

**California Board of
Barbering and Cosmetology**

**Board Meeting
Minutes of November 17, 2025**

BOARD MEMBERS PRESENT

Tonya Fairley, President
Kellie Funk, Vice President
Anthony Bertram
Michelle Edgar
Megan Ellis
Dr. Yolanda Jimenez
Sinar Lomeli
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

Colette Kavanaugh
Tamika Miller

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

President Tonya Fairley convened the meeting at approximately 9:00 a.m. A roll call confirmed the presence of a quorum.

2. Petition for Reinstatement Hearing: Dayra Carmona Vega, Petition for Reinstatement of License, Manicurist License #M355610

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

3. Board President's Welcome (Tonya Fairley)

Tonya Fairley welcomed attendees joining in San Diego and online, and reminded participants that public comments are limited to three minutes and will not receive responses from the Board.

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

Kristy Underwood provided an update on recent leadership appointments at the Department of Consumer Affairs. Governor Newsom appointed Lucy Salazar as Deputy Director of Board

and Bureau Relations. Ms. Salazar brings legislative experience from her roles in the offices of Assembly Member Lisa Calderon and Assembly Member Jacqui Irwin, and she is active in the HOPE Leadership Institute and the California Latino Capitol Association Foundation.

Governor Newsom also appointed Shelley Jones as Assistant Deputy Director of Board and Bureau Relations. Ms. Jones has 29 years of experience working with DCA boards, including roles in strategic organizational leadership and improvement. Prior to joining DCA, she served in various positions with the Juvenile Parole Board at the California Department of Corrections. Ms. Underwood expressed her excitement for both appointments.

DCA Director Kimberly Kirchmeyer will retire at the end of the year after 36 years of service. Director Kirchmeyer began her career at DCA in 1989 as a student assistant, starting with the Board of Barbering and Cosmetology, and was appointed Director by Governor Newsom in 2019. In her first six months, she guided the department through major challenges, including severe wildfires, the onset of the COVID-19 pandemic, and transitioning 3,500 employees to telework.

Director Kirchmeyer extended appreciation for the opportunity to serve as Director and expressed her gratitude to staff for their continued dedication to the department's consumer protection mission. Ms. Underwood added personal remarks, noting Director Kirchmeyer's long-standing support for the Board and her significant contributions to modernizing the department. She emphasized that she will be greatly missed.

Kristy Underwood continued by providing an update on required board member training. DCA launched a new Sexual Harassment Prevention Training module in the LMS on October 27. Board members must complete this training within 30 days of appointment and every two years thereafter. Members who completed the 2024–2025 training will have the new module automatically assigned two months before their two-year deadline, while those who have not completed it already have the new version assigned. Compliance deadlines will be based on the last completion date or by December 27 for those who have not yet completed it.

Additionally, DCA has developed Unconscious Bias Training for board members, which will be added to LMS accounts in November and included in onboarding for new members. Training records are available in the LMS transcript section, and questions can be directed to Member Relations.

Ms. Underwood concluded by highlighting the launch of the Our Promise campaign, California's state employees charitable giving program. Through this campaign, state employees and board members can support nonprofit causes of their choice via payroll deductions or one-time donations. The campaign benefits communities and reflects DCA's commitment to social responsibility. It runs through December 31, and DCA will be sending informational emails to boards and bureaus this month.

Public Comment: No public comments were received for this agenda item.

5. Discussion and Possible Approval of the October 13, 2025, Board Meeting Minutes

Motion: Kellie Funk made a motion to approve the October 13, 2025 Board Meeting Minutes. Danielle Munoz seconded.

Public Comment: There were no public comments received.

Roll Call Vote: Motion to approve the October 13, 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, Sinar Lomeli, Danielle Munoz, Calimay Pham, Steve Weeks

6. Proposed Board Meeting Dates and Locations for 2026

Tonya Fairley reviewed the proposed board meeting dates and locations for 2026. She noted that while the dates are set, some locations are listed only broadly (e.g., “Southern California”). She suggested holding the May 18 meeting in San Diego and the November 16 meeting in Burbank. Ms. Underwood explained that locations are determined through a contracting process with hotels, but the Board’s input is welcome. The dates were accepted, while final locations remain flexible.

7. Executive Management Reports and Discussion of Same (Kristy Underwood)

a. Administration and Operations

Kristy Underwood gave an overview of the Executive Management Reports. She began with Administration and Operations noting that the unit currently has six positions with two vacancies, which are expected to be filled soon. Additional updates covered staff training and fleet management, including the recent acquisition of seven new vehicles to replace aging ones used by inspectors and special investigators.

Ms. Underwood reviewed the board’s budget projections and fund conditions for Fiscal Month 13 (FY 24–25), highlighting a 9.74% surplus. She explained that some budget line items appear in red due to allocation issues, not overspending, and that efforts are ongoing with the budget office to realign these items accurately.

Steve Weeks asked questions regarding personnel service expenditures and the DCA pro-rata fee. Kristy Underwood clarified that the pro-rata allocation, which supports DCA-provided services, is formula-based and not negotiable, though it varies depending on board size and licensing responsibilities. She further explained the relationship between high-level budget projections and detailed total expenditures.

b. Licensing, Examinations, and Disciplinary Review Appeals

The licensing unit has 19 positions with three vacancies. Recruitment is underway for one manager, one program technician, and a seasonal clerk, who plays a key role in office operations.

Exam pass rates remain largely stable, with a 7% increase in electrology and a 21% decrease in hair styling, largely attributed to out-of-state applicants entering California. The board continues to manage high inquiry volume, averaging 160 emails per day with responses within two business days.

During the first quarter of FY 25–26, the board received 15,593 applications, a 7.4% decrease from the previous quarter. Establishment licenses remain consistent. A total of 9,447 licenses were issued in the quarter, down 4.8% from the prior quarter, while cosmetology apprentice licenses rose 30.7% and personal service permits increased 11.1%. The current licensee population stands at 662,403.

Kristy Underwood summarized examination results by license type and language for the first quarter of FY 25–26 (July 1–September 30, 2025), including pass rates for first-time and re-exam test takers.

Steve Weeks inquired about out-of-state applicants for the hair stylist license and whether this could result in license misuse or “out-of-scope” practice. Ms. Underwood explained that applicants are simply transferring their education from other states and there have been no reported issues with improper use of the license during inspections. She noted that as trends evolve, such as the growing popularity of head spas, the license continues to support appropriate services in California.

Ms. Underwood continued by addressing exam results by educational background, including apprentice programs, out-of-country applicants, and traditional school programs, noting that schools generally show higher pass rates. She also presented results by language, highlighting a significant number of Spanish-speaking test takers in the apprentice program.

Daniel Munoz raised concerns about consistently low Spanish-language pass rates. Ms. Underwood explained that while exam translations are carefully reviewed and compliant with standard requirements, the Board has no control over the quality of education in schools or apprenticeship programs. She noted ongoing efforts to better align exams with California specific content and textbooks.

Tonya Fairley suggested reviewing data on the most commonly missed questions in Spanish to identify potential translation or comprehension issues. A differential review was recommended to identify questions that Spanish-speaking test takers commonly miss compared to English test takers.

Kristy Underwood reported on pass rates for out-of-country and traditional school programs. She noted that some Spanish-speaking candidates attended English-language schools but chose to take the exam in Spanish, assuming it would be easier. Unlike the Bureau of Private Postsecondary Education (BPPE), the Board does not track who is teaching in Spanish. The exam now displays both English and Spanish versions of each question.

Next, members reviewed licensing trends over the past five years along with the current statewide license population, noting that there are more than 662,000 active licensees across all categories. Renewal survey results were also presented, detailing how many licensees work as independent contractors versus those who employ others in establishments.

Kellie Funk highlighted a new safety and health checklist included in the recent renewal packet for establishments. She stated that it was a valuable tool for licensees and commended the Board for continuing to provide helpful outreach materials.

c. Enforcement, Inspections, and Cite and Fine

The Disciplinary Review Committee (DRC) is fully staffed and reported 35 pending appeals in the north and 120 in the south, with additional hearings scheduled to help reduce the backlog.

Enforcement currently has 53.5 allocated positions with four vacancies, all in special investigator roles. Recruitment is underway to expand enforcement capacity, especially for apprenticeship oversight, which has been heavily strained with only one investigator assigned.

Complaint intake trends were reviewed, showing a continued high volume of consumer complaints. There are 108 probation cases statewide, with 71 active and others tolled due to licensees not working in the industry. Quarterly enforcement statistics also include formal disciplinary actions referred to the Attorney General. Kristy Underwood also shared disciplinary outcomes, including recent Attorney General cases resulting in revocations, probation with revocation stayed, and suspensions with probation. Additional probation statistics were provided.

There are currently 273 approved schools, with 45 open enforcement cases and 53 school-related complaints received this fiscal year. Most school complaints are resolved quickly—typically within 90 days—because many fall outside the board’s jurisdiction and must be redirected to partner agencies.

Updates on inspections and citation processing showed continued efficiency improvements. Sixteen inspectors completed 611 inspections in September 2025, supported by four citation analysts who now process citations within one day. This rapid turnaround is credited to full implementation of the mobile inspection platform, which has significantly streamlined workflows and reduced delays compared to past years.

Inspection statistics were reviewed, including results showing a significant number of establishments operating without violations—often due to successful onsite education and immediate corrective actions for minor issues. Updates on the mobile inspection system reaffirmed improved efficiency and consistency across the state.

Carrie Harris highlighted major progress in citation collections. A backlog that once totaled thousands of unpaid citations has been substantially reduced, and the program is now issuing payment notices at 30, 60, and 90-day intervals. Approximately 600 cases remain in the backlog, with unpaid citations now moving swiftly to collections or to the Franchise Tax Board when applicable. Automation of initial payment notices through Breeze is nearly ready to launch, which will further reduce manual workload.

d. Outreach Update

Kristy Underwood highlighted recent outreach efforts, including participation in the Sacramento Regional Youth Career Fest at Cosumnes River College on September 26, a campus visit to Citrus College on September 29, and a presence at the LashCon trade show. Social media engagement remains strong, with over 14,100 Instagram followers, 93 on X, 23,000 on Facebook, and growing audiences on newer Spanish- and Vietnamese-language Facebook pages. All accounts are managed internally.

Discussion shifted to the implications of increased visibility online. Tonya Fairley shared concerns about personal targeting and negative interactions via social media, emphasizing the need for awareness and support in managing the public nature of Board leadership roles. She underscored the value of outreach but noted that heightened exposure brings unique challenges.

Members asked whether promotional efforts, such as paid social media ads or expanded YouTube content, could be considered. Staff noted the existing YouTube channel is primarily used for meeting webcasts and agreed to explore future opportunities to broaden digital engagement.

e. Strategic Plan Update

Kristy Underwood provided a brief strategic plan update, noting that pre-apprentice training is now available and currently being translated into Spanish. The BarberCosmo Update is published quarterly. With the current strategic plan ending in 2027, staff will begin preparations next year for the next planning cycle, including strategic planning sessions anticipated to begin mid-year.

Public Comments: There were no public comment on the management reports.

8. Update and Discussion on Chaptered Legislation:

a. AB 1514 (Assembly Members Ortega (Chair), Elhawary, Kalra, and Ward) Labor contracts

Kristy Underwood explained that AB 1514 extends the labor contract exemption for manicurists, allowing them to operate as booth renters starting January 1, 2026, through January 1, 2029. She noted ongoing discussions about new legislation to ensure that manicurists are treated equally with other license types.

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

SB 236 pertains to chemical hair relaxers. The bill prohibits the use of products containing certain ingredients and requires the Department of Toxic Substances Control to adopt regulations by January 1, 2030 to enforce these provisions. The primary impact will be on manufacturers of these hair relaxer products.

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

This bill extends the Bagley-Keene Open Meeting Act exemption. This allows BBC committee members to participate remotely, while a majority are physically present in Sacramento.

d. SB 518 (Weber Pierson) – Descendants of enslaved persons: reparations.

Finally, Ms. Underwood discussed SB 518, which establishes the Bureau for Descendants of American Slavery. She noted that previous legislation aimed at expediting certain processes for descendants did not pass, and this new bureau was created to manage that workload. Staff will continue to monitor its development and potential impacts. She concluded by noting that the Board is not required to take any action on legislation at this time.

Public Comments: There were no public comments.

9. Discussion and Possible Action Regarding Rulemaking Proposals:

- a. **Update Regarding Rulemaking to Amend Title 16, California Code of Regulations (CCR) section 911 (License by Endorsement (Reciprocity), Application and Out of State License Certifications)**
- b. **Update Regarding Rulemaking to Amend Title 16, CCR sections 913, 913.1, 914.1, 914.2, 915, 917, 918, 918.1, 919, 919.1, 920, 921, 921.1, 921.2, 922, 924, 924.1, 925, 926, 927 (Apprenticeship)**
- c. **Update Regarding Rulemaking to Amend Title 16, CCR section 931 (Interpreters for Licensing Exams)**
- d. **Update Regarding Rulemaking to Amend Title 16, CCR sections 940, 941, 950.10, 950.12, 962, 962.1, 962.2 (Schools and Externs)**
- e. **Update Regarding Rulemaking to Adopt Title 16, CCR section 974.4 (SB 384: Remedial Education Program)**
- f. **Update Regarding Rulemaking to Amend Title 16, CCR section 977 et seq. (Health and Safety)**
- g. **Update Regarding Rulemaking to Amend Title 16, CCR section 998 (Hairstylist Licensing Fees)**

Kristy Underwood provided an update on regulation packages. The final regulation proposal cleaning up hair stylist fees was approved by the Office of Administrative Law and became effective October 1, 2025. Another proposal, allowing interpreters for licensing exams to serve once per year instead of every two years, was submitted to OAL on October 15, 2025, with a response expected before December 1, 2025, targeting an effective date of January 1, 2026.

She noted ongoing work on out-of-state license certifications, apprenticeship program, schools and externs, remedial education, and health and safety regulations. The team is in the process of hiring a new regulation specialist, which will allow deeper focus on these large regulation packages. Ms. Underwood emphasized the need to wait for sunset review outcomes for the apprenticeship program and schools to determine the scope for developing new regulations.

Public Comment: There were no public comments on this item.

10. Discussion and Possible Action on Modified Text and Adoption of Amendments to Title 16, CCR section 972 (Disciplinary Guidelines)

Kristy Underwood explained that these guidelines have been presented in prior sessions and are now returning with a minor update based on the director's recommendations. The highlighted change clarifies that the posting of suspension signs applies consistently to cosmetology, hair styling, skincare, nail care, or electrolysis services, rather than just "barbering and cosmetology." She noted that the full disciplinary packet is provided for reference and requested a motion to approve the modified text.

Motion: Tonya Fairley moved to approve the proposed modified regulatory text and form therein incorporated by reference as set forth in attachment one; direct staff to take all steps necessary to complete the rulemaking process, including preparing modified text for notice of a 15-day public comment period. If, after the 15-day comment period, the board does not receive any objections or adverse recommendations specifically directed at the modified text, the notice, or to the procedures followed by the board in proposing or adopting this action, authorize the Executive Officer to make any nonsubstantive changes to the proposed regulation and rulemaking file and adopt amendments to Title 16 CCR Section 972 as set forth in attachment one. Calimay Pham seconded the motion.

Public Comment: There were no public comments.

Roll Call Vote: Motion 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, Sinar Lomeli, Danielle Munoz, Calimay Pham, Steve Weeks

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

Ms. Underwood introduced the sunset review, noting that the semifinal report was included in the packets with highlighted changes from the last meeting. She explained that the report must be approved today and submitted to the legislature by the first week of January. Once returned, the Board may need to hold a meeting to respond to any questions.

She then guided members to review the highlighted changes on pages three through five, which included additional photos and expanded the consumer harm section. Calimay Pham noted that the lice photos could be clearer, and suggested changing the language describing "hair" businesses to "beauty industry."

The review continued with page seven, where an attachment numbering had been updated. On page nine, AB 1514 was added to reflect the manicurist exemption. Page 11 added SB 236, the hair relaxer bill, and page 12 included SB 470, the teleconferencing bill. Pages 16 and 17 updated attachment numbers.

On page 20, new data showed the Board spent an average of \$1.9 million over the last four years on the Breeze program, including licensing, maintenance, and operational costs. Fee analysis for citations remains in progress and will appear in the next sunset report. Page 24 included additional training information. Minor additions were made on pages 60 and 66.

Page 67 expanded on actions taken to reduce inequities for vulnerable communities, highlighting multilingual exams, social media, and translations.

Page 72 clarified AB 1514. The DEI committee survey was noted for inclusion. Calimay Pham asked about interstate compacts on page 75, which had not been supported in the legislature and is currently dropped. On page 80, new issues were added regarding sole oversight of schools, outlining priorities if full oversight is not granted. Discussion addressed potential financial implications, including staffing and enforcement costs, with Kristy Underwood noting a fiscal analysis would be required if legislation is proposed. Pages 82 and 83 included recommended legislative language and modifications to licensure by endorsement to require proof of passing a licensure examination in the U.S. or territory, ensuring validity for applicants who have moved states. Page 84 added an attachment, and no changes were made to the apprentice report. Kristy Underwood concluded by outlining the recommended motion to approve the final sunset report.

Motion: Danielle Munoz moved to approve the final sunset report and two amendments: on page five, changing “hair businesses” to “beauty industry,” and on page 67, adding the DEI survey information, and to allow the Executive Officer to make any nonsubstantive and technical changes to the report before submission. Megan Ellis seconded the motion.

Public Comment:

A member of the public, a licensed esthetician, expressed concern with the use of the term “consumer harm,” suggesting “consumer protection” as a more accurate and balanced description of the profession. She noted that estheticians contribute significantly to the state’s beauty economy and stated that the report highlights risks without offering solutions or advancement pathways. The speaker encouraged the Board to consider a clear route for estheticians to work under medical supervision in evolving med spa environments.

Fred Jones from the Professional Beauty Federation stated that, for the first time in decades, there is a genuine threat of efforts to deregulate the industry, pointing to similar movements in other states. He emphasized the need for the sunset report to clearly highlight potential consumer harm in order to reinforce the value of licensure and state oversight to policymakers who may not fully understand the risks involved in cosmetic services. He also recommended including more graphic visuals to capture legislators’ attention.

Regarding school oversight, Mr. Jones noted that if the Board were granted sole authority over schools, associated school licensing fees would come to the Board rather than BPPE, providing significant additional funding.

Jaime Schrabek from Precision Nails supported strengthening the language in the sunset report related to consumer protection. She suggested adding the following language: “from minor departures from the standard of practice to incompetence and gross negligence, the risk to consumers ranges from a disappointing experience to permanent disfigurement or disability, including amputations and even death.” She emphasized that these risks exist anytime a consumer receives services in an establishment.

Ms. Schrabec also commented that legislators may incorrectly assume the beauty industry requires the same safeguards as other regulated professions—such as continuing education, liability insurance, bloodborne pathogen training, or background checks—which are not required in this field. She noted that reducing barriers to entry has also increased consumer risk, reinforcing the Board’s critical role in protecting the public.

Roll Call Vote: Motion 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, Sinar Lomeli, Danielle Munoz, Calimay Pham, Steve Weeks

12. Public Comment on Items Not on the Agenda

There were no comments received for this item.

13. Suggestions for Future Agenda Items

Kristy Underwood commented that staff is working on pulling additional data related to Spanish speaking licensees and apprentices, which will now receive greater focus following completion of the sunset report.

Tonya Fairley requested revisiting a prior discussion regarding establishment violations related to storing items in restrooms. Ms. Underwood noted that this could be addressed through the regulatory process and also referenced prior comments from Steve Weeks about LLCs and partnerships, which staff will continue to review and bring forward in future regulatory proposals.

Ms. Fairley additionally asked about addressing “out of business” establishments that inspectors continue to encounter during field inspections. She asked whether there was a way to better automate the process when a business has clearly closed. Ms. Underwood explained that staff is actively working on this through this project, which focuses on identifying and removing long-closed establishments from inspection routes. She clarified that delinquent licenses are now reviewed in advance so inspectors do not lose time visiting locations that can be confirmed as closed by office staff.

14. Adjournment

There being no further business to discuss, the meeting adjourned at approximately 11:15 a.m.

After adjournment of the public meeting, Board Members reconvened in a CLOSED SESSION Pursuant to Section 11126 of the Government Code the Board Will Meet in Closed Session to Conduct the Executive Officer’s Performance Review.