

**California Board of
Barbering and Cosmetology**

**Board Meeting
Minutes of October 13, 2025**

BOARD MEMBERS PRESENT

Tonya Fairley, President
Kellie Funk, Vice President
Megan Ellis
Dr. Yolanda Jimenez
Colette Kavanaugh
Tamika Miller
Steve Weeks

STAFF MEMBERS PRESENT

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

BOARD MEMBERS PRESENT (WEBEX)

Anthony Bertram
Michelle Edgar
Danielle Munoz

BOARD MEMBERS ABSENT

Calimay Pham
Sinar Lomeli

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

President Tonya Fairley convened the meeting at approximately 10:00 a.m. A roll call confirmed the presence of a quorum.

2. Board President's Welcome (Tonya Fairley)

Tonya Fairley welcomed attendees and gave instructions for the public comment sections of the meeting.

3. Discussion and Possible Approval of the August 11, 2025 Board Meeting Minutes

Motion: Kellie Funk moved to approve the minutes of the August 11, 2025 Board Meeting. Dr. Yolanda Jimenez seconded the motion.

Public Comment: There were no public comments received.

Roll Call Vote: Motion to approve the August 11, 2025 Board Meeting Minutes carried: 10 yes, 0 no, and 0 abstain, per the following roll call vote:

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

4. Review, Discussion and Possible Action on Re-Establishing a Practical Exam

The agenda was revised to address discussion of the practical examination before the sunset review. Kristy Underwood explained that the practical exam was eliminated through the last sunset review process under SB 803, effective January 1, 2022. She stated the exam was removed due to concerns that it could be a barrier to entry and was considered subjective as an assessment tool. Ms. Underwood reviewed the legislative process that led to its removal and noted that reinstating the exam would require legislative action to restore what was removed during the sunset review.

She detailed that the Board previously maintained two full-time examination sites in Glendale and Fairfield with more than 20 staff positions, all of which were eliminated following the change. Reestablishing those sites would involve new leases and staffing costs, which are currently unknown. Ms. Underwood also presented licensing data showing an increase in licenses issued since elimination of the practical exam, from about 6,000 in FY 2018–19 to over 11,000 in FY 2024–25.

She stated that the Board's role is to test for minimal competency and safety, not technique or skill quality. Ms. Underwood added that there is nationwide discussion on deregulation and reducing barriers to entry, and those factors should be recognized in any consideration of reinstating the exam. She also noted that five states do not require a practical exam, including Minnesota, where schools administer a state-developed practical test as part of graduation requirements.

Steve Weeks provided background on the decision to eliminate the practical examination, noting he served as board president during the last sunset review when the change occurred. He said the process involved negotiations with the Governor's Office and the Senate, which emphasized creating a more inclusive process and reducing barriers to entry.

Mr. Weeks cautioned that reversing the decision in the next sunset review could undermine the board's credibility, particularly as it advances apprenticeship program changes. He added that licensing numbers have increased since the exam's removal and that reinstating it would be financially and operationally difficult due to the loss of facilities and staff. Based on his DRC experience, he observed that most violations involve multi-year licensees, not new license holders, indicating no evident issues tied to eliminating the exam.

Tonya Fairley followed by sharing her perspective noting that when SB 803 took effect, eliminating the practical exam was initially difficult to accept because the beauty industry is a hands-on field involving tools and chemicals. She said her view has since evolved and emphasized her support for accessible, cost-effective licensing while maintaining public safety.

Ms. Fairley stated that all applicants, whether through school or apprenticeship, complete significant training hours before testing. Drawing from her four years on the Disciplinary Review Committee, she noted that most cases involve licensed professionals, largely licensed before 2022 and often salon owners, showing that the written exam meets minimal competency standards.

She added that the written test requires a 70% passing score and does not assess real-world skill or business ability. Ms. Fairley said many schools already require hands-on testing and hold students to high standards before graduation. She concluded that reinstating the practical exam would add a barrier to entry and that real practical experience occurs through school and on the job.

Danielle Munoz emphasized the importance of data-driven decision-making and stated that, to assess the impact of eliminating the practical exam, the board should review disaggregated data comparing Spanish language exam pass rates before and after the change. She noted that analyzing these figures would help determine whether the removal of the practical exam contributed to low Spanish pass rates or if other factors are at play. She also suggested examining disciplinary or DRC rates before and after the elimination to assess any effects on health and safety outcomes.

Ms. Underwood responded that creating clear comparisons may be challenging but could be attempted, noting that the data may not be available by language. She clarified that Spanish, Vietnamese, and Korean test-takers received written translations of the proctor's verbal instructions, which were delivered in English.

Ms. Munoz reiterated the need to further investigate the low Spanish pass rates, noting that if conditions were consistent except for language, the difference warrants closer review. She suggested disaggregating the written exam data to determine whether the practical exam change was a contributing factor, emphasizing that identifying or ruling out this cause is essential to addressing disparities among Spanish-speaking candidates.

Kelly Funk, an aesthetician and industry member, expressed strong support for reinstating the practical exam for estheticians. She stated that while the board must consider factors such as cost, from her perspective as a practicing professional who trains younger aestheticians, a skills-based exam is essential to uphold expertise, ensure proper technique, maintain sanitation, and safeguard the public. She emphasized that a written exam confirms theory but cannot measure hands-on ability or infection control, and that reinstating the practical exam would strengthen consumer confidence and align California with other states.

Ms. Funk also read a letter from Debbie Martino, a licensed cosmetologist and manufacturer Education Manager for Image Skin Care, who expressed concern that eliminating the practical exam has led to a decline in skill among newly licensed aestheticians. Ms. Martino noted that prior to the exam's removal, schools were incentivized to ensure students were prepared for real-world practice, and that without it, many programs have reduced emphasis on hands-on training. She urged the Board to reinstate the practical exam and recommended increasing required training hours to better prepare students.

Tamika Miller, a licensed manicurist and industry member, echoed Ms. Munoz's call for more detailed data, particularly regarding citations and DRC cases, noting that most cases involve licensees who have been in practice for several years and that citation probability may vary based on experience.

Ms. Miller also observed that students approach their education differently when they know there is no practical exam. She suggested that if reinstating the practical exam is not an

option, the board could consider continuing education or other measures to ensure students feel prepared and empowered to enter the workforce safely and competently.

Tonya Fairley emphasized the importance of making decisions based on data, not emotion, while considering the broader implications for training programs and apprenticeships. She noted that estheticians completing the required 600 hours of school or apprentices completing 3,200 hours receive substantial hands-on training. She cautioned that reinstating a practical exam for one scope of practice could send a precedent-setting message to schools and licensees, raising questions about competency expectations and the role of schools in providing adequate training. Ms. Fairley urged the board to consider the overall impact on education, regulation, and the message being conveyed before making any changes.

Kelly Funk highlighted a key difference in the aesthetics industry compared to cosmetology, noting that unlike hairstylists, newly licensed estheticians rarely have apprenticeships or mentorships after licensure. She explained that many estheticians enter treatment rooms with minimal hands-on testing and limited oversight, emphasizing that post-licensure experience differs significantly from other licensed professionals, and that this distinction is important when considering practical exam requirements.

Tamika Miller added that the manicuring industry also lacks formal post-licensure training. She noted that while the 3,200-hour apprenticeship program provides comprehensive training for cosmetologists, most manicurists complete only 1,000 hours, leaving some with limited hands-on experience. She emphasized the importance of reviewing data and considering continuing education as alternative ways to ensure competency.

Kristy Underwood provided updated citation data from the past four years, noting that 85% of citations were issued to individuals who had taken both the practical and written exams, while 15% were issued to those who only took the written exam. She reminded the board that the sunset report must be approved at the November meeting for submission to the legislature, cautioning that adding the practical exam at this stage would be complex. Ms. Underwood clarified that the board could pursue reinstating the practical exam in the future by finding a legislator to carry a bill. She also noted that continuing education proposals have been raised by the industry but have not previously succeeded in legislation.

Danielle Munoz emphasized that changes to the exam process should be driven by clear data anomalies. She noted that, aside from the low Spanish language pass rates, there are no significant anomalies to justify altering the practical exam, and any adjustments should be considered only if specific data trends indicate a need.

Colette Kavanaugh suggested considering a modern, hands-on assessment rather than reinstating the previous practical exam. She emphasized evaluating candidates on health and safety skills rather than written test performance, and recommended exploring new, inclusive testing approaches.

Kristy Underwood noted that the board could explore alternative assessment methods, such as a “written practical,” used in some other states, which combines computer-based testing with situational or video-based scenarios. She also suggested increasing oversight of schools, potentially requiring a state-developed practical for graduation, and recommended forming a

task force with testing vendors and DCA staff to analyze data and determine the best approach.

Public Comments: Fred Jones, representing the Professional Beauty Federation, emphasized that the beauty industry is hands-on and practical skill is essential. He explained that the practical exam lost significance when written and practical scores were separated, reducing its impact on licensure. He noted that SB 803 focused on removing barriers to licensure. Mr. Jones suggested that any task force reconsidering the practical exam should understand its history and grading purpose. He also highlighted past efforts to develop online proctored practical exams, noting that reinstating the practical could be possible without restoring the old physical infrastructure or high costs.

Jamie Schrabek of Precision Nails and a licensed manicurist, noted that the traditional practical exam involved dummy hands or models and stressed that the real risk comes from invasive procedures and improper sanitation. She argued that an in-person practical exam is impractical, given the extensive training hours provided by schools. Ms. Schrabek suggested that practical skills and health and safety should be reinforced at the school level rather than through a state exam and highlighted her experience with continuing education in Minnesota and Ohio, noting it serves more as remediation than as a safety measure.

Gary Federico, from Federico Beauty Institute, emphasized support for combining written and practical assessments, acknowledging new approaches to testing. He expressed frustration with outside regulation stripping industry standards and urged the board to continue advocating for effective evaluation of graduates. He noted that in-house testing at schools exists but is insufficient on its own.

Conclusion: Board members agreed to postpone any decision on the practical exam until after the Sunset Review.

5. Review, Discussion and Possible Approval of the Board's 2026 Sunset Review Report

Before the discussion began, a roll call was conducted to reconfirm the quorum, and all virtual attendees verified that they were participating alone.

Kristy Underwood introduced the draft sunset report, noting that no approval was needed at this meeting. She explained that members should provide any edits for inclusion before the final version is presented for approval at the November meeting. The finalized report, due in January, will include all attachments such as organizational charts, attendance records, and factual documents, which were omitted at this stage to save paper.

She then began reviewing the report section by section, noting it follows a legislative template. The report's early pages outlined the board's background, functions, and consumer protection role. Members discussed strengthening language and examples in the section addressing consumer harm, adding references to injuries such as cuts, burns, and infections, and emphasizing the board's inspections and public protection efforts.

The report continued with descriptions of the board's committees, member attendance records, and organizational structure changes since the last sunset review, including the addition of management positions, restructuring of staff, relocation to the new DCA building, closure of two testing sites, and implementation of a mobile inspection program.

Ms. Underwood continued with page eight of the report, explaining that this section lists all legislation sponsored by or affecting the board since the last sunset review. She noted that the list spans several pages and includes both board-specific and department-wide bills, such as those related to military expedite provisions.

She clarified that beginning on page twelve, the report transitions to regulatory changes made since the last review—summarizing each law or regulation that has passed or been amended. The section addresses major studies conducted by the board, primarily occupational analyses required for exam development. These analyses are conducted in partnership with PSI and DCA's Office of Professional Examination Services, and the full reports will be attached to the final submission.

During review, a member pointed out that the 2021 occupational analysis for aesthetics incorrectly referenced "barbers." Ms. Underwood acknowledged the correction and confirmed it would be revised before finalization.

Referencing the list of national associations with which the board is affiliated, Ms. Underwood noted that the board is not a member of any national associations but utilizes PSI's national examination, which is administered in several other states.

The discussion proceeded to section two: Fiscal and Staff. Ms. Underwood thanked DCA's Budget Office for their support, noting that this section includes the fund condition statement, showing beginning balances, revenues, and expenditures. She highlighted that the board maintains a healthy budget, projecting approximately 17 months in reserve by fiscal year 2026–27.

She then reviewed expenditures by program component, explaining that spending is divided among enforcement, examinations, licensing, administration, and DCA pro rata costs. Personnel services and operating expenses (OE&E) are detailed for each category, reflecting staffing and material costs such as travel, equipment, and operational needs.

Ms. Underwood reviewed the board's current fee schedule, noting that no fee changes have occurred and none are anticipated at this time. She explained that the schedule outlines each fee, its statutory limit, the associated revenue by fiscal year, and the percentage of total revenue. For example, the barber license fee is set at \$50, which is also the statutory limit, generating \$154,000 in revenue for fiscal year 2021–22.

She further explained that certain fees, such as the cosmetology application and examination fee, are determined based on the actual cost of processing applications and exams, as required by statute. The current fee is \$75, based on prior cost studies, and may only be adjusted if costs increase. Ms. Underwood also highlighted that 21% of total board revenue comes from cosmetology renewal fees, reflecting the large number of licensed cosmetologists statewide. She also confirmed that the board meets annually with the Department of

Consumer Affairs to review all budget matters, including discussions about potential fee adjustments if necessary.

The board currently has very few vacancies and no staffing issues. The sunset review covers the past five years and includes information on staff development efforts. The report lists all training provided to staff, including both no-cost internal training through DCA and paid external programs for managers, investigators, and inspectors.

Ms. Underwood introduced Section Three, noting it contains extensive licensing data for the past four years. The section covers active, delinquent, and expired establishment licenses. Members discussed the number of delinquent or expired establishments, the renewal notification process, and how licenses are categorized in reporting.

Ms. Underwood explained that renewal notices are sent 83 days before expiration, followed by a delinquent notice 30 days after. Licenses can remain expired for up to five years before reapplication is required, and delinquency fees apply if renewals are late.

The report then outlined the board's performance measures and processing targets. Ms. Underwood highlighted that the board's licensing unit continues to meet or exceed targets, processing applications more efficiently than in prior years. Licensing data was presented by license type, showing the number of applications received, approved, closed, pending, and the corresponding average processing times.

Kristy Underwood reviewed data on license denials over the past four years, noting that 15 applications were denied based on criminal histories determined to be substantially related to the profession. She explained that each case was detailed by type and date of offense, emphasizing that the board evaluates the full context of each situation. She also discussed the process for verifying criminal history, noting that fingerprinting is required only for personal service permit applicants, while all other applicants self-attest to convictions under penalty of perjury.

The discussion then moved to the requirements for out-of-state and out-of-country applicants, outlining verification and certification procedures. Members raised questions about fraud prevention and verification, with staff confirming that updated requirements would be proposed in upcoming legislative changes.

Ms. Underwood next reviewed the military-related licensing provisions, including fee waivers for active-duty members and expedited applications for military spouses or domestic partners. Over the past four years, 321 applications had been expedited under these provisions.

She then summarized examination requirements, confirming that all applicants must pass a written examination. Pass rates for first-time and repeat test takers were presented, along with examination data by language, covering both California and national exams.

Ms. Underwood discussed national examination data for various license types, including barber, cosmetology, esthetician, electrology, and manicurist, showing pass rates by language for first-time and retake examinees. She noted a significant drop in Spanish-language pass rates starting in 2022–2023 after a practical exam component was removed,

with pass rates remaining low in subsequent years. The board discussed challenges in determining the cause, including variations in apprenticeship programs, out-of-country examinees, and dialect differences.

Occupational analyses were summarized, noting ongoing efforts to validate California-specific exams, particularly the hairstylist exam.

School approval processes were outlined, including collaboration with BPPE for new school applications. The board currently oversees 274 approved schools, with no renewal requirements or application fees. Oversight is limited to health and safety inspections on clinic floors.

Continuing education and competency requirements were addressed, with the board stating that no continuing education is currently required. Questions from the legislature are based on a standard template applied to all boards undergoing sunset review. Any proposal for continuing education would be considered a new issue in a separate section of the report.

Public Comments: Fred Jones praised the report for being well written, noting the background information was excellent. He advised that legislators typically read only the first two pages, recommending that those pages include more visual examples of injuries (“harm porn”) to capture attention, ensuring they are effective in both color and black-and-white print.

Jamie Schrabek emphasized the importance of including color photographs in the report and suggested leading with the paragraph describing the types of harm possible. She noted that the current presentation might appear to only affect women, potentially diminishing its perceived importance. Ms. Schrabek recommended more graphic representation of injuries and highlighted critical points buried later in the report, including the absence of a statute of limitations, no reporting requirements for civil settlements, and no required liability insurance. She also noted limitations of the BREZE system for verifying licensees, and stressed that harms range from minor issues, like handwashing violations, to severe injuries, including amputations.

After public comments, the focus shifted to the board’s enforcement program. Targets include average days to complete complaint intake, closed cases not resulting in formal discipline, and cases resulting in formal discipline. Intake and non-disciplinary closures meet targets, while disciplinary cases exceed the 540-day target, averaging 766 days. Delays are primarily due to multiple inspections, citation processes, potential appeals, and attorney general processing times.

Cases typically continue operations during adjudication, except in certain PC 23 cases or when individuals are incarcerated. Complaints received have increased about 12% per year. Enforcement data covers investigations, citations, fines, criminal referrals, accusations, interim actions, disciplinary outcomes, probation, petitions for reinstatement, and diversion programs (not applicable to this board). Cases are prioritized based on consumer harm.

The board has no mandatory reporting requirements or statute of limitations. Over the past four years, 80% of cases were settled, 20% went to hearings. Efforts to address unlicensed activity include citations and fines, particularly for services conducted at private homes. A staff

member is dedicated to monitoring unlicensed activity, collaborating with cities and counties for enforcement support.

Kristy Underwood then introduced the board's site and fine process, noting the statutory citation limit of \$5,000. Historically, fines could exceed this for issues like improperly cleaned foot spas, but the cap now applies. The board uses its site and fine authority heavily as a preventive measure, reviewing inspection reports and photographs to determine whether a fine is warranted.

There were 903 citation appeals heard over the last four fiscal years, a notable decrease from prior years due to front-line education efforts. The five most common violations involve sanitation issues such as disinfecting tools, disposal of non-disinfectable items, unclean neck dusters and brushes, unclean wax and cosmetic items, and failure to display licenses. Discussion highlighted the distinction between preventive citations and consumer harm cases, noting that egregious violations or negligence leading to harm are addressed through formal discipline. Members suggested clarifying potential outcomes for each common violation and including more visually impactful examples for legislative reporting.

Ms. Underwood provided details on average fines pre- and post-appeal, franchise tax board intercepts for unpaid fines, and efforts to recover costs for AG and investigative work, noting some costs remain uncollectible if licensees do not petition for reinstatement. Administrative law judges typically delay cost recovery until reinstatement, though the board always requests full cost recovery. Restitution for individual consumers is not commonly sought, as consumers often resolve complaints themselves.

The discussion then moved to public information policies. The board maintains a robust online presence to keep the public informed, including an active website and social media platforms with dedicated outreach for Vietnamese- and Spanish-speaking communities. All meetings are webcast and archived—currently dating back to July 2016—and the board posts enforcement statistics, accusations, and disciplinary actions online in accordance with DCA standards. License information, such as name, establishment address, license type and status, and formal disciplinary actions, is publicly accessible through the BreEZe database, though awards and educational history are not included.

Consumer outreach efforts include publications, industry bulletins, newsletters, and participation in community events. The board has steadily expanded its digital engagement, with more than 23,000 Facebook followers and 14,000 Instagram followers, reflecting a continued commitment to transparency and education.

Ms. Underwood then addressed online practice issues. She explained that the board does not regulate online hands-on services, as cosmetology, barbering, skincare, and nail care require in-person practice. However, the board monitors online advertising, particularly for unlicensed activity and home-based services, with a staff member dedicated to tracking social media platforms such as Instagram. Cooperation with local authorities and businesses supports enforcement against illegal home operations.

Next, Ms. Underwood discussed workforce development and job creation. She explained that significant changes made during the last sunset review helped reduce barriers to entry,

resulting in a 14 percent increase in licenses issued from pre-pandemic levels to 2022—the first year the practical examination was no longer required. Licensing processing times have also improved, with no significant delays reported. Applicants now schedule their own examinations online, selecting their preferred location, date, and time, which has streamlined the process.

The board maintains regular contact with schools through a dedicated analyst, attendance at trade shows, school inspections, and speaking engagements designed to educate students on licensing requirements and the importance of licensure.

When discussing barriers to licensure and employment, members noted that the apprentice program should not be characterized as a barrier itself but rather that challenges stem from a lack of oversight and enforcement authority over program sponsors. Members agreed that language in this section would be revised to reflect that the underlying issue lies in limited regulatory authority rather than the structure of the program. The board also identified limited oversight of beauty schools as a broader barrier to ensuring that students receive proper preparation and value for their training.

The board does not currently collect workforce data but continues to monitor trends within the industry. In April 2023, it established a Diversity, Equity, and Inclusion (DEI) Committee to support and promote diversity across the profession. The committee has developed web content and social media initiatives to encourage equity and highlight the state's diverse communities.

The meeting recessed for a 30-minute lunch break. Upon reconvening, roll call was conducted to reestablish a quorum. The discussion resumed with Section Nine, addressing actions and responses to issues raised during the previous sunset review. Ms. Underwood began by explaining that this section outlines past legislative recommendations, the board's responses, and current updates on each issue.

The first topic reviewed was board composition. Since the last sunset review, membership requirements were updated to include a licensee from each discipline category. All positions are now filled except for one establishment owner vacancy.

Next was regulatory processes. It was noted that several regulatory packages have been promulgated since the last review, with detailed status updates provided in the report.

Regarding personnel flexibility, statutory restrictions preventing reclassification of certain positions were lifted during the last sunset cycle. This change allowed the agency to reclassify roles, improve recruitment, and increase workload capacity.

The discussion then moved to clarifications on the practice of medicine. Updates to Section 7320 expanded authority to include individuals who offer medical procedures such as microneedling without appropriate licensure, improving enforcement capability.

School and student oversight was identified as a major area of concern. While curriculum approval and health and safety inspections are conducted internally, oversight of educational quality and language authorization rests with BPPE. The lack of data sharing and coordination

between agencies remains a challenge. Staff must manually review BPPE's website for disciplinary information, and there are no application or renewal fees to fund oversight efforts. Several members emphasized the need for greater authority, funding, and cooperation to ensure consumer safety and school accountability.

The next issue addressed was Assembly Bill 5 and its impact on classification of workers. Although this remains a labor matter outside the agency's jurisdiction, it was noted that all licensees should be treated consistently under employment law.

On scope of practice, the agency reaffirmed its position that license categories should remain unified and not be divided by service type. While haircutting and hairstyling may pose lower physical risk than chemical services, maintaining consistent professional standards and consumer protections was emphasized.

The conversation turned to training hours, noting that prior legislation reduced requirements for cosmetology and barbering programs to 1,000 hours. Some stakeholders continue to advocate for restoring or slightly increasing the hours, while others report adequate outcomes under the current structure.

The section on examinations summarized the elimination of the practical exam. Pass rates have since improved, though concerns remain regarding graduates' hands-on readiness. The possibility of reintroducing a practical component prior to graduation was briefly mentioned as a potential discussion point for the future.

Reciprocity and endorsement licensing were also reviewed. Applications from other states have increased substantially, but with that, so has the risk of fraud. Staff described cases where applicants received California licenses using credentials from multiple states without verified education or examination records. Efforts are underway to strengthen requirements so applicants must provide certification showing proof of examination before being licensed in California. The growing complexity of multistate licensing, limitations on data sharing, and the absence of a compact system to ensure verification across jurisdictions was acknowledged.

The discussion continued with apprenticeships and externships. Committee staff previously recommended enhancing oversight of apprenticeship programs and improving access for applicants by allowing the board to establish its own pre-apprentice training course. Ms. Underwood explained that this recommendation has been fully implemented. The law was amended to require the training course to be provided directly by the board rather than by program sponsors, addressing prior concerns about sponsors charging excessive fees. Apprentices now complete an online course administered by the board, and completion data is automatically reported to staff.

Ms. Underwood proceeded with an update on personal service permits. These permits allow licensees to perform services outside of a licensed establishment. At the time of the last sunset review, the program had not yet been implemented. She noted that the board officially launched the program on October 1, 2021. Since implementation, 265 permits have been issued, and the board does not recommend any changes to the existing authority.

Next, the board discussed mobile units. The prior law governing mobile establishments had not been updated in many years and contained overly restrictive and costly requirements, resulting in very few active licenses statewide. Legislative updates have since modernized the requirements, and the board has now issued 41 new mobile unit licenses. While this remains a niche business model, those currently licensed have maintained compliance and positive operational records.

The discussion then moved to Citations and the Disciplinary Review Committee (DRC). The committee staff recommendation asked the board to evaluate whether citation and fine procedures remain effective and if the DRC continues to serve a necessary role. Ms. Underwood reported that the board has been reviewing its administrative fine schedule through its Health and Safety and Enforcement Committees, with final recommendations scheduled for presentation at the next board meeting.

Internally, enforcement staff have emphasized education in the field to ensure that inspectors focus on correcting issues that present actual consumer risk. For example, minor infractions such as an open clean towel cabinet may now be resolved with on-site education rather than a fine, while serious violations involving contamination continue to result in citations.

Ms. Underwood stated that the board believes the DRC continues to play an important role, given the volume of citations issued and the need for an impartial appeal process. Unlike other boards that rely on informal conferences, the DRC provides structure, transparency, and fairness for licensees. She noted that the DRC is no longer facing significant backlogs and that appeals are processed promptly.

Licensee in Charge addressed a prior request to clarify whether an establishment owner could serve as the designated licensee in charge. The proposed statutory language affirms that a person licensed under the act—including holders of establishment licenses—may act as the responsible party for their business. The board continues to support this clarification to ensure consistency and accountability.

Mandatory inspections following licensure were reviewed next. The board was previously required to inspect all new establishments within 90 days of licensure, a requirement that proved unmanageable due to limited staffing. The mandate was repealed during the last sunset review, which has allowed the board to better allocate inspection resources.

Under Section Seventeen, Impact of the COVID-19 Pandemic, Ms. Underwood explained that while the pandemic prompted a review of health and safety regulations, most existing requirements, such as mandatory handwashing and tool disinfection, were already aligned with public health protocols. As such, no additional regulatory changes were needed, and current standards remain sufficient to address future health-related concerns.

Technical changes included minor statutory updates from the prior sunset review, such as authorizing per diem compensation for members of the Health and Safety Advisory Committee. All provisions have been implemented successfully.

Since the last review, the industry has undergone substantial changes, with the number of new license applications increasing from 22,345 in 2019 to 32,436 in 2024. Ms. Underwood

emphasized that continued regulation remains essential to protect consumers in an evolving and increasingly complex industry. She then opened the floor to public comments.

Public Comments: Fred Jones spoke about school oversight. He cautioned that expanding the board's authority under the current dual-oversight system with BPPE would worsen existing problems. Mr. Jones argued that true reform would place schools solely under the board's jurisdiction, which he said has the necessary expertise and industry connection.

He noted that while oversight has improved under Ms. Underwood's leadership, granting inspectors more authority could risk returning to past inconsistencies. He added that BPPE's oversight is largely ineffective, focused on paperwork rather than addressing unqualified schools. He urged the board to call out these issues in its sunset review and reaffirm the need for sole oversight.

Gary Federico echoed concerns about dual oversight. He noted that his nationally accredited school is regulated by nine agencies and that BPPE has provided little benefit since taking authority in 1989. He stated that BPPE fails to act against poorly performing schools and urged the board to seek sole oversight, believing it is better equipped to protect students and uphold standards.

Nick commented on the low awareness of the Personal Service Permit (PSP). He noted that despite a large industry population, only about 270–300 permits have been issued and urged the board to take steps to increase awareness and ensure more practitioners are operating in compliance.

Kristy Underwood continued the discussion by addressing new issues and proposed solutions identified by the board and committees. The first topic was the oversight of schools. The board recommended expanding its authority beyond health and safety to include review of attendance records and other proof-of-training documents to ensure compliance. Legislative amendments were proposed to require all applicants, whether individuals or corporations, to apply for a school license with a fee capped at \$250 and meet standard eligibility requirements. Board members debated whether to pursue full authority over schools. While full oversight is unlikely to succeed given BPPE's existing role, members agreed it is important to request it, with a secondary, incremental approach as a fallback to strengthen current oversight. They emphasized that the board already investigates issues like falsified proof-of-training, and broader authority would allow enforcement while avoiding areas managed by BPPE, such as student tuition recovery or advanced education approvals. Collaboration with BPPE was discussed but ultimately considered potentially counterproductive if the goal is to expand board authority.

The next issue was licensure by endorsement. The board proposed requiring certification from the issuing state or territory to include the date the licensure examination was passed. This change is intended to address ongoing fraud concerns and ensure proper verification of credentials.

The discussion then moved to oversight of the apprenticeship program. The board's legislative request includes clarifying that apprentices must be employees, with proof such as pay stubs provided upon request. They proposed establishing initial and renewal fees for

program sponsors, ensuring sponsors cannot franchise or loan their approval, and requiring apprentices to enroll only with approved sponsors. Establishments employing apprentices must provide all services within the apprentice's scope, maintain workers' compensation, and make proof available. A formal disciplinary process was recommended for program sponsors or trainers who violate laws, including restrictions on employing apprentices for a set number of years. Additionally, a processing fee for administrative tasks like transfers and cancellations was suggested to offset staff workload. A detailed apprenticeship report will be attached.

Next, the committee addressed establishing combined license types for manicurists and estheticians, and for barber and cosmetology licenses. Currently, thousands of individuals hold both licenses but must take separate courses and exams. A combined program would allow new enrollees to complete one program and take a single exam, reducing barriers and maintaining health and safety standards. Existing license holders could transfer relevant hours toward the new combined license. Ms. Underwood provided sample legislative language to illustrate the proposed changes, which would streamline entry into the field and align with practices in other states like Alabama, Texas, Iowa, Utah, and Florida.

Kristy Underwood then moved on to limited liability companies (LLCs). She explained that while the board has historically issued licenses to LLCs, recent legal guidance suggested clarifying the language in statute. The proposal would explicitly allow LLCs to be establishment owners under section 7340. Discussion focused on potential loopholes, such as whether a previously disciplined individual could work as a manager within an LLC without holding a license. Board members emphasized the need to distinguish between an establishment owner and the licensee in charge, ensuring that LLCs cannot bypass disciplinary actions by placing restricted individuals in managerial roles. Clarifying these responsibilities may be addressed either in statute or through regulation, and staff will explore options to present at the November meeting.

Next, the board reviewed remedial education. A 2024 bill authorized remedial education in lieu of a first defense, but implementation revealed that the current wording—"board offered"—was impractical. The proposal seeks to change this to "board approved" so the process can be contracted to qualified external providers while the board retains oversight of content development, similar to the approach used for pre-apprentice training programs. This would streamline administration and ensure quality education.

Public Comment: Fred Jones praised the board's approach, endorsing the idea of pursuing full oversight while maintaining the fallback option as a practical compromise. He encouraged the board to "swing for the fences" but acknowledged the value of Ms. Underwood and staff's hard work if a more incremental approach is needed.

Mr. Jones also highlighted a historical perspective: prior to 1989, the state board directly oversaw schools, requiring them to post bonds to guarantee student completion. He noted that every student had to register with the state board within 45 days of enrollment, which provided an immediate record of students and helped prevent issues like selling or forging hours. He suggested reinstating a similar student registration requirement to give the board timely oversight and curb fraudulent practices.

Gracie Young, Program Sponsor for the Greater East Bay Barber Cosmetology Apprenticeship Program, asked if renting additional space and hiring instructors would count as franchising under the board's proposal to prohibit program sponsors from franchising their program codes. Kristy Underwood said her situation would need an email review but confirmed the proposal aims to end all franchising. Ms. Young noted many programs currently franchise and charge fees, and the board confirmed the Sunset Report, including this proposal, will be finalized at the November meeting.

Next, Yasmin Niru joined public comment and asked whether a school director must hold a cosmetology, barbering, aesthetics, or manicuring license to operate a school, referencing the board's proposal that management must be licensed. Kristy Underwood advised her to email for a detailed response, as it was a specific operational question.

The board took a 10-minute break, followed by a roll call to confirm a quorum.

When the meeting reconvened, Kristy Underwood presented the Apprenticeship Report, highlighting key issues and updates for board members. She noted that most members had previously seen the report and that the purpose of the meeting was to review any final changes before formal approval at the next board meeting. She drew particular attention to page five, which had been updated to clarify issues regarding fees and tuition for apprentices.

She emphasized that apprenticeship programs are not intended to charge tuition and are designed as "earn while you learn" programs. The only fees apprentices should incur are for the tools or kits necessary to complete their training and develop job skills, such as scissors, clippers, and styling tools. She noted that the average cost for these kits is around \$2,000, though costs can vary by location, quality, and vendor. Previous references in the report to fees of \$300–\$500 were inaccurate and had been removed.

Ms. Underwood explained that some apprenticeship programs have been charging excessive fees, in some cases up to \$20,000, which does not align with the intended structure of apprenticeships. She noted that some programs operate more like schools, with facilities, staffing, and administrative overhead, passing these costs onto apprentices, particularly in industries such as cosmetology where apprentices are not directly employed.

She reviewed funding and reimbursements available to apprenticeship programs. Local Education Agencies (LEAs) provide reimbursement per apprentice for related instruction hours, and programs can apply for federal funding through WIOA and state-level apprenticeship innovation funds. Underwood noted that programs in other industries, such as electricians, follow similar models where apprentices do not pay tuition and costs are supported by the industry.

Regarding enforcement, Ms. Underwood reported that the board has issued 14–18 notices to show cause to apprenticeship sponsors failing to comply with the law, including cases without an LEA or involving fraudulent practices. Some cases have required administrative hearings, Attorney General involvement, and legal costs, including one case with approximately \$10,000 in AG fees.

She recommended removing the red section of the report that suggested specific dollar amounts for fees, as it could be misleading. Instead, she suggested the report focus on factual information, including the range of fees currently charged, disparities between programs, enforcement actions, and funding mechanisms.

Ms. Underwood also highlighted examples of program models, such as community college–based apprenticeships where apprentices pay only for kits and are supported by the LEA. She noted that educational materials and flyers are being distributed to apprentices to inform them of the costs they are responsible for.

Tonya Fairley praised the work on the report and encouraged board members to review it and note any concerns ahead of the sunset review.

Public Comment: Fred Jones shared that ten years ago, many people interested in starting beauty schools were discouraged by BPPE requirements, such as signing a lease and paying for a facility before inspection. He noted that some of these individuals instead started apprenticeship programs, which he said often operate under a different business model that does not fit the salon industry, especially given that most salons are booth rentals. He added that apprenticeships are politically popular and make it easy to promote low barriers to entry.

Gracie Young spoke next, addressing the issue of dollar amounts and fee caps. She suggested some type of cap should be in place because satellite programs, franchised by main program sponsors, were overcharging students, often labeling it as “tuition” while not sharing RSI funding. She shared that after recent meetings, she confirmed with several satellite programs that fees of \$5,000–\$6,000 were being charged, which is inconsistent with the apprenticeship model.

She emphasized that apprenticeships are not about paying tuition and warned that without caps, some programs might continue overcharging. Regarding employers covering kit costs, she noted that barbershop owners typically do not do this because apprentices frequently move between shops. In her own program, she collects \$2,000 per apprentice to cover the kit, textbook, workbook, mannequin head, and any paid instructional classes. She stressed that the goal is to train apprentices effectively while keeping their costs minimal, rather than to make a profit. Ms. Young concluded by noting she would follow up via email with additional details.

6. Public Comment on Items Not on the Agenda

No public comments were submitted on this item.

7. Suggestions for Future Agenda Items

There were no suggestions offered for future agenda items.

8. Adjournment

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