.2, 915, 917, 918, 918.1, 919, 919.1, 920, 921, 921.1, 921.2, 922, 924, 924.1, 925, 926, 927 (Apprenticeship)
- Title 16, CCR sections 940, 941, 950.10, 950.12, 962, 962.1, 962.2 (Schools and Externs)
- Title 16, CCR section 974.4 (SB 384: Remedial Education Program)
- Title 16, CCR section 977 et seq. (Health and Safety)

Agenda Item
No. 14 -15
No Attachments

Adjournment