

CALIFORNIA BOARD OF BARBERING AND COSMETOLOGY



OCTOBER 13, 2025

Board Meeting

**Department of Consumer Affairs
1625 North Market Blvd.
HQ1 Hearing Room 102
Sacramento, CA 95834**



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

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

October 13, 2025

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

Department of Consumer Affairs
1625 North Market Blvd.
HQ1 Hearing Room 102
Sacramento, CA 95834

**10:00 am - Until
Completion of Business**

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. Board President's Welcome **(Tonya Fairley)**
3. Discussion and Possible Approval of the August 11, 2025, Board Meeting Minutes
4. Review, Discussion, and Possible Approval of the Board's 2026 Sunset Review Report
5. Review, Discussion, and Possible Action on Re-Establishing a Practical Exam
6. 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))
7. Suggestions for Future Agenda Items
8. 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, modification in order to participate in the meeting, or any other information may make a request by contacting: Monica Burris at (279) 280-8517, 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.

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Access code: 2483 797 2220

Passcode: 222811

Agenda Item
No. 1
No Attachments

Agenda Item
No. 2
No Attachments

DRAFT
California Board of
Barbering and Cosmetology

Board Meeting
Minutes of August 11, 2025

BOARD MEMBERS PRESENT

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

STAFF MEMBERS PRESENT

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

BOARD MEMBERS ABSENT

None

1. Call to Order/ Roll Call/ Establishment of Quorum

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

2. Petition for Reinstatement Hearings

The Board conducted Petition for Reinstatement hearings for two individuals seeking reinstatement of their cosmetologist licenses: Thuong Dang (#KK450370) and Kaying Elmer (#KK161680). Following the hearings, the Board entered Closed Session pursuant to Government Code section 11126(c)(3) to deliberate on the petitions.

3. Board President's Welcome (Tonya Fairley)

Tonya Fairley welcomed attendees and officially introduced new Board Member Sinar Lomeli. She noted that public comment would be available for each agenda item and again at the end of the meeting for items not on the agenda, with comments limited to three minutes and no direct Board response permitted.

4. Board Member Updates – Informational only

Board Members reported no updates.

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.

Shelly Jones from DCA, Board and Bureau Relations, provided an update. She reported that Governor Newsom's proposed 2025–26 State Budget included a reorganization plan to divide the Business, Consumer Services and Housing Agency into two new agencies: the California Housing and Homelessness Agency, and the Business and Consumer Services Agency. The plan was enacted on July 5 and will take effect on July 1, 2026. Under the new structure, DCA will be one of eight departments within the Business and Consumer Services Agency. DCA is actively participating in agency work groups to prepare for the transition and will continue to keep boards and bureaus informed.

Ms. Jones reported that on March 3, Governor Newsom issued an executive order requiring all state agencies and departments to update their hybrid telework policies, increasing in-office requirements from two to four days per week effective July 1, 2025. However, agreements reached at the end of June with several labor unions representing DCA employees delayed the four-day in-office requirement by one year for most employees. Ms. Jones expressed appreciation for staff flexibility as these changes continue to evolve.

Ms. Jones continued by providing an update on fiscal year travel policies. Out-of-state travel is limited to mission-critical purposes, including enforcement actions, revenue collection, statutory requirements, auditing, and litigation. A June 16 memo outlined the criteria. Travel requests must be submitted to DCA's budget office at least eight weeks in advance for review. Board members and staff are reminded to minimize costs through careful planning, including evaluating rental cars versus ride-sharing, carpooling, and retaining receipts for reimbursement of expenses such as baggage fees. Questions may be directed to the assigned budget analyst or member relations.

Ms. Jones highlighted the DCA Annual Report as one of the department's largest projects, noting that staff compile information and statistical data throughout the year to create a comprehensive report for submission to the Legislature. The report, published on the DCA website this summer, details the department's actions and accomplishments.

In closing, Ms. Jones acknowledged Kristy Underwood for her ongoing partnership and dedication to the Board and DCA. She also congratulated new Members Sinar Lomeli and Michelle Edgar on their appointments.

Steve Weeks asked whether the number of boards reporting under DCA will change under the new reorganization. Ms. Jones confirmed that the number of boards remains the same. The reorganization only splits the current agency into two separate entities to allow for different operational focuses.

Tonya Fairley shared her experience attending a prior DCA meeting regarding budget and travel accommodations. She highlighted the importance of cost-conscious travel planning, suggesting strategies such as coordinating transportation, using ride-sharing, and minimizing hotel stays when possible to reduce expenses.

Public Comment: There were no comments from members of the public.

6. Discussion and Possible Approval of the May 19, 2025, Board Meeting Minutes

Motion: Kellie Funk moved to approve the May 19, 2025 Board Meeting Minutes. Calimay Pham seconded the motion.

Public Comment: There were no public comments received.

Roll Call Vote: Motion to approve the February 10, 2025 Board Meeting Minutes carried: 10 yes, 0 no, and 1 abstain (Sinar Lomeli), per the following roll call vote:

- Committee Members voted “Yes”: Tonya Fairley, Kellie Funk, Anthony Bertram, Megan Ellis, Dr. Yolanda Jimenez, Colette Kavanaugh, Tamika Miller, Danielle Munoz, Calimay Pham, Steve Weeks

9. Discussion and Possible Action on Apprenticeship Program:

- a. Update on the June 16, 2025, and July 14, 2025, Apprentice Task Force Committee Meetings
- b. Review and Approval of the Apprenticeship Report

Tonya Fairley noted that the discussion would move ahead to Agenda Item 9 to address the Apprenticeship Program. She thanked task force members for their participation in two prior meetings, noting the sessions were highly informative and detailed.

Kristy Underwood provided an overview of the Apprenticeship Task Force and the most recent draft of the Apprenticeship Report. She highlighted that the task force included Board Members, Board Staff, three approved Program Sponsors, three Local Education Agencies (LEAs), and a former apprentice who is now a successful barber and business owner. Ms. Underwood noted collaboration with external agencies, including LAUSD, to support the program. Updates to the report were highlighted in red, with the goal of approving it for inclusion in the upcoming Sunset Report, although minor revisions may be made at the next meeting.

Ms. Underwood emphasized statutory recommendations for the Sunset Report, noting widespread fraud in the industry, particularly apprentices being treated as booth renters rather than employees. Proposed changes include ensuring apprentices are W-2 employees paid an hourly wage, preventing them from being compensated solely by commission, and strengthening oversight of training facilities.

Steve Weeks asked about potential opposition to the recommendations. Ms. Underwood noted that concerns may arise regarding the Board’s purview, as some recommendations could overlap with labor regulations enforced by other entities. Additionally, some programs may resist limits on training facilities, which have contributed to current program abuses. The recommendations aim to clarify the Board’s authority and allow enforcement action against noncompliant apprenticeship sponsors.

Kristy Underwood discussed the first recommendation, which would establish a process for review and approval of new program sponsors, including consideration of an initial application and renewal fee. She noted that apprentices currently pay a \$25 application fee, while program sponsors do not pay any fees for approval. Any proposed fee for program sponsors would reflect the actual costs incurred by the Board in managing and enforcing the apprenticeship program, rather than being arbitrary. Fees are intended to cover administrative and enforcement expenses, similar to how licensee fees fund consumer protection and reinstatement hearings.

Steve Weeks inquired about the potential range of such a fee. Ms. Underwood indicated that it would likely be modest, estimating around a few hundred dollars every two years, rather than thousands.

Ms. Underwood continued by outlining proposed requirements for program sponsor approval. She emphasized that each sponsor should be limited to utilizing a single LEA, as multiple LEAs currently create inconsistencies and potential misuse of funds. She explained that LEAs are reimbursed \$9 per hour for related training, but when multiple LEAs are used, there is no coordination, which can result in duplicate reimbursements or payments for non-existent apprentices.

Ms. Underwood discussed a proposed requirement that all approved programs be located within 60 miles of their assigned LEA. She noted that the issue was debated during the apprenticeship task force, as some LEAs currently oversee programs across the state. She emphasized that this distance limitation is intended to improve oversight of theoretical education, which is directly tied to exam performance. Current pass rates for cosmetology are approximately 33%, indicating potential gaps in program effectiveness.

Tonya Fairley added that some programs operate affiliates or satellite locations, such as a program in San Diego with remote classes in Bakersfield via Zoom, making monitoring difficult. She emphasized the importance of aligning program locations with LEAs to ensure apprentices receive the proper training they are paying for, acknowledging there may be some resistance from programs accustomed to existing practices.

The discussion then covered the need for program sponsors to be approved to teach in multiple languages. Currently, there is no oversight of the languages in which apprentices are taught. While schools approved by BPPE must be authorized to teach in languages such as Spanish, no similar approval exists for apprenticeship programs, leaving many apprentices without instruction in their primary language.

Next, approved programs would be required to hold quarterly committee meetings that include the Board, DAS, and their LEA. While many program sponsors already hold regular meetings, the proposal seeks to make these meetings mandatory, as current program standards lack consequences for noncompliance.

Kristy Underwood addressed the requirement for program sponsors to obtain and maintain On-the-Job Training (OJT) logs and daily activity records, making them available to the Board upon request. Although already required, the proposal aims to explicitly reinforce this obligation.

The next recommendation focuses on restricting program sponsor approvals, ensuring that sponsors cannot franchise, transfer, or share their approval. Additionally, all enrollments must be directly between the sponsor and apprentice, and training must align with the apprentice's scope of practice to ensure proper on-the-job training.

Ms. Underwood then addressed workers' compensation requirements. Establishments must maintain coverage for the entire duration of the apprentice's employment and provide proof of insurance to the Board upon request. While currently required, issues have arisen when policies are obtained only at the start of the apprenticeship and subsequently canceled. The proposal emphasizes continuous coverage for the full two-year apprenticeship period.

Kristy Underwood next discussed enforcement, proposing a formal disciplinary process for program sponsors. This would include the ability to suspend new enrollments if violations are identified, aligning with existing DAS procedures. She also recommended a structured process for handling violations—modeled on licensee disciplinary procedures, including filing accusations through the Attorney General's office and holding hearings—to replace the less formal apprenticeship appeal committee process.

The discussion then moved to apprentice license maintenance, with a recommendation to establish a processing fee for transactions. Apprentices frequently transfer between salons or trainers, and while program sponsors often charge a fee, the Board also incurs significant administrative work. The proposed fee is intended to offset the costs of processing hundreds of annual maintenance transactions.

The final recommendation focused on implementing consequences for violations by trainers and establishment owners. Under the proposal, trainers who fail to meet program requirements—such as completing OJT logs or providing proper supervision—would be barred from serving in that role for a minimum of five years. Establishment owners would face comparable penalties.

Members discussed modifying the duration for trainers, with consensus favoring a two-year restriction. Tonya Fairley suggested implementing a graduated disciplinary scale, including warnings for first offenses, and escalating penalties for repeated violations. Kristy Underwood recommended staff develop a formal process outlining these steps to present at a future meeting.

Dr. Yolanda Jimenez proposed creating a formal complaint process for apprentices, including a "bill of rights" to enable self-advocacy. Ms. Underwood confirmed that a draft flyer has been created to communicate apprentices' rights and guidance on reporting violations. This flyer will be distributed to all current apprentices and finalized for review at the next meeting.

Kristy Underwood summarized that the apprenticeship report reflects the program's current status, noting that minor adjustments may still occur as new issues arise. The report will be finalized at the next board meeting.

Tonya Fairley emphasized the intensity and passion of the task force discussions, highlighting that the focus has always been on supporting apprentices. She acknowledged the team for

their dedication in strengthening the program, expressing appreciation for their efforts and commitment. Ms. Fairley encouraged members to review the report thoroughly before the next meeting and consider what they would want to see if entering an apprenticeship themselves.

Sabina Knight, Legal Counsel, clarified that any work completed by staff between meetings would be presented as focused changes or additions, allowing members to review updates without revisiting the entire report. She emphasized that this would not be the final review, and members would have an opportunity to approve any revisions at that time.

Motion: Kellie Funk made a motion to approve the Apprenticeship Report to be included as part of the Sunset Report. Dr. Yolanda Jimenez seconded the motion.

Public Comment: Fred Jones from the Professional Beauty Federation responded to Mr. Week's earlier question about potential opposition to the proposed changes. He noted that the primary gatekeepers would be the legislature, which will closely scrutinize whether the state board's mission—to protect consumers of barbering and cosmetology services—is being fulfilled.

He cautioned that aspects such as W-2 requirements and labor program sponsors could be questioned as overlapping with other agencies like DAS or the Labor Commissioner, which may not fully understand the industry. He commended the executive officer and president for addressing these gaps but advised keeping expectations realistic, emphasizing that legislative approval will hinge on clearly demonstrating consumer protection and harm prevention.

Gary Federico added to the public comments, emphasizing that apprentices should be considered consumers of the program. He suggested providing a clear fact sheet outlining key information. He noted that while students often sign numerous documents, they may not fully understand them, and a concise fact sheet would increase awareness and protect apprentices.

Roll Call Vote: Motion to approve the Apprenticeship Report to be included as part of the Sunset Report carried: 11 yes, 0 no, and 0 abstain, per the following roll call vote:

- Committee Members voted "Yes": Tonya Fairley, Kellie Funk, Anthony Bertram, Megan Ellis, Dr. Yolanda Jimenez, Colette Kavanaugh, Sinar Lomeli, Tamika Miller, Danielle Munoz, Calimay Pham, Steve Weeks

10. Discussion and Possible Action on the Board's 2026 Sunset Review Report

a. New Issues to be Included:

- i. Discussion and Possible Action on School Oversight
- ii. Discussion and Possible Action on Licensure by Endorsement
- iii. Discussion and Possible Action on Establishing Combined Barber-Cosmo License and Manicurist-Esthetician License
- iv. Discussion and Possible Action on Allowing Limited Liability Companies to Hold Establishment License
- v. Discussion and Possible Action on Remedial Education and Clean-Up Language

Kristy Underwood introduced the Sunset Review discussion, noting that the final report is still in progress and will be a substantial two-volume document due to the amount of data and explanations required. While the complete draft was not yet available, she explained that the purpose of this meeting was to focus on the most significant new issues being proposed for inclusion.

She highlighted that this section of the report allows the board to present new or previously unaddressed issues to the legislature, identifying areas where statutory or regulatory changes are needed. The first issue discussed was oversight of schools. Ms. Underwood explained that under current law, board inspectors are limited to health and safety reviews and cannot evaluate areas such as contracts, attendance records, or whether schools are improperly selling hours. Since these concerns are frequently raised, staff recommended legislative changes to grant the board expanded authority to review school operations and to establish a fee to support this oversight.

Next, Ms. Underwood reviewed the school application process, noting that while applications require a full review and inspection, there is currently no fee or renewal requirement. A recommendation was made to establish a fee under Section 7425.1 and require periodic renewal, consistent with other license types.

She also highlighted the need for better coordination with the Bureau for Private Postsecondary Education (BPPE). While the board provides inspection reports to BPPE, it does not consistently receive BPPE's disciplinary actions or citations, forcing staff to search the database manually.

Kristy Underwood continued by addressing concerns over fraud in out-of-state license endorsements. Currently, applicants may transfer between states without clearly disclosing where they completed examinations, creating a loophole that allows some to obtain California licenses without testing for minimal competency. To close this gap, the board recommended requiring full disclosure of examination history as a condition of licensure by endorsement, ensuring all licensees meet California's testing standards.

Ms. Underwood also discussed establishing combined license pathways (e.g., Barber/Cosmetology or Manicuring/Esthetics). Currently, students must pursue dual licenses, paying duplicate fees and renewals, despite overlapping training requirements. The proposed model would streamline this by creating single combined licenses with adjusted hour requirements: 1,400 hours for Barber/Cosmetology and 800 hours for Manicuring/Esthetics. These hours were calculated by aligning statutory "like-for-like" training across disciplines and adding distinct requirements. This approach would reduce barriers for students, prevent schools from overcharging for duplicate programs, and provide broader service opportunities under one license. The board's testing vendor confirmed the feasibility of developing a combined examination to support this change.

The discussion moved forward to the recommendation that establishments may legally operate as limited liability companies (LLCs). While many already operate under this structure, current statutes do not explicitly permit it. The proposed change would formally authorize LLCs, providing clear legal recognition.

Kristy Underwood concluded by explaining that under Assembly Bill 384 (January 2024), the board is authorized to implement remedial education in lieu of a first offense for health and safety violations. She recommended amending the language from “board offered” to “board approved,” allowing the program to be contracted to external experts instead of developed internally. This adjustment would streamline implementation and reduce costs.

Calimay Pham suggested an edit under “Licensure by Endorsement” (page 3 of 8) to change section 7331B from “both” to “all” to reflect the addition of a third requirement.

Steve Weeks raised a concern that disciplined individuals could return as employees or managers of LLCs or corporations, bypassing board oversight. Staff agreed to review this issue, noting some LLCs are already restricted and that other boards may offer precedents.

Motion: Colette Kavanaugh made a motion to approve Items 1-5 on Agenda Item 10(a) to be added to the Sunset Review Report. Megan Ellis seconded the motion.

Public Comment: Fred Jones of the Professional Beauty Federation provided public comment, praising many of the board’s proposals but cautioning against expanding oversight of schools. He noted that while the board regulates structural elements and safety, other responsibilities, such as student contracts, fall under BPPE. Mr. Jones compared this to having multiple agencies enforcing the same rules, which could increase inspections and administrative costs without benefiting students. He recommended maintaining a single agency for oversight until the legislature provides sole authority to the Board.

Gary Federico, a former school owner, echoed support for the board’s proposals but emphasized concern over dual oversight. He agreed with Mr. Jones that having both the board and BPPE regulating schools is unnecessary, noting that BPPE primarily collects funds without providing meaningful oversight. He also highlighted the impact of shortened programs on student readiness, supporting the proposed 1,400-hour combined license model as a way to better prepare students for practical experience and build confidence.

Gracie Young asked for clarification regarding school hours and the minimum wage for apprentices. She inquired whether all programs would return to 1,400 hours and expressed concern about how small salons and barber shops could sustain apprentices under minimum wage requirements without commissions. Tonya Fairley clarified that the proposed 1,400-hour requirement applies only to combined licenses. She also emphasized that participation in the apprenticeship program is voluntary and that apprentices are compensated as employees in accordance with program guidelines.

Roll Call Vote: Motion to approve Items 1-5 on Agenda Item 10(a) to be added to the Sunset Review Report carried: 11 yes, 0 no, and 0 abstain, per the following roll call vote:

- Committee Members voted “Yes”: Tonya Fairley, Kellie Funk, Anthony Bertram, Megan Ellis, Dr. Yolanda Jimenez, Colette Kavanaugh, Sinar Lomeli, Tamika Miller, Danielle Munoz, Calimay Pham, Steve Weeks

10(b) Discussion and Possible Action on Board Action and Response from Prior Sunset Issue

Kristy Underwood explained that this section of the sunset report outlines the issues raised during the last review, the committee's recommendations, and current updates.

The first issue concerned Board composition. Legislative changes following the last review expanded the Board from nine to thirteen members, ensuring representation from each licensing category while maintaining a public-member majority. With a recent appointment completed, only one vacancy remains for the establishment owner position, leaving one industry seat to be filled.

The second issue focused on regulatory processes. Ms. Underwood explained that a dedicated regulations unit has been established within the department. A chart outlining all regulations since the last sunset review—including their initiation dates and current status—was provided for reference.

The third item relates to personnel flexibility. Ms. Underwood stated that this change enabled the board to establish special investigator positions within the enforcement unit. These investigators concentrate on consumer harm cases, the apprenticeship program, and conduct more in-depth investigations than routine inspectors. Their responsibilities include background checks, interviews with complainants and licensees, and preparing detailed enforcement reports that may be referred directly to the Attorney General's Office.

The fourth issue addressed medical practice. Section 7320 was amended to state that licensees may not "perform or offer" services considered medical.

The fifth issue concerned school oversight, a recurring topic in every sunset review. The committee inquired about the Board's relationship with BPPE and the resources available to support oversight. While fee authority was requested in the previous review, it was not granted, and Ms. Underwood emphasized the continued need to implement fees for this work.

The sixth item relates to AB 5 and its implications for board licensees. Ms. Underwood explained that, although the board is generally exempt from labor provisions defining independent contractor versus employee status, these rules still apply to manicurists. The board provided background information and noted its position supporting equal treatment for all licensees.

Ms. Underwood noted that the seventh issue focused on scope of practice. The board supports maintaining all current services within the licensed scope of practice. She also highlighted the evolving risks in the industry, noting that modern services—such as acrylic nails, hair coloring, and facials—present significantly greater hazards than in the past. As an example, she cited a recently banned product, a "magic" acrylic nail remover, which contained paint thinner and posed serious safety risks. These details were added to the sunset report to better inform the legislature about the potential harm associated with licensed services.

Item eight addressed training hours. Following the last sunset review, hours were reduced to 1,000 to lower barriers to entry. Ms. Underwood commented that while the board does not track demographics or school enrollments, licensure has increased, and pass rates—outside

of the apprenticeship program—have stabilized. The industry continues to rebound from pandemic-related impacts.

The following item addresses examinations. Ms. Underwood explained that at the last sunset review, the practical exam was removed. She highlighted concerns from industry stakeholders that students may pass the theory exam but lack hands-on readiness for employment. She proposed that schools consider implementing a mandated practical exam to ensure students meet minimum practical standards before entering the workforce.

Item ten covered endorsement licenses. Kristy Underwood noted a significant increase in licenses issued based on out-of-state credentials, with over 4,000 issued in 2025. She emphasized the need for proof of exam passage to ensure licensees meet California's competency standards, citing ongoing cases of fraudulent licenses that have resulted in consumer harm.

For item eleven, apprenticeships and externs, Ms. Underwood highlighted that barbers may now serve as externs and that the section will include recommended changes to the apprenticeship program.

Turning to item twelve on personal service permits, Ms. Underwood reported that the program is now fully implemented, with 265 permits issued to date.

Addressing item 13, Ms. Underwood explained that the rules for mobile units were significantly updated to replace outdated regulations, resulting in 41 new mobile units issued since January 1, 2022.

The next item considered was citations. The committee recommended that citations prioritize consumer safety. The board has implemented internal processes to evaluate violations, distinguishing between those that require education versus fines. Inspectors' findings are reviewed in context, and some citations result in no fines, with repeated violations subject to penalties. A new administrative fine schedule will be presented at the November meeting.

Ms. Underwood moved to item 15, licensee in charge. She stated that clarifying language requested in the previous sunset review had not been adopted. The proposed language would confirm that an establishment owner may also serve as the licensee in charge, reflecting current practice. Tonya Fairley asked for clarification, noting that many establishment owners are not licensed. It was confirmed that the proposed language applies even if the owner does not hold a license.

The next issue discussed was mandatory inspections following licensure. Ms. Underwood explained that while inspectors were previously required to conduct an initial inspection within 90 days of issuing a license, this requirement was removed during the last sunset review, as it was unnecessary. Establishments are now inspected on a regular basis without the initial 90-day mandate.

Items 17 through 19 were then presented. Item 17 addressed the effects of the COVID-19 pandemic on the industry. Item 18 covered technical updates, including a correction allowing health and safety advisory committee members to receive a per diem. Finally, item 19

confirmed that the board should continue to be regulated, consistent with previous sunset reports.

Several committee members expressed support for reinstating a practical exam. They noted that many new licensees, such as electrologists, lack confidence in basic skills and that a practical component would improve competency. Concerns were raised about bias if schools administer the exam, suggesting a third-party testing environment. Sabina Knight clarified that the document only covers prior sunset items and suggested focusing on the current issue before addressing the practical exam.

Motion: Dr. Yolanda Jimenez made a motion to approve Agenda Item 10(b) for inclusion in the Sunset Review Report, with the exception of Item 9 on page 6 of 11 regarding the practical exam, which will be addressed separately. Calimay Pham seconded the motion.

Public Comment: Fred Jones recommended including concrete examples of consumer harm in the Sunset Review Report. He emphasized that legislators often do not understand the hands-on risks in the industry and noted past incidents, such as a major infection outbreak from foot spa services, as examples. He urged the board to highlight these risks to advocate for proper regulation and prevent further deregulation.

Jaime Schrabek of Precision Nails emphasized that risks in the industry, such as exposure to banned chemicals like methylene chloride, should be well understood by practitioners and taught in beauty schools. She recommended that the board receive notifications of insurance settlements over \$25,000, similar to the medical board, to better track consumer harm and provide legislators with a clearer understanding of industry risks.

Roll Call Vote: Motion to approve Agenda Item 10(b) for inclusion in the Sunset Review Report, with the exception of Item 9 on page 6 of 11 regarding the practical exam, which will be addressed separately carried: 11 yes, 0 no, and 0 abstain, per the following roll call vote:

- Committee Members voted “Yes”: Tonya Fairley, Kellie Funk, Anthony Bertram, Megan Ellis, Dr. Yolanda Jimenez, Colette Kavanaugh, Sinar Lomeli, Tamika Miller, Danielle Munoz, Calimay Pham, Steve Weeks

8. Discussion and Possible Action Regarding Rulemaking Proposals:

a) AB 485 (Ortega) – Labor Commissioner: unsatisfied judgments: nonpayment of wages

Kristy Underwood thanked the board for their flexibility in addressing action items first and provided an update on AB 485, a bill concerning unsatisfied judgments and non-payment of wages. The bill would require state licensing agencies to deny new applications or renewals for employers with unresolved violations. She recommended that the board maintain its current “watch” position, noting that the bill is still moving through the legislative process.

b) AB 504 (Ta) – Worker Classification: Manicurists’ employee or independent contractor

AB 504, related to independent contractor status for manicurists, is not moving forward and will be closed out.

c) AB 625 (Nguyen) – Barbering and Cosmetology

AB 625, is also not moving forward and will be closed out.

d) AB 667 (Solache)– Professions and vocations: license examinations: interpreters

AB 667 addresses licensing examination interpreters. The board has a watch position on this bill and no change is recommended. Since interpreters are already allowed for all licenses unless otherwise specified, this bill would not affect current board practices.

e) AB 742 (Elhawary) – Department of Consumer Affairs: licensing: applicants who are descendants of slaves.

AB 742 addresses licensure for descendants of American slaves, mandating that boards expedite their applications. The bill is still progressing through the legislative process and would establish a new agency. The board has adopted a watch position, and no change to that stance is recommended.

f) AB 1514 (Assembly Members Ortega (Chair), Elhawary, Kalra, and Ward) – Labor contracts

Motion: Kellie Funk moved to support Assembly Bill 1514. Tonya Fairley seconded.

Public Comment: Jaime Schraback noted that licensed hairstylists are currently excluded from AB 1514. She emphasized that all license types should be explicitly named to ensure equal treatment, and that future license types, such as barber cosmetologists and manicurist estheticians, should also be included.

Roll Call Vote: Motion to approve support for Assembly Bill 1514 carried: 11 yes, 0 no, and 0 abstain, per the following roll call vote:

- Committee Members voted “Yes”: Tonya Fairley, Kellie Funk, Anthony Bertram, Megan Ellis, Dr. Yolanda Jimenez, Colette Kavanaugh, Sinar Lomeli, Tamika Miller, Danielle Munoz, Calimay Pham, Steve Weeks

g) SB 236 (Pierson) – Cosmetics: chemical hair relaxers.

SB 236 addresses chemical hair relaxers and prohibits the manufacture, distribution, or sale of products containing certain specified ingredients identified by the Department of Toxic Substances Control. The board took a watch position, as the bill does not directly impact enforcement but would affect licensees.

h) SB 470 (Laird) – Bagley-Keene Open Meeting Act: teleconferencing.

Senate Bill 470 relates to the Bagley-King Open Meeting Act and teleconferencing, which allows committee meetings to be held online while staff remain in a single location accessible to the public. The bill proposes extending the repeal date for alternative teleconferencing from January 1, 2026, to January 1, 2030. The board supports the bill and recommends maintaining the support position.

i) SB 641 (Ashby) – Department of Consumer Affairs and Department of Real Estate: states of emergency: waivers and exemptions

The final bill discussed was SB 641, which addresses emergency waivers and exemptions. Introduced in response to events such as the Los Angeles fires, the bill would authorize DCA boards to temporarily waive certain licensure provisions for licensees and applicants impacted by declared federal, state, or local emergencies. Previously, extensions had to be issued through the Governor's executive order; this bill would streamline that process. The board adopted a support position, and it was recommended that this position be maintained.

7. Executive Management Reports

a) Administration and Operations

Kristy Underwood began by sharing that the unit currently has one vacancy and staff continue to telework following the Governor's delayed return-to-office order. She highlighted the importance of ongoing cost-saving efforts, encouraging board members to coordinate travel through the most economical options, including ridesharing or carpooling with staff when feasible.

Additionally, the preliminary FY 2024–25 budget was presented, with the final version to be shared at the next board meeting. In response to questions from Steve Weeks, Ms. Underwood explained that consulting and professional services costs exceeded projections largely due to expenses related to the office move, including movers, reconfiguration, and new office construction. She also clarified that the \$70,000 listed under per diems covered not only board stipends but also overtime payments and lump-sum payouts for retiring staff.

b) Licensing, Examinations, and Disciplinary Review Appeals

The Licensing Exams and Disciplinary Review Committee report noted one current vacancy and the promotion of Alex Gear to Licensing Manager. In addition, Ms. Underwood highlighted the grand reopening of Valley State Prison's barbering program, which expanded from an existing cosmetology program through industry partnerships and donations spearheaded by barber and influencer Vic Blends. The event, which included a ribbon-cutting ceremony, drew significant attention and will serve 16 students under credentialed instructors with fully equipped facilities.

Turning to exam and application data, staff reported steady application volume in FY 24-25, particularly for establishments, along with consistently high email traffic managed effectively by licensing staff. Examination results continue to show stronger performance among school program graduates compared to apprentices or out-of-country applicants, with pass rates further broken down by first-time and repeat test takers. Notably, the cosmetology apprentice

pass rate remains low at 35%, with many candidates testing in Spanish, raising questions about whether training is adequately aligned with the language needs of students.

c) Enforcement, Inspections, and Cite and Fine

Kristy Underwood reviewed licensing and enforcement data. She reported that 39,857 licenses were issued in FY 2024-25, the highest number in the past five years, bringing the total license population to nearly 660,000. Survey data indicated only 23% of licensees are employees, while 35% are independent contractors and 32% are not currently working but maintain their licenses. Additional results showed a higher percentage of independent contractor activity when reported by salons versus individuals.

DRC reported one current vacancy and its next hearing scheduled for September 8–9 in Burbank. Enforcement staff highlighted three vacancies within the unit and a sharp increase in complaints—6,281 received in FY 2024-25 compared to prior years. Of these, 128 cases were referred to the Attorney General, also a significant increase. The Board currently has 64 active probation cases.

Inspection and citation data were also presented. The mobile inspection program is now fully implemented, with all inspectors utilizing iPads in the field. Staff also reported on monthly citation trends, payment notices, and installment plan requests.

d) Outreach

The outreach update highlighted recent and upcoming events, including participation at an event held at Highlands High School in May 2025, a resource fair at the Mexican Consulate, and the Northern California Small Business Development Center's Beauty Boss event. The board will also participate in "Lash Con" on October 11–12, a lash industry expo where staff were invited to host a complimentary booth.

The update also covered recent listserv communications. In social media, Ms. Underwood reported the August 1 launch of a standalone Spanish Facebook page, complementing the existing Vietnamese page. In addition, staff introduced its new "Groom and Glow" campaign, designed to share summer hair, skin, and nail care tips.

e) Strategic Plan Update

The strategic plan update highlighted several key initiatives. The pre-apprentice training course launched on July 1, 2025, fulfilling a Sunset requirement and developed via contracted resources, a model the Board hopes to follow for remedial education. The mobile inspection application has been fully implemented, allowing inspectors to conduct field inspections via iPad. Additionally, the Board continues its quarterly newsletter, the *Barber Cosmo Update*, which will release its 10th issue in August 2025.

11. Review and Discussion of Family Support Holds on Board Licenses

Kristy Underwood reviewed the process for family support holds on board licenses. She explained that these holds, typically related to child support or other monetary obligations, are

automatically flagged in the licensing system. Applicants with a hold may receive a 150-day temporary license and must work with their local Department of Child Support Services to resolve the issue. If resolved, a full-term license is issued; if not, the license may be suspended after approximately 60 days. Board staff do not manage the details of the hold but can refer applicants to the appropriate resources. Kellie Funk raised concerns about the impact on an individual's ability to work, and Ms. Underwood clarified that the process is governed by law and aims to help individuals get back on track.

12. 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)

Kristy Underwood provided an update on ongoing rulemaking proposals. Several regulation packages are in process, including technical cleanups and the pre-apprentice training regulations, both of which have been fully approved by the Office of Administrative Law. The hair styling licensing fees package has been posted for the 45-day public comment period. Other proposals in progress include interpreter requirements, disciplinary guidelines, and license reciprocity limits. No items required immediate board action. Staff continue to work on regulations related to apprenticeship programs, remedial education, and health and safety, with additional updates expected at the next board meeting.

Public Comments: There were no public comments on this agenda item.

13. Public Comment on Items Not on the Agenda

Gracie Young, a Program Sponsor, asked about the status of currently operating satellite programs. Board staff noted they could not respond during the meeting but invited her to email Addison for a follow-up.

14. Suggestions for Future Agenda Items

Tonya Fairley reminded members that the next meeting in San Diego will include review and approval of the final Sunset Review Report, noting it will be a full day of discussion. Dr. Yolanda Jimenez asked how to submit comments regarding the practical exam, and staff clarified that they will prepare a proposal to bring back for consideration at the next meeting.

15. Adjournment

There being no further business to discuss, the meeting adjourned at approximately 4:00 p.m.

Board of Barbering and Cosmetology

BACKGROUND INFORMATION AND OVERVIEW OF THE CURRENT REGULATORY PROGRAM

As of September 24, 2025

Section 1 –

Background and Description of the Board and Regulated Profession

Provide a short explanation of the history and function of the board.¹ Describe the occupations/professions that are licensed and/or regulated by the board (Practice Acts vs. Title Acts).²

History

In 1927, the Board of Barber Examiners and the Board of Cosmetology were established. The Board of Barber Examiners governed the barbering profession, and the Board of Cosmetology governed the cosmetology profession. The Board of Barber Examiners consisted of 5 members, 2 of which were public members. The Board of Cosmetology consisted of 7 members, 2 of which were public members.

Throughout the years there were minor changes to the laws of each profession. For example, the requirement of apprenticeship prior to master barber licensing for barbers and revisions to the cosmetology laws to include a separate manicurist license, electrology license, and esthetician license. In 1939 the manicurist license and the electrology license were added, and in 1978 the cosmetician (esthetician) license was added.

In 1992, the Board of Barber Examiners and the Board of Cosmetology were merged to create the Board of Barbering and Cosmetology. Chapter 10, Division 3 of the Business and Professions Code (known and cited as the Barbering and Cosmetology Act) was enacted by AB 3008 (Eastin, Chapter 1672, Statutes of 1990) and became effective July 1, 1992. In July 1997, the Board of Barbering and Cosmetology was eliminated by the California Legislature and the duties, powers, and functions of the Board were transferred directly to the Department of Consumer Affairs and were administered by the Bureau of Barbering and Cosmetology. On January 1, 2003, SB 1482 (Polanco, Chapter 1148, Statutes of 2002) reinstated the Board of Barbering and Cosmetology (Board).

¹ The term "board" in this document refers to a board, bureau, commission, committee, council, department, division, program, or agency, as applicable. Please change the term "board" throughout this document to appropriately refer to the entity being reviewed.

² The term "license" in this document includes a license, certificate, permit or registration.

Function

The Board's main function is to provide safety to consumers receiving barbering, cosmetology and electrology services. The Board does this by testing potential licensees for minimal competency primarily in infection control practices, conducting inspections to ensure health and safety statutes and regulations are followed, and initiating formal discipline when warranted.

The Board issues licenses in 6 individual professions:

- Cosmetologists - Licensed to perform all chemical services, cut and style the hair, skin care, and nail care.
- Barbers - Licensed to perform all chemical services, cut and style the hair, and shaving.
- Electrologists - Licensed to perform permanent hair removal using electrolysis.
- Estheticians - Licensed to perform skin care including various skin treatments, superficial peels, dermaplaning, etc., as well as waxing and lash services.
- Manicurists - Licensed to perform nail care including manicures and pedicures, artificial nails, and paraffin wax treatments for hands and feet.
- Hairstylists - Licensed to perform hair services that do not include any chemical services.

The Board also issues licenses for:

- Establishments - The businesses where all services are performed.
- Mobile Units - Businesses that are moving establishments (e.g. recreational vehicle modified into a salon).
- Person Service Permits – An additional permit that allows an individual licensee to perform certain services outside of a licensed establishment or mobile unit (e.g. inside a hotel room, at a consumer's home)

The Function of Consumer Harm in the Industry

Consumer harm is much greater today than it was when the Board was established. Originally, services to consumers were fairly basic, including simple perms, basic facials, or manicures. Today, the industry has advanced far past beautification and has become a wellness retreat for self-care. As the consumer demand for more unique services has grown, so has the risk to consumer safety.

In the 1950's, most chemical dye services were to cover gray hair. Today, individuals desire all types of colors added to their hair. However, coloring hair in a salon is not the same as coloring hair at home or from a product purchased on-line or at a local drug store. In the United States, 75% of women are coloring their hair not just for beauty, but for self-expression.

At home hair color has advanced to be safer and gentler on the hair, making it safe for individuals to perform services at home. The at-home products are pre-made formulas made for all hair types. Professional hair colors can be formulated specific to an individual's unique hair. This is especially important when working with various hair textures. Color applied to light, thin straight hair is not the same as color applied to thick, coarse hair. Not applying the right formulation can damage hair and cause significant scalp burns and scarring. The picture below shows significant burns to the scalp caused by a chemical hair service.



The skin care industry has evolved from basic skin care such as cleansing and moisturizing, to all types of treatments to target anti-aging, skin firming, texture and pigment correction, and more. In the United States, the skincare industry has a market value of \$24 billion. It is reported that the average American spends \$2,000 annually on skin care. The consumer's desire brings more and more options into the skin care world which leads to an increase of services performed by estheticians. Skin care product manufacturers are always developing new products and machines to assist estheticians in their services. Unfortunately, many services can be significantly harmful to a consumer and cross the line into the medical field.

The pictures below display the types of harm possible in skin care. The first picture is a result of microneedling, a common violation found in esthetic rooms that is a medical procedure. The second picture is a burn from an eyebrow wax where the wax was so hot that it left a permanent scar.



Pedicures continue to be one of the highest risk to consumers. While changes in the Boards regulations requiring strict cleaning protocols have reduced the amount of harm, this service still poses a significant risk. Foot tibs that are not cleaned properly can create bacterial infections leading to serious harm. The picture below is an example of a pedicure injury:



The types of harm that are possible in the industry are significant. This is why the Board functions to protect consumers who receive services in the barbering, cosmetology and electrology industry.

1. Describe the make-up and functions of each of the board's committees (cf., Section 12, Attachment B).

DISCIPLINARY REVIEW COMMITTEE

The purpose of the Disciplinary Review Committee (DRC) is to conduct informal administrative citation hearings and render decisions regarding disputed citations. The committee has authority to affirm, modify or dismiss the citations including any fine amounts. The Board President shall annually appoint members of the committee; the appointments will be made concurrently with the annual election of officers. The Board President shall select the dates and locations of the informal citation review hearings held before the DRC. The Board may find a need to have an alternate member for the convenience of those members who cannot attend.

DIVERSITY, EQUITY, AND INCLUSION COMMITTEE

The purpose of the Diversity, Equity, and Inclusion Committee is to provide the Board with recommendations on ways to strengthen policies, enhance training, and provide opportunities for employee engagement.

EDUCATION AND OUTREACH COMMITTEE

The purpose of the Education and Outreach Committee is to provide recommendations to the Board on the development of informational brochures and other publications, plan outreach events for consumers and licensees, prepare articles for submission in trade magazines and attend trade shows.

ENFORCEMENT AND INSPECTIONS COMMITTEE

The purpose of the Enforcement and Inspections Committee is to advise the Board on policy matters that relate to protecting the health and safety of consumers. This includes recommendations on how inspections are conducted, the types of violations issued, maintenance of disciplinary guidelines, and other recommendations on the enforcement of the Board's statutes and regulations.

HEALTH AND SAFETY ADVISORY COMMITTEE

The purpose of the Health and Safety Advisory Committee is to provide the Board with advice and recommendations on health and safety issues, as well as ensuring licensees are aware of basic labor laws.

LEGISLATIVE AND BUDGET COMMITTEE

The purpose of the Legislative and Budget Committee is to review and track legislation that affects the Board. The committee shall make recommendations on what position the Board should take on legislation that could potentially affect the operation of the Board, the health and safety of consumers and the Board's licensees. In addition, the committee provides information and recommendations to the Board on potential policy matters relating to the budget.

LICENSING AND EXAMINATION COMMITTEE

The purpose of the Licensing and Examination Committee is to advise the Board on policy matters relating to the examining and licensing of individuals who want to practice barbering and cosmetology in California. The committee may also provide information and recommendations to the Board on issues relating to curriculum and school approval, exam appeals, statutes and regulations.

APPRENTICESHIP PROGRAM SPONSOR APPEAL COMMITTEE

The Board may serve an apprenticeship program sponsor with a notice to show cause if the sponsor is not conducting its apprenticeship program in compliance with the Board's statutes and regulations. The purpose of the Apprenticeship Program Sponsor Appeal Committee is to hear appeals from apprenticeship program sponsors contesting a notice to show cause.

See Attachment **XXX** for attendance.

Table 1b. Board/Committee Member Roster					
Member Name (Include any vacancies and a brief member biography)	Date First Appointed	Date Reappointed	Date Term Expires	Appointing Authority	Type (public or professional)
Anthony Bertram	11/18/2024	N/A	1/1/2027	Governor	Industry
Michelle Edgar	8/8/2025	N/A	1/1/2026	Governor	Public
Megan Ellis	6/25/2021	2/3/2023	1/1/2027	Governor	Public
Kellie Funk	7/29/2022	N/A	1/1/2026	Governor	Industry
Tonya Fairley	4/22/2021	12/17/2024	1/1/2029	Governor	Industry
Yolanda Jimenez	2/2/2022	12/17/2024	1/1/2029	Governor	Public
Colette Kavanaugh	9/13/2022	7/29/2022	1/1/2026	Governor	Public
Sinar Lomeli	5/30/2025	N/A	1/1/2029	Governor	Public
Tamika Miller	11/29/2023	N/A	1/1/2027	Governor	Industry
Danielle Munoz	6/24/2022	N/A	1/1/2026	Governor	Public
Calimay Pham	11/22/2019	2/14/2023	1/1/2027	Speaker of the Assembly	Public
Steve Weeks	7/28/2017	1/2/2021	1/1/2029	Senate Committee on Rules	Public
Vacant				Governor	Industry

2. In the past four years, was the board unable to hold any meetings due to lack of quorum? If so, please describe. Why? When? How did it impact operations?

The Board had to cancel one meeting in the past four years. The October 16, 2023, Board Meeting in San Diego was canceled due to lack of quorum. Two board members could not attend due to unforeseeable health issues and the other two board members could not attend due to personal matters. The Board was able to notify the public and reschedule the meeting with minimal impact.

3. Describe any major changes to the board since the last Sunset Review, including, but not limited to:

- Internal changes (i.e., reorganization, relocation, change in leadership, strategic planning)

Since the last sunset review, the Board has made several organizational changes. In May 2021, the Board established a Staff Services Manager III to act as the Deputy/Assistant Executive Officer and a Staff Services Manager II (Licensing and Operations Chief) was added. In August 2022, the Board established a Staff Services Manager II to operate as the Enforcement Chief and added additional Staff Services Manager I positions to split the Licensing and Enforcement Units. In June 2023, the Board established three Special Investigator positions to handle the most egregious consumer harm cases and in August 2025 an additional three Special Investigator positions were established as well as a Supervising Special Investigator.

In January 2022, the Board closed its two examination facilities (located in Fairfield and Glendale) as a result of the practical examination being eliminated.

In March 2024, the Board re-located its office to the headquarters of the Department of Consumer Affairs located at 1625 N. Market Blvd, Suite 202, Sacramento, CA 95834.

The Board's Strategic Plan identifies goals and objectives on the Board's statutory mandates and responds to changes in the barbering and beauty industry. The Board manages, plans, and tracks its operations through its strategic plan, which is periodically reassessed (approximately every 4-5 years). On July 26, 2022, the Board held its strategic plan meeting. On October 24, 2022, the Board adopted its plan for years 2022-2027.

In November 2024, the Board implemented a Mobile Inspection Program. The Board, DCA, and the California Veterinary Medical Board applied for funding through the California Department of Technology's Technology Modernization Fund and was approved. With this funding, the DCA and the Boards were able to implement a Mobile Inspection Program. This program allows field inspectors to complete inspection reports electronically on an iPad and the results of the inspections are emailed the same day to the licensees and the information is uploaded into BreEZe in real time. As

of July 1, 2025, all Board inspectors and special investigators were using this new process in the field. The new process allows the Board to include pictures of the violations on the inspection report that the licensees receive and to process citations within days of the inspection instead of weeks.

- All legislation sponsored by the board and affecting the board since the last sunset review.

Since the last Sunset Review, the Board has been impacted by several legislative changes. Provided below is a brief synopsis of the bills and date each became law.

AB 1604 (Holden)

This bill:

Required the Board to post notices of proposed changes to regulations for public comment. The bill would require the Department of Human Resources and the Board to enter into a memorandum of understanding to determine areas of compliance for non-merit related audits and to train Board staff on the areas of compliance. This bill would, no later than July 1 of each year, require each department to provide a report to the Department of Human Resources that demonstrates the department's progress made toward meeting its upward mobility goals.

09/13/2022 – Chaptered. (Chapter 313, Statutes of 2022)

AB 1661 (Davies)

This bill:

Required specified businesses and establishments to post a notice developed by the Department of Justice that contains information relating to slavery and human trafficking, including information regarding specified nonprofit organizations that a person can call for services or support in the elimination of slavery and human trafficking.

The Board took a “support if amended to include tattooing” position.

07/19/2022 – Chaptered. (Chapter 106, Statutes of 2022)

AB 2196 (Maienschein)

This bill:

Authorized a person to engage in barbering, cosmetology, or electrolysis for compensation without a license if the person is participating in an externship program from an approved school. Removed massaging, cleaning, or stimulating the scalp, face, and neck from the practice of hairstyling and added extending the hair of any person to the practice of hairstyling. Required barbering preapprentice training be administered by the Board for the length of time established by the Board in a facility approved by the Board prior to serving the general public. Specified the subjects that would be required to be included in the electrolysis course curriculum. Authorized a student to work as an extern upon completion of a minimum of 25 percent of the clock hours required for graduation in the course and change limitations on clock hour credit and expanded this provision beyond unpaid externships to apply to externships generally. Required the Board to inspect an establishment for compliance with the workplace rights and wage and hour laws notice requirement when it conducts an inspection.

The Board took a "support if amended to include remaining clean up language" position.

07/19/2022 – Chaptered. (Chapter 106, Statutes of 2022)

SB 1237 (Newman)

This bill:

Defined the phrase "called to active duty" to include active duty in the United States Armed Forces and on duty in the California National Guard.

09/17/2022 – Chaptered. (Chapter 386, Statutes of 2022)

AB 557 (Hart)

This bill:

Extended the teleconferencing provisions when a declared state of emergency is in effect, or in other situations related to public health, as specified, indefinitely. The bill also extended the period for a legislative body to make findings related to a continuing state of emergency and social distancing to not later than 45 days after the first teleconferenced meeting, and every 45 days thereafter, in order to continue to meet under the abbreviated teleconferencing procedures.

10/08/2023 – Chaptered. (Chapter 534, Statutes of 2023)

SB 247 (Wilk)

This bill:

Clarified for Alcohol Beverage Control (ABC) that a license or permit is not required for serving wine-5oz or beer-12oz as part of any service provided by an establishment licensed by the Board of Barbering and Cosmetology (not just a beauty salon or barber shop).

The Board took a support position.

09/22/2023 – Chaptered. (Chapter 212, Statutes of 2023)

SB 372 (Menjivar)

This bill:

Required if the Board receives government-issued documentation from a licensee or registrant demonstrating that the licensee or registrant's legal name or gender has been changed, the Board shall update their records, including any records contained within an online license verification system, to include the updated legal name or gender. If requested by the licensee or registrant, the Board shall reissue any documents conferred upon the licensee or registrant with the licensee or registrant's updated legal name or gender. The bill also required the Board to remove the licensee's or registrant's former name from its online license verification system and treat this information as confidential. The Board would be required to establish a process to provide a person's enforcement action record linked to a former name.

09/23/2023 – Chaptered. (Chapter 225, Statutes of 2023)

SB 384 (Bradford)

This bill:

Required the Board to establish by regulation a Board-offered remedial education program, in lieu of a first offense of a health and safety violation.

The Board took a support position.

10/08/2023 – Chaptered. (Chapter 603, Statutes of 2023)

SB 544 (Laird)

This bill:

Until January 1, 2026, revises certain teleconference requirements under the Bagley-Keene Open Meeting Act, which requires all meetings of a state body to be open and available to the public. This bill preserves existing options for conducting meetings via teleconference while adding a new teleconference condition that requires a majority of members at one physical, publicly-accessible location, while allowing other members to participate from non-public sites if certain conditions are met. The bill would require a state body to provide a means by which the public may remotely hear audio, remotely observe, or attend the meeting on the posted agenda a teleconference telephone number, an internet website or other online platform, and a physical address for all teleconference locations.

The Board took a support position.

09/22/2023 – Chaptered. (Chapter 216, Statutes of 2023)

AB 2166 (Weber)

This bill:

Required barbers, cosmetologist, and hairstylist to receive instruction in providing services to individuals with all hair types and textures, including various curl or wave patterns, hair strand thicknesses, and volumes of hair. It would require written tests to determine the applicant's skill in, and knowledge of, providing services to individuals with varying hair types and textures.

The Board took a support position.

09/22/2024 – Chaptered. (Chapter 384, Statutes of 2024)

SB 1451 (Ashby)

This bill:

Required the hairstylist application and examination fee be the actual cost to the Board for developing, purchasing, grading, and administering the examination, and limit a hairstylist's initial license fee to \$50.

The Board took a support position.

09/22/2023 – Chaptered. (Chapter 481, Statutes of 2024)

- All regulation changes approved by the Board since the last sunset review. Include the status of each regulatory change approved by the Board.

Since the last Sunset Review, the Board has sought several regulatory changes. Provided below are the highlights of some of the major regulations either already approved by the Office of Administrative Law (OAL) or currently undergoing the rulemaking process.

2019

§904 – Definition of Access – this rulemaking action added that the executive officer and any authorized representative of the Board shall have access to and inspect all areas within an establishment, mobile unit, or school, including any room, closet, cabinet, drawer, container, or mobile or fixed storage or display unit. Effective October 1, 2019.

2020

§ 974, 974.3 – Fine Schedule and Payment Plan – this rulemaking action determined when a fine shall be assessed to both the holder of the establishment license and the individual licensee for the same violation and when a fine shall be assessed to only the holder of the establishment license or to only an individual licensee for the same violation. This rulemaking action also set the requirements for a licensee to request a payment plan for any administrative fine exceeding \$500. Effective January 1, 2020.

2021

§ 900, 965.2, 998 – Personal Service Permit – this rulemaking action allows licensed individuals with a Personal Service Permit to perform certain services outside of a licensed establishment. Effective October 1, 2021.

§ 970, 971 – Substantial Relationship Criteria, Criteria for Rehabilitation – this rulemaking action amended and adopted the criteria used in determining whether a crime, act, or professional misconduct is substantially related to the qualifications, functions, or duties of a licensee, or when a licensee has made a showing of rehabilitation related to a crime, act, or professional misconduct when the Board considers denial, suspension, revocation, or reinstatement of a license. These sections implement amendments to the Business and Professionals Code made by AB 2138 (Ch. 995, Stats. Of 2018). Effective June 9, 2021.

2023

§ 961 – Instructional Materials – this rulemaking action made changes to the instructional materials that Board-approved schools must provide to students. It removed the requirement that textbooks be approved by the National Interstate

Council of State Boards of Cosmetology (NIC) and added a requirement that the schools provide the appropriate licensing examination translation guide to students who intend to take the examination in one of the non-English languages offered by the Board. Effective January 1, 2023.

§ 950.10 – Transfer of Credit – this rulemaking action established how and when technical and practical instructions hours earned by successfully completing courses of study in one Board program may be credited towards a different Board program. Effective October 1, 2023.

2024

§ 904, 909, 928, 931, 932, 934, 937, 950.1, 950.2, 950.3, 950.4, 962, 998 – SB 803 Clean Up – these sections were amended and repealed primarily in response to the enactment of Senate Bill 803 (Ch. 648, Stats. Of 2021) and Assembly Bill 2196 (Ch. 527, Stats. Of 2022). The major changes included (1) reducing the number of hours required for courses in barbering and cosmetology to 1,000 hours; (2) codifying the minimum amount of instruction that must be included for various subjects in a course for barbering, cosmetology, hairstyling, skin care, and nail care; (3) repealing the Board's preapplication program; (4) adding a new "hairstyling" license type; (5) eliminating the requirement that an applicant for licensure pass a practical examination; and (6) codifying the minimum amount of instruction that must be included for various subjects in a course for electrolysis. Effective October 1, 2024.

2025

§910, 918, 919, 926, 941, 965.2, 971, 974.1, 974.2, 983, 984 – Technical Clean-Up – The Board amended these sections to adopt gender neutral language and to update cross references. The Office of Administrative Law approved these changes without regulatory effect on May 15, 2025.

§917 - Pre-Apprenticeship Training – The Board amended the pre-apprentice training requirements to comply with SB 803 and AB 2196. Effective July 1, 2025.

§ 988 – SB 1451 Hairstylist Licensing Fee - SB 1451 authorized the Board to charge the actual cost for developing, purchasing, grading, and administering the hairstylist examination. This rulemaking action established the hairstylist fee, an application and examination fee, set the initial license fee as well as provided notice of the statutorily required renewal and license renewal delinquency fees. Effective October 1, 2025.

2025 Pending Regulatory Actions

§ 931 – Interpreters – The Board is amending the interpreter requirement to allow a person to act as an interpreter once per year instead of once every two years. This regulatory package will also update the Application to Use an Interpreter form.

§ 972 – Disciplinary Guidelines – The Board is updating its disciplinary guidelines as it contains many outdated terms and conditions of probation and does not reflect recent updates to statutes, regulations, and other changes that have occurred since the last update in 2010.

§ 974.4 - SB 384: Remedial Education Program – The Board is developing requirements to comply with SB 384 and allow licensees to complete a remedial education program in lieu of a first offense of a health and safety violation.

4. Describe any major studies conducted by the board (cf. Section 12, Attachment C).

2019 Occupational Analysis of the Barbering Profession

The Board requested that the Department of Consumer Affairs' Office of Professional Examination Services conduct an occupational analysis of barbering practice in California. The purpose of the occupational analysis was to define the practice for California barbers in terms of actual job tasks that new licensees must be able to perform safely and competently at the time of licensure. The results of this occupational analysis provide a thorough description of practice for the barbering profession. The occupational analysis was received June 2019 and is included in this report as [insert attachment number].

2020 Occupational Analysis of the Electrologist Profession

The Board requested that the Department of Consumer Affairs' Office of Professional Examination Services conduct an occupational analysis of electrologist practice in California. The purpose of the occupational analysis was to define the practice for California electrologists in terms of actual job tasks that new licensees must be able to perform safely and competently at the time of licensure. The results of this occupational analysis provide a thorough description of practice for the electrolysis profession. The occupational analysis was received March 2020 and is included in this report as [insert attachment number].

2021 Occupational Analysis of the Esthetics Profession

The Board requested that the Department of Consumer Affairs' Office of Professional Examination Services conduct an occupational analysis of esthetics practice in California. The purpose of the occupational analysis was to define the practice for California barbers in terms of actual job tasks that new licensees must be able to perform safely and competently at the time of licensure. The results of this occupational analysis provide a thorough description of practice for the esthetics profession. The occupational analysis was received April 2021 and is included in this report as [insert attachment number].

2021 Occupational Analysis of the Manicurist Profession

The Board requested that the Department of Consumer Affairs' Office of Professional Examination Services conduct an occupational analysis of manicuring practice in California. The purpose of the occupational analysis was to define the practice for California manicurists in terms of actual job tasks that new licensees must be able to perform safely and competently at the time of licensure. The results of this occupational analysis provide a

thorough description of practice for the manicurist profession. The occupational analysis was received May 2021 and is included in this report as [insert attachment number].

2022 Occupational Analysis of the Hairstylist Profession

The Board requested that the Department of Consumer Affairs' Office of Professional Examination Services conduct an occupational analysis of hairstylist practice in California. The purpose of the occupational analysis was to define the practice for California hairstylist in terms of actual job tasks that new licensees must be able to perform safely and competently at the time of licensure. The results of this occupational analysis provide a thorough description of practice for the hairstyling profession. The occupational analysis was received December 2022 and is included in this report as [insert attachment number].

5. List the status of all national associations to which the board belongs.

The Board is not a member of any national associations.

- Does the board's membership include voting privileges?

N/A

- List committees, workshops, working groups, task forces, etc., which the board participates.

N/A

- How many meetings did the boards representative(s) attend? When and where?

N/A

- If the board is using a national exam, how is the board involved in its development, scoring, analysis, and administration?

The Board utilizes a "national examination" for all license types except hairstylist. The examination that is utilized for barbering, cosmetology, esthetics, manicuring and electrology is the same exam used in nine states. The hairstylist examination was developed by DCA's Office of Professional Examination Services.

The Board is involved in the examination development process, specifically, staff of the Board that are also licensees are included in the examination development workgroups. In addition, California licensees are surveyed along with other states to provide input to examination development.

Section 2 – Fiscal and Staff

Fiscal Issues

6. Is the board's fund continuously appropriated? If yes, please cite the statute outlining this continuous appropriation.

The Board's fund condition is not continuously appropriated as it is developed annually and is subject to approval from the legislature.

7. Using *Table 2. Fund Condition*, describe the board's current reserve level, spending, and if a statutory reserve level exists.

The Board does not have a statutory reserve level.

Table 2. Fund Condition (list dollars in thousands)						
	FY 2021/22	FY 2022/23	FY 2023/24	FY 2024/25	FY 2025/26	FY 2026/27
Beginning Balance	26,539	26,920	24,838	11,926	38,971	38,095
Revenues and Transfers	6,995*	11,848	21,096	23,717	24,036	23,196
Total Resources	33,534	38,768	45,934	35,643	63,007	61,269
Budget Authority	20,896	21,337	18,332	21,116	22,333	23,003
Expenditures	6,184	13,993	19,008	21,672	24,912	25,332
Loans to General Fund	0	0	-15,000	0	0	0
Accrued Interest, Loans to General Fund	0	0	0	689	0	0
Loans Repaid From General Fund	0	0		25,000	0	0
Fund Balance	27,350	24,775	11,926	38,971	38,095	35,959
Months in Reserve	23.5	16.2	6.6	18.8	18.0	17.0

*Includes Executive Order transfer to GF (AB 84)

8. Describe if/when a deficit is projected to occur and if/when a fee increase or reduction is anticipated. Describe the fee changes (increases or decreases) anticipated by the board.

The Board does not anticipate any fee increase or decrease in any of its fees.

9. Using Table 2, **Fund Condition**, describe year over year expenditure fluctuations and the cause for the fluctuations.

In Fiscal Year 2023/24, the Board made a loan to the General Fund of \$15 million dollars. As a result, the table above shows this fluctuation in the decrease of the Board's overall fund balance. In Fiscal Year 2024/25, the Board received a loan re-payment from the General Fund of \$25 million dollars which shows the fluctuation of the increase in the Board's overall fund balance. The \$25 million re-payment was for a FY 2020/21 loan to the General Fund to help address COVID-19 pandemic-related budget shortfalls.

10. Using Table 3, **Expenditures by Program Component**, describe the amounts and percentages of expenditures by program component, including the cause of fluctuations aside from increasing personnel costs. Provide a breakdown of the expenditures by the board in each program area. Expenditures by each component (except for pro rata) should be broken out by personnel expenditures and other expenditures.

Table 3. Expenditures by Program Component								(list dollars in thousands)
	FY 2021/22		FY 2022/23		FY 2023/24		FY 2023/24	
	Personnel Services	OE&E	Personnel Services	OE&E	Personnel Services	OE&E	Personnel Services	OE&E
Enforcement	\$4,165	\$1,516	\$4,362	\$2,120	\$4,811	\$1,617	\$5,099	\$2,417
Examination		\$1,833		\$2,053		\$2,405		\$2,699
Licensing	\$1,714	\$487	\$1,733	\$580	\$1,912	\$339	\$2,268	\$492
Administration*	\$1,648	\$426	\$1,349	\$396	\$1,466	\$231	\$1,476	\$284
DCA Pro Rata	\$0	\$5,691	\$0	\$5,531	\$0	\$5,552	\$0	\$5,916
Diversion (if applicable)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
TOTALS	\$7,527	\$9,953	\$7,444	\$10,680	\$8,189	\$10,144	\$8,843	\$11,808
* Administration includes costs for executive staff, board, administrative support, and fiscal services.								

11. Describe the amount the board has spent on business modernization, including contributions to the BreEZe program, which should be described separately.

12. Describe license renewal cycles and the history of fee changes over the last 10 years.
Give the fee authority (Business and Professions Code and California Code of Regulations citations) for each fee charged by the board.

The Board has not had any fee changes over the last 10 years.

Table 4. Fee Schedule and Revenue (revenue dollars in thousands)							
Fee	Current Fee Amount	Statutory Limit	FY 2021/22* Revenue	FY 2022/23* Revenue	FY 2023/24 Revenue	FY 2024/25 Revenue	% of Total Revenue
Apprenticeship License Fee	\$25.00	\$25.00	\$59	\$62	\$63	\$60	0.4%
Barber Application and Exam Fee	\$75.00	*	\$370	\$568	\$688	\$721	3.7%
Barber License Fee	\$50.00	\$50.00	\$154	\$205	\$233	\$247	1.3%
Barber Renewal Fee	\$50.00	\$50.00	\$29	\$177	\$711	\$711	2.5%
Barber Delinquency Renewal	\$25.00	50% of Renewal	\$15	\$21	\$95	\$105	0.4%
Cosmetology Application and Exam Fee	\$75.00	*	\$755	\$1,122	\$1,315	\$1,494	7.3%
Cosmetology Licensee Fee	\$50.00	\$50.00	\$363	\$511	\$600	\$723	3.4%
Cosmetology Renewal Fee	\$50.00	\$50.00	\$251	\$1,635	\$5,863	\$6,050	21.6%
Cosmetology Delinquency Renewal	\$25.00	50% of Renewal	\$127	\$158	\$598	\$687	2.5%
Electrologist Application and Exam Fee	\$75.00	*	\$6	\$10	\$14	\$17	0.1%
Electrologist License Fee	\$50.00	\$50.00	\$3	\$5	\$6	\$6	0.00%
Electrologist Renewal Fee	\$50.00	\$50.00	\$1	\$9	\$26	\$28	0.1%
Electrologist Delinquency Renewal	\$25.00	50% of Renewal	\$0	\$1	\$1	\$2	0.0%
Esthetician Application and Exam Fee	\$75.00	*	\$927	\$975	\$923	\$833	5.7%
Esthetician License Fee	\$40.00	\$40.00	\$343	\$376	\$367	\$324	2.2%
Esthetician Renewal Fee	\$50.00	\$50.00	\$71	\$536	\$1,967	\$2,084	7.3%
Esthetician Delinquency Renewal	\$25.00	50% of Renewal	\$36	\$45	\$181	\$220	0.8%
Hairstylist Exam Fee	None	None	-	-	-	-	-
Hairstylist License Fee	\$50.00	\$50.00	-	-	\$5	\$4	0.0%
Manicurist Exam Fee	\$75.00	*	\$568	\$642	\$611	\$603	3.8%
Manicurist License Fee	\$35.00	\$35.00	\$183	\$213	\$225	\$240	1.3%
Manicurist Renewal	\$50.00	\$50.00	\$72	\$733	\$2,402	\$2,429	8.8%

Table 4. Fee Schedule and Revenue (revenue dollars in thousands)							
Fee	Current Fee Amount	Statutory Limit	FY 2021/22* Revenue	FY 2022/23* Revenue	FY 2023/24 Revenue	FY 2024/25 Revenue	% of Total Revenue
Manicurist Delinquency Renewal	\$25.00	50% of Renewal	\$37	\$49	\$169	\$180	0.7%
Establishment License Fee	\$50.00	\$80.00	\$355	\$359	\$420	\$414	2.4%
Establishment Renewal Fee	\$40.00	\$40.00	\$14	\$215	\$769	\$762	2.8%
Establishment Delinquency Renewal	\$20.00	50% of Renewal	\$7	\$16	\$84	\$87	0.3%
Mobile Unit App Fee	\$50.00	\$50.00	\$1	\$1	\$1	\$1	0.0%
Mobile Unit Inspection/License Fee	\$100.00	\$100.00	\$2	\$2	\$2	\$1	0.0%
Mobile Unit Renewal	\$40.00	\$40.00	\$0	\$0	\$0	\$1	0.0%
Mobile Delinquency Renewal	\$20.00	50% of Renewal	\$0	\$0	\$0	\$0	0.00%
Certification Fee	\$10.00						0.00%
Duplication Fee	\$10.00	\$10	\$234	\$230	\$174	\$165	1.2%
Personal Service Permit License Fee	\$25.00	\$50.00	-	\$4	\$3	\$1	0.0%
Personal Service Renewal Fee	\$10.00	\$50.00	-	-	-	\$1	0.0%
Personal Service Delinquency Renewal	\$5.00	50% of Renewal	\$1	\$0	\$0	\$0	0.0%
TOTALS			\$4,984	\$8,880	\$18,516	\$19,201	

*The lower revenue totals in FY 21/22 and FY 22/23 are a result of the license renewal fee waivers for the COVID19 pandemic.

13. Describe Budget Change Proposals (BCPs) submitted by the board in the past four fiscal years.

The Board has not submitted any BCPs in the past four fiscal years.

Staffing Issues

14. Describe any board staffing issues/challenges, i.e., vacancy rates, efforts to reclassify positions, staff turnover, recruitment and retention efforts, succession planning.

The Board experienced higher vacancy rates in Fiscal Year (FY) 2021/22 and FY 2022/23. The Board had difficulty filling vacant Program Technician II and Inspector positions due to a reduction in the number of applicants. This can be attributed to the COVID-19 pandemic, during which many employers reported similar challenges. The number of applicants returned to pre-pandemic levels in FY 2023/24. The Board has had minimal vacancies since

that time and positions that have become vacant have been filled in a timely manner. The Board had a 9% vacancy rate in August 2025.

The Board has reported difficulty filling Inspector positions in the past; however, the Board has maintained a low vacancy rate for these positions since 2024. The Board re-classed three vacant Inspector positions to Special Investigators who investigate cases of consumer harm in addition to conducting the necessary inspections. This improved recruitment and retention since Special Investigator is a more desirable classification for job seekers. This also provides a classification that Inspectors can promote to within the Board, rather than leaving for Special Investigator opportunities with other agencies.

The Board expanded its recruitment efforts by collaborating with community and state colleges and increasing participation in career fairs. The Board began holding virtual Meet the Employer workshops with colleges in 2022. These workshops allow the Board to connect with job seekers and most importantly, educate them on state hiring processes. The Board began increasing its participation in career fairs in 2023 and now attends a minimum of four per year. Continuing this type of outreach for jobseekers helps with the Board's succession planning.

15. Describe the board's staff development efforts and total spent annually on staff development. (cf., Section 12, Attachment D).

The Board continuously identifies training and development opportunities for staff. Staff are regularly encouraged to participate in courses offered through DCA's training program, SOLID. SOLID offers numerous training courses that cover soft, technical, and job-specific skills. All SOLID courses are provided at no cost.

Beginning in Fiscal Year (FY) 2023/24, all Board management and staff participate in quarterly customer service and diversity courses. Delivered by SOLID and customized to the Board's needs, these courses cover topics including how to provide excellent customer service to all stakeholders, communication and interpersonal skills, and de-escalation tactics.

In FY 2024/25, the Board's Special Investigators completed the National Certified Investigator and Inspector Training (NCIT) from the Council on Licensure, Enforcement and Regulation (CLEAR). This course covers professional conduct, investigative processes, evidence handling, interviewing techniques, investigative report writing and other skills necessary to effectively perform the duties of a Special Investigator.

In FY 2024/25, the Board's Inspectors and Special Investigators completed the Verbal Judo Institute's Contract Professional course. This course covers effective communication skills and conflict resolution tactics for unarmed enforcement staff.

In FY 2025/26, the Board's Staff Services Analysts and Associate Governmental Program Analysts participated in SOLID's Completed Staff Work training course. This course covers a

seven-step process for successfully completing projects and developing recommendations for decision makers.

The chart below displays the total spent annually on staff development:

FY 2020/21	FY 2021/22	FY 2022/23	FY 2023/24	FY 2024/25
\$3,760	\$6,480	\$5,665	\$8,751	\$6,008

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Section 3 – Licensing Program

Table 6. Licensee Population

		FY 2021/22	FY 2022/23	FY 2023/24	FY 2024/25
Establishments	Active ³	52,335	52,167	49,849	49,144
	Out of State	3	4	3	3
	Out of Country	0	0	0	0
	Delinquent/Expired	3,671	5,322	8,876	10,420
	Retired Status <i>if applicable</i>	1	0	1	1
	Inactive	0	0	1	0
	Other ⁴	7	7	6	6
Mobile Units	Active	49	54	52	50
	Out of State	0	0	0	0
	Out of Country	0	0	0	0
	Delinquent/Expired	14	18	25	29
	Retired Status <i>if applicable</i>	0	0	0	0
	Inactive	0	0	0	0
	Other	0	0	0	0
Barber	Active	29,727	30,444	31,370	33,160
	Out of State	1,418	1,497	1,369	1,268
	Out of Country	1	1	0	0
	Delinquent/Expired	3,413	3,801	5,773	7,029
	Retired Status <i>if applicable</i>	15	21	28	31
	Inactive	1	1	1	1
	Other	474	515	532	731
Barber Apprentice	Active	2,160	2,559	2,509	2,423
	Out of State	0	0	0	0
	Out of Country	0	0	0	0
	Delinquent/Expired	N/A	N/A	N/A	N/A
	Retired Status <i>if applicable</i>	N/A	N/A	N/A	N/A
	Inactive	0	0	0	0
	Other	63	64	70	87
Cosmetology	Active	247,896	244,881	235,933	232,274
	Out of State	23,215	23,558	21,950	20,429
	Out of Country	87	83	79	65
	Delinquent/Expired	31,002	32,363	44,829	54,087
	Retired Status <i>if applicable</i>	83	136	144	146
	Inactive	6	6	7	6
	Other	255	250	198	177
Cosmetology Apprentice	Active	1,570	1,870	1,779	1,409
	Out of State	0	0	0	0
	Out of Country	0	0	0	0
	Delinquent/Expired	N/A	N/A	N/A	N/A
	Retired Status <i>if applicable</i>	N/A	N/A	N/A	N/A
	Inactive	0	0	0	0
	Other	8	9	8	8

³ Active status is defined as able to practice. This includes licensees that are renewed, current, and active.

⁴ Other is defined as a status type that does not allow practice in California, other than retired or inactive.

Electrology	Active	1,176	1,170	1,135	1,117
	Out of State	149	164	156	158
	Out of Country	0	0	0	0
	Delinquent/Expired	249	242	313	359
	Retired Status <i>if applicable</i>	3	3	5	5
	Inactive	0	0	0	0
	Other	0	0	0	0
Electrology Apprentice	Active	0	0	0	0
	Out of State	0	0	0	0
	Out of Country	0	0	0	0
	Delinquent/Expired	N/A	N/A	N/A	N/A
	Retired Status <i>if applicable</i>	N/A	N/A	N/A	N/A
	Inactive	0	0	0	0
	Other	0	0	0	0
Manicurist	Active	99,632	100,224	99,099	97,995
	Out of State	10,662	10,510	9,522	8,483
	Out of Country	55	55	57	54
	Delinquent/Expired	16,122	15,906	20,129	24,270
	Retired Status <i>if applicable</i>	13	23	24	24
	Inactive	2	1	2	1
	Other	118	115	121	141
Esthetician	Active	80,927	85,275	87,249	88,344
	Out of State	6,586	6,968	6,576	6,166
	Out of Country	28	23	22	18
	Delinquent/Expired	9,025	9,866	14,423	19,020
	Retired Status <i>if applicable</i>	4	6	8	8
	Inactive	1	1	3	3
	Other	35	47	42	45
Hairstylist	Active	N/A	N/A	24	80
	Out of State	N/A	N/A	1	11
	Out of Country	N/A	N/A	0	0
	Delinquent/Expired	N/A	N/A	0	0
	Retired Status <i>if applicable</i>	N/A	N/A	0	0
	Inactive	N/A	N/A	0	0
	Other	N/A	N/A	0	0
Personal Service Permit	Active	15	133	222	230
	Out of State	0	0	0	1
	Out of Country	0	0	0	0
	Delinquent/Expired	0	0	4	33
	Retired Status <i>if applicable</i>	0	0	0	0
	Inactive	0	0	0	0
	Other	0	1	1	0

Note: 'Out of State' and 'Out of Country' are two mutually exclusive categories. A licensee should not be counted in both.

16. What are the board's performance targets/expectations for its licensing⁵ program? Is the board meeting those expectations? If not, what is the board doing to improve performance?

The Board has internal performance measures for processing applications that are not deficient as listed below:

Performance Measure	Definition	Target	Actual
Initial Applications	Average days from receipt of application to examination scheduling.	42 days	7
Establishment Applications	Average days from receipt of application to license issuance.	28 days	13
Apprentice Applications	Average days from receipt of application to license issuance.	28 days	14
Reciprocity Applications	Average days from receipt of application to license issuance.	28 days	4
Examination Scheduling	Average number of days from date of approval of qualifications to examination date.	60 days	N/A*

* As of January 1, 2022, the practical examination that the Board scheduled was eliminated. Since January 1, 2022, licensees self-schedule the written examination with the examination vendor.

As noted in the chart above, as of July 1, 2025, the Board was exceeding its performance measures for all application types.

The Board monitors its licensing performance monthly. Implementation of the BreEZe database has allowed the Board to significantly reduce its licensing processing times as more online transactions are submitted by applicants. To ensure applications are processed in the order received and expedited applications are processed accordingly, all pending applications are monitored via a report from data in BreEZe. Each morning, the licensing workload for the day is assigned based on the application received date so the oldest applications are processed first.

17. Using Table 7a, **Licensing Data by Type**, describe any increase or decrease in the board's average time to process applications, administer exams and/or issue licenses. Have pending applications grown at a rate that exceeds completed applications? If so, what has been done by the board to address them? What are the performance barriers and what improvement plans are in place? What has the board done and what is the board going to do to address any performance issues, i.e., process efficiencies, regulations, BCP, legislation?

During this reporting period, the Board has seen a decrease in the time to process applications, administer exams, and issue licenses. The elimination of the practical examination in January 2022 decreased the time it takes for applicants to schedule the written exam. Since then, approved applicants can take the written exam after they self-schedule the examination with the examination vendor instead of waiting to take the written and practical exams at the same time. The Board has made most examination and licensing applications available online. Online applications can be processed up to two weeks faster because the applications are not sent via the post office and are not cashiered manually.

Pending applications have not grown at a rate that exceeds completed applications.

While there are not any performance barriers, the Board continues to look for ways to process applications quickly. The Board is currently working to have re-examination applications approve automatically, which will eliminate the manual processing time for these applications. The Board's goal is for this process to be in place by early 2026.

Table 7a. Licensing Data by Type – Barber**

		Received	Approved / Issued	Closed	Pending Applications			Application Process Times		
					Total (Close of FY)	Complete (within Board control)*	Incomplete (outside Board control)*	Complete Apps*	Incomplete Apps*	Total (Close of FY)
FY 2021/22	(License/Exam)	3,417	2,933	344	452	99	353	11	51	24
	(Renewal)	14,368	14,388	779	3,430	0	3,430	3	N/A	3
FY 2022/23	(License/Exam)	4,649	3,845	646	609	151	458	12	54	24
	(Renewal)	10,695	9,369	1,279	5,867	0	5,867	0	N/A	0
FY 2023/24	(License/Exam)	5,300	4,664	767	480	95	385	16	63	29
	(Renewal)	16,657	14,224	641	8,069	0	8,069	4	N/A	4
FY 2024/25	(License/Exam)	5,655	4,874	907	352	24	328	6	35	14
	(Renewal)	17,445	14,172	622	9,163	0	9,163	3	N/A	3

* Optional. List if tracked by the board. **Applications include the License and Exam process, unless the application was for reciprocity and those are included in the License/Exam data.

Table 7a. Licensing Data by Type – Barber Apprentice**

		Received	Approved / Issued	Closed	Pending Applications			Application Process Times		
					Total (Close of FY)	Complete (within Board control)*	Incomplete (outside Board control)*	Complete Apps*	Incomplete Apps*	Total (Close of FY)
FY 2021/22	(License)	1,441	1,430	85	136	38	98	13	66	24
FY 2022/23	(License)	1,473	1,408	66	133	16	117	11	54	21
FY 2023/24	(License)	1,525	1,393	87	178	19	159	19	60	31
FY 2024/25	(License)	1,596	1,470	115	189	21	168	13	63	29

* Optional. List if tracked by the board. ** No examination is required for an apprentice license and apprentice licenses are not renewable.

Table 7a. Licensing Data by Type – Cosmetology

		Received	Approved/ Issued	Closed	Pending Applications			Application Process Times		
					Total (Close of FY)	Complete (within Board control)*	Incomplete (outside Board control)*	Complete Apps*	Incomplete Apps*	Total (Close of FY))
FY 2021/22	(License/ Exam)	7,979	6,685	792	1,158	242	916	11	53	25
	(Renewal)	133,413	133,607	8,467	31,280	0	31,280	2	N/A	2
FY 2022/23	(License/ Exam)	11,347	9,498	1,490	1510	449	1,061	12	52	24
	(Renewal)	100,958	88,879	13,790	46,631	0	46,631	0	N/A	0
FY 2023/24	(License/ Exam)	12,661	12,097	1,763	1,030	305	725	16	64	30
	(Renewal)	135,586	117,003	5,283	62,588	0	62,588	4	N/A	4
FY 2024/25	(License/ Exam)	16,076	13,752	1,852	1,502	82	1,420	6	33	13
	(Renewal)	143,560	121,281	5,306	68,713	0	68,713	2	N/A	2
* Optional. List if tracked by the board. **Applications include the License and Exam process, unless the application was for reciprocity and those are included in the License/Exam data.										

Table 7a. Licensing Data by Type – Cosmetology Apprentice

		Received	Approved/ Issued	Closed	Pending Applications			Application Process Times		
					Total (Close of FY)	Complete (within Board control)*	Incomplete (outside Board control)*	Complete Apps*	Incomplete Apps*	Total (Close of FY))
FY 2021/22	(License)	979	966	45	91	38	53	13	47	20
FY 2022/23	(License)	1,088	1,040	50	88	23	65	11	45	19
FY 2023/24	(License)	1,032	941	53	123	16	107	19	62	34
FY 2024/25	(License)	842	728	112	125	24	101	13	75	36
* Optional. List if tracked by the board. ** No examination is required for an apprentice license and apprentice licenses are not renewable.										

Table 7a. Licensing Data by Type – Electrology

		Received	Approved/ Issued	Closed	Pending Applications			Application Process Times		
					Total (Close of FY)	Complete (within Board control)*	Incomplete (outside Board control)*	Complete Apps*	Incomplete Apps*	Total (Close of FY))
FY 2021/22	(License/ Exam)	75	62	9	9	0	9	10	23	1
	(Renewal)	597	598	71	250	0	250	0	N/A	0
FY 2022/23	(License/ Exam)	108	85	19	13	2	11	8	53	34
	(Renewal)	525	428	102	311	0	311	0	N/A	0
FY 2023/24	(License/ Exam)	149	120	31	11	6	5	12	30	20
	(Renewal)	655	523	49	401	0	401	2	N/A	2
FY 2024/25	(License/ Exam)	148	130	22	7	0	7	4	20	9
	(Renewal)	684	564	66	435	0	435	3	N/A	3

* Optional. List if tracked by the board. **Applications include the License and Exam process, unless the application was for reciprocity and those are included in the License/Exam data.

Table 7a. Licensing Data by Type – Electrology Apprentice

		Received	Approved/ Issued	Closed	Pending Applications			Application Process Times		
					Total (Close of FY)	Complete (within Board control)*	Incomplete (outside Board control)*	Complete Apps*	Incomplete Apps*	Total (Close of FY))
FY 2021/22	(License)	0	0	0	0	N/A	N/A	N/A	N/A	N/A
FY 2022/23	(License)	0	0	0	0	N/A	N/A	N/A	N/A	N/A
FY 2023/24	(License)	0	0	0	0	N/A	N/A	N/A	N/A	N/A
FY 2024/25	(License)	0	0	0	0	N/A	N/A	N/A	N/A	N/A

* Optional. List if tracked by the board. ** No examination is required for an apprentice license and apprentice licenses are not renewable.

Table 7a. Licensing Data by Type – Esthetician

		Received	Approved/ Issued	Closed	Pending Applications			Application Process Times		
					Total (Close of FY)	Complete (within Board control)*	Incomplete (outside Board control)*	Complete Apps*	Incomplete Apps*	Total (Close of FY))
FY 2021/22	(License/ Exam)	9,174	8,417	524	921	276	645	11	41	19
	(Renewal)	39,955	39,977	2,321	9,084	0	9,084	2	N/A	2
FY 2022/23	(License/ Exam)	10,146	9,101	950	1010	421	589	13	42	21
	(Renewal)	31,158	27,249	4,153	14,365	0	14,365	0	N/A	0
FY 2023/24	(License/ Exam)	10,013	9,454	1,035	534	141	393	16	49	25
	(Renewal)	46,408	39,889	1,379	20,521	0	20,521	3	N/A	3
FY 2024/25	(License/ Exam)	8,987	8,160	1,014	348	59	289	4	22	9
	(Renewal)	49,922	41,425	1,337	24,615	0	24,615	2	N/A	2
* Optional. List if tracked by the board. **Applications include the License and Exam process, unless the application was for reciprocity and those are included in the License/Exam data.										

Table 7a. Licensing Data by Type – Hairstylist

		Received	Approved/ Issued	Closed	Pending Applications			Application Process Times		
					Total (Close of FY)	Complete (within Board control)*	Incomplete (outside Board control)*	Complete Apps*	Incomplete Apps*	Total (Close of FY))
FY 2021/22	(License/ Exam)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
	(Renewal)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
FY 2022/23	(License/ Exam)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
	(Renewal)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
FY 2023/24	(License/ Exam)	129	64	32	33	4	29	13	57	22
	(Renewal)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
FY 2024/25	(License/ Exam)	158	105	63	14	0	14	7	54	20
	(Renewal)	8	3	3	2	0	2	38	N/A	38
* Optional. List if tracked by the board. **Applications include the License and Exam process, unless the application was for reciprocity and those are included in the License/Exam data.										

Table 7a. Licensing Data by Type – Manicurist

		Received	Approved/ Issued	Closed	Pending Applications			Application Process Times		
					Total (Close of FY)	Complete (within Board control)*	Incomplete (outside Board control)*	Complete Apps*	Incomplete Apps*	Total (Close of FY)
FY 2021/22	(License/ Exam)	5,519	5,082	319	601	190	411	12	50	20
	(Renewal)	52,723	52,794	4,530	16,255	0	16,255	2	N/A	2
FY 2022/23	(License/ Exam)	6,492	5,808	595	684	277	407	12	50	21
	(Renewal)	43,869	38,032	7,172	19,671	0	19,671	0	N/A	0
FY 2023/24	(License/ Exam)	6,902	6,520	632	434	116	318	16	58	25
	(Renewal)	56,611	48,192	3,110	26,090	0	26,090	5	N/A	5
FY 2024/25	(License/ Exam)	7,391	6,823	697	305	39	266	5	29	10
	(Renewal)	57,670	48,173	2,910	29,402	0	29,402	2	N/A	2

* Optional. List if tracked by the board. **Applications include the License and Exam process, unless the application was for reciprocity and those are included in the License/Exam data.

Table 7a. Licensing Data by Type – Personal Service Permit**

		Received	Approved/ Issued	Closed	Pending Applications			Application Process Times		
					Total (Close of FY)	Complete (within Board control)*	Incomplete (outside Board control)*	Complete Apps*	Incomplete Apps*	Total (Close of FY)
FY 2021/22	(License)	32	16	3	13	4	9	6	19	10
	(Renewal)	N/A	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A
FY 2022/23	(License)	161	119	11	44	4	40	18	57	39
	(Renewal)	N/A	N/A	N/A	0	N/A	N/A	N/A	N/A	N/A
FY 2023/24	(License)	95	94	31	14	0	14	24	66	55
	(Renewal)	17	11	0	16	0	16	0	N/A	0
FY 2024/25	(License)	56	37	16	17	1	16	13	36	29
	(Renewal)	128	95	0	49	0	49	2	N/A	2

* Optional. List if tracked by the board. **No examination required.

Table 7a. Licensing Data by Type – Establishment**

		Received	Approved/ Issued	Closed	Pending Applications			Application Process Times		
					Total (Close of FY)	Complete (within Board control)*	Incomplete (outside Board control)*	Complete Apps*	Incomplete Apps*	Total (Close of FY))
FY 2021/22	(License)	7,390	6,643	587	1,028	210	818	14	45	21
	(Renewal)	23,492	23,511	823	5,891	0	5,891	4	N/A	4
FY 2022/23	(License)	7,683	6,387	944	1,380	374	1,006	14	62	27
	(Renewal)	18,804	14,841	3102	9,846	0	9,846	4	N/A	4
FY 2023/24	(License)	9,213	7,756	1,499	1,338	276	1,062	22	77	38
	(Renewal)	25,396	19,025	3,548	12,840	0	12,840	4	N/A	4
FY 2024/25	(License)	9,254	8,023	1,657	911	42	869	12	45	20
	(Renewal)	24,810	19,042	3,898	13,325	0	13,325	4	N/A	4

* Optional. List if tracked by the board. **No examination required.

Table 7a. Licensing Data by Type – Mobile Unit**

		Received	Approved/ Issued	Closed	Pending Applications			Application Process Times		
					Total (Close of FY)	Complete (within Board control)*	Incomplete (outside Board control)*	Complete Apps*	Incomplete Apps*	Total (Close of FY))
FY 2021/22	(License)	22	12	9	13	1	12	73	139	133
	(Renewal)	17	17	3	15	0	15	0	N/A	0
FY 2022/23	(License)	30	12	13	18	2	16	N/A	141	141
	(Renewal)	21	10	4	23	0	23	11	N/A	11
FY 2023/24	(License)	28	10	20	16	0	16	28	175	146
	(Renewal)	23	14	6	31	0	31	19	N/A	19
FY 2024/25	(License)	17	11	15	7	0	7	0	162	162
	(Renewal)	31	19	7	31	0	31	6	N/A	6

* Optional. List if tracked by the board. **No examination required. Inspection is required so all applications are deficient until inspection has been conducted.

Table 7b. License Denial

	FY 2021/22	FY 2022/23	FY 2023/24	FY 2024/25
License Applications Denied (no hearing requested)	3	7	5	17
SOIs Filed	2	3	4	2
Average Days to File SOI (from request for hearing to SOI filed)	207	225	110	75
SOIs Declined	0	0	0	0
SOIs Withdrawn	1	1	2	1
SOIs Dismissed (license granted)	0	0	0	0
License Issued with Probation / Probationary License Issued	0	1	1	0
Average Days to Complete (from SOI filing to outcome)	171	158	111	173

18. How many licenses or registrations has the board denied over the past four years based on criminal history that is determined to be substantially related to the qualifications, functions, or duties of the profession, pursuant to BPC § 480? Please provide a breakdown of each instance of denial and the acts the board determined were substantially related.

During this reporting period, the Board denied 15 applications based on criminal history that is determined to be substantially related to the qualifications, functions, or duties of the profession, pursuant to BPC § 480.

Substantially Related Convictions (BPC § 480)	
2013	Lewd or lascivious act with a child who is under the age of 14 years and 10 years older than the child
2019	Pimping
2019	Pandering by Encouraging
2013	Rape by force or fear
2013	Sodomy with person under 18-years
2013	Lewd act with child under 14 years
2002	Aiding and abetting health care fraud
2013	Sexual battery
2019	Possession of Child Pornography
2012	Sexual battery
2017	Lewd or lascivious act with a child who is under the age of 14 years
2015	Lewd or lascivious act with a child who is under the age of 14 years and 10 years older than the child
2017	Human trafficking
2010	Robbery
2014	Attempted murder
2014	Child endangerment
2012	Indecent exposure
2016	Prostitution
2010	Aggravated sexual assault

19. How does the board verify information provided by the applicant?

The Barbering and Cosmetology Act establishes the requirements for licensure. The Board provides applicants with detailed instructions on the application process and the requirements to obtain licensure. For applicants who have received training in California from a Board-approved school, the Board provides the school a Proof of Training document (POT) that is completed by the school's administrator. The POT verifies how many hours of training were completed and which course of study was completed. To verify submitted POT documents a representative from the school is required to sign, under penalty of perjury, that the information is true and correct. For reciprocity candidates, the Board requires the license information be sent from the State where they were previously licensed directly to the Board.

Prior discipline imposed by the Board or other Department of Consumer Affairs Board and Bureaus is verified using BreEZe.

- What process does the board use to check prior criminal history information, prior disciplinary actions, or other unlawful acts of the applicant? Has the board denied any licenses over the last four years based on the applicant's failure to disclose information on the application, including failure to self-disclose criminal history? If so, how many times and for what types of crimes (please be specific)?

The Board requires all applicants, except for Personal Service Permit applicants, to sign under penalty of perjury that all statements that are provided on the application are true and correct. Applicants are required to disclose misdemeanor or felony convictions, and if they have ever had a professional or vocational license or registration denied, suspended, revoked, placed on probation, or if any other disciplinary action was taken.

Licensees requesting a Personal Service Permit are required to submit fingerprints to check for convictions in California.

All applicants are required to self-report prior disciplinary actions on the application. The Board denied one license over the last four years for a personal service permit based on the applicant's failure to self-disclose a conviction of PC 261.5 - sexual intercourse with a minor with special circumstances.

- Does the board fingerprint all applicants?

The Board requires fingerprints for licensees who are submitting an application for a Personal Service Permit. All other applications require self-disclosure of convictions.

- Have all current licensees been fingerprinted? If not, explain.

No, only licensees who applied for a Personal Service Permit have been fingerprinted.

- Is there a national databank relating to disciplinary actions? Does the board check the national databank prior to issuing a license? Renewing a license?

There is no national databank relating to disciplinary actions.

- Does the board require primary source documentation?

The Board does not require primary source documentation.

- Does the board send No Longer Interested notifications to DOJ on a regular and ongoing basis? Is this done electronically? Is there a backlog? If so, describe the extent and efforts to address the backlog.

A report is automatically run each Monday morning that submits records via an interface with DOJ for which we are no longer interested in receiving notifications. The Board does not have a backlog.

20. Describe the board's legal requirement and process for out-of-state and out-of-country applicants to obtain licensure.

Out of State Licensing

Business and Professions Code Section 7331 specifies the requirements for the Board to issue a license via reciprocity. The Board issues licenses to individuals who meet the following requirements:

- Submit a completed application form and the licensing fee; and
- Submit proof of a current license issued by another state that has not been revoked, restricted, or suspended, and is in good standing.

Out of Country Licensing

California Business and Professions codes 7321-7330 specify qualifications for admittance to the examination and state that, for each license type, the Board shall admit to the examination an individual that has:

"Practiced outside of this state for a period of time equivalent to the study and training of a qualified person who has completed a course from a school the curriculum of which complied with requirements adopted by the board. Each three months of practice shall be deemed equivalent of 100 hours of training for qualification as specified in the chapter."

Per California Code of Regulations 910(a), applicants applying to take the examination based on education abroad must submit a completed Out of State/Out of Country School Training Record Form and transcripts showing the hours completed in each subject. Applicants applying to take the examination using credit for practice must submit a completed Out of State/Out of Country Affidavit of Experience form along with proof of licensure from that country.

21. Describe the board's process, if any, for considering military education, training, and experience for purposes of licensing or credentialing requirements, including college credit equivalency.

Per California Code of Regulations 910(b) and 910(c), applicants that are employed on a military reservation must present an authenticated statement from the military reservation verifying employment and may use the practice obtained to qualify for examination. Education, training, or experience obtained in the United States armed services may be submitted via Verification of Military Experience and Training (V-Met) records which the Board will evaluate, and the Board may use those records to qualify the applicant for the examination.

- How many applicants offered military education, training or experience towards meeting licensing or credentialing requirements, and how many applicants had such education, training or experience accepted by the board?

During this reporting period no applicants used military education, training or experience towards licensing requirements.

- How many licensees has the board waived fees or requirements for pursuant to BPC § 114.3, and what has the impact been on board revenues?

The Board waived the renewal fees for 13 active-duty members of the United States Armed Forces or the National Guard during this reporting period. There has been minimal impact of the Board's revenue (-650.00) as a result of BPC § 114.3.

Renewal Fees Waived per BPC § 114.3	
FY 2021/22	2
FY 2022/23	11
FY 2023/24	0
FY 2024/25	0
TOTALS	13

- How many applications has the board expedited pursuant to BPC § 115.5?

The Board expedited 321 applications for spouses or domestic partners of active-duty members of the Armed Forces of the United States assigned to a duty station in California.

Expedited Applications per BPC § 115.5	
FY 2021/22	51
FY 2022/23	100
FY 2023/24	83
FY 2024/25	87
TOTALS	321

Examinations

22. Describe the examinations required for licensure. Is a national examination used? Is a California specific examination required? Are examinations offered in a language other than English?

Written examinations are required for all personal license types. The national examination is used for barbers, cosmetologists, electrologists, estheticians, and manicurists. The hairstylist examination is a California-specific examination. All examinations are offered in English, Spanish, Vietnamese, Korean, and Simplified Chinese.

23. What are pass rates for first time vs. retakes in the past 4 fiscal years? Please include pass rates for **all** examinations offered, including examinations offered in a language other than English. *Include a separate data table for each language offered.*

The table below shows the pass rates for all languages combined for first time test takers and examinees that retook the examination.

PASS RATES		
Examination	First Time	Retake
Barber	55%	35%
Cosmetologist	66%	36%
Electrologist	66%	45%
Esthetician	74%	46%
Manicurist	73%	43%
Hairstylist	58%	32%

Table 8(a). Examination Data⁶

	California Examination FIRST TIME WRITTEN EXAMINATIONS Examination Pass Results by Language									
	English		Spanish		Vietnamese		Korean		Chinese	
	# of Candidates	Pass %	# of Candidates	Pass %	# of Candidates	Pass %	# of Candidates	Pass %	# of Candidates	Pass %
FY 2023/24										
Hairstylist*	11	45%	2	50%	0	N/A	0	N/A	1	0%
FY 2024/25										
Hairstylist	13	69%	3	33%	3	67%	0	N/A	15	67%

*The hairstylist exam was not implemented until FY 2023/24.

Table 8(a). Examination Data

	California Examination RETAKE WRITTEN EXAMINATIONS Examination Pass Results by Language									
	English		Spanish		Vietnamese		Korean		Chinese	
	# of Candidates	Pass %	# of Candidates	Pass %	# of Candidates	Pass %	# of Candidates	Pass %	# of Candidates	Pass %
FY 2023/24										
Hairstylist	1	100%	0	N/A	0	N/A	0	N/A	2	0%
FY 2024/25										
Hairstylist	9	22%	8	25%	0	N/A	0	N/A	8	50%

*The hairstylist exam was not implemented until FY 2023/24.

Table 8(a). Examination Data

	California Examination OVERALL WRITTEN EXAMINATION Examination Pass Results by Language									
	English		Spanish		Vietnamese		Korean		Chinese	
	# of Candidates	Pass %	# of Candidates	Pass %	# of Candidates	Pass %	# of Candidates	Pass %	# of Candidates	Pass %
FY 2023/24										
Hairstylist	12	50%	2	50%	0	N/A	0	N/A	3	0%
FY 2024/25										
Hairstylist	22	50%	11	27%	3	67%	0	N/A	23	61%

*The hairstylist exam was not implemented until FY 2023/24.

⁶ This table includes all exams for all license types as well as the pass/fail rate.

Table 8(b). National Examination

	National Examination									
	FIRST TIME WRITTEN EXAMINATIONS									
	Examination Pass Results by Language									
	English		Spanish		Vietnamese		Korean		Chinese	
FY 2021/22	# of Candidates	Pass %	# of Candidates	Pass %	# of Candidates	Pass %	# of Candidates	Pass %	# of Candidates	Pass %
Barber	2,533	73%	244	50%	90	80%	6	33%	1	0%
Cosmetology	4,840	79%	587	46%	433	85%	55	93%	31	0%
Esthetician	7,278	71%	76	41%	794	65%	36	66%	35	0%
Electrology	71	83%	0	N/A	0	N/A	0	N/A	0	N/A
Manicurist	2,085	65%	149	72%	2,155	82%	13	46%	25	0%
FY 2022/23	# of Candidates	Pass %	# of Candidates	Pass %	# of Candidates	Pass %	# of Candidates	Pass %	# of Candidates	Pass %
Barber	2,700	42%	219	16%	48	13%	1	0%	1	0%
Cosmetology	5,542	65%	612	24%	306	28%	55	29%	190	21%
Esthetician	6,913	78%	109	50%	405	38%	38	61%	96	36%
Electrology	72	58%	0	N/A	0	N/A	0	N/A	0	N/A
Manicurist	2,329	78%	159	42%	1,918	51%	17	47%	54	56%
FY 2023/24	# of Candidates	Pass %	# of Candidates	Pass %	# of Candidates	Pass %	# of Candidates	Pass %	# of Candidates	Pass %
Barber	3,465	56%	288	29%	54	37%	3	67%	5	40%
Cosmetology	6,290	67%	653	26%	457	48%	63	33%	892	67%
Esthetician	6,764	79%	86	41%	364	54%	48	58%	425	67%
Electrology	100	60%	0	N/A	0	N/A	0	N/A	1	100%
Manicurist	2,423	80%	217	45%	1,991	71%	13	46%	225	79%
FY 2024/25	# of Candidates	Pass %	# of Candidates	Pass %	# of Candidates	Pass %	# of Candidates	Pass %	# of Candidates	Pass %
Barber	3,611	60%	360	32%	44	32%	7	57%	6	33%
Cosmetology	6,747	71%	769	26%	642	63%	70	56%	2,153	77%
Esthetician	6,216	78%	130	52%	307	55%	32	56%	276	75%
Electrology	116	66%	2	0%	1	0%	0	N/A	1	0%
Manicurist	2,662	81%	233	45%	2,159	75%	15	40%	200	83%

Table 8(b) National Examination

	National Examination RETAKE WRITTEN EXAMINATIONS Examination Pass Results by Language									
	English		Spanish		Vietnamese		Korean		Chinese	
	# of Candidates	Pass %	# of Candidates	Pass %	# of Candidates	Pass %	# of Candidates	Pass %	# of Candidates	Pass %
FY 2021/22										
Barber	1,582	57%	305	30%	25	88%	9	67%	2	0%
Cosmetology	2,884	51%	824	25%	210	63%	23	57%	57	0%
Esthetician	3,278	47%	68	35%	392	51%	21	71%	25	0%
Electrology	17	71%	0	N/A	0	N/A	0	N/A	0	N/A
Manicurist	900	46%	54	59%	941	54%	8	25%	19	0%
FY 2022/23										
Barber	2,495	29%	430	14%	54	28%	2	50%	5	20%
Cosmetology	3,434	35%	1,158	11%	340	25%	61	28%	248	25%
Esthetician	3,288	53%	94	32%	450	25%	19	47%	131	31%
Electrology	36	50%	0	N/A	0	N/A	0	N/A	0	N/A
Manicurist	1,047	57%	139	31%	1,894	30%	25	20%	89	42%
FY 2023/24										
Barber	3,427	37%	587	20%	80	31%	4	25%	7	14%
Cosmetology	4,154	39%	1,381	18%	528	33%	89	36%	616	45%
Esthetician	2,564	48%	123	33%	427	29%	41	49%	264	54%
Electrology	67	45%	0	N/A	0	N/A	0	N/A	0	N/A
Manicurist	752	51%	140	30%	1,677	37%	16	25%	98	58%
FY 2024/25										
Barber	3,455	36%	711	21%	89	26%	5	20%	4	50%
Cosmetology	4,119	38%	1,592	19%	501	40%	78	41%	874	55%
Esthetician	2,661	45%	138	28%	353	41%	35	37%	157	59%
Electrology	85	42%	7	0%	3	33%	0	N/A	2	50%
Manicurist	751	52%	219	30%	1,242	42%	21	38%	66	53%

Table 8(b). National Examination

	National Examination OVERALL WRITTEN EXAMINATIONS Examination Pass Results by Language									
	English		Spanish		Vietnamese		Korean		Chinese	
	# of Candidates	Pass %	# of Candidates	Pass %	# of Candidates	Pass %	# of Candidates	Pass %	# of Candidates	Pass %
FY 2021/22										
Barber	4,115	66%	549	39%	115	82%	15	53%	3	0%
Cosmetology	7,724	69%	1,411	34%	643	77%	78	82%	88	0%
Esthetician	10,557	64%	144	38%	1,185	61%	57	68%	60	0%
Electrology	88	81%	0	N/A	0	N/A	0	N/A	0	N/A
Manicurist	2,985	59%	203	68%	3,096	73%	21	38%	44	0%
FY 2022/23										
Barber	5,195	36%	649	15%	102	21%	3	33%	6	17%
Cosmetology	8,976	54%	1,770	15%	646	27%	116	28%	438	23%
Esthetician	10,201	70%	203	42%	855	31%	57	56%	227	33%
Electrology	108	56%	0	N/A	0	N/A	0	N/A	0	N/A
Manicurist	3,376	72%	298	37%	3,812	40%	42	31%	143	47%
FY 2023/24										
Barber	6,892	46%	875	23%	134	34%	7	43%	12	25%
Cosmetology	10,444	56%	2,034	21%	985	40%	152	35%	1,508	58%
Esthetician	9,328	71%	209	36%	791	40%	89	54%	689	62%
Electrology	167	54%	0	N/A	0	N/A	0	N/A	1	100%
Manicurist	3,175	73%	357	39%	3,668	56%	29	34%	323	73%
FY 2024/25										
Barber	7,066	48%	1,071	25%	133	28%	12	42%	10	40%
Cosmetology	10,866	58%	2,361	21%	1,143	53%	148	48%	3,027	71%
Esthetician	8,877	68%	268	40%	660	48%	67	46%	433	70%
Electrology	201	56%	9	0%	4	25%	0	N/A	3	33%
Manicurist	3,413	75%	452	38%	3,401	63%	36	39%	266	75%

Table 8(a). Examination Data						
	OCCUPATIONAL ANALYSIS					
	Barber	Cosmetologist	Electrologist	Esthetician	Manicurist	Hairstylist
Date of Last OA	June 2019	October 2017	March 2020	April 2021	May 2021	December 2022
Name of OA Developer	OPES	OPES	OPES	OPES	OPES	OPES
Target OA Date	June 2027	December 2025	June 2028	June 2029	June 2029	June 2030

24. Is the board using computer based testing? If so, for which tests? Describe how it works. Where is it available? How often are tests administered?

The Board utilizes computer based testing for all of its examinations. Once Board staff review and approve an applicant, a notification of approval is mailed. The applicant then registers with the Board's examination vendor, and they are able to select their own examination location and time. The examinations are offered at 23 locations throughout California and are offered at multiple times from Monday through Saturday.

25. Are there existing statutes that hinder the efficient and effective processing of applications and/or examinations? If so, please describe. Has the Board approved any amendments, or is the Board considering amendments to address the hindrances presented by these statutes?

There are no statutes that hinder the efficient and effective processing of applications and examinations.

26. When did the Board last conduct an occupational analysis that validated the requirement for a California-specific examination? When does the Board plan to revisit this issue? Has the Board identified any reason to update, revise, or eliminate its current California-specific examination?

The last occupation analysis for the California-specific hairstylist examination was conducted in 2022 and the next occupational analysis for this examination is scheduled for 2030. Currently the Board does not have a reason to update, revise or eliminate this California-specific examination.

School Approvals

27. Describe legal requirements regarding school approval. Who approves your schools? What role does BPPE have in approving schools? How does the board work with BPPE in the school approval process?

All barbering, cosmetology and electrology schools are required to be approved by the Board and by the BPPE. Generally, a new school applies with the Board and the BPPE at the same time. The BPPE will issue an intent to approve and provide the Board with a copy of that notice. The Board conducts a review of the application that includes the floor plan and the full curriculum. Once the Board has the BPPE's intent to approve, an inspection is the final step to determining if the school meets the qualifications to be approved.

28. How many schools are approved by the board? How often are approved schools reviewed? Can the board remove its approval of a school?

The Board currently has 274 schools approved. The Board has no authority to review a school's approval and there is no renewal requirement nor is there a fee to cover the costs to the Board (this is discussed further under section 10 New Issues). The Board does have authority to remove approval, however, the Board believes it needs additional authority to inspect student records for violations that may warrant action.

29. What are the board's legal requirements regarding approval of international schools?

The Board has no legal requirement to approve international schools.

Continuing Education/Competency Requirements

30. Describe the board's continuing education/competency requirements, if any. Describe any changes made by the board since the last review.

The Board does not require continuing education.

Continuing Education			
Type	Frequency of Renewal	Number of CE Hours Required Each Cycle	Percentage of Licensees Audited
N/A	N/A	N/A	N/A

- How does the board verify CE or other competency requirements? Has the Board worked with the Department to receive primary source verification of CE completion through the Department's cloud?

The Board does not require continuing education.

- Does the board conduct CE audits of licensees? Describe the board's policy on CE audits.

The Board does not require continuing education.

- What are consequences for failing a CE audit?

The Board does not require continuing education.

- How many CE audits were conducted in the past four fiscal years? How many fails? What is the percentage of CE failure?

The Board does not require continuing education.

- Who approves CE courses? What is the board's course approval policy?

The Board does not require continuing education.

- Who approves CE providers? If the board approves them, what is the board application review process?

The Board does not require continuing education.

- How many applications for CE providers and CE courses were received? How many were approved?

The Board does not require continuing education.

- Does the board audit CE providers? If so, describe the board's policy and process.

The Board does not require continuing education.

- Describe the board's effort, if any, to review its CE policy for purpose of moving toward performance based assessments of the licensee's continuing competence.

The Board does not require continuing education.

Section 4 – Enforcement Program

31. What are the board's performance targets/expectations for its enforcement program? Is the board meeting those expectations? If not, what is the board doing to improve performance?

Measure	Target	Actual FY 2024/25
Average number of days to complete complaint intake.	10 Days	3 Days
Average number of days to complete closed cases not resulting in formal discipline.	120 Days	112 Days
Average number of days to complete cases resulting in formal discipline.	540 Days	766 Days
Average number of days from the date a probation monitor is assigned to a probationer to the date the monitor makes first contact.	15 Days	1 Day
Average number of days from the time a violation is reported to the program to the time the monitor responds.	5 Days	1 Day

The Board is meeting all performance targets except for the number of days to complete cases resulting in formal discipline. The Board averages 383 days to investigate and refer cases to the Attorney General's Office. In order to meet the target of 540 days, the Attorney General's Office only has 157 days to adjudicate the cases. The Board has implemented processes to improve efficiencies in referring cases to the Attorney General in a timelier manner. The majority of cases that are referred to the Attorney General's Office are for employing unlicensed operators and that usually consists of three inspections to verify the establishment owners are not going to come into compliance. With the implementation of the Mobile Inspection Process, the time frames between inspections will be less so the Board will be able to reduce the days to investigative the cases, which will allow more days for the Attorney General's Office to adjudicate the cases.

32. Explain trends in enforcement data and the board's efforts to address any increase in volume, timeframes, ratio of closure to pending cases, or other challenges. What are the performance barriers? What improvement plans are in place? What has the board done and what is the board going to do to address these issues, i.e., process efficiencies, regulations, BCP, legislation?

During this reporting period, the Board has seen an increase in complaints received of about 12% per year. The Board has managed this workload by redirecting staff. In January of 2024, the Board managers began giving weekly case assignments to enforcement staff to keep them focused on keeping the cases worked timely. The average days for processing cases

spiked in FY 23/24 due to enforcement staff focusing on working their oldest cases. FY 24/25 processing times are lower than FY 23/24 and the Board is meeting performance measures.

Due to staffing issues in the Cite and Fine Unit in FY 23/24, the Board did not issue citations as timely as in FY 21/22 and FY 22/23. By the end of FY 24/25, the Board was fully staffed and worked through the backlog. Staff learned how to process the inspection records from the new Mobile Inspection Process and as of August 29, 2025, the backlog is cleared, and the Board is issuing citations within 3 days of the inspection.

Table 9. Enforcement Statistics				
	FY 2021/22	FY 2022/23	FY 2023/24	FY 2024/25
COMPLAINTS				
Intake				
Received	4,514	5,158	5,639	6,269
Closed without Referral for Investigation*	0	2	2	1,135
Referred to INV	4,559	5,135	5,642	5,082
Pending (close of FY)	25	46	43	121
Conviction / Arrest				
CONV Received	12	9	10	12
CONV Closed Without Referral for Investigation*	0	0	0	1
CONV Referred to INV	12	9	10	11
CONV Pending (close of FY)	0	0	0	0
Source of Complaint ⁷				
Public	1,277	1,453	1,561	1,619
Licensee/Professional Groups	19	9	1	0
Governmental Agencies	15	30	6	1
Internal	671	443	315	816
Other	17	26	7	1
Anonymous	2,527	3,210	3,759	3,844
Average Time to Refer for Investigation (from receipt of complaint / conviction to referral for investigation)	3	4	3	2
Average Time to Closure (from receipt of complaint / conviction to closure at intake)	N/A	5	1	3
Average Time at Intake (from receipt of complaint / conviction to closure or referral for investigation)	3	4	4	2
INVESTIGATION				
Desk Investigations				
Opened	4,567	5,138	5,637	5,089
Closed	4,669	4,197	6,490	4,731
Average days to close (from assignment to investigation closure)	64	58	90	63

Pending (close of FY)	711	1,651	827	1,202
Non-Sworn Investigation				
Opened	1,379	1,848	1,854	1,452
Closed	1,234	1,623	2,093	1,567
Average days to close (from assignment to investigation closure)	160	145	164	147
Pending (close of FY)	643	864	639	532
Sworn Investigation				
Opened	14	43	30	13
Closed	9	40	21	26
Average days to close (from assignment to investigation closure)	190	155	251	230
Pending (close of FY)	9	9	26	13
All investigations⁸				
Opened	5,960	7,850	7,521	6,554
Closed	5,912	4,138	6,796	6,324
Average days for all investigation outcomes (from start investigation to investigation closure or referral for prosecution)	112	121	149	114
Average days for investigation closures (from start investigation to investigation closure)	112	119	142	112
Average days for investigation when referring for prosecution (from start investigation to referral for prosecution)	455	480	512	379
Average days from receipt of complaint to investigation closure	114	123	151	116
Pending (close of FY)	1,342	2,492	1,449	1,629
CITATION AND FINE				
Citations Issued	6,451	7,271	5,805	7,485
Average Days to Complete (from complaint receipt / inspection conducted to citation issued)	38	43	65	65
Amount of Fines Assessed	\$3,159,826	\$3,329,293	\$2,810,575	\$3,977,796
Amount of Fines Reduced, Withdrawn, Dismissed	\$341,375	\$599,015	\$476,570	\$768,114
Amount Collected	\$1,773,920	\$2,278,985	\$1,876,142	\$2,354,630
CRIMINAL ACTION				
Referred for Criminal Prosecution	0	1	6	0
ACCUSATION				
Accusations Filed	20	46	51	108
Accusations Declined	0	0	0	0

Accusations Withdrawn	1	0	1	5
Accusations Dismissed	0	2	0	2
Average Days from Referral to Accusations Filed (from AG referral to Accusation filed)	151	121	173	117
INTERIM ACTION				
ISO & TRO Issued	0	0	0	0
PC 23 Orders Issued	1	3	3	3
Other Suspension/Restriction Orders Issued	0	0	0	0
Referred for Diversion	0	0	0	0
Petition to Compel Examination Ordered	0	0	0	0
DISCIPLINE				
AG Cases Initiated (cases referred to the AG in that year)	29	73	78	121
AG Cases Pending Pre-Accusation (close of FY)	11	32	34	24
AG Cases Pending Post-Accusation (close of FY)	30	49	44	79
DISCIPLINARY OUTCOMES				
Revocation	9	8	28	41
Surrender	4	2	3	12
Suspension only	3	0	0	0
Probation with Suspension	21	12	12	29
Probation only	3	3	2	14
Public Reprimand / Public Reproval / Public Letter of Reprimand	0	0	1	1
Other	0	0	1	0
DISCIPLINARY ACTIONS				
Proposed Decision	4	2	4	9
Default Decision	6	7	25	20
Stipulations	7	16	17	35
Average Days to Complete After Accusation (from Accusation filed to imposing formal discipline)	337	570	297	222
Average Days from Closure of Investigation to Imposing Formal Discipline	504	712	356	355
Average Days to Impose Discipline (from complaint receipt to imposing formal discipline)	820	1,173	908	844
PROBATION				
Probations Completed	19	27	50	30
Probationers Pending (close of FY)	144	133	106	115
Probationers Told *	30	35	28	23
Petitions to Revoke Probation / Accusation	0	1	6	11

and Petition to Revoke Probation Filed				
SUBSEQUENT DISCIPLINE⁹				
Probations Revoked	0	0	0	5
Probationers License Surrendered	1	1	0	4
Additional Probation Only	0	0	0	0
Suspension Only Added	0	0	0	0
Other Conditions Added Only	0	0	0	0
Other Probation Outcome	0	0	0	0
SUBSTANCE ABUSING LICENSEES **				
Probationers Subject to Drug Testing	N/A	N/A	N/A	N/A
Drug Tests Ordered	N/A	N/A	N/A	N/A
Positive Drug Tests	N/A	N/A	N/A	N/A
PETITIONS				
Petition for Termination or Modification Granted	0	0	0	0
Petition for Termination or Modification Denied	0	0	0	0
Petition for Reinstatement Granted	0	1	1	5
Petition for Reinstatement Denied	0	2	0	3
DIVERSION **				
New Participants	N/A	N/A	N/A	N/A
Successful Completions	N/A	N/A	N/A	N/A
Participants (close of FY)	N/A	N/A	N/A	N/A
Terminations	N/A	N/A	N/A	N/A
Terminations for Public Threat	N/A	N/A	N/A	N/A
Drug Tests Ordered	N/A	N/A	N/A	N/A
Positive Drug Tests	N/A	N/A	N/A	N/A

Table 10. Enforcement Aging

	FY 2021/22	FY 2022/23	FY 2023/24	FY 2024/25	Cases Closed	Average %
Investigations (Average %)						
Closed Within:						
90 Days	2,983	2,340	3,304	3,047	11,674	58%
91 - 180 Days	683	704	1,497	979	3,863	19%
181 - 1 Year	472	660	1,292	546	2,970	15%
1 - 2 Years	323	227	545	257	1,352	7%
2 - 3 Years	79	53	72	62	266	1%
Over 3 Years	5	8	31	14	58	.2%
Total Investigation Cases Closed	4,545	3,992	6,741	4,905	20,183	
Attorney General Cases (Average %)						
Closed Within:						

Table 10. Enforcement Aging

	FY 2021/22	FY 2022/23	FY 2023/24	FY 2024/25	Cases Closed	Average %
0 - 1 Year	5	4	5	12	26	15%
1 - 2 Years	5	7	9	17	38	22%
2 - 3 Years	15	4	14	30	63	36%
3 - 4 Years	6	3	12	14	35	20%
Over 4 Years	3	1	2	5	11	7%
Total Attorney General Cases Closed	34	19	42	78	173	

33. What do overall statistics show as to increases or decreases in disciplinary action since last review?

The Board has seen an increase year over year in the number of cases referred to the Attorney General's Office resulting in an increase of accusations filed and discipline imposed. The number of days to impose discipline has decreased because the Board is working the cases more efficiently.

During Fiscal Year (FY) 2023/24, the Board's probation monitor diligently worked the probation cases and was able to either get the probationers into compliance or file petitions to revoke probation for those that would not comply. In FY 2024/25, the Board revoked the licenses of 5 probationers and 4 probationers surrendered their licenses.

The Board has seen an increase in petitions for license reinstatements during the last year and a half and has heard 8 reinstatement cases. Of those 5 licenses were reinstated and 3 petitions were denied.

34. How are cases prioritized? What is the board's compliant prioritization policy?

Complaints are prioritized according to the most egregious violation alleged in the complaint. Consumer harm, gross negligence and incompetence, or similar violations, are considered the highest priority. The highest priority cases are distributed amongst the Board's Special Investigators who can process the complaint, interview complainants and licensees, conduct inspections, and request expert opinions, if necessary. Complaints alleging health and safety or unlicensed activity violations are considered a high priority and are worked by Enforcement Analysts with inspections conducted by Board Inspectors. Cases that are opened as the result of random inspections where egregious health and safety violations or unlicensed activity were found are also considered high priority cases.

- Please provide a brief summary of the Board's formal disciplinary process.

The Board files a Statement of Issues or an Accusation and requests administrative hearings for cases involving criminal convictions, cheaters, consumer harm, bribery, and inspector

assault. The Board files Accusations and attempts to stipulate settlement terms with establishment owners who are employing unlicensed operators or who have repeated health and safety violations. The settlement terms consist of probation, cost recovery, and in some cases remedial education. These probationary terms allow the Board to conduct regular inspections to ensure compliance with the Board's statutes and regulations and probationers that do not comply with the probationary terms or the Board's statutes and regulations are sent to the Attorney General's Office for subsequent discipline.

35. Are there mandatory reporting requirements? For example, requiring local officials or organizations, or other professionals to report violations, or for civil courts to report to the board actions taken against a licensee. Are there problems with the board receiving the required reports? If so, what could be done to correct the problems?

The Board has no mandatory reporting requirements.

- What is the dollar threshold for settlement reports received by the board?

N/A

- What is the average dollar amount of settlements reported to the board?

N/A

36. Describe settlements the board, and Office of the Attorney General on behalf of the board, enter into with licensees.

At the time an accusation is filed the Board provides the Attorney General's office with proposed settlement terms. Cases with allegations of egregious consumer harm, cases initiated as the result of an examination candidate cheating, and applicants with criminal convictions such as sexual assaults or violent crimes, are not offered settlement terms.

- What is the number of cases, pre-accusation, that the board settled for the past four years, compared to the number that resulted in a hearing?

The Board does not settle cases pre-accusation.

- What is the number of cases, post-accusation, that the board settled for the past four years, compared to the number that resulted in a hearing?

Over the past four years, the Board settled 75 cases and 19 cases resulted in a hearing.

- What is the overall percentage of cases for the past four years that have been settled rather than resulted in a hearing?

Over the past four years, 80 percent of cases were settled, and 20 percent of cases resulted in a hearing.

37. Does the board operate with a statute of limitations? If so, please describe and provide citation. If so, how many cases have been lost due to statute of limitations? If not, what is the board's policy on statute of limitations?

The Board does not operate with a statute of limitations.

38. Describe the board's efforts to address unlicensed activity and the underground economy.

Unlicensed activity violations are considered a high priority by the DCA and the Board. As a result of an inspection, owners who are operating unlicensed establishments and owners who employ unlicensed individuals are fined up to \$1,000.00. Each unlicensed individual is also cited and fined up to \$1,000.00. Cases involving establishment owners who have personal licenses who have been repeatedly cited for operating an unlicensed establishment or employing unlicensed operators are forwarded to the Attorney General's Office to have their license(s) disciplined. Discipline may include license suspension, probation, and/or revocation.

Since the COVID 19 pandemic, services provided in unlicensed homes by unlicensed individuals and advertised on social media have increased. For these cases, the analysts reach out to the operators via social media and work with local business licensing entities to get the operators in compliance or shut down the business. Board analysts have developed good working relationships with many local business licensing entities and in many cases have worked together to gain compliance.

To decrease the number of establishment owners cited for operating unlicensed establishments, the Board's Enforcement Analysts work with the establishment owners to bring them into compliance. This education-based approach began in the Spring of 2014 and continues to bring establishment owners into compliance before inspections are conducted and reduces the instances of resistance when inspections are conducted for those that have become licensed. In cases where the owner is not complying Board, Enforcement Analysts reach out to local business licensing or code enforcement entities to determine if they are properly licensed and if not, a complaint is filed with those entities. As mentioned before the Board has established working relationships with local business licensing entities throughout the state.

The Board uses many tools to enforce licensing statutes and regulations, but if the establishment owner does not come into compliance by licensing the establishment and hiring licensed operators, the Board does not have licenses to discipline. If there are no licenses to discipline, the Board must rely on the local District Attorney's (DA) offices to cite and prosecute unlicensed owners and operators. Unfortunately, DA's offices have higher

profile cases that take up their resources and unlicensed activity cases do not result in an impact that may persuade owners to comply.

Cite and Fine

39. Discuss the extent to which the board utilizes cite and fine authority. Discuss any changes from last review and describe the last time regulations were updated and any changes that were made. Has the board increased its maximum fines to the \$5,000 statutory limit? Does the board have authority to issue fines greater than \$5,000? If so, under what circumstances?

The Board relies heavily on its cite and fine program to correct and prevent violations. The Board issues an average of 6,700 citations on an annual basis. Business and Professions Code (BPC) 7406 gives the Board authority to assess administrative fines for violations of any section of Chapter 10 of Division 3 or the violation of any rules and regulations adopted by the Board.

BPC § 7407 directs the Board to establish by regulation a schedule of administrative fines violations of this chapter. In January 2022, this statute was updated to indicate that the schedule of administrative fines for violations of this chapter shall be based on those "that impact consumer safety" and that the schedule shall indicate whether the violation can be corrected.

The Board's committees (Enforcement and Inspection and Health and Safety) have been discussing the fine amount for violations for the last several years. Proposed regulations are being presented to the full Board in November 2025 with final recommendations for updating the administrative fine schedule.

The Board has internal practices to review each inspection report and determine if the violation found is egregious or if a citation without a fine is warranted. This includes a review of the establishment and licensee's history to determine if the violations are being repeated on a regular basis as well as a review of the severity of each violation.

BPC § 7407.1 directs the Board to determine by regulation when a fine shall be assessed to both the holder of the establishment license and the individual licensee or only assess the fine to the establishment owner or the individual licensee.

In January of 2024, SB 384 added BPC § 7407.1(b)(1) and (b)(2) which directs the Board to establish by regulation a board-offered remedial education program in lieu of a first offense of a health and safety violation. The Board is in the process of implementing this and is seeking statutory clean-up language (see section 10).

The Board has not increased its maximum fines to the \$5,000.00 statutory limit.

The Board does not have the authority to issue fines greater than \$5,000.00.

40. How is cite and fine used? What types of violations are the basis for citation and fine?

As previously noted, the Board relies heavily on its cite and fine process to correct and prevent violations. To ensure compliance with the Board's health and safety and licensing statutes and regulations, random and directed inspections of establishments are conducted. Administrative fines are assessed for violations of the Board's statutes and regulations on a sliding scale. Fines amounts are based on the number of times the same violation has been cited within the last 5 years.

Based on a review of the evidence found during the inspections, fines are assessed for violations that impact consumer safety.

41. How many informal office conferences, Disciplinary Review Committees reviews and/or Administrative Procedure Act appeals of a citation or fine in the last 4 fiscal years?

The Board's Disciplinary Review Committee heard 903 citation appeals in the last 4 fiscal years.

42. What are the five most common violations for which citations are issued?

Over the last four fiscal years, the most common violations for which citations are issued are:

- CCR § 979 Disinfecting Non-Electrical Tools and Equipment,
Example: May include when an inspector observes the use of a dirty tool on a client.
- CCR § 981 (a) No Disposal of Non-Disinfected Items
Example: Re-using a nail buffer on multiple people.
- CCR § 986 Neck Dusters/Brushes Not Clean or Sanitary
Example: When a tool is visibly dirty.
- CCR § 988 Liquids, Creams, Powders, and Cosmetics Not in Clean and/or Labeled Containers
Example: May include a wax pot that is found to be in a dirty condition.
- CCR § 965 Display of Licenses
Example: The license is not displayed so that the consumer can view it.

43. What is average fine pre- and post- appeal?

Disciplinary Review Committee decisions with effective dates during the last four fiscal years had a pre-appeal average fine of \$939.00 and the post-appeal average was \$698.00.

44. Describe the board's use of Franchise Tax Board intercepts to collect outstanding fines. If the board does not use Franchise Tax Board intercepts, describe the rationale behind that decision and steps the board has taken to increase its collection rate.

The Board sends request for payment notices for outstanding fine balances at 30-day intervals starting 30 days from the citation due date. If the balance is not paid 30 days after the third notice is sent and the Board a social security number for the respondent, then the citation is referred to the Franchise Tax Board intercept program via the Department of Consumer Affairs Accounts Receivables Unit. The Board has sent 2,158 records to the Franchise Tax Board for collection over the past four fiscal years.

Cost Recovery and Restitution

45. Describe the board's efforts to obtain cost recovery. Discuss any changes from the last review.

The Board requests full recovery of Attorney General's (AG) Office costs and any Department of Consumer Affairs Division of Investigation costs when the accusation is sent to the AG's Office for filing. Administrative Law Judges may impose cost recovery amounts that are less than the costs the Board submitted, so the Board is not always able to recover all costs for cases that result in a hearing. When negotiating settlement terms with respondents, the Board only reduces cost recovery amounts as a last resort. Cost recovery ordered with a license revocation or stipulated surrender is usually ordered to be paid upon a successful petition for reinstatement.

46. How many and how much is ordered by the board for revocations, surrenders and probationers? How much do you believe is uncollectable? Explain.

The Board believes that \$156,269 ordered for probationers is collectable. The \$318,235 ordered for revocations and surrenders is uncollectable. This amount is uncollectable unless the respondent petitions to reinstate their license(s). The Board sends request for payment notices for costs that are ordered that are not based on reinstatement of licenses and if the respondent does not comply with those requests the Board sends the outstanding balance to the Franchise Tax Board.

47. Are there cases for which the board does not seek cost recovery? Why?

The Board does not seek cost recovery in a statement of issues against an applicant, petitions to revoke probation, public reprovals, or default decisions, as it does not have the authority to do so. Although cost recovery may be ordered in surrender and revocation cases, the majority of this cost recovery will not be collected until the Board grants a petition for reinstatement of the license. The Board also does not seek cost recovery for petitions for reinstatement or to modify or terminate probation. A decision granting a petition for reinstatement or to terminate probation would include a provision for the petitioner to satisfy all cost reimbursement orders in the underlying disciplinary order.

48. Describe the board's use of Franchise Tax Board intercepts to collect cost recovery. If the board does not use Franchise Tax Board intercepts, describe methods the board uses to collect cost recovery.

During this reporting period, the Board referred 26 cost recovery cases to the Franchise Tax Board.

The Board's probation monitor works with probationers to develop a payment plan so cost recovery is paid 6 months prior to the end of the probation term. If the probationers are not complying with the payment plan probation violation notices are sent to the probationer. If the probationer does not come into compliance, the case is referred to the Attorney General's Office for subsequent discipline. The probation monitor also sends the three required request for payment notices. If the probationer does not comply with the request for payment notices the outstanding balance is referred to the Franchise Tax Board for collection.

Table 11. Cost Recovery¹⁰ (list dollars in thousands)				
	FY 2021/22	FY 2022/23	FY 2023/24	FY 2024/25
Total Enforcement Expenditures	\$906	\$333	\$661	\$764
Potential Cases for Recovery *	15	18	48	88
Cases Recovery Ordered	9	15	20	44
Amount of Cost Recovery Ordered	\$50	\$77	\$106	\$292
Amount Collected	\$32	\$66	\$143	\$108
* "Potential Cases for Recovery" are those cases in which disciplinary action has been taken based on violation of the license practice act.				

49. Describe the board's efforts to obtain restitution for individual consumers, any formal or informal board restitution policy, and the types of restitution that the board attempts to collect, i.e., monetary, services, etc. Describe the situation in which the board may seek restitution from the licensee to a harmed consumer.

The Board may consider seeking restitution for the complainant as part of a proposed decision or stipulated agreement which contains probation terms (Government Code Section 11519). The Board may impose a probation term requiring restitution if it is appropriate to the nature and circumstances of the particular violation. Restitution can be ordered in consumer harm cases involving the practice of medicine, use of metal instruments, illegal instrument methods, or incompetent/gross negligence when providing services. Evidence relating to the amount of restitution is introduced at the administrative hearing or provided during settlement negotiations. Failure to pay restitution is considered a violation of probation and can result in further discipline or license revocation. To date, the Board has not requested restitution in any case.

Table 12. Restitution (list dollars in thousands)				
	FY 2021/22	FY 2022/23	FY 2023/24	FY 2024/25
Amount Ordered	\$0	\$0	\$0	\$0
Amount Collected	\$0	\$0	\$0	\$0

Section 5 – Public Information Policies

50. How does the board use the internet to keep the public informed of board activities?

Does the board post board-meeting materials online? When are they posted? How long do they remain on the board's website? When are draft-meeting minutes posted online? When does the board post final meeting minutes? How long do meeting minutes remain available online?

The Board uses the internet to provide information to the public by updating the website regularly and posting information regarding all Board meetings.

The Board has significantly increased its social media presence over the last several years. The Board has 23,000 followers on Facebook and 14,000 followers on Instagram. On September 3, 2024, the Board launched a separate Facebook page for the Vietnamese community and on August 1, 2025, a new page was launched in Spanish. The Board posts information directed to consumers as well as information to licensees.

Board meeting materials are posted online on our website approximately one week prior to the Board meeting. The Board has Board meeting materials on our website that date back to January 2015.

The Board does not post draft minutes, however, minutes are approved at the next scheduled meeting and, once approved, are posted to the website. The Board has Board meeting minutes posted on our website that date back to January 2015.

51. Does the board webcast its meetings? What is the board's plan to webcast future board and committee meetings? How long will archived webcast meetings remain available online?

The Board webcasts all Board meetings. These webcasts are available for view via links on the website and date back to July 2016. There is no current plan to remove the webcasts. The Board plans to continue to webcast all meetings indefinitely.

52. Does the board establish an annual meeting calendar and post it on the board's website?

The Board reviews the annual calendar during the last Board Meeting each year. The Board meeting dates and locations (region) are posted on the website in January of each year.

53. Is the board's complaint disclosure policy consistent with DCA's *Recommended Minimum Standards for Consumer Complaint Disclosure*?

- Does the board post accusations and disciplinary actions consistent with BPC § 27, if applicable?

The Board follows the complaint disclosure policies of the DCA. The Board posts accusations and disciplinary actions consistent with BPC section 27.

- Does the board post complaint data on its website? If so, please provide a brief description of each data point reported on the website along with any statutory or regulatory authorization.

The Board posts Enforcement Statics on its website by fiscal year, which include:

- Complaints Received
- Referred for Investigation
- Cases Referred to the AG
- Disciplinary Findings (Accusations filed, Statement of Issues filed)
- Accusation and Statement of Issues Withdrawals or Dismissals
- Disciplinary Outcomes
- Decisions by Violation Type

The Board provides the following information to the public regarding its licensees and permit holders:

- Licensee's name;
- Address of record; (establishments only)
- License status;
- License type;
- Issue date;
- Expiration date;
- Certification; and,
- Disciplinary/enforcement actions.

54. What information does the board provide to the public regarding its licensees (i.e., education completed, awards, certificates, certification, specialty areas, disciplinary action, etc.)?

The Board provides information through the BreEZe database regarding licenses and permits issued by the Board, including formal disciplinary action taken and the current status of the license or permit, but does not include any awards, certificates, or education information.

55. What methods does the board use to provide consumer outreach and education?

The Board maintains a strong social media presence, with 23,000 followers on Facebook and 14,000 on Instagram. It posts weekly to educate consumers on how to stay safe when receiving services. These posts include reminders to verify that service providers are licensed, where to find the license on display, and what to expect during services.

To expand its outreach, the Board launched a dedicated Facebook page for the Vietnamese community on September 3, 2024, and another in Spanish on August 1, 2025. Translating posts into Vietnamese and Spanish has allowed the Board to better reach and engage with consumers who are proficient in those languages.

Outreach Events

The Board also participates in various outreach events. Highlights of the outreach program include:

- Participation in wellness fairs, town hall meetings, conventions, and seminars to educate the public on health and safety issues
- Booths at trade shows throughout California, such as Face and Body Spa and Expo, NailPro, and the International Salon & Spa Expo
- Visits to beauty colleges across the state to familiarize students with Board regulations and foster professional development
- Engagements at high schools and colleges to inform students about careers in barbering and cosmetology, as well as opportunities with the State

During the COVID-19 pandemic, in-person outreach was limited. However, the Board adapted by participating in virtual events in collaboration with organizations such as:

- Barbicide
- Beauty Go
- Professional Beauty Federation of California
- PSI Exams
- California Senior Legislature
- The Los Angeles Department of Public Health
- The Professional Beauty Association
- Viet Nails TV

Consumer Publications

The Board produces and distributes a variety of publications, which are also available for download on its website. These materials are offered in Korean, Spanish, Vietnamese, and Simplified Chinese.

- Consumer Fact Sheets
 - Chemical Hair Services
 - Complaint Process
 - Infection Control in the Salon
 - In-Home Services
 - Medical Spas
 - Skin Tags/Mole removal
 - Whirlpool Foot Spa Safety
- Consumer Publications
 - About the Board
 - Barbering
 - Barbers Scope of Practice
 - Chemical Exfoliation Safety Tips
 - Cosmetology
 - Cosmetologists Scope of Practice
 - Electrology
 - Esthetics
 - Estheticians Scope of Practice
 - Eyelash Extensions Safety Tips
 - Hairstylists Scope of Practice
 - Manicuring
 - Manicurist Scope of Practice
 - Pedicure Safety Tips
 - Waxing Safety Tips

Industry Bulletins

Industry bulletins that provide the Board's official position on various topics are posted on the website. The bulletins are divided up by license type to aid in easy access and are available in Korean, Spanish, Vietnamese, and Simplified Chinese. The Board currently offers bulletins on the following subjects:

- Cosmetology
 - Ear Candling/Coning
 - Eyelash-Eyebrow Services
 - Eyelash and Eyebrow Tinting
 - Headspas

- Establishments
 - Disinfecting and Storing Client-Owned Tools
 - Establishment Owner Responsibility
 - Interference and Refusal of Inspection
 - Licensee in Charge
 - Nursing/Rehabilitation Homes
 - Salon Suites
 - Unlicensed Mobile Activity
- Esthetics
 - Dermaplaning
 - Electrical Muscle Stimulators
 - Eyelash-Eyebrow Services
 - Eyelash and Eyebrow Tinting
 - Fibroblast
 - Hyaluron Pen
 - Lasers
 - Lash and Brow Perming
 - LED
 - Microblading
 - Micro Needling/Derma Rolling
 - Needles Are Prohibited
 - Skin Care Machines/Devices
- Manicuring
 - Callus Removal
 - Detox Foot Spas
 - Disinfecting Nail Files
 - Fish Pedicures
 - Methyl Methacrylate Monomer (MMA)
 - Use of Ultra Violet Sterilizer Units

Newsletter

Additionally, the Board publishes a quarterly newsletter, "The BarberCosmo Update" that is distributed to all interested parties. Topics often include what consumers should know before, during, and after a service, new products or services they should be aware of, and how to verify a license.

Section 6 – Online Practice Issues

56. Discuss the prevalence of online practice and whether there are issues with unlicensed activity.

- How does the board regulate online/internet practice?
- How does the board regulate online/internet business practices outside of California?
- Does the Board need statutory authority or statutory clarification to more effectively regulate online practice, if applicable?

While barbering and cosmetology services cannot be offered on-line, there is a substantial number of services advertised on-line. The Board established a process in 2020, where staff work directly with local business licensing entities to address services that are offered outside of a licensed establishment and are often offered at an individual's home.

These services have been found to be offered from both unlicensed and licensed individuals. The Board has confirmed consumer harm has taken place in these situations. In one instance an individual received a serious infection from a manicure received in someone's home.

The Board has received cooperation from many local business licensing entities to address these concerns. Many local business licensing entities have certain ordinances where a business is not allowed to be in operation at a residence or chemicals (often used in this industry) are not allowed to be disposed via residential drains.

The Board does not have any issues with on-line practice for out of state businesses nor is there a need for any statutory changes to address this issue.

Section 7 – Workforce Development and Job Creation

57. What actions has the board taken in terms of workforce development?

During the Board's last sunset review, significant changes were made to reduce barriers to entry of the professions, including reducing the number of required educational hours as well as eliminating the practical exam. This has shown an increase in the number of licenses issued by 14% from pre-pandemic numbers to 2022, the first year the practical exam was not required.

58. Describe any assessment the board has conducted on the impact of licensing delays.

The Board's processing times for examination applications is lower than it has ever been at 3-4 weeks. Often, applications are processed within days of receipt. Re-examination applications are often processed in 2-3 days. Regardless, the Board always looks for process improvements and discusses options on a regular basis.

59. Describe the board's efforts to work with schools to inform potential licensees of the licensing requirements and licensing process.

The Board's main contact with students in school are the industry trade shows. These trade shows are open to licensees and students and the promoters regularly provide the Board with an exhibitor booth at no cost. These shows are promoted to California barbering and cosmetology students and many come to the Board's booth and engage with staff. In addition, the Board offers to speak to students at schools. This allows Board representatives to explain the importance of health and safety in the industry to students prior to them entering the industry.

60. Describe any barriers to licensure and/or employment the board believes exist.

One of the most significant barriers to entry and employment is the apprentice program. As discussed in detail under section XXX as well as in the attachment XX, there is a lack of enforcement and responsibility by various entities that provide oversight of apprenticeship programs. As a result, individuals (often Spanish speaking) are being charged tuition for apprenticeships and then having to rent a booth in an establishment to gain their on-the-job training. The low passage rates for the program are a direct indicator that this is creating a barrier to employment. The Board has made several recommendations on how we believe the program can be strengthened.

61. Provide any workforce development data collected by the board, such as:

- a. Workforce Shortages
- b. Successful Training Programs

The Board does not collect data on workforce shortages or successful training programs.

62. What actions has the board taken to help reduce or eliminate inequities experienced by vulnerable communities, including low- and moderate-income communities, communities of color, and other marginalized communities, or otherwise avoid harming those communities?

In April 2023, the Board established its Diversity, Equity and Inclusion Committee. This committee developed information to be placed on the Board's website to promote DEI in the industry. The Board also makes regular social media posts to encourage DEI as well as recognizes and supports the diverse communities in California.

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63. Describe how the board is participating in development of online application and payment capability and any other secondary IT issues affecting the board.

- Is the board utilizing BreEZe? What Release was the board included in? What is the status of the board's change requests?

The Board was in release 1 for implementing BreEZe, which was in October 2013. The Board currently has 23 change requests that are in process. Each year, the Board has about 50 change requests that are implemented for BreEZe. We are always looking for ways to improve our processes, so we continue to submit change requests.

- If the board is not utilizing BreEZe, what is the board's plan for future IT needs? What discussions has the board had with DCA about IT needs and options? Is the board currently using a bridge or workaround system?

N/A

Section 9 – Board Action and Response to Prior Sunset Issues

Include the following:

- Background information concerning the issue as it pertains to the Board.
- Short discussion of recommendations made by the Committees during prior sunset review.
- What action the Board took in response to the recommendation or findings made under prior sunset review.
- Any recommendations the Board has for dealing with the issue, if appropriate.

1. (BOARD COMPOSITION) Does BBC's composition need to be updated?

Committee Staff Recommendation: The Committees should work with the BBC and the appointing authorities to determine how to best ensure diversity in perspective and broad representation among professional members appropriately reflect the beautification services industry.

Update: As a result of the Board's last sunset review, changes were made to the Board's composition which stated that each of the licensing categories under the Board shall have a designated seat. The Board currently has a member that represents cosmetologists, barbers, electrologists, estheticians, and manicurists. The Board currently has one vacant industry position for an establishment owner. This composition of the Board has been extremely beneficial as each member is able to provide their unique industry perspective to protect consumers.

2. (REGULATIONS) As an entity within the DCA organization, BBC is required to follow certain DCA-established processes to promulgate regulations. What is the current timeframe for BBC regulatory packages to be approved and finalized.

Committee Staff Recommendation: BBC should provide the Committees with an update on pending regulations and the current timeframes for regulatory packages. In addition, the BBC should inform the Committees of any achieved efficiencies in promulgating regulations in recent years.

Update: The Board has promulgated several regulatory packages since the last sunset review. Below is a chart that displays each regulatory package, when it was initiated, and the timeline for completion:

Topic	Start Date	Status
AB 2138 Substantial Relationship & Rehab Criteria	05/18/2019	Approved by OAL on 06/09/2021, Effective on 06/09/2021.
Personal Service Permit	02/12/2019	Approved by OAL on 07/23/2021, Effective on 10/01/2021.
Instructional Materials	02/11/2019	Approved by OAL on 09/20/2022, Effective on 01/01/2023.
Transfer of Credit	05/25/2018	Approved by OAL on 08/10/2023, Effective on 10/01/2023.
SB 803 Clean-Up	12/03/2021	Approved by OAL on 08/28/2024, Effective on 10/01/2024.
Technical Clean-up, Section 100	01/26/2024	Approved by OAL on 05/15/2025, Effective on 05/15/2025.
Pre-Apprentice Training	01/01/2022	Approved by OAL on 04/16/2025, Effective on 07/01/2025.
SB 1451 Hairstylist Licensing Fees	09/22/2024	Approved by OAL on 08/07/2025, Effective on 10/01/2025.

3. (PERSONNEL FLEXIBILITY) BBC is limited in its ability to make staffing changes in a budget year. Are updates necessary in order to ensure BBC can reorganize staff and respond to changes in its staffing structure?

Committee Staff Recommendation: The Act should be amended to provide BBC with flexibility to address staffing needs by striking this language.

Update: As part of the Board's last sunset review, amendments were made to the Act that allowed for more flexibility in the hiring of enforcement staff. Since then, the Board has been able to hire three special investigator positions. These positions have allowed for greater investigation of the Board's most egregious complaints. The Special Investigators handle all aspects of the consumer harm cases including interviewing the complainant and respondent and conducting inspections.

4. (MEDICAL PRACTICE) Are clarifications necessary to specify that BBC-regulated beautification services do not constitute the practice of medicine?

Committee Staff Recommendation: The Committees may wish to amend the Act to provide clear direction on the prohibition of BBC licenses providing medical services.

Update: As part of the Board's last sunset review, the Act was amended to clarify that Board licensees cannot perform or offer any service that is considered the practice of medicine. Since then, the Board has issued 646 citations for Board licensees offering or performing services that are considered the practice of medicine. The Board does not believe additional amendments are necessary.

5. (SCHOOLS AND STUDENT OVERSIGHT) BBC approves curriculum, facilities, equipment, and textbooks at schools offering training programs for eventual licensees. The issue of what appropriate role the BBC should play in school program approval has been raised in every recent prior sunset review and has been the subject of proposed legislation, legislative amendments, and legislative oversight hearings for over 10 years. What steps should be taken to ensure appropriate oversight of schools and student success?

Committee Staff Recommendation: BBC should again provide the Committees with an update on its current working relationship with the BPPE. The Committees may wish to explore providing BBC with additional resources from fees BBC-approved schools pay BPPE in order to support BBC's subject matter expertise and school approval efforts. The Committees may wish to take steps to enhance the Act so that BBC has the tools that it needs to maintain oversight of schools and promote student success. BBC should update the Committees on the workload and impacts of additional authority. BBC should advise the Committees if certain student populations and applicants are disproportionately impacted by fraudulent schools.

Update: The Board continues to believe that resources are needed to provide efficient oversight of barbering and cosmetology schools. The Board is required to approve new schools, curriculum, approve any additional course, approve space and equipment with no cost to schools. The Board requests that statutory changes be made to allow for an application and renewal fee for schools. The Board also requests statutory authority to cite and fine for an unapproved school.

The Board continues to receive information from the BPPE such as when the BPPE is performing compliance inspections and a monthly report on open complaints, however, the Board does not receive information on formal discipline or citations. In order to receive this vital information, the Board must search the BPPE website. The Board is required by BPC 7313 (b) to provide the BPPE with a copy of all inspections conducted at schools. The Board believes there should be a statutory requirement for the BPPE to provide the Board with formal discipline including accusations, final decisions, as well as citations. One main reason for this request is that the BPPE may issue a citation to an unapproved school, and an unapproved school is likely providing services to consumers, which is a significant risk to consumer safety. Board inspectors inspect schools on a regular basis. Since Board inspectors are in the field daily, they have firsthand knowledge of unapproved schools but are unable to take any action. The Board should be able to cite for an unapproved school.

If the Board is required to oversee schools, it should have the statutory authority to obtain the fees to support effective and efficient functions to protect consumers.

6. (AB5) What are the remaining implications for the BBC licensees in light of the passage of AB 5 and the clarity the bill provided as to how individuals providing beautification services should be classified for employment purposes?

Committee Staff Recommendation: BBC should provide an update on discussions at the board level, including feedback from interested parties like nail professional advocates, among others, received since the passage of AB 5. The Committees need to better understand the implications of a “booth renter” or “booth rental” permit on BBC and beautification services providers alike.

Update: On January 1, 2025, the exemption for licensed manicurists from the ABC test expired. As a result, a manicurist can no longer be an independent contractor. The ABC test states that the answer to each question must be YES in order to be considered an independent contractor:

- A. The worker is free from the control and direction of the hiring entity in connection with the performance of the work, both under the contract for the performance of the work and in fact;
- B. The worker performs work that is outside the usual course of the hiring entity’s business; **and**
- C. The worker is customarily engaged in an independently established trade, occupation, or business of the same nature as that involved in the work performed.

The Board issues licenses to an establishment regardless of the types of services that are performed, therefore, a manicurist will always perform services that are within the usual course of the hiring entity’s business. All other license types (barber, cosmetologist, esthetician, and electrologist) are exempt from the ABC test. While this subject does not impact the Board directly as the Board does not have authority to enforce labor laws, the Board believes that all licensees should be equally exempt and allowed to choose their own employment status. In November 2024, the Board made a statement at its Board meeting that all licensees should have the right to choose their own classification.

7. (SCOPE OF PRACTICE) The Act provides narrow exemptions for certain services and captures a wide variety of beautification practices that may not require the education and training necessary for licensure. While BBC has explored narrowing licensure categories to allow an individual to only practice one aspect of what is today considered the practice of barbering or the practice of cosmetology, questions remain about whether those steps are necessary to prevent consumer harm and whether an evaluation of risk to the public health is a more appropriate means by which to determine the practices that require licensure. Are changes necessary?

Committee Staff Recommendation: The Committees may wish to consider removing certain practices from the definition of barbering and cosmetology based on the evaluation of risk and an analysis of BBC enforcement data.

Update: The Board continues to disagree with breaking up the existing scope of practice of any regulated license types. The Board acknowledges that some believe a haircut and style does not pose a risk, and it is true that the physical risk may be less than a chemical service, however, the cost to a consumer is also a concern. While there are options to receive an inexpensive haircut, many consumers spend a minimum of \$50 for a simple haircut and this can go up to \$200. A consumer who is spending their money expecting a professional service should also have the confidence that they will be safe in receiving that service.

A simple shave from a barber poses the risk of infection including HIV, hepatitis B and C. A cosmetologist not following proper safety control can burn an individual's skin using professional heat tools. In addition, hair tools that have not been disinfected can cause the spread of lice and ringworm.

The Board inspects establishments to ensure they are following the proper infection control procedures. Changing the scope of practice would create a burdensome process for inspectors to determine what services are actually being provided by each individual in an establishment.

Barbering and cosmetology is regulated in every state for a reason. It poses a continual risk to all consumers who receive services, regardless of whether that risk is physical or financial, California consumers deserve to be protected.

8. (HOURS) What is the continues justification for individuals to complete so many hours of training in order to safely provide beautification services? Do current requirements and costs associated with training, benefit students and the public? Is an evaluation over risk ever part of the rationale for requiring so many hours?

Committee Staff Recommendation: It is important that future licensees receive training in key health and safety topics like infection control, sanitation standards, infection control, and basic labor laws. The committees may wish to decrease the amount of hours required for licensure in order to allow individuals a swifter path to completing necessary curriculum that will lead to safe beautification services practice. BBC should provide the Committees with demographic statistics, if available, about student populations most significantly impacted by the current requirements to complete so many hours. BBC should provide information to the Committees about the impact this change could have on licensure portability and the ability for California practitioners to easily become licensed in other states. BBC should provide information to the Committees about federal financial aid eligibility related to clock hour requirements.

Update: Prior sunset legislation, SB 803, reduced the hours in the barbering and cosmetology professions. Barbering was reduced from 1500 to 1000 hours and Cosmetology was reduced from 1600 to 1000 hours. The Board has received feedback from individuals that believe the hours are too low and employers must now spend more time training new licensees before providing services to consumers. Some schools and individuals, however, have stated that they have adapted to the reduced hours and are experiencing sufficient pass rates in the examinations.

The Board does not track demographics, nor does the Board track enrollments in schools. In addition, the Board is not involved in any type of financial aid.

9. (EXAMS) BBC required individuals seeking licensure as a barber, cosmetologist, esthetician, electrologist or a manicurist to take and pass both a written examination and a practical examination. BBC relies on NIC tests, the same tests utilized in 39 states. Is the national written exam the best means by which to evaluate licensee competency? Is the practical exam still necessary?

Committee Staff Recommendation: Strong consideration should be given to eliminating the practical examination. Board should provide the Committees an update on the NIC exam and whether it is necessary to maintain a contract for a national exam, or whether BBC on its own can better craft something to ensure basic minimal competency in the aspects of practice that actually impact consumers like those related to health and safety.

Update: The practical examination was eliminated on January 1, 2022. Many individuals within the industry regularly comment to the Board that they believe this examination is still needed as the industry is a hands-on profession, however, the passing rates for the examinations have improved over the years since the examination was eliminated. The Board also hears from establishment owners stating that individuals are not prepared to perform services on consumers when they enter the workforce and state that education has shifted to focus on theory and not practical operations.

The Board contracted with PSI on July 1, 2022, to offer a national exam to all license types. This examination is focused on infection control and disinfection and sanitation. The Board believes this exam is essential to ensuring that a new licensee will provide safe services. However, the Board believes there could be an additional requirement applied to approved schools that mandate a school not graduate a student unless they meet minimum practical standards. This may be accomplished by mandating schools to administer a practical examination prior to graduation.

10. (ENDORSEMENT) BBC offers licensure reciprocity to individuals licensed and in good standing in other states. It may no longer be necessary for current limitations on this type of recognition and amendments to the Act may allow individuals to become licensed more quickly.

Committee Staff Recommendation: The Committees may wish to amend the Act to streamline the process for licensure based on an individual's possession of a license in good standing from another state.

Update: Prior sunset legislation allowed for license to license across state lines. This has increased the number of reciprocity applications as seen below:

License Type	2019	2020	2021	2022	2023	2024	2025
Barber	116	64	81	116	112	229	132
Cosmetologist	944	618	750	896	1454	2207	1368
Electrologist	2	0	0	0	3	4	1
Esthetician	218	173	234	498	554	673	358
Manicurist	242	193	254	451	748	1079	526
Total	1,522	1,051	1,319	1,961	2,871	4,192	2,385*
*As of 7/1/2025							

The Board has found that this has also allowed for an increase in fraud. The Board has discovered several issues with the license-to-license processes and most importantly the possibility of an individual receiving a license with no education or never having taken an examination.

The Board believes that a statutory change is required to ensure that only individuals who have received education and have passed an examination testing minimal competency receive a license in California. The Board asks that an amendment be made to require that certification of licensure from other states include that the examination has been passed. This issue is discussed further in section 10 under New Issues.

11. (APPRENTICESHIPS AND EXTERNSHIPS) BBC allows individuals to obtain training toward licensure through an apprenticeship and externship. Examination passage rates for apprentices are not high and apprenticeship candidates may not have all of the information necessary in order to make an informed decision about this pathway. Externs are required to comply with a number of standards when working in an establishment as a student. Are changes necessary to ensure future licensees are provided fair opportunities through these pathways?

Committee Staff Recommendation: The Committees may wish to enhance oversight of apprenticeships and provide opportunities for future applicants to more easily access this training option by allowing BBC to establish a course necessary for apprentices to complete in order to become licensed and practice throughout their apprenticeship.

Update: The Board developed a pre-apprentice training course on basic patron protection that was implemented on July 1, 2025. In the last several years, the Board has launched several investigations into excessive fraud within the apprenticeship

program. The Board has been discussing these issues at public board meetings as well as establishing an apprentice task force.

Due to the enormous amount of information that the Board believes is pertinent to the sunset review, this subject is discussed in detail under section 10. The Board is hopeful that the legislature will make significant statutory changes to allow the program to continue but remove the fraud and lack of education that apprentices are subject to.

12. (PSP) BBC has worked the past number of years to implement a personal service permit to authorize licensees to have the flexibility in where they offer beautification services. Amendments to the Act may be necessary to recognize this option for licensees.

Committee Staff Recommendation: BBC should provide the Committees an update on the status of the PSP and when it is expected to be implemented. The Committees may wish to determine whether all services outlined in the PSP are necessary or whether individuals can safely perform some without obtaining a PSP if they are low risk to a consumer. BBC should inform the Committees whether statutory changes are necessary and provide amendments to the Act to implement the PSP.

Update: The Board implemented the PSP on October 1, 2021, since then 265 permits have been issued. The Board does not believe any changes are necessary to the current PSP authority.

13. (MOBILE UNITS) Services can be provided in a licensed "mobile unit" but the standards for these may be outdated and updates may be necessary.

Committee Staff Recommendation: The Committees may wish to amend the Act to remove unnecessary barriers to mobile unit licensure.

Update: Prior sunset legislation, SB 803, was enacted to update the requirements for mobile units. Since January 1, 2022, the Board has issued 41 new Mobile Unit licenses. The Board believes the updated language allowed this business option to be more accessible to individuals.

14. (CITATIONS) A BBC inspection is more likely than not to result in at least some type of citation. The majority of citations are appealed and individuals flood BBC's Disciplinary Review Committee (DRC) hearings. BBC has explored offering remedial education in lieu of fines, as licensees and licensee advocates have long argued that individuals receiving citations for violations, they were never even aware of. Does the DRC still make sense? Should the BBC update its cite and fine efforts to ensure that individuals are cited for violations impacting consumer safety that the licensee is actually aware of?

Committee Staff Recommendation: BBC should provide the Committees about the types of citations and fines issued that stem from potential consumer harm and whether those should be eligible for appeal. The Committees should evaluate whether the DRC remains necessary or if instead the Board should be required to update its administrative fine schedule to be relevant to the intended purpose of preventing the public.

Update: The Board has been reviewing its administrative fine schedule to ensure that the fines are an appropriate deterrent to prevent violations. The Board has changed its internal processes to gain compliance from licensees. This includes re-training inspectors on when to cite violations during the inspections and citation analysts on how to apply fines to the most egregious violations. For example, if an inspector enters an establishment and only observes a violation of a cabinet of clean towels not being closed, they will simply educate the licensee on the proper storage of linens. Additionally, a citation analyst will review the licensee history and if it is the first time an individual has been cited for a non-egregious violation, the analyst will issue the citation but without a monetary fine.

These internal processes have decreased the workload for the DRC. For example, in 2019 the Board held 9 DRC meetings, however in 2024, there were only 3 DRC meetings. In addition, the Board implemented a mobile inspection platform on November 12, 2024. This new process allows the final inspection report to be immediately emailed to a licensee with the photographs of the violations. The Board believes this will likely reduce the number of appeals as licensees will have the evidence of violations immediately.

The Board will continue to review its administrative fine schedule as well as its workload for the DRC to ensure that the most egregious violations are strictly upheld. The Board believes that the DRC should remain as a licensee must have the right to appeal a citation and even with the reduced number of hearings, this committee is the proper avenue to handle these appeals.

15. (LICENSEE IN CHARGE) BBC proposed establishing a "licensee in charge" designation. Is the intent to further consumer protection laws or absolve establishment owners from accountability for the actions in a particular establishment.
Committee Staff Recommendation: BBC should provide information to the Committees as to whether this model will benefit establishment or the public.

Update: The Board maintains that there should be a licensee in charge of the establishment. That licensee should be someone who holds a personal license or be the establishment owner. During the last sunset review, the Board asked for statutory language to clarify who can be a licensee in charge. While this language was not included in the sunset language, the Board still believes the following language should be adopted:

BPC section 7348:

An establishment shall at all times that barbering, cosmetology, esthetic, manicuring or electrology, hairstyling services are being performed be in the charge of a person licensed pursuant to this chapter except an apprentice. A person licensed pursuant to this chapter means an individual who holds a cosmetologist, barber, esthetician, manicurist, electrologist, hairstylist or establishment license.

16. (MANDATORY INSPECTION FOLLOWING LICENSURE) Is it feasible for BBC to be required to inspect every newly licensed establishment within 90 days of licensure?

Committee Staff Recommendation: In order to ensure that the BBC inspection activity is focused on maintaining public, licensee, and consumer health and safety, the Committee should amend the Act to allow BBC to focus its inspection on consumer harm.

Update: Prior sunset legislation, SB 803, removed the requirement for the Board to inspect an establishment immediately. The Board agreed with this change as new establishments do not tend to have significant violations. The Board has not seen any concerns or increase in harm with this change.

17. (WHAT EFFECTS HAS THE COVID-19 PANDEMIC HAD ON BBC?) Since March 2020, there have been a number of waivers issued through Executive Order which impact licensees and future licensees alike. Are any of the waivers applicable to BBC? Do any waivers warrant extension or statutory changes? What is BBC doing to address the pandemic?

Committee Staff Recommendation: BBC should update the Committees on the impact to licensees and the public stemming from the pandemic and the potential future challenges. The BBC should update the Committees on any recommendations from the last Health and Safety Committee Meeting.

Update: The Board reported during the last sunset review that the Health and Safety Advisory Committee reviewed health and safety regulations to determine any necessary changes as a result of the pandemic. The Board has strong regulations already in place that are intended to prevent cross-contamination or the spreading of viruses. For example, the Board requires handwashing between clients, disinfection of tools, maintaining a clean environment for services, etc. Now that the pandemic has passed, the Board believes the impact has diminished and current regulations are valid for any future events.

18. (TECHNICAL CHANGES MAY IMPROVE EFFECTIVENESS OF THE ACT AND BBC OPERATIONS) There are amendments to the Act that are technical in nature but may improve BBC operations and enforcement of the Barbering and Cosmetology Act.

Committee Staff Recommendation: The Committees may wish to amend the Act to include technical clarifications.

Update: The last sunset review included technical changes to allow the Health and Safety Advisory Committee members to receive per diem and this provision has been fully implemented.

19. (CONTINUED REGULATION BY THE BOARD OF BARBERING AND COSMETOLOGY) Should the licensing and regulation of individuals providing beautification services and beautification services establishments be continued and be regulated by the current BBC membership?

Committee Staff Recommendation: BBC should be continued, to be reviewed again on a future date to be determined, however the Committees should consider making significant modifications to the Act aimed at reducing barriers to entry in the beautification services industry.

Update: During the last sunset review, the Board saw some of the most significant modifications to the Act. These changes have reduced barriers to entry to the industry, as evident by the number of applications for new licenses. In 2019 (pre-pandemic) the Board received 22,345 initial exam applications, compared to 2024 where the Board received 32,436 initial exam applications.

As described in section 1 of this report, the industry is drastically changing, and these changes pose more and more risks to consumer. As such, the Board believes that continued oversight of the industry is essential to protecting California consumers.

Section 10 – New Issues

This is the opportunity for the Board to inform the Committees of solutions to issues identified by the Board and by the Committees. Provide a short discussion of each of the outstanding issues, and the Board's recommendation for action that could be taken by the Board, by DCA or by the Legislature to resolve these issues (i.e., policy direction, budget changes, and legislative changes) for each of the following:

- Issues raised under prior Sunset Review that have not been addressed.
- New issues identified by the Board in this report.
- New issues not previously discussed in this report.
- New issues raised by the Committees.

1. Oversight of Schools

Discussion

The Board shares oversight of barbering and cosmetology schools with the Bureau for Private and Postsecondary Education (BPPE), both having statutory authority to approve schools as a legal condition for them to operate. The Board's oversight is limited to:

- Approval of the curriculum.
- Approval of the facility, including square footage and equipment.
- Ensuring health and safety laws and regulations are followed within the school to protect consumers.

The Board completes its mandate by reviewing and approving initial school applications, conducting initial inspections prior to approval, and conducting routine inspections. A school is not required to renew their approval, although the Board may revoke their approval, and approved schools do not pay an application fee to the Board.

In addition to the review and approval of a new school application, the Board also provides schools with their pass/fail rates on a quarterly basis. This information is needed for schools to maintain their accreditation status.

The Board also receives various applications for schools, such as adding or removing a course, updating the authorized personnel, and updating the school contact information. These changes do not have a processing fee.

The Board has limited authority regarding enforcement. Business and Professions Code section 7313(b) states that: "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 limits the Board's authority to protecting the public who may patronize a school for services. However, the Board often receives complaints alleging a school is selling hours and producing fraudulent Proof of Training documents (a Board-required document that is for examination admittance). For the Board to properly investigate these allegations, increased authority is necessary.

The Board is also mandated to share information with the Bureau for Private and Postsecondary Education (BPPE), specifically BPC section 7313 (b) requires any notice of violation issued by the Board to be provided to the BPPE. However, the BPPE has no such reciprocal requirement to share information with the Board. The BPPE has the authority to issue a citation to an unlicensed school, but the Board does not. There is a significant threat to consumer safety if an unapproved school is offering services to consumers, however, the Board is not informed by the BPPE when a citation or formal discipline is issued.

Legislative Request

Amend BPC section 7313(b):

To ensure compliance with all requirements set forth by this chapter and any regulations pertaining to the operation of approved schools ~~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.

Amend BPC section 7362:

(a) A school approved by the Board is one that is first approved by the Board and subsequently approved by the Bureau for Private Postsecondary Education or is a public school in this state and provides a course of instruction approved by the board. However, notwithstanding any other law, both the board and the Bureau for Private Postsecondary Education may simultaneously process a school's application for approval.

(b) Any person, firm, or corporation desiring to operate a school shall make an application to the Board for a license accompanied by the fee prescribed by this chapter. The application shall be required whether the person, firm, or corporation is operating a new school or obtaining ownership of an existing school. The applicant, if an individual, or each officer, director, and partner, if the applicant is other than an individual, shall not have committed acts or crimes which are grounds for denial of licensure in effect at the time the new application is submitted pursuant to Section 480. An approval issued pursuant to this section shall authorize the operation of the school only at the location for which the approval is issued.

(c) (b) Notwithstanding any other law, the Board may revoke, suspend, or deny approval of a school, in a proceeding 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 an owner or employee of the school has engaged in any of the acts specified in paragraphs (1) to (8), inclusive.

Add section 7425.1 Fee:

The amounts of the fees payable under this chapter relating to approval of barbering, cosmetology and electrology schools are as follows:

(a) The application and initial approval fee shall not be more than two-hundred fifty dollars (\$250).

(b) The renewal fee shall not be more than two-hundred fifty dollars (\$250).

Amend BPC:

To require the BPPE provide notice of citations and formal discipline to the Board.

2. Licensure by Endorsement

Discussion

Business and Professions Code section 7331 allows the Board to issue a license to an individual who holds a valid license in another state. An individual must request a license certification from their state and that certification is provided to the Board directly from the licensing state. In recent months, the Board has been working with multiple states on addressing fraud in the industry. One area of concern is that individuals are submitting fraudulent records to other states, obtaining a license and then transferring that license to California. It is believed that these individuals are doing this to circumvent taking the minimal competency examination.

Failure to ensure that an individual meets the competency requirements places California consumers at risk of harm. To ensure consumer safety, proof of an examination from a U.S. state or territory should be required.

Legislative Request

Amend section 7331:

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 all of the following requirements:
 - (1) It is not revoked, suspended, or otherwise restricted.
 - (2) It is in good standing.
 - (3) Date that the licensure examination was passed in the initial issuing state or territory.

3. Oversight of Apprenticeship Programs

Discussion

The apprenticeship program in the barbering and cosmetology industry is one area that needs significant changes. The Board has been researching and investigating several aspects of the program for the last few years and has determined that for the program to be successful, there must be changes on how the program is regulated.

Attachment **XXX** is a detailed report that the Board has been working on throughout 2025. This report shows the shortfalls of the apprentice program that are ultimately impacting individuals who choose the apprentice pathway. The Board's legislative requests are summarized below and explained in detail in the attachment. Many of these legislative requests are already required under other State laws (labor code, education code) however, the Board believes that having it within the BPC will allow the Board to increase enforcement in order to protect apprentices from being taken advantage of.

Legislative Request (Summary)

Clarify that an apprentice must be an employee and that proof such as paycheck stubs must be submitted to the Board upon request.

Establish an initial fee and renewal fee, along with requirements for the approval of program sponsors.

State that a program sponsor cannot franchise, sponsor, affiliate or loan their approval to a separate business entity.

Clarify that an apprentice must only enroll with an approved program sponsor.

Establishments employing an apprentice must offer all services within the scope of practice of the apprentice.

Establishments must maintain workers compensation insurance the entire time the apprentice is employed and make proof available upon request.

Establish a formal disciplinary process for the enforcement of program sponsors who violate the laws and regulations of the board.

Establish a process where an establishment who is in violation of the Board's laws and regulations is prevented from having an apprentice within their establishment for a specified number of years.

Establish a process where a licensee who is serving as a trainer to an apprentice who violates the Board's laws and regulations is prevented from having an apprentice for a specified number of years.

Establish a fee for the maintenance work done for the apprenticeship program (transfers, cancellations, etc.)

4. Establishing Combined License Types for Barber/Cosmo and Mani/Esti

Discussion

On January 1, 2022, SB 803 was enacted, which made improvements in reducing the barriers to entry into the barbering and cosmetology professions. These changes reduced the number of hours required to be completed at an approved school to qualify for the examinations.

The Board has recently seen an increase in individuals who wish to hold multiple licenses. Most common is holding both a manicuring and esthetic license, however, the Board has also seen an increase in individuals that want to hold a barber and a cosmetology license. To obtain both licenses, an individual must re-enroll in an approved school and complete additional hours and apply and pass the examination.

The Board currently has 23,061 individuals who hold both a manicuring and esthetic license and 5,033 individuals who hold both a barber and cosmetology license. The Board believes this trend will only increase as manicurists and barbers want to perform waxing services and cosmetologists want to provide beard grooming services.

Other states are already offering combined programs:

- Alabama and Texas both have a manicuring/esthetic license.
- Iowa and Utah both have a cosmetology/barber license.
- Florida offers a specialist registration that combines skin care and nail care.

Creating a combined license will allow an individual to attend school once, apply and take one examination, and obtain one license.

Legislative Request

Add section 7327. Qualification for Admittance to Take Barber/Cosmetologist Exam

The Board shall admit to the examination for a license as a barber/cosmetologist to practice both barbering and cosmetology, any person who has made application to the board in proper form, paid the fee required by this chapter, and is qualified as follows:

- (a) Is not less than 17 years of age.
- (b) Has completed the 10th grade in the public schools of this state or its equivalent.
- (c) Is not subject to denial pursuant to Section 480.
- (d) Has done any of the following:
 - (1) Completed a course in barbering/cosmetology from a school approved by the Board.
 - (2) Practiced barbering and cosmetology as defined in this chapter outside of this state for a period of time equivalent to the study and training of a qualified person who has completed a course in barbering/cosmetology from a school the curriculum of which complied with requirements adopted by the board. Each three months of practice shall be deemed the equivalent of 100 hours of training for qualification under paragraph (1) of this subdivision.

Add section 7328. Qualification for Admittance to Take Manicurist/Esthetician Exam

The Board shall admit to examination for a license as a manicurist/esthetician to practice nail care and skin care, any person who has made application to the board in proper form, paid the fee required by this chapter, and is qualified as follows:

- (a) Is not less than 17 years of age.
- (b) Has completed the 10th grade in the public schools of this state or its equivalent.
- (c) Is not subject to denial pursuant to Section 480.
- (d) Has done any of the following:
 - (1) Completed a course in manicuring/esthetics from a school approved by the board.
 - (2) Practiced nail care and skin care, as defined in this chapter, outside of this state for a period of time equivalent to the study and training of a qualified person who has completed a course in nail care from a school the curriculum of which complied with requirements adopted by the board. Each three months of practice shall be deemed the equivalent of 100 hours of training for qualification under paragraph (1).

Add section 7366.1: Barber/Cosmetologist; Hours of Practical Training

- (a) A course combined of barbering and cosmetology established by a school shall consist of not less than 1,400 hours of practical and technical instruction in the practice of both barbering and cosmetology
- (b) The curriculum for a combined barbering/cosmetology course shall, at a minimum, include technical and practical instruction in the following areas:
 - (1) One hundred hours in health and safety, which includes hazardous substances, chemical safety, safety data sheets, protection from hazardous chemicals, preventing

chemical injuries, health and safety laws and regulations, and preventing communicable diseases.

(2) One hundred hours in disinfection and sanitation, which includes disinfection procedures to protect the health and safety of consumers as well as the technician and proper disinfection procedures for equipment used in establishments.

(3) (A) Two hundred hours in chemical hair services, which includes coloring, straightening, waving, bleaching, hair analysis, predisposition and strand tests, safety precautions, formula mixing, and the use of dye removers.

(B) Instruction in chemical hair services shall include instruction regarding the provision of services to individuals with all hair types and textures, including, but not limited to, various curl or wave patterns, hair strand thicknesses, and volumes of hair.

(4) (A) Two hundred hours in hairstyling services, which includes arranging, blow drying, cleansing, curling, dressing, hair analysis, shampooing, waving, and nonchemical straightening, and hair cutting, including the use of shears, razors, electrical clippers and trimmers, and thinning shears, for wet and dry cutting.

(B) Instruction in hairstyling services shall include instruction regarding the provision of services to individuals with all hair types and textures, including, but not limited to, various curl or wave patterns, hair strand thicknesses, and volumes of hair.

(5) Two hundred hours in shaving and trimming of the beard, which includes preparing the client's hair for shaving, assessing the condition of the client's skin, performing shaving techniques, applying aftershave antiseptic following facial services, and massaging the face and rolling cream massages.

(6) One hundred fifty hours in skin care services, which includes chemical and manual facials and massaging, stimulating, exfoliating, cleansing, or beautifying the face, scalp, neck, or body by the use of hands, esthetic devices, cosmetic products, antiseptics, lotions, tonics, or creams that do not result in the ablation or destruction of the live tissue.

(7) Fifty hours in hair removal and lash and brow beautification, which includes tinting and perming eyelashes and brows and applying eyelashes to any person, and includes removing superfluous hair from the body of any person by use of depilatories, tweezers, sugaring, nonprescription chemicals, or waxing, or by the use of devices and appliances of any kind or description, except by the use of lasers or light waves, which are commonly known as rays.

(8) One hundred hours in manicure and pedicure, which includes water and oil manicures, hand and arm massage, foot and ankle massage, nail analysis, and artificial nail services, including, but not limited to, acrylic, liquid and powder brush-ons, dip, tips, wraps, and repairs.

Add section 7366.2: Esthetics/Manicuring; Hours of Practical Training

(a) A combined course in skin care and nail care established by a school shall consist of not less than 800 hours of practical and technical instruction.

(b) The curriculum for a skin care course shall, at a minimum, include technical and practical instruction in the following areas:

(1) One hundred hours in health and safety, which includes hazardous substances, chemical safety, safety data sheets, protection from hazardous chemicals, preventing

chemical injuries, health and safety laws and regulations, and preventing communicable diseases.

(2) One hundred hours in disinfection and sanitation, which includes disinfection procedures to protect the health and safety of consumers as well as the technician and proper disinfection procedures for equipment used in establishments.

(3) Three hundred fifty hours in skin care, which includes chemical and manual facials and massaging, stimulating, exfoliating, cleansing, or beautifying the face, scalp, neck, or body by the use of hands, esthetic devices, cosmetic products, antiseptics, lotions, tonics, or creams that do not result in the ablation or destruction of the live tissue.

(4) Fifty hours in hair removal and lash and brow beautification, which includes tinting and perming eyelashes and brows and applying eyelashes to any person and includes removing superfluous hair from the body of any person by use of depilatories, tweezers, sugaring, nonprescription chemicals, or waxing, or by the use of devices and appliances of any kind or description, except by the use of lasers or light waves, which are commonly known as rays.

(5) One hundred fifty hours in manicure and pedicure, which includes water and oil manicures, hand and arm massage, complete pedicures, foot and ankle massage, nail analysis, nail repairs, and application of artificial nails, liquid, gel, powder brush-ons, dip, nail tips, and wraps.

Amend section 7423 to add:

(j) (1) A barber/cosmetology application and examination fee shall be the actual cost to the Board for developing, purchasing, grading, and administering the examination.

(2) A barber/cosmetology initial license fee shall be not more than fifty dollars (\$50).

(k) (1) A manicuring/esthetics application and examination fee shall be the actual cost to the board for developing, purchasing, grading, and administering the examination.

(2) A manicuring/esthetic initial license fee shall be not more than fifty dollars (\$50).

(j) Notwithstanding Section 163.5 the license renewal delinquency fee shall be 50 percent of the renewal fee in effect on the date of renewal.

5. Limited Liability Companies

Discussion

The Board has historically issued establishment licenses to Limited Liability Companies (LLC's); however, current statute is not clear if this business structure is allowed. The Board has not experienced any concerns in the past with LLCs holding an establishment license and has determined that other Boards/Bureaus currently allow LLCs to hold a business license.

In addition, the Board also issues establishment licenses to formally established partnerships.

Legislative Request

Amend section 7347 as follows:

- (a) Any person, firm, partnership, limited liability company or corporation desiring to operate an establishment shall make an application to the Board for a license accompanied by the fee prescribed by this chapter. The application shall be required whether the person, firm, partnership, limited liability company or corporation is operating a new establishment or obtaining ownership of an existing establishment. The application shall include a signed acknowledgment that the applicant understands that establishments are responsible for compliance with any applicable labor laws of the state and that the applicant understands the informational materials on basic labor laws, as specified in Section 7314.3, the applicant is provided by the board with the application. Every electronic application to renew a license shall include a signed acknowledgment that the renewal applicant understands that establishments are responsible for compliance with any applicable labor laws of the state and that the applicant understands the informational materials on basic labor laws, as specified in Section 7314.3, that the renewal applicant is provided by the Board with the renewal application. If the applicant is obtaining ownership of an existing establishment, the Board may establish the fee in an amount less than the fee prescribed by this chapter. The applicant, if an individual, or each officer, director, and partner, if the applicant is other than an individual, shall not have committed acts or crimes which are grounds for denial of licensure in effect at the time the new application is submitted pursuant to Section 480. A license issued pursuant to this section shall authorize the operation of the establishment only at the location for which the license is issued. Operation of the establishment at any other location shall be unlawful unless a license for the new location has been obtained upon compliance with this section, applicable to the issuance of a license in the first instance.
- (b) The amendments made to this section by the act adding this subdivision shall become operative on July 1, 2017.

6. Remedial Education Clean-Up

Discussion

On January 1, 2024, SB 384 was enacted, which allowed the Board to establish a remedial education program in lieu of a first offense of a health and safety violation. During the implementation process, the Board determined that clean-up language would establish a process that is more user-friendly and cost-effective.

Current language states that the remedial education will be "Board-offered". This prevents the Board from working with an outside vendor to establish a remedial program that would be less costly to an individual.

Legislative Request

Amend section 7407.1(b)(1) as follows:

- (c) (1) The Board shall establish by regulation a ~~board-offered~~ Board-approved remedial education program, in lieu of a first offense of a health and safety violation.

Board of Barbering and Cosmetology
Report on the Status of the Apprenticeship Program
DRAFT REPORT 10-2025

The Board of Barbering and Cosmetology (Board) offers an apprenticeship 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 apprenticeship program as well as several entities that provide oversight.

Throughout the past several years, the Board has seen significant issues develop within the apprenticeship 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
- Lack of Enforcement
- 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 Apprenticeship 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 Apprenticeship 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 application fee or renewal fee 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 Program 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 journeyman 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 Program Sponsor must be approved by both the Board and the DAS in order to allow an apprentice to qualify for the examination.

Apprentice Task Force:

In June 2025, the Board established a task force to provide feedback on the current issues facing the apprenticeship program. The task force consisted of:

Board Members
Board Staff
3 Approved Program Sponsors
3 Local Education Agencies
1 Licensee/Owner (Past Apprentice)

The task force held two meetings and discussed the issues presented in this report.

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.

Task Force Discussion

The task force brought up several concerns when they discussed charges to an apprentice. The programs that were part of the task force have a range of fees, however, they explained why some of these fees were valid. For example, an apprenticeship program is responsible for providing a physical location for the related training to take place. They also employ staff to handle the necessary paperwork and employ instructors. For a program to operate, they must charge a fee to cover their rent, salaries and any overhead.

The task force discussed several options on how to limit the amount of money an apprentice can be charged. However, the concern of establishing a limit can cause future issues. A program may grow requiring higher fees or a small program may charge a higher amount when not needed.

Recommendation:

Apprenticeship programs are not intended to have a fee for the apprentice. A reasonable fee would be for the required items that are needed to complete the training and job skills. For example, a barber or cosmetology kit is usually \$300-\$500. This is what an apprentice should be expected to pay.

#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)

Task Force Discussion

The task force discussed the length of the apprentice program may be too long and impacting the pass rates. Currently, an apprentice must complete 3,200 hours in a two-year period. The task force stated that often the apprentice is ready to take their exam much earlier and are required to take their examination long after their theory education is over. The task force agreed that reducing an apprenticeship program to 2,000 hours may help pass rates improve. This is the minimum required hours by the DAS and the federal minimum as well.

#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 location 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.

Task Force Discussion

The task force believes that the issue of franchising out training facilities is a problem. Most members agreed that the Board should establish a statute that prohibits this activity. Some LEA's have taken their own steps in no longer allowing this structure however some LEA's continue to approve multiple training facilities. Then these facilities begin operating as an approved program.

#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.

Task Force Discussion

The task force discussed that there are no consequences for a trainer or establishment owner who has violated the laws and regulations of the apprenticeship program. The task force agreed with strengthening laws to hold trainers and establishment owners responsible for participation on the program.

#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 Program 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 taken.

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.

Task Force Discussion

The task force agreed that the Board should propose statutory changes that require the apprentice to be an employee and not a booth renter and require worker's compensation insurance to be maintained the entire duration of the apprentice's employment and provide proof of insurance upon request. It was discussed that establishments are obtaining workers compensation insurance but cancelling the policy after they have shown proof of obtaining it.

#7 Lack of Enforcement

In the review of the apprentice program, it appears there is an overall lack of enforcement. While multiple agencies play a role in oversight of apprenticeships, there is little to no enforcement by any other agency. Often, the Board is citing apprentices for violations that ultimately are not their fault. For example, an apprentice is subject to a \$1,000 fine if found to be working in an establishment without their trainer.

As described under issue number 8, the Board is dedicating significant resources to addressing the fraud that has taken place in the program. The Board has issued 15 Notices to Show Cause with one resulting in an appeal hearing with a Deputy Attorney General and an Administrative Law Judge. The Board currently has 9 open investigations on apprentice programs.

The Board has issued XXX Notices to Show Cause with two requiring a hearing before an ALJ and the Board being represented by a Deputy Attorney General. The average amount of costs for this process is \$10,000 per hearing.

The DAS and the LEA's do not appear to have an enforcement component to the oversight of apprenticeships and often rely on the Board's activities to take action.

#8 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%)

Task Force Discussion

As noted under item 2, one area that the task forces discussed is the length of the apprentice program. The Board currently requires 3,200 hours (which is a two-year license). Task force members brought up that apprentices are ready to test earlier in their program but due to the required length are often not prepared for the examination. The DAS requires an apprentice program be a minimum of 2,000 hours. Task force members believed reducing the hours could increase the success of the program.

#9 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.

Statutory Recommendations to be Requested via the Board's Sunset Report

- Clearly state that an apprentice is an employee (paid via a W-2) who must earn an hourly wage and cannot be a booth renter or be compensated only by commission.
- Establish a process for the review and approval of new Program Sponsors including an initial application and renewal fee.
 - ✓ State that an approved program can only utilize one LEA.
 - ✓ State that all approved programs must be within 60 miles of their LEA.
 - ✓ Require Program Sponsors to have all related training locations approved by the Board and the Board must always have a list of current locations.
 - ✓ Require a Program Sponsor to be approved to teach in multiple languages.
 - ✓ Approved programs must hold committee meetings on a quarterly basis and include the Board, DAS and the LEA.
 - ✓ State that approved Program Sponsors must maintain OJT logs with daily activities and make them available upon request of the Board.
- An approved Program Sponsor cannot franchise, sponsor or in any way share their approval.
- All enrollments in the apprentice program must be between the approved Program Sponsor and the apprentice.
- Establishments employing apprentices must offer all services within the scope of practice.
- Establishments must maintain worker's compensation insurance for the entire time an apprentice is employed and must provide the Board proof of insurance upon request.
- Establish a formal disciplinary process for enforcement of Program Sponsors including the option to suspend new enrollments if violations are found.
- Establish a fee for the maintenance transactions (transfers, discontinuances).

- Establish a process where if a trainer is in violation of the apprenticeship program (i.e. not completing proper OJT logs, leaving the apprentice to work alone) they are no longer able to serve as a trainer for a specified amount of time.
- Establish a process where if an employer (establishment) who is in violation of the apprentice laws (no workers compensation, allowing for booth rent, allowing the apprentice to work alone) is no longer able to have an apprentice within the establishment for a specified amount of time.



MEMORANDUM

DATE	October 13, 2025
TO	Members, Board of Barbering and Cosmetology
FROM	Kristy Underwood, Executive Officer
SUBJECT	Review, Discussion, and Possible Action on Re-Establishing a Practical Exam

Background

As a result of the last sunset review, the Board of Barbering and Cosmetology's practical examination was eliminated. Senate Bill (SB) 803 (Roth, Chapter 648, signed by Governor Newsom on October 7, 2021) eliminated the practical examination.

On May 25, 2021, SB 803 was heard on the Senate Floor and the following is what was provided in the Senate analysis:

Exams. As with many professions, the COVID-19 pandemic had a significant impact on testing access for applicants for licensure. Due to the emergency stay at home orders, BBC testing centers were required to pause examinations. Prior to SB 803 Page 6 the pandemic, the daily number of candidates examined by BBC was 64 candidates at the Fairfield site and 96 candidates at the Glendale site. In order to maintain social distancing, BBC is now examining 36 candidates daily at the Fairfield site and 64 at the Glendale site. It is unclear the total number of individuals who were impacted by the closure, or what BBC's current testing backlog is.

A number of states have taken steps to ease the licensing process by eliminating a hands-on practical examination. Iowa does not require a practical examination for licensees other than barbers. Kansas is transitioning to a written practical exam. Pennsylvania eliminated a practical exam in 2014 and requires skills demonstrated by answering questions in a written exam. Arkansas eliminated both the practical and written examination in 2017 and requires schools to test competency. Minnesota also requires an exam at the school level. Tennessee is moving to requiring a virtual practical exam. Maine, Delaware, and Wyoming are considering a written practical exam. South Dakota eliminated the requirement for an individual to complete a practical exam as a result of the pandemic and may consider implementing a written practical exam.

In addition to the cost burdens for individuals to take BBC-required tests, the practical exam does not cover any aspect of practice that a licensee is actually cited for during an inspection. An individual has to demonstrate in the practical exam that they can properly throw away sheets used during a perm but does not ever have to demonstrate that they know how to display their license, the most common reason someone receives a citation. Individuals are cited for leaving hair in shampooing basins or errant hair remaining on scissors and combs that inspectors identify and take photos of, yet at no point in the practical examination do they need to show they can properly clean and disinfect equipment. Some individuals, despite the amount of time they spend in school, may still not be successful at performing beautification services to the level that consumers desire, such as a stylist who provides bad haircuts regardless of the amount of training received. While that same individual has to show a proctor during a practical exam that they can position foils on the hair for a highlight treatment that are a certain amount of space away from an individual's scalp, no inspection ever reviews any aspect of practice. The examination does not even assess whether an individual can properly mix disinfectant. Yet it is this exam that the Act specifies prevails over written tests that actually require someone to demonstrate knowledge about health and safety issues. The practical examination is another step of many toward the end goal of licensure but there is no requirement for individuals to show that they can control infections or uphold sanitation protocols, key aspects of maintaining health and safety standards.

During the Board's prior sunset review, the practical examination was discussed as issue #9.

ISSUE #9: (EXAMS) BBC requires individuals seeking licensure as a barber, cosmetologist, esthetician, electrologists, or a manicurist to take and pass both a written examination and a practical examination. BBC relies on NIC tests, the same tests utilized in 39 states. Is the national written exam the best means by which to evaluate licensee competency? Is the practical exam still necessary?

Background: In order to obtain a license from the BBC, applicants are required to take and pass both a written examination and a practical examination. BPC Section 7338 specifies that examinations must be "limited to clearly job-related questions, activities, and practical services. Examinations shall also include written tests in antisepsis, disinfection, sanitation, the use of mechanical apparatus and electricity as applicable to the practice of barbering, cosmetology, or electrolysis."

Typically, applicants take both the written and practical examinations in one day but may also take the written examination at a separate PSI testing center, located throughout the state, then take the practical examination at one of the two facilities in the state. As soon as an applicant passes both portions of the examination, they can be issued a license immediately. BBC reports in its 2018 Sunset Review Report that it annually administers approximately 23,000 practical examinations and 26,000 written examinations (initial and retake examinees).

Both the written and practical examinations BBC uses are developed by the National Interstate Council of Board of Cosmetology (NIC). BBC adopted the NIC written examination in 2009 and the NIC practical examination in 2011. According to the NIC, approximately 39 states utilize both a practical and written examination administered by the

NIC. Usage of the written and practical examinations has been an issue discussed during each of BBC's prior sunset reviews, including discussion about the low passage rate for applicants who take the examination in Spanish. BBC notes again that "The Spanish pass rate for the written examinations continues to be low. The Board has researched several potential causes of the low pass rate but has not found a significant, identifiable cause. While the cosmetology Spanish pass rate has increased from 29% in FY 2013/2014 to 45% in FY 2017/2018, this is still a low passage rate that causes the Board concern."

The written test is typically multiple-choice and varies in number of questions based on the type of license an individual is seeking. For the practical examination, applicants are required to demonstrate certain services in person while an exam proctor watches their technique and process. According to BBC, the esthetician, manicurist and electrologist examinations take two hours or less, and the barber and cosmetologist examinations take four hours or less. According to the NIC's examination information for cosmetologists, the practical examination tests applicants on industry services such as client protections (disinfecting work areas, disposal of soiled materials), haircutting, thermal curling, chemical waving, hair lightening and color retouch, and blow styling, among others. These skills are demonstrated on a mannequin head or hand. If an individual meets certain requirements the BBC will authorize the use of an interpreter. A form must be filled out and approved prior to allowance for the practical examination. Individuals must provide their own mannequin heads or hands, and there are companies that specifically rent practical exam "kits" to applicants, the cost for which is typically around \$200. This cost is in addition to the \$125 examination fee. Kits are marketed to students as ready to go, containing the supplies and equipment needed to complete the examination. Kit rental companies are private businesses not affiliated with BBC. These companies also offer test preparation, creating a whole cottage industry related to the examination that does not appear to be connected to assessing competency. BBC urges applicants, when utilizing one of these companies, to make sure the supplies are in compliance. For example, manufacturer's labels are required on all disinfectants and sanitizers. Any deviation of the standards, including mislabeled items, may result in lost points on the examination.

As with many professions, the COVID-19 pandemic had a significant impact on testing access for applicants for licensure. Due to the emergency stay at home orders, BBC testing centers were required to pause examinations. Prior to the pandemic, the daily number of candidates examined by BBC was 64 candidates at the Fairfield site and 96 candidates at the Glendale site. In order to maintain social distancing, BBC is now examining 36 candidates daily at the Fairfield site and 64 at the Glendale site. It is unclear the total number of individuals who were impacted by the closure, or what BBC's current testing backlog is.

AB 181 (Bonilla, Chapter 430, Statutes of 2013), the bill stemming from the comprehensive review of BBC in 2014, required BBC to conduct a study and review of the 1600-hour training requirement for cosmetologists along with an occupational analysis of the cosmetology profession in California, and conduct a review of the national written examination for cosmetologists and of the California practical examination, in order to evaluate whether both examinations assess critical competencies for California cosmetologists and meet professional testing standards. BBC contracted with DCA's Office

of Professional Examination Services (OPES) to conduct the occupational analysis of both the written and practical examinations of the NIC. The assessment was completed in 2017, and, based on its work with subject matter experts (SME's) and stakeholders, OPES determined that, "overall, the SMEs concluded that the National Cosmetology Theory Examination and the National Cosmetology Practical Examination adequately assess what a California cosmetologist is expected to have mastered at the time of licensure." However, the assessment acknowledged that issues with the passage rate of the Spanish examination continue to be of concern for the BBC.

A number of states have taken steps to ease the licensing process by eliminating a hands-on practical examination. Iowa does not require a practical examination for licensees other than barbers. Kansas is transitioning to a written practical exam. Pennsylvania eliminated a practical exam in 2014 and requires skills demonstrated by answering questions in a written exam. Arkansas eliminated both the practical and written examination in 2017 and requires schools to test competency. Minnesota also requires an exam at the school level. Tennessee is moving to requiring a virtual practical exam. Maine, Delaware, and Wyoming are considering a written practical exam. South Dakota eliminated the requirement for an individual to complete a practical exam as a result of the pandemic and may consider implementing a written practical exam.

Although the occupational analysis noted that the NIC covers what a California cosmetologist is expected to have mastered, the question remains as to whether the test is actually necessary after a student has graduated from a BBC-approved institution. Other than potentially for ease of California licensees becoming licensed in other states that require the individual to have passed a test, it is not clear if both the written and practical examinations are necessary to assess minimal competency and determine whether an individual can safely provide beautification services.

In addition to the cost burdens for individuals to take BBC-required tests, the practical exam in particular does not cover any aspect of practice that a licensee is actually cited for during an inspection. An individual has to demonstrate in the practical exam that they can properly throw away sheets used during a perm but does not ever have to demonstrate that they know how to display their license, the most common reason someone receives a citation. Individuals are cited for hair in shampooing basins or errant hair remaining on scissors and combs that inspectors identify and take photos of, yet at no point in the practical examination do they need to show they can properly clean and disinfect equipment. Some individuals, despite the amount of time they spend in school, may still not be successful at performing beautification services to the level that consumers desire, such as a stylist who provides bad haircuts regardless of the amount of training received. While that same individual has to show a proctor during a practical exam that they can position foils on the hair for a highlight treatment that are a certain amount of space away from an individual's scalp, no inspection ever reviews any aspect of practice. The examination does not even assess whether an individual can properly mix disinfectant. Yet it is this exam that the Act specifies prevails over written tests that actually require someone to demonstrate knowledge about health and safety issues. The practical examination is another step of many toward the end goal of licensure, one that does not appear to add value to licensee's ability to safely conduct their work, nor does it appear to

enhance public safety, particularly given that there is no requirement for individuals to show that they can control infections or uphold sanitation protocols, key aspects of maintaining health and safety standards.

Staff Recommendation: *Strong consideration should be given to eliminating the practical examination. BBC should provide the Committees an update on the NIC exam and whether it is necessary to maintain a contract for a national exam, or whether BBC on its own can better craft something to ensure basic minimal competency in the aspects of practice that actually impact consumers like those related to health and safety.*

As a result of the sunset process and SB 803, the practical examination was eliminated on January 1, 2022. Elimination of the practical examination required the Board to eliminate its two leased examination facilities and its examination staff.

How to Reinstate the Practical Exam

In order to reinstate the practical exam, the Board would need to ask for the practical examination to be reinstated through legislation. Essentially, the Board would need to ask the same law makers who eliminated the practical examination to re-instate the practical examination.

Based on the number of licenses issued, the removal of the practical examination has increased the number of licenses issued:

License Type	FY 18/19	FY 19/20	FY 20/21	FY 21/22	FY 22/23	FY 23/24	FY 24/25
Barber	1,966	1,691	1,085	3,036	1,952	3,553	3,937
Cosmetologist	6,468	4,810	3,153	6,901	6,246	9,270	11,981
Electrologist	31	30	26	66	62	94	118
Esthetician	4,890	3,699	2,887	7,505	7,601	7,958	7,499
Manicurist	4,414	3,437	2,065	4,581	4,350	5,597	6,144

In discussing if the Board wants to ask for reinstatement of the practical examination, the following should be considered:

- The Board's priority is consumer protection, and this is done by testing for minimal competency.
- Minimal competency means the lowest acceptable level of knowledge, skills, and abilities.
- The Board does not test for technique, only for safety.
- Priority should always be given to reduction of barriers to entry while ensuring public safety.

Other States

There are other states that do not have a practical examination. One state model (Minnesota) requires schools to conduct a Board-approved practical examination prior to graduation. Minnesota law states that the school must document the students' successful completion of the skills certification review. In addition, Minnesota offers what they refer to as a written-practical examination. The exam is designed to place the test taker in realistic scenarios to ensure they respond appropriately.

For the Board to require a practical exam administered prior to graduation, legislation to change the laws would be required. The Board has the authority to provide a written examination and may have the existing authority to modify the exam to be a "written-practical" however, there will be significant costs involved in developing a California specific exam.

Agenda Item

No. 6

No Attachments

Agenda Item

No. 7

No Attachments

Adjournment