

A Report to The Senate Business, Professions and Economic Development Committee

CALIFORNIA STATE
BOARD OF BARBERING AND COSMETOLOGY

Sunset Review Report 2014



STATE OF CALIFORNIA

Governor Edmund G. Brown Jr.

Anna M. Caballero, Secretary, Business, Consumer Services and Housing Agency

Awet Kidane, Director, Department of Consumer Affairs

Board Members

Richard Hedges, Board President, Public Member

Dr. Kari Williams, Board Vice President, Industry Member

Mary Lou Amaro, Industry Member

Bobbie Anderson, Public Member

Wen Ling Cheng, Public Member

Andrew Drabkin, Public Member

Joseph Federico, Industry Member

Christie Tran, Industry Member

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Additional Copies of this report can be obtained from: www.barbercosmo.ca.gov

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Mission

To ensure the health and safety of California consumers by promoting ethical standards and by enforcing the laws of the barbering and beauty industry.

The Board protects the interests of California consumers by:

- Serving as a guardian of their health and safety;
- Enhancing public and industry participation in decision-making;
- Promoting ethical and professional standards;
- Creating policies that are contemporary, relevant and responsive.

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 five members, two of which were public members. The Board of Cosmetology consisted of seven members, two of which were public members.

Through the years there were minor changes to the laws of each profession, such as, requiring an apprenticeship prior to granting a master barber license and offering separate manicurist, electrology, and esthetician licenses.

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 (DCA) 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 (BBC). On June 23, 2008, SB 797 (Ridley-Thomas, Chapter 33, Statutes of 2008) was chaptered by the Secretary of State which required the Board to become a Bureau from July 1, 2008 until December 31, 2008.

Concurrently, on June 23, 2008, AB 1545 (Eng, Coauthors: Emmerson, Senators Perata and Ridley-Thomas, Chapter 35, Statutes of 2008) was chaptered, which allowed the Bureau of Barbering and Cosmetology to become a Board once again, as of January 1, 2009. The Board has remained as such since this date.

Please see page 5 for a current listing of Board members and their term expiration dates.

Description of the Board

The Board is responsible for licensing and regulating barbers, cosmetologists, estheticians, electrologists, manicurists, apprentices, and establishments. Title protection is provided for the use of the terms *cosmetologist* and *barber*.

The Board ensures that applicants for licensure have completed the necessary training and passed the written and practical (hands on) components of the examination. The examination requires that individuals demonstrate that they possess the knowledge and skills required to perform within the scope of their discipline while protecting the public's health and safety. After successfully passing the examination, the individuals are issued a license on the same day of the exam. Annually, the Board receives and processes an average of 43,740 applications for licensure as a barber, cosmetologist, manicurist, esthetician, electrologist, and apprentice. On average, an additional 6,700 applications are received every year for establishment licenses. In addition, annually, the Board administers an average of 29,250 practical examinations and 34,377 written examinations and issues approximately 29,800 licenses to brand new licensees.

The Board is committed to ensuring that consumers are protected when they receive services from barbers, cosmetologists, manicurists, electrologists, estheticians, apprentices and in the establishments in which they perform their services. This protection is provided through the following program areas:

Licensing and Examination

The Board ensures that individuals possess at least minimal competency to practice barbering, cosmetology, manicuring, esthetics, and electrology independently and safely pursuant to Business and Professions Code Section 7301. After successful completion of the required courses for each training area from an approved school or apprenticeship program, each licensee must pass both a written and practical (hands-on) examination.

Enforcement

One of the Board's mandates is to protect the health and safety of consumers who seek services from its licensees and licensed establishments. To accomplish this, the Enforcement Program receives and investigates complaints from the public and various entities to determine if there has been a violation of the Act and its regulations, and if so, if disciplinary action is warranted.

Complaints involving allegations of health and safety violations are researched using a combination of desk investigations and field inspections. However, the more egregious cases, including allegations of consumer harm, may result in formal disciplinary action (including probation, suspension, or revocation) against the licensee.

The Board also has the authority to deny licensure if an applicant has prior criminal convictions which are substantially related to the practice of barbering and cosmetology.

Inspections

An important and essential arm of the Board's enforcement activities is the Inspection Program, whose primary role is enforcing the Board's health and safety regulations. This is accomplished through directed, random, initial and/or targeted inspections of the 50,473 establishments and 283 schools of barbering, cosmetology, and electrology.

Types of Inspections

- Directed – When the Board receives a complaint regarding consumer harm or alleged violations of the health and safety regulations, enforcement staff will request a directed inspection of the establishment.
- Random (Routine) – Board inspectors strive to inspect each establishment on a regular basis to ensure that the establishment continues to be in compliance with the Board's health and safety regulations.
- Initial - Business and Professions Code Section 7353 requires an initial inspection be conducted within 90 days of licensure to ensure that the establishment is in compliance with the Board's health and safety regulations.
- Targeted – Should an outbreak of infection occur, or if knowledge becomes available that there are a number of unlicensed salons/individuals, the Board will do targeted inspections in a specific geographical area.

Education and Outreach

The Board ensures that information is available for consumers, licensees, applicants, students, and other interested parties through the Board's Web site, the Consumer Information Center, and by direct consumer contact. Information is also provided through media outlets such as television, radio, Facebook, Twitter, and trade magazine/publications. The Board established its own newsletter, "Smock Talk", which is made available on the Board's Web site.

The Board's Web site contains information regarding:

- fact sheets designed to educate the public on health and safety topics;
- information regarding licensing requirements in California;
- a search engine to look up licensee status and disciplinary actions;
- forms and publications;
- a consumer complaint form to allow consumers to file a complaint online;
- photographs of the top ten most common violations;
- general information about the Board such as meeting notices and meeting minutes; and
- fact sheets and publications in the Vietnamese, Spanish, and Korean languages.

Board Members

The Board is comprised of nine members: five public and four professional members. The Senate Rules Committee and the Speaker of the Assembly each appoint one public member. The other seven members (four public members and three professional members) are appointed by the Governor.

Each year, the Board elects a president and vice-president, who each serve a one-year term and can serve for a total of two years. The Board meets quarterly and rotates meeting locations between northern and southern California. These meetings are webcasted and open to the public. The meetings provide an opportunity for the Board to educate licensees and the public about the various topics relating to the practice of barbering and cosmetology. The Board receives extensive public comments at committee and Board meetings. All comments are taken into consideration and are often incorporated into recommendations. Additionally, Board members educate the profession by speaking at various educational institutions. The Board has taken a proactive approach to educating students and the institutions they attend.

Business and Professions Code Section 453 requires every new Board member to complete a Board member orientation provided by the Department within one year of assuming office. In addition to the Board member training that encompasses open meeting laws, ethics, conflicts of interest, legislative and regulatory process, reimbursement of expenses, and executive officer's responsibilities, the members also receive on-the-job training in budgets, licensing, examinations, enforcement, and the disciplinary process.

The following is a list of the current membership of the Board:

Member Name (Includes Vacancies)	Date First Appointed	Date Reappointed	Date Term Ends	Appointing Authority	Type (public or professional)
Mary Lou Amaro	4/5/2013		1/1/2017	Governor	Professional
Bobbie Anderson	10/26/2012		1/1/2015	Governor	Public
Wen Ling Cheng	5/2/2011		1/1/2015	Speaker of the Assembly	Public
Andrew Drabkin	4/5/2013		1/1/2017	Governor	Public
Joseph Federico	12/29/2011		1/1/2015	Governor	Professional
Richard Hedges	1/1/2003	1/14/2009, 1/9/2013	1/1/2017	Senate Rules Committee	Public
Christie Truc Tran	1/4/2010	1/2/2011	1/1/2015	Governor	Professional
Dr. Kari Williams	4/5/2013		1/1/2017	Governor	Professional
Vacant	-	-	-	Governor	Public

All Board members actively participate in Board activities. The Board encourages input from all segments of the industry. To do this, advisory committees, working groups, and other forums have been established for various topics.

Appendices 1 and 2 contain tables documenting Board member appointments, terms, committee assignments and attendance. (Table 1a – Board Member Attendance and Table 1b – Board and Committee Roster).

Board Committees and Their Functions

The Board functions very cohesively, which allows most of its tasks to be performed at the Board level. The Board additionally has five standing committees and utilizes task force ad hoc committees and advisory committees that are formed to examine specific topics, and then are disbanded following completion of the task. These committees recommend policies that advance mission-related goals.

The five standing committees (described below) are utilized to assist the Board in establishing its goals and aids in organizing its activities in pursuit of ensuring the health, safety and welfare of the public. The Board

manages, plans, and tracks its operations through its strategic plan, which is periodically reassessed (about every five years). In October 2012, the Board adopted its plan for the next five years.

Legislation and Budget Committee

The purpose of the Legislation and Budget Committee is to review and track legislation that affects the Board and recommend positions on legislation. The committee provides information and recommendations to the Board regarding potential policy matters relating to the budget.

Current members are: Bobbie Anderson, Joseph Federico, Richard Hedges, Dr. Kari Williams

Examination and Licensing 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, cosmetology, and electrology in California. The committee may also provide information and recommendations to the Board on issues related to curriculum and school approval, exam appeals, laws, and regulations.

Current members are: Mary Lou Amaro, Wen Ling Cheng, Joseph Federico, Richard Hedges

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, planning of outreach events for consumers and licensees, preparing articles for submission in trade magazines, and attending trade shows.

Current members are: Mary Lou Amaro, Andrew Drabkin, Christie Tran, Dr. Kari Williams

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.

Current members are: Joseph Federico, Andrew Drabkin, Richard Hedges, Dr. Kari Williams

Disciplinary Review Committee

The purpose of the Disciplinary Review Committee (DRC) is to conduct informal administrative citation review hearings and render decisions regarding appealed citations. The committee has authority to affirm, modify or dismiss the citations, including any fine. The Board President annually appoints members of the committee. The appointments are made concurrently with the annual election of officers. Due to the high volume of appeals, all members of the Board are designated as members of the DRC. However, only three members attend meetings.

Current members are: Mary Lou Amaro, Bobbie Anderson (alternate), Wen Ling Cheng (alternate), Joseph Federico, Richard Hedges, Christie Tran (alternate), Dr. Kari Williams

Technical Advisory Committees

Occasionally, the need will present itself for a special committee designed to enlist the aid of experts in the industry. This committee will offer the Board input on specific technology, processes or elements within the beauty industry. The technical advisory committee is usually comprised of 3-10 specialized professionals. They offer opinions, research and tactical information that is used by the Board to revise regulations or clarify processes related to health and safety. These committees provide the Board with real, hands-on, practical information from professionals working in the beauty industry.

Recent uses of these committees include:

- Barber Advisory Committee – On February 4, 2013, a panel of barbers and Board staff convened to discuss ways the Board could assist in the promotion of the Barbering industry. Outreach ideas were discussed and input was given to Board staff on the updating of current Board procedures.
- Electrolysis Advisory Committee – On August 20, 2012, industry experts aided the Board in reviewing out-of-date electrolysis regulations. They offered practical suggestions in adapting verbiage for new Board regulations. The Committee assisted in educating the Board on proper electrolysis techniques and offered practical suggestions in regard to procedures related to health and safety.

- Skin Care Advisory Committee – On May 14, 2012, a panel of industry experts met with the Board to discuss issues involving skin care. The Committee was able to enhance the knowledge of the Board by explaining the use of Alpha Hydroxy acids, safe pH readings, proper acid percentage amounts, safe procedure dissemination, and esthetic machinery. Experts gave input in defining the demarcation between the esthetic field and the medical field. Future trends in esthetics were also discussed.

On August 12, 2013, the panel met again with the Board to discuss health and safety issues involving skin care. The committee was able to enhance the knowledge of the Board by giving input on proposed regulatory changes, product knowledge, and input on Legislative Bill AB 1153.

- Schools Advisory Committee - On September 9, 2013, a panel of school owners, instructors, textbook advisors and Board staff met to discuss the ever-changing needs of California Board-approved schools. Discussion ensued on how best to prevent the selling of schools hours and the revision of the publication "Health and Safety for Hair Care Professionals," student outreach ideas were also presented.
- Natural Hair Care Task Force – On April 14, 2014, the Board met with a panel of industry leaders to discuss what role, if any, natural hair care providers have with the Board. Participants discussed the upsurge, within the State, of traction alopecia cases, caused by improper braiding, the possibility of the spread of infectious disease by improper disinfection, and/or lack of knowledge. The panel provided the Board with a legislative recommendation.

Achieving a Quorum

Article 1, Section 7315 of Barbering and Cosmetology Act, specifies that five members of the Board must be present to take action. To minimize scheduling conflicts and secure meeting space, the Board schedules meetings for the coming year typically during the July or August Board meeting. Sometimes, the Board needs to reschedule a meeting or schedule an additional meeting to meet emergent issues. Members are polled for their availability to attend a meeting, and based on the information given, the meeting date is set. This method has been especially effective for the Board. Since our last sunset review, no meetings have been cancelled due to a lack of a quorum.

Major Changes and Challenges since the Last Sunset Review

BreEZe

The most significant change to the Board has been the implementation of the BreEZe database. This implementation took place on October 8, 2013. The Board took pro-active steps prior to the launch date of the BreEZe database in order to minimize any risk of a back log being created. Upon implementation, there were technical issues, as well as, a learning curve for staff; however, because the Board started with zero backlog, applications were still processed timely.

Currently, the Board continues to work closely with the Department in identifying technical issues within the system. The Board is also rolling out new phases of the online portion of the system which allows applicants and licensees to submit applications online. The online process eliminates the need for manual cashiering and is proving to be very efficient.

As additional improvements are made to the system we anticipate more benefits as a result of BreEZe.

Language Access

The Board has made language access one of its priorities over the last two years. To that end, the Board has translated all of its documents into Vietnamese, Spanish, and Korean. In April 2014, the Board established a separate link on its Web site for the Vietnamese-speaking community. This link includes 42 fact sheets that have been translated into Vietnamese. In June 2014, links were created for the Spanish-speaking community and the Korean-speaking community. The fact sheet topics range from "what to expect during an inspection" to "industry advisory notices". In addition, the inspection report was translated into Vietnamese so that inspectors can provide a hand-out of the report that indicates the violations found so that the licensee has the option to read these violations in their first language.

The Board has held two Town Hall meetings for Vietnamese-speaking licensees. The first was held on June 2, 2014, in Sacramento and the second on September 8, 2014, in Westminster. This meeting provided licensees the opportunity to learn about the top violations found in establishments, the inspection process, and the appeal process. Board staff (including inspectors) was on hand to answer questions. Interpreters were available as well. The Board feels these types of events are successful and are of minimal cost. While the Board has started with the Vietnamese community, we will be expanding to other communities where English proficiency is limited.

In August 2014, the Board added an insert to all citations that states if the recipient of the citation needs assistance in understanding the citation, to call the Board's Cite and Fine Unit and they will be connected with an interpreter.

Legislation that Impacted the Board

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

SB 1099 (Wright; Principal coauthor: Senator Correa; coauthors: Senators Dutton and Rubio; coauthors: Assembly Members Logue, Ma, Perea and Wieckowski)

This bill:

- provides that a regulation or order of repeal is effective on one of the four dates: January 1, April 1, July 1, or October 1, except as specified.
- requires the Office of Administrative Law to list on its Web site and link to the full text of each regulation filed with the Secretary of State.

The Board did not declare a position.

9/11/2012 –Chaptered. (Chapter 295, Statutes of 2012)

AB 1904 (Block, Butler and Cook)

This bill:

- requires the Board to expedite the licensure process for the spouse or domestic partner of a member of the military on active duty who is assigned to a duty station in California.

The Board took a position of support.

9/20/2012 –Chaptered. (Chapter 399, Statutes of 2012)

AB 2570 (Hill, coauthor: Senator Correa)

This bill:

- prohibits a licensee from using or allowing the use of a confidentiality agreement (“gag clauses”) in settlement agreements.

The Board took a neutral position.

9/25/2012 –Chaptered. (Chapter 561, Statutes of 2012)

AB 1588 (Atkins, Principal coauthors: Cook and Nielsen; Co-authors: Block, Beth Gaines, Pan, V. Manuel Perez, Williams and Yamada)

This bill:

- authorizes a waiver from license renewal fees and continuing education requirements for any licensee of a program under the jurisdiction of the Department of Consumer Affairs who is called to active duty by the United States Armed Forces or the California National Guard.

The Board took a position of support.

9/29/2012 –Chaptered. (Chapter 742, Statutes of 2012)

SB 308 (Lieu, Principal coauthor: Assembly Member Gordon)

This bill:

- extended the Sunset Date of the Board of Barbering and Cosmetology to January 1, 2016.
- authorized both entities (the Board and the Bureau of Private Post-Secondary Education) to simultaneously process a schools application of approval.
- authorizes the Board to revoke, suspend or deny school approval on specified grounds.

The Board took a position of support.

9/23/2013 –Chaptered. (Chapter 333, Statutes of 2013)

Regulations Initiated by the Board

Since the last Sunset Review, the Board has sought a number of regulation 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:

2012

California Code of Regulations **933**

On April 30, 2012, the Board approved repealing this section, which restricted access to testing materials in a scoring dispute to the Board and the appellant, to reflect the Board's move to the national examination, which is administered by a third party. This change was approved by the OAL and went into effect October 22, 2012.

California Code of Regulations **961**

On April 30, 2012, as a result of its move to the national licensing examination, the Board approved amending this section to remove the requirement that students be given a Board-developed performance criteria booklet specific to the state licensing examination. The booklet, like the state licensing examination, is no longer being produced by the Board. This change was approved by the OAL and went into effect October 22, 2012.

2013

California Code of Regulations **940**

On January 11, 2013, the Board approved amending this section to require minimum equipment levels at cosmetology, barber, and electrology schools. Previously, only cosmetology schools had equipment requirements. This regulatory change was approved by OAL and went into effect on July 1, 2014.

California Code of Regulations **950.2** and **950.9**

On July 15, 2013, the Board approved amending its cosmetology curriculums to stress that brow and lash tinting should only be taught in schools if a product becomes available that is allowed for that purpose by the FDA, EPA or OSHA. Currently, there is no such product available. A public hearing on this proposal was held April 9, 2014. The final rulemaking file has been approved by the Director of DCA and by the Business, Consumer Services, and Housing Agency. The final rulemaking file is now at the OAL.

California Code of Regulations **914, 918, 921, 921.1** and **921.2**

On July 15, 2013, the Board approved amendments designed to tighten the rules and requirements for apprenticeships in order to curb abuses of the Board's program. A public hearing on this proposal was held April 9, 2014. The final rulemaking file has been submitted to the Department of Consumer Affairs for approval by the Director and is under review.

California Code of Regulations **977, 978, 979, 980.1, 980.2, 980.3, 981, 982, 983, 987, 991, and 992**

On October 21, 2013, the Board approved amendments to these sections, which concern health and safety, to improve consumer protection. A public hearing on this proposal was held April 10, 2014. (*Note: an earlier version of this rulemaking was initiated in January 2013, but withdrawn*). The final statement of reasons was presented to the Board at its October 2014 Board meeting.

California Code of Regulations **950.8 and 950.9**

On October 21, 2013, the Board approved repealing these sections, which describe the curriculums for cosmetologists who wish to become barbers and vice-versa. The hours required under the curriculums are inconsistent with statutes. A public hearing on this proposal was held April 10, 2014. The final rulemaking file has been submitted to the Department of Consumer Affairs for approval by the Director and is under review.

2014

California Code of Regulations **961**

On April 21, 2014, the Board approved revising this section to reflect that the national examination vendor rather than the Board approve student textbooks and other learning materials that relate to taking the Board's licensing examinations. A public hearing was held on August 11, 2014. The final statement of reasons was presented to the Board at its October 2014 Board meeting.

Major Studies Conducted by the Board

Report to the California Legislature on Licensing Categories

In the Senate's responses to the Board's 2012 Sunset Review, the Senate Business and Professions Committee asked the Board to review the issue of recognizing specialized service providers like eyelash extension appliers, makeup artists, and waxers. It suggested the Board work with national groups, professional associations, colleagues at NIC, school owners, and licensees to determine if steps were necessary to create easier paths to Board recognition for individuals performing limited services. The Committee requested the Board provide the Committee with statutory recommendations by January 1, 2014. This report was completed in November 2013, and provided to the Committee, in December 2013.

National Association Memberships

NIC was established in 1956 in a merger of the Interstate Council of State Boards of Cosmetology with the National Council of Boards of Beauty Culture.

In 1969, the NIC testing program was established. The testing program was established to create a national standard, to ensure consistency in the profession, and enhance reciprocity among the states.

The Board is considered a partial member of the National Interstate Council of State Boards of Cosmetology (NIC). Partial membership does not allow for voting privileges. Upon relief of travel restrictions the Board would like to pay for full membership. As a full member, the Board has one vote in matters before the association. In order to exercise the right to vote on by-laws, officer assignments or general policy, a representative of the Board must be present at the annual conference. Payment of full membership allows entry into the annual conference. There are no provisions set up for a vote by proxy. All memberships must be paid and current in order to exercise voting privileges.

Since May 2009, the Board began using the NIC national examination for the written portion of the Board's examination. In October 2011, the Board began using the NIC national examination for the practical portion. The contract between the Board and NIC requires NIC to provide valid, reliable, and legally defensible national examinations that comply with generally accepted psychometric standards applicable to professional licensing examinations.

Further, the Board, under its contract with NIC, requires NIC to provide the Board, or its designated representative, with test content to review to ensure that successful candidates have the knowledge and skills necessary to perform as competent licensees. California Subject Matter Experts (SME's) and/or examination staff are used for an occupational analysis and/or exam development.

SME's and/or examination staff are scheduled to participate in workshops with other SME's from other states along with the National Examination Committee to analyze or develop the proposed examination. For each test development workshop, NIC strives to assemble a group of SME's that is diverse and representative of the population of practitioners for the discipline. NIC considers demographic data such as years of experience, geographic region, gender, and practice setting. NIC does not limit SME recruitment to licensees in states that have adopted NIC examinations. NIC administrative staff continually searches for qualified SME's by way of referral from other SME's or practitioners, during the annual conference.

From June 2012 through June 2014, NIC held 20 workshops. During this time frame, SME's from California participated in 10 of the workshop activities.

The table below shows the completion years for the current NIC job analysis studies and the target years for the next.

Test Title	Current Job Analysis Completed	Next Job Analysis Target Date
Barber	2011	2015
Cosmetology	2009	2014 (in progress)
Electrology	2011	2016
Esthetics	2012	2016
Nail Technology	2013	2017

Board staff has reviewed and approved the NIC job analyses and development process, as well as, reviewed and approved test specifications for each NIC examination title used in the State of California. Board staff administers and 'rates' the candidates for the practical portion of the exam. The staff of Psychological Services, Incorporated (PSI) administers the written portion of the examination which is computer-based.

Meetings of National Associations Attended:

None.



Performance Measures and Customer Satisfaction Surveys

DCA Performance Measure Report

Customer Satisfaction Online Survey Results

Inspector Satisfaction Online Survey Results

RELATED APPENDICES

Appendix 3 - DCA's Quarterly Performance Measure Reports

Appendix 4 - Customer Satisfaction Online Survey

Appendix 5 - Inspector Satisfaction Online Survey

DCA Performance Measure Report

To ensure that the Department of Consumer Affairs (DCA) and its stakeholders can review DCA's progress in meeting its enforcement goals, DCA has developed an easy-to-understand, transparent system of accountability – performance measures. The performance measures are critical, particularly during the current climate of budget constraint and economic downturn, for demonstrating that DCA is making, and will continue to make, the most efficient and effective use possible of its resources. Provided below are the annual performance measures for 2013/2014. The annual and quarterly performance measure reports are provided in Appendix 3.

*Department of Consumer
Affairs*

Board of Barbering & Cosmetology

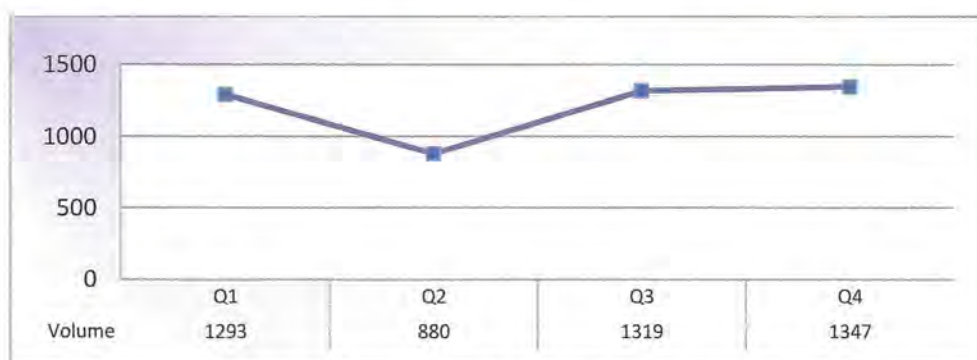
Performance Measures

Annual Report (2013 – 2014 Fiscal Year)

To ensure stakeholders can review the Board's progress toward meeting its enforcement goals and targets, the Board has developed a transparent system of performance measurement. These measures will be posted publicly on a quarterly and annual basis.

PM1 | Volume

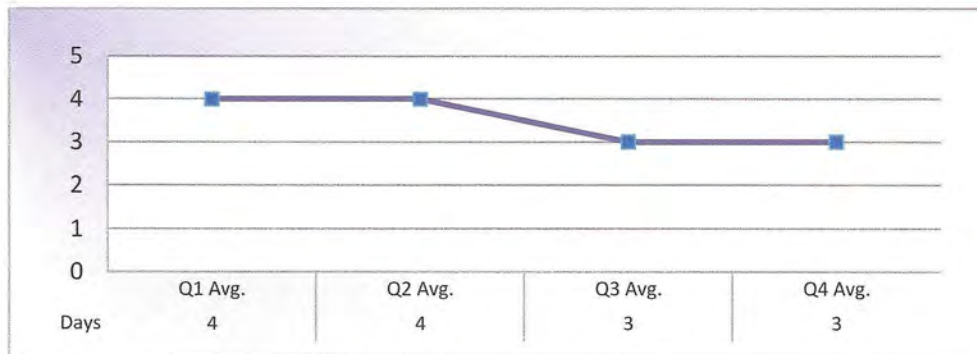
Number of complaints and convictions received.



Fiscal Year Total: 4,839

PM2 | Intake

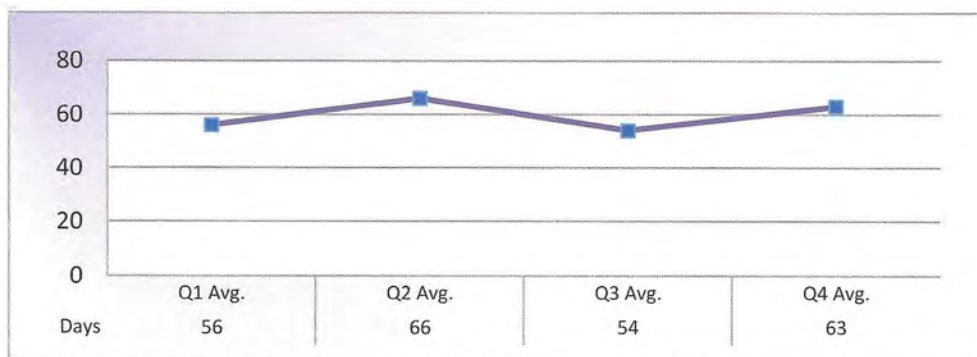
Average cycle time from complaint receipt, to the date the complaint was assigned to an investigator.



Target Average: 5 Days

PM3 | Intake & Investigation

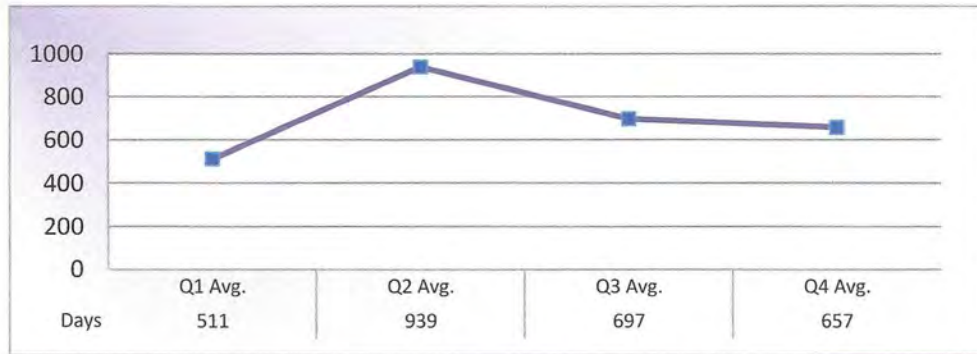
Average cycle time from complaint receipt to closure of the investigation process. Does not include cases sent to the Attorney General or other forms of formal discipline.



Target Average: 120 Days

PM4 | Formal Discipline

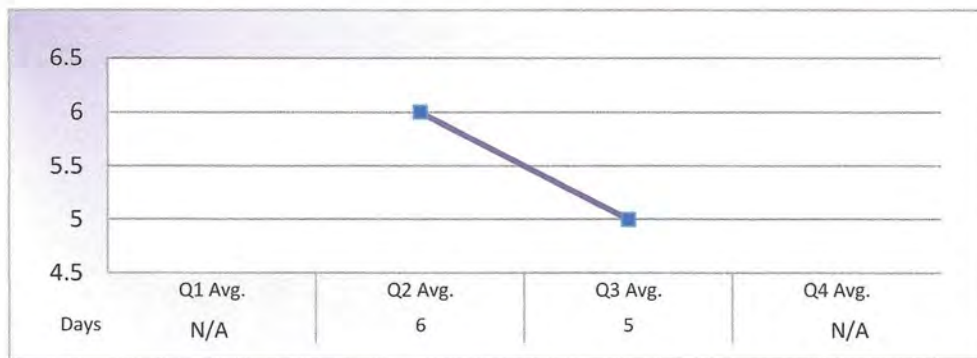
Average number of days to complete the entire enforcement process for cases resulting in formal discipline (includes intake and investigation by the Board and prosecution by the AG).



Target Average: 540 Days

PM7 | Probation Intake

Average number of days from monitor assignment, to the date the monitor makes first contact with the probationer.



Target Average: 15 Days

PM8 | Probation Violation Response

Average number of days from the date a violation of probation is reported, to the date the assigned monitor initiates appropriate action.



Target Average: 5 Days

Consumer Satisfaction Online Survey Results

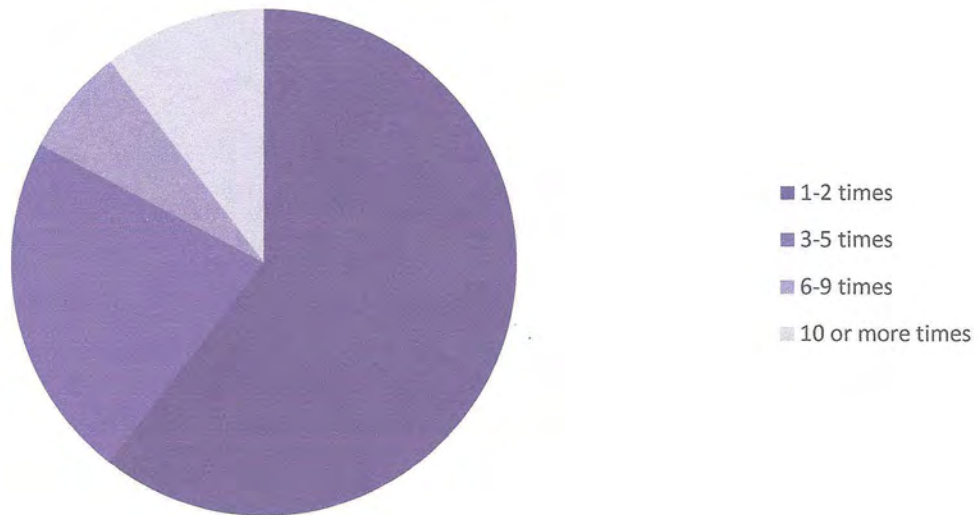
To obtain information on consumer satisfaction, the Board attempts to reach licensees through online surveys. Since April 27, 2009, the Board has posted on the Web site a direct link utilizing Survey Monkey to track consumer satisfaction. The Board results provided below are from fiscal year 2013/2014. Additional survey results can be found in Appendix 4.

Question 1

During the past 12 months, how often have you contacted the Board?

Answer Options	Response Percent	Response Count
1-2 times	60.4%	87
3-5 times	22.2%	32
6-9 times	6.9%	10
10 or more times	10.4%	15
<i>answered question</i>		144
<i>skipped question</i>		0

During the past 12 months, how often have you contacted the Board?



Question 2

Please rate the following categories and your overall experience with Board staff:

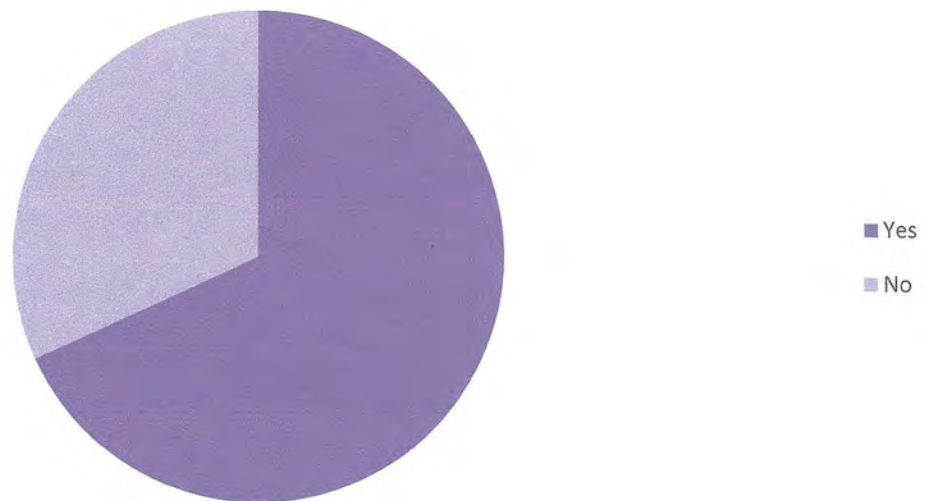
Answer Options	Excellent	Good	Fair	Poor	Unacceptable	N/A	Response Count
Staff Courtesy	21	27	14	3	4	5	74
Staff	4	13	18	10	9	4	58
Accessibility							
Overall Satisfaction	42	17	19	12	15	5	110
<i>answered question</i>							144
<i>skipped question</i>							0

Question 3

Did you receive the assistance that you needed as a result of your contact with the Board?

Answer Options	Response Percent	Response Count
Yes	68.1%	98
No	31.9%	46
<i>answered question</i>		144
<i>skipped question</i>		0

Did you receive the assistance that you needed as a result of your contact with the Board?

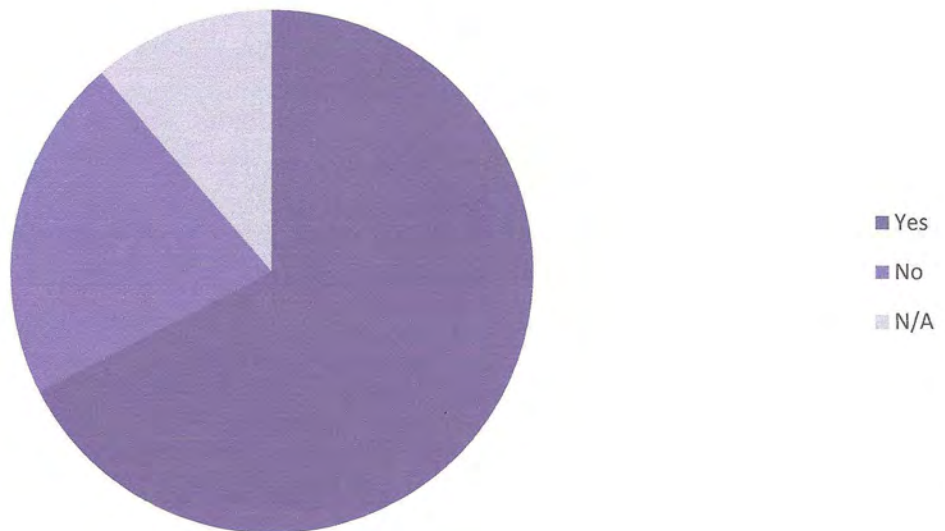


Question 4

Do you find the Board's Web site useful?

Answer Options	Response Percent	Response Count
Yes	67.4%	95
No	21.3%	30
N/A	11.3%	16
<i>answered question</i>		141
<i>skipped question</i>		3

Do you find the Board's Web site useful?

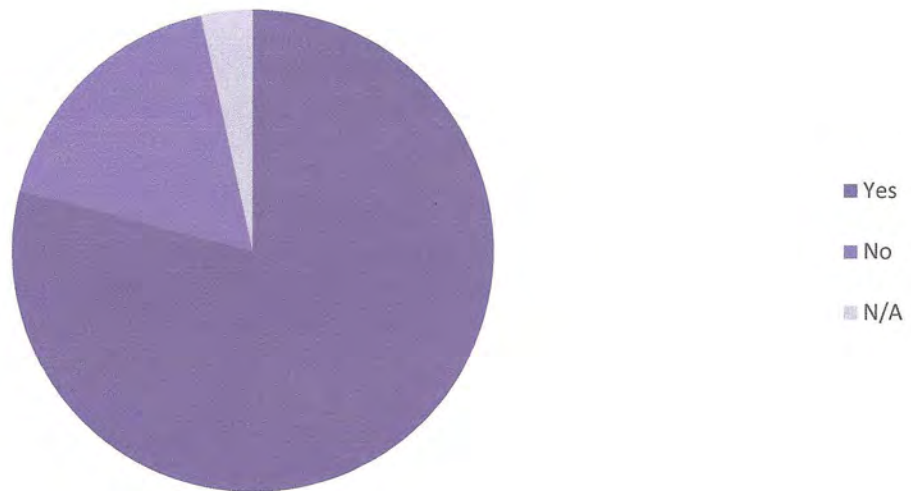


Question 5

When you e-mailed your question to the Board, was your e-mail answered timely and to your satisfaction?

Answer Options	Response Percent	Response Count
Yes	79.0%	113
No	17.5%	25
N/A	3.5%	5
<i>answered question</i>		143
<i>skipped question</i>		1

**When you e-mailed your question to the Board,
was your e-mail answered timely and to your
satisfaction?**

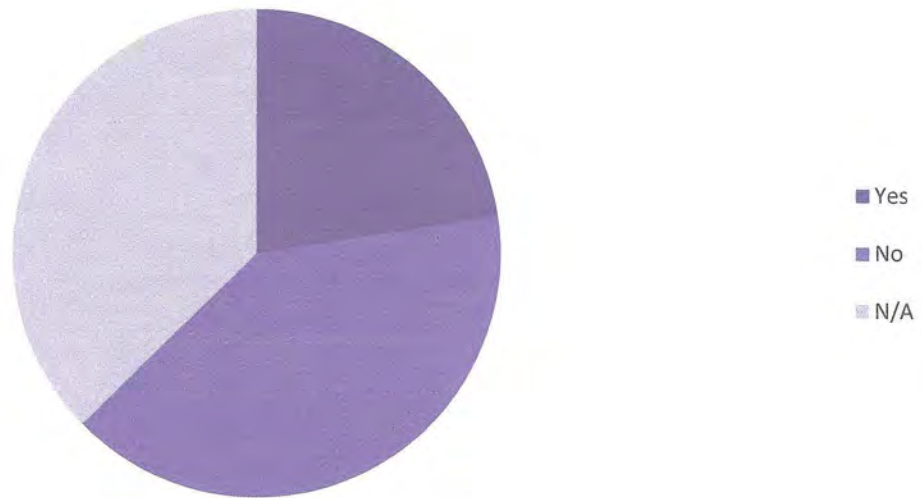


Question 6

When you contacted the Board by telephone, was your call answered timely and in a professional manner?

Answer Options	Response Percent	Response Count
Yes	22.5%	32
No	40.1%	57
N/A	37.3%	53
<i>answered question</i>		142
<i>skipped question</i>		2

When you contacted the Board by telephone, was your call answered timely and in a professional manner?



A comment section is also designated in the survey for specific input from the consumer regarding the consumer's Board experience.

Inspection Satisfaction Online Survey Results

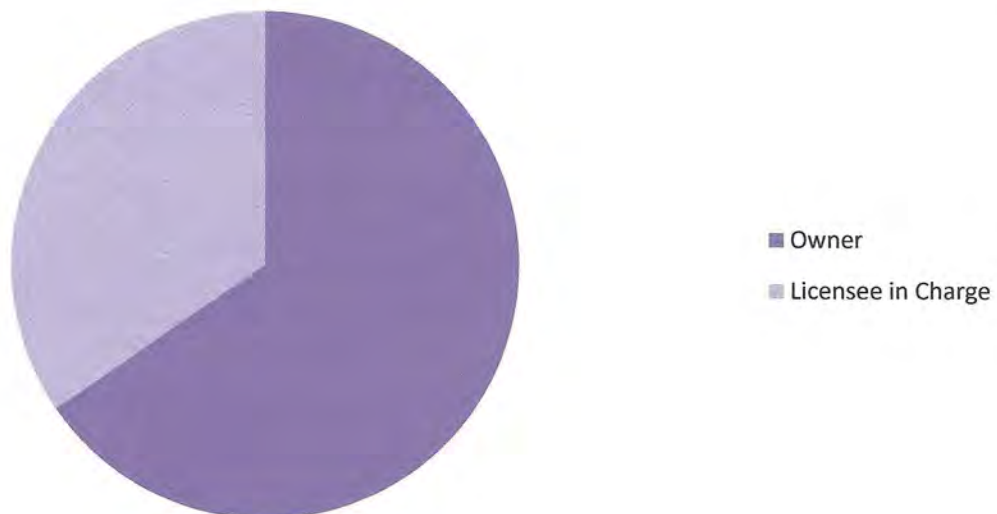
In the spirit of transparency, the Board has developed an anonymous survey that is posted on the Board's Web site that encourages licensees to evaluate the Board's inspection and the inspector's conduct during an inspection. Additionally, with the citations issued, the Board includes a postage paid postcard with the Inspection Satisfaction Survey. The report is compiled quarterly and distributed internally to the executive staff, the inspections manager, the inspector supervisors, and lastly it is shared with the inspectors themselves. Below are the results of report from July 1, 2013 to June 30, 2014. Additional survey results can be found in Appendix 5.

Question 1

Are you the Owner or Licensee in Charge?

Answer Options	Response Percent	Response Count
Owner	65.4%	172
Licensee in Charge	34.6%	91
<i>answered question</i>		263
<i>skipped question</i>		40

Are you the Owner or Licensee in Charge?

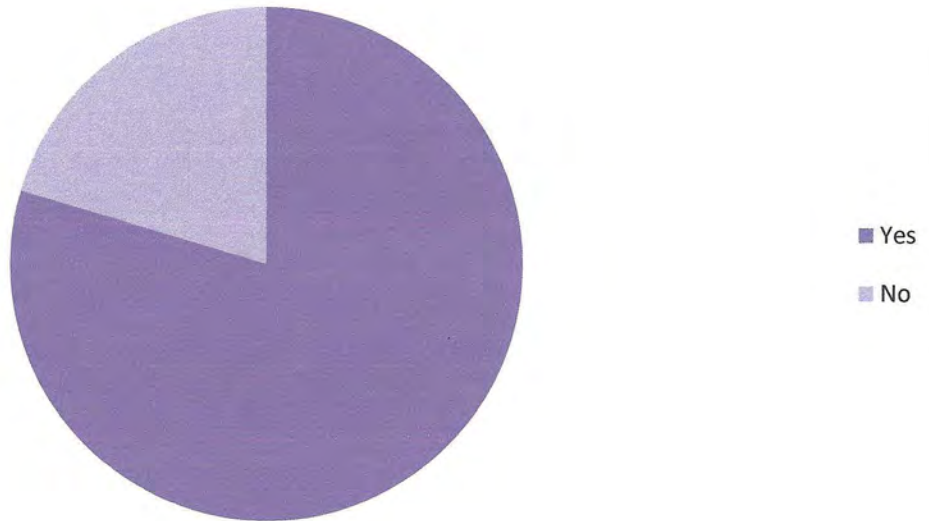


Question 2

Were you present during the inspection?

Answer Options	Response Percent	Response Count
Yes	79.6%	223
No	20.4%	57
<i>answered question</i>		280
<i>skipped question</i>		23

Were you present during the inspection?



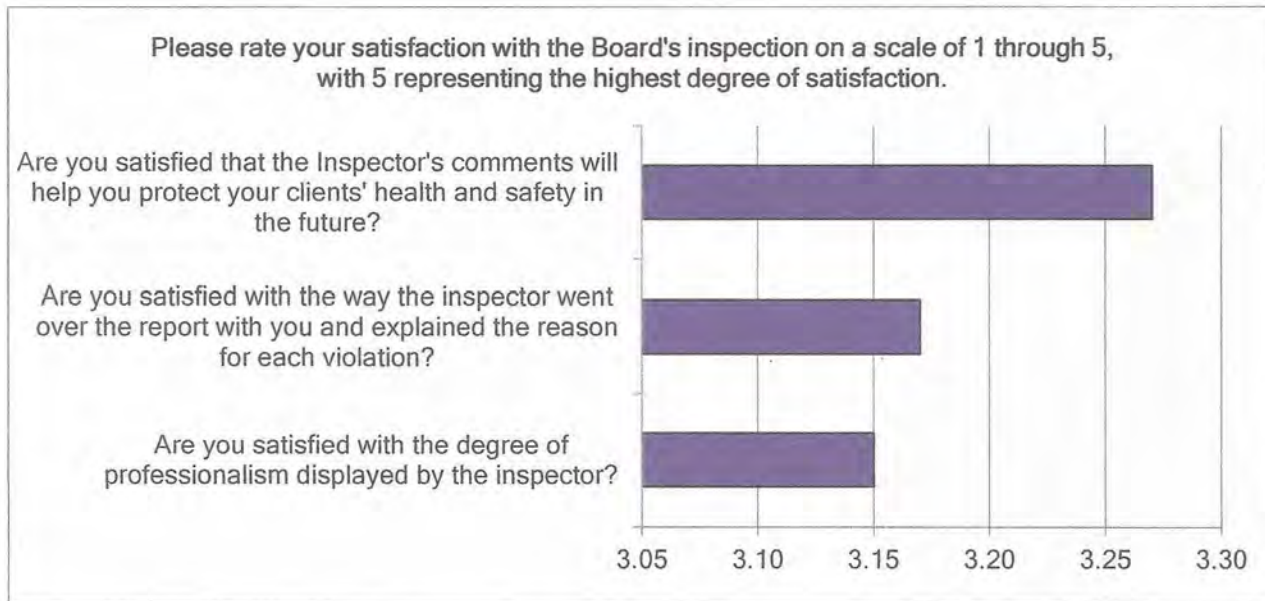
Question 3

Please rate your satisfaction with the Board's inspection on a scale of 1 through 5, with 5 representing the highest degree of satisfaction.

Answer Options	1	2	3	4	5	Rating Average
Are you satisfied with the degree of professionalism displayed by the Inspector?	79	25	56	32	97	3.15
Are you satisfied with the way the Inspector went over the report with you and explained the reason for each violation?	83	22	48	38	100	3.17
Are you satisfied that the Inspector's comments will help you protect your clients' health and safety in the future?	78	18	45	38	106	3.27

answered question 291

skipped question 12



A comment section is also designated in the survey for specific input from the licensee regarding the inspection. Additionally, the survey contains a question regarding zip code assignment. This question is utilized to identify which inspector conducted the inspection.



Fiscal and Staff

Fiscal Issues

General Fund Loans

Renewal Cycles and Fee History

Budget Change Proposals

Board Staffing

Staff Development

Organizational Charts

Fiscal Issues

The Board began Fiscal Year 2013/14, with a current reserve level of 9.1 months and year-end expenditures of \$20,441. While the Board does not have a specific statute that requires a certain reserve level to be maintained, future reserves will be monitored to determine if any action is needed. At this time the Board does not plan to increase or reduce fees.

Table 2. Fund Condition						
(Dollars in Thousands)	FY 2010/11	FY 2011/12	FY 2012/13	FY 2013/14	FY 2014/15	FY 2015/16
Beginning Balance	\$10,049*	\$16,084*	\$10,524*	\$14,726*	\$15,919	\$18,439
Revenues and Transfers	\$21,034	\$10,855	\$22,100	\$21,634	\$23,505	\$23,510
Total Revenue	\$21,034	\$21,855	\$22,100	\$21,634	\$23,505	\$23,510
Budget Authority	\$17,376	\$18,132	\$19,853	\$21,295	\$20,985	\$21,387
Expenditures	\$15,098	\$16,946	\$18,791	\$20,441	\$20,985**	\$21,387**
Loans to General Fund		\$11,000				
Accrued Interest, Loans to General Fund						
Loans Repaid From General Fund	N/A	N/A	N/A	N/A	N/A	
Fund Balance	\$15,985	\$9,993	\$13,833	\$15,919	\$ 18,439	\$20,562
Months in Reserve	12.7	6.4	8.1	9.1	10.3	11.3

*These are including beginning balance adjustments

**Projected to spend full budget

General Fund Loans

During Fiscal Year 2002/03, the Board provided the State's general fund with a loan of \$9 million. In Fiscal Year 2008/09, the Board provided the State's general fund with a loan of \$10 million and a loan of \$11 million in 2011/12. The total of loans provided to the State's general fund was \$30 million. The Board has received a partial repayment of these loans in two installments, one payment in Fiscal Year 2005/06 for \$5.5 million, and another payment in Fiscal Year 2006/07 for the amount of \$3.5 million. This leaves an outstanding loan balance of \$21 million.

The following chart details the Board's program expenditures.

Table 3. Expenditures by Program Component

(list dollars in thousands)

	FY 2010/11		FY 2011/12		FY 2012/13		FY 2013/14	
	Personnel Services	OE&E	Personnel Services	OE&E	Personnel Services	OE&E	Personnel Services	OE&E
Enforcement	\$2,948	\$2,191	\$3,207	\$2,283	\$2,962	\$2,540	\$3,354	\$2,414
Examination	\$890	\$2,161	\$949	\$2,914	\$1,055	\$3,226	\$876	\$2,592
Licensing	\$1,305	\$543	\$1,455	\$602	\$1,618	\$859	\$1,355	\$814
Administration *	\$809	\$296	\$482	\$157	\$521	\$203	\$1,064	\$414
DCA Pro Rata		\$4,137		\$5,048		\$5,920		\$7,589
Diversion (if applicable)								
TOTALS	\$5,952	\$9,328	\$6,093	\$11,004	\$6,156	\$12,748	\$6,649	\$13,823

*Administration includes costs for executive staff, board, administrative support, and fiscal services.

(The charts lists are thousands i.e. \$2,947,563 will be \$2,948)

Renewal Cycles and Fee History

The Board has a continuous renewal cycle for all of its license categories with one exception, the apprenticeship license, which is not renewable. The renewal cycle is biennial and expires at midnight on the last day of the month of issuance. A license that has expired may renew within five years following expiration, upon payment of all accrued renewal fees, and delinquency fees. If a licensee fails to renew within the five years, the license is cancelled and is no longer renewable.

The Board rarely amends its fee statutes. The Board does not anticipate any fee increases in the near future. There have only been two amendments to the Board's fee structure in the last decade, one in 2007 to establish an application and examination fee and one in 2011, to update the fee for a dishonored check. Statutory authority for these fee changes are Business and Professions Code Sections 7337.5, 7421, 7423, 7425 and Section 1719 of the Civil Code and Section 6157 of the Government Code.

Table 4. Fee Schedule and Revenue

Fee	Current Fee Amount	Statutory Limit	FY 2010/2011 Revenues	FY 2011/2012 Revenues	FY 2012/2013 Revenue	FY 2013/2014 Revenue	% Total Revenue
Apprenticeship Fee	\$25.00	Yes	21,370	20,575	20,550	21,400	0.098%
Baber Delin Renewal	\$20.00	Yes	2,120	740	380	400	0.002%
Baber Delin Renewal	\$25.00	Yes	31,505	34,325	36,774	43,500	0.200%
Barber Exam Fee	\$75.00	Yes	140,805	150,300	165,775	176,519	0.811%
Barber License Fee	\$50.00	Yes	74,833	82,491	88,796	99,085	0.455%
Barber Renewal	\$40.00	Yes	4,220	1,520	655	40	0.000%
Barber Renewal	\$50.00	Yes	417,210	429,895	445,840	458,395	2.107%
Bounce Check Fee	\$25.00	Yes	9,064	17,252	16,605	8,823	0.041%
Certification Fee	\$10.00	Yes	55,044	57,970	62,221	15,855	0.073%
Cosmetology Exam Fee	\$75.00	Yes	1,791,385	1,845,508	1,827,620	1,696,630	7.798%
Cosmetology Renewal	\$40.00	Yes	33,840	15,842	16,317	15,156	0.070%
Cosmetology Licensee Fee	\$50.00	Yes	796,482	829,228	787,202	739,052	3.397%
Cosmetology Renewal	\$50.00	Yes	5,804,715	5,765,377	6,100,632	5,972,858	27.451%
Cosmo Delin Renewal	\$20.00	Yes	16,860	7,915	2,280	5,120	0.024%
Cosmo Delin Renewal	\$25.00	Yes	424,883	424,344	452,452	481,169	2.211%
Duplication Fee	\$10.00	Yes	76,905	84,785	87,328	131,735	0.605%
Electrologist Delin Renewal	\$20.00	Yes	40	20	20	0	0.000%
Electrologist Delin Renewal	\$25.00	Yes	1,595	2,150	1,725	6,000	0.028%
Electrologist Exam Fee	\$75.00	Yes	2,325	2,775	2,700	3,225	0.015%
Electrologist License Fee	\$50.00	Yes	1,440	1,800	1,500	1,758	0.008%
Electrologist Renewal	\$40.00	Yes	80	40	40	0	0.000%
Electrologist Renewal	\$50.00	Yes	42,840	38,200	40,000	36,050	0.166%
Establishment Delin Renewal	\$20.00	Yes	37,040	35,850	39,165	61,193	0.281%
Establishment License Fee	\$50.00	Yes	314,020	328,345	303,655	318,750	1.465%
Establishment Renewal	\$40.00	Yes	633,652	687,145	670,347	702,850	3.230%
Esthetician Delin Renewal	\$20.00	Yes	2,020	1,485	360	20	0.000%
Esthetician Delin Renewal	\$25.00	Yes	84,355	87,848	93,280	110,815	0.509%
Esthetician Exam Fee	\$40.00	Yes	240	40	40	40	0.000%
Esthetician Exam Fee	\$75.00	Yes	579,154	544,950	533,090	496,771	2.283%
Esthetician License Fee	\$50.00	Yes	212,202	223,040	230,051	216,925	0.997%
Esthetician Renewal	\$40.00	Yes	4,160	2,960	730	240	0.001%
Esthetician Renewal	\$50.00	Yes	1,172,955	1,193,500	1,336,900	1,328,820	6.107%
Manicurist Delin Renewal	\$20.00	Yes	5,100	2,050	920	20	0.000%
Manicurist Delin Renewal	\$25.00	Yes	122,664	120,545	130,845	142,735	0.656%
Manicurist Exam Fee	\$75.00	Yes	628,770	599,075	632,853	700,179	3.218%
Manicurist License Fee	\$35.00	Yes	197,323	195,966	215,401	223,225	1.026%
Manicurist Renewal	\$40.00	Yes	10,395	3,990	1,840	40	0.000%

Manicurist Renewal	\$50.00	Yes	2,308,865	2,250,857	2,343,090	2,296,210	10.553%
Mobile Delin Renewal	\$20.00	Yes	40	0	40	20	0.000%
Mobile Unit App Fee	\$50.00	Yes	300	300	200	450	0.002%
Mobile Unit Inspection/Lic Fee	\$100.00	Yes	700	600	400	300	0.001%
Mobile Unit Renewal	\$40.00	Yes	240	80	360	240	0.001%
Pre-Application Fee Barber	\$9.00	Yes	5,328	6,271	6,588	7,695	0.035%
Pre-Application Fee Cosmetologist	\$9.00	Yes	90,676	97,641	92,737	81,482	0.374%
Pre-Application Fee Electrologist	\$9.00	Yes	180	216	225	234	0.001%
Pre-Application Fee Esthetician	\$9.00	Yes	27,567	27,935	30,501	27,598	0.127%
Pre-Application Fee Manicurist	\$9.00	Yes	24,120	22,619	26,937	24,948	0.115%
*Miscellaneous Revenue			14,054,732	5,822,804	5,475,359	5,103,912	23.457%
Total			30,234,886	22,069,164	22,323,326	21,758,482	

Budget Change Proposals

The Board believes its staffing levels for all programs, with the exception of the inspections program, are adequate. The Board has submitted Budget Change Proposals (BCP's) to increase its inspector positions. The Board will continue to pursue BCP's until the inspections program is adequately staffed.

Table 5. Budget Change Proposals (BCPs)

BCP ID #	Fiscal Year	Description of Purpose of BCP	Personnel Services				OE&E	
			# Staff Requested (include classification)	# Staff Approved (include classification)	\$ Requested	\$ Approved	\$ Requested	\$ Approved
111-05	08/09	Request 9.0 positions to conduct statutorily mandated inspections of Board's licensee population	7.0 – Inspector I 1.0 OT(T) 1.0 – AGPA	7.0 – Inspector I 1.0 OT(T) 1.0 – AGPA	\$516	\$516	\$146	\$146
1110-04	10/11	Request 4.0 positions (two-year limited term) to inspect new BBC establishments	4.0 – (LT) 24 month Inspector I	4.0 – (LT) 24 month Inspector I	\$218	\$218	\$85	\$85

Board Staffing

The Board has minimal staffing issues. The most challenging issue is the classification of Inspectors. The Board currently has 26 Inspector positions, three of which are supervisor positions. There are currently two vacancies. The Inspectors are responsible for conducting random, initial and targeted inspections of the over 50,000 licensed establishments.

The inspector positions are considered hard-to-fill as the pay is equivalent to an entry-level clerical position. The Board conducted a classification study on the inspector class and it was determined that the positions are classified correctly, but that the pay should be reviewed during the bargaining process.

The Board has very little turnover and staff retention is excellent. As the Board looks ahead, there are individuals looking to retire and steps are being taken to recruit new staff prior to the retirement of these individuals, so training can take place and there will be a smooth transition for the change.

Staff Development

The Board supports and encourages training opportunities to improve or enhance performance, as well as, training that will encourage learning and development for future career growth, ideally, within the Board. During employee performance reviews, managers and staff work together to identify training opportunities that will promote desired goals. Each staff member is encouraged to develop an Individual Development Plan (IDP). The IDP is then used as a road map for success, outlining areas of accomplishment, as well as, areas for improvement. The IDP is updated annually. Additionally, over the past several years, the DCA has developed a very robust training program that is offered at no cost to Board staff. The courses include training for upward mobility; assistance in developing better analytical skills, improving writing skills, and general customer service.

The Board worked with the DCA's training unit to provide Diversity Training to Board inspectors. The Board also provides training for inspectors during regular staff meetings, and during annual All-Inspector meetings. In 2014, the Board held two All-Inspector meetings which included training on verbal communication, as well as, consistency in job performance.

The executive staff and management encourage staff to take advantage of the free Web-based training provided to the Board via the DCA Web site, and have found it to be efficient and effective.

Below are the Board's expenditures related to training:

2009/10: \$14,711
2010/11: \$12,009
2011/12: \$730
2012/13: \$780
2013/14: \$95

Organizational Charts

Organizational charts for the last four years are provided in Section 12.



Licensing Program

Performance Targets

Application Processing

Military

Examinations

School Approvals

Continuing Education/Competency Requirements

Licensing and Examination Program

The Board's licensing program is responsible for reviewing and processing all individual and establishment licensing applications received by the Board. The Board has one of the highest workloads in the State. The Board's licensing and examination program is unique in that examinations are administered Monday through Friday, and an individual who passes the examinations obtains a license on the same day.

Performance Targets

The Board has internal performance measures for application processing as listed below:

Performance Measure	Definition	Target	Actual*
Initial Applications	Average days from receipt of application to examination scheduling.	42 days	28 days
Establishment Applications	Average days from receipt of application to license issuance.	28 days	22 days
Apprentice Application	Average days from receipt of application to license issuance.	28 days	21 days
Reciprocity Application	Average days from receipt of application to license issuance.	28 days	22 days
Examination Scheduling	Average number of days from date of approval of qualifications to examination date.	60 days	21 days

*Data obtained via manual tracking.

The Board monitors its performance in licensing on a weekly basis. Due to the high volume of workload, statistics are provided every Monday by licensing staff on the processing timeframes for the applications on their desks. In addition to the Board's internal licensing statistics, statistics are also provided from the DCA's cashiering unit. These numbers include the date of the oldest application being cashiered and the date incoming mail is being processed.

Implementation of the BreEZe database allowed the Board to significantly reduce its licensing processing times. Initially, the Board prepared for implementation by focusing on processing all pending applications. After the implementation, the Board took several steps to change its internal business processes to ensure that the processing times did not increase. As BreEZe stabilizes, and the Board is able to implement more online transactions, the Board believes that cashiering times will be reduced and therefore allow applications to be processed more quickly.

Application Processing

As part of the review process, each application and corresponding documentation is evaluated to determine if the applicant meets the minimum qualifications for licensure, as specified in statute and regulation.

The Board's workload has increased only slightly over the last three years and the volume of incoming applications remains steady. The Board has been able to maintain adequate workflow even with the slight increase.

Licensing Data			
	FY 2011/12	FY 2012/13	FY 2013/14
Total Licenses Issued	30,191	30,856	28,357
Total Licenses Renewed	210,107	210,428	212,118

Table 6. Licensee Population

		FY 2010/11	FY 2011/12	FY 2012/13	FY 2013/14
Establishments	Active	42,090	44,555	44,175	41,830
	Delinquent	5,359	5,548	5,788	8,643
Mobile Unit	Active	15	19	19	21
	Delinquent	5	5	5	6
Barber	Active	18,939	19,519	20,423	19,992
	Delinquent	3,620	3,578	3,718	4,873
Barber Apprentice	Active	647	676	746	887
Cosmetology	Active	243,683	249,865	256,466	253,571
	Delinquent	36,350	37,060	38,618	46,625
Cosmetology Apprentice	Active	1,018	1,056	998	1,162
Electrology	Active	1,692	1,642	1,589	1,512
	Delinquent	530	514	488	495
Electrology Apprentice	Active	1	2	2	2
Manicurist	Active	97,798	99,011	100,187	98,613
	Delinquent	21,660	22,215	23,074	27,100
Esthetician	Active	52,409	55,770	59,158	60,803
	Delinquent	6,796	7,408	8,623	11,290
Totals		532,647	548,466	564,112	577,425

Table 7a. Licensing Data by Type

		Received	Closed*	Issued	Average Days to Issue License
Application Type					
FY 2011/12	Establishments	6,567	U/A	6,706	29
	Mobile Units	6	U/A	4	46
	Barber	2,016	U/A	1,209	85
	Barber Apprentice	291	U/A	265	20
	Cosmetology	24,676	U/A	11,970	102
	Cosmetology Apprentice	537	U/A	508	17
	Electrology	37	U/A	22	63
	Electrology Apprentice	1	U/A	1	23
	Manicurist	8,008	U/A	4,939	68
	Esthetician	7,286	U/A	4,567	64
FY 2012/13	Establishments	6,060	U/A	6,292	U/A**
	Mobile Units	4	U/A	4	U/A**
	Barber	2,231	U/A	1,515	U/A**
	Barber Apprentice	375	U/A	323	U/A**
	Cosmetology	24,405	U/A	12,306	U/A**
	Cosmetology Apprentice	451	U/A	392	U/A**
	Electrology	39	U/A	25	U/A**
	Electrology Apprentice	0	U/A	0	U/A**
	Manicurist	8,446	U/A	4,987	U/A**
	Esthetician	7,110	U/A	5,012	U/A**
FY 2013/14	Establishments	7,467	U/A	7,205	U/A**
	Mobile Units	6	U/A	2	U/A**
	Barber	2,821	U/A	1,473	U/A**
	Barber Apprentice	442	U/A	402	U/A**
	Cosmetology	26,490	U/A	9,622	U/A**
	Cosmetology Apprentice	538	U/A	501	U/A**
	Electrology	33	U/A	31	U/A**
	Electrology Apprentice	0	U/A	0	U/A**
	Manicurist	8,585	U/A	4,609	U/A**
	Esthetician	6,190	U/A	4,512	U/A**

*The Board does not utilize a database to track applications that are withdrawn, abandoned, or denied; therefore this data cannot be reported. Please note that denied applications are reported under Section 5.

** The Board does not utilize a database to track this information.

Table 7b. Total Licensing Data			
	FY 2011/12	FY 2012/13	FY 2013/14
Initial Licensing Data:			
*Initial License/Initial Exam Applications Received	49,425	49,121	52,572
*Initial License/Initial Exam Applications Approved	U/A**	U/A**	U/A**
*Initial License/Initial Exam Applications Closed**	U/A**	U/A**	U/A**
License Issued	30,191	30,856	28,357
Initial License/Initial Exam Pending Application Data:			
Pending Applications (total at close of FY)	3,106	U/A**	U/A**
Initial License/Initial Exam Cycle Time Data (WEIGHTED AVERAGE):			
Average Days to Application Approval (All - Complete/Incomplete)	52	U/A**	U/A**
Average Days to Application Approval (incomplete applications)**	U/A**	U/A**	U/A**
Average Days to Application Approval (complete applications)**	U/A**	U/A**	U/A**
License Renewal Data:			
License Renewed	210,107	210,428	158,878

* Only exam applications are approved. All other applications result in licensure. The exam applications will also include any re-exam applications.

** The Board does not utilize a database to track this information. During 2010/2011 the DCA provided this information as part of the Licensing for Job Creation Project.

Application Verification

Barbering and cosmetology regulations establish the requirements for licensure. The Board provides applicants with detailed instructions on the application process and requirements to obtain licensure. For applicants who have received training in this State from a Board-approved school, the Board provides the schools a Proof of Training document (POT) that is completed by the school administration. The POT verifies how many hours of training were completed. In order to verify submitted POT documents, a representative from the school is required to sign, under the penalty of perjury, that the information is true and correct.

Criminal History

The Board requires all 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 all misdemeanor and 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.

At this time, the Board must rely on the applicants to honestly disclose prior convictions on their applications for licensure, as the Board does not have the ability to utilize fingerprinting for background checks. Once a prior conviction is disclosed, the application is forwarded to the Enforcement program for further review. The applicant may be required to submit court documents regarding the conviction, along with any mitigation and/or rehabilitation information he or she may have.

In September 2010, the Board established a process that allows an applicant who has past convictions to submit an application prior to enrolling in school. This allows the Board to review the convictions and determine if these are substantially related to the practice of the profession prior to a student paying tuition, and completing schooling only to be denied approval to sit for the Board examination for licensure.

There is no national databank relating to disciplinary actions and the Board does not require primary source documentation.

Examinations in State Correctional Facilities

The Board conducts examinations in State correctional facilities. The Board works closely with the California Department of Corrections and Rehabilitation to schedule and administer these examinations in the correctional facilities. Since 2006, the Board has administered 68 exams and licensed 50 individuals.

To administer these examinations, Board staff travels to the correctional facility and provides both the written and practical portions of the examination. The examinations are graded and written exam results are provided on the same day the examination is administered. The NIC practical exam scores are provided within two weeks.

Date of Exam	# of Examinees	Type of Exam	# Passed Written	# Passed Practical
12/13/2006	9	Cosmetology	5	6
7/24/2007	5	Cosmetology	2	4
1/30/2008	2	Cosmetology	1	1
11/6/2008	4	Cosmetology	2	3
	4	Manicuring	4	1
9/23/2009	5	Cosmetology	5	4
	3	Manicuring	3	2
6/21/2011	7	Cosmetology	7	6
6/13/2012	7	Manicuring	7	7
6/13/2013	3	Cosmetology	3	2
6/18/2013	6	Cosmetology	6	6
6/12/2014	7	Cosmetology	7	6
6/19/2014	6	Cosmetology	6	6

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 an application and the licensing fee; and
- Submit proof of a current license issued by another state that has not been revoked, restricted, or suspended, is in good standing, and has been active for three of the past five years.

The Board has issued 14,130 licenses since implementing reciprocity in 2007.

Out of Country Licensing

Business and Professions Code Article 3 specifies qualifications for admittance to the examination and states 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.”

An applicant applying to take the examination based on his or her education abroad must contact an independent evaluation company to review and determine the equivalency of their education. Upon receipt of the application and supporting documentation, the examination is scheduled.

Military

The Board values and appreciates the service offered by this country's military personnel. The Board has worked hard to become compliant with recent statutory changes regarding military personnel and veterans.

Currently, Business and Professions Code Section 7321.5 (d) (6) allows the Board to accept completed “Verification of Military Experience and Training records” for training documentation for the Barber licensing examination. After review of the application and documentation, Board staff schedules the applicant for examination. The Board has initiated a regulatory change to include the other license types (cosmetology,

manicuring, esthetic, and electrology) for proof of training acceptance of the Verification of Military Experience and Training record. Regulatory changes are expected to be completed by the fall of 2015. The Board has received very few examination applications from military personnel, (only two in the last two years – both of which were approved for examination). The Board does not expect to receive many applications for other license types due to the fact that barbering is the dominant license type within the military.

With the implementation of the BreEZe database, the Board is now able to track veteran status. The Board has begun changing its applications to inquire, "Have you ever served in the United States Military?" This Board fully expects to be compliant by the January 1, 2015, due date.

The Board has been proactive in addressing changes applicable to military personnel on its Web site. The following notice has been posted:

"On January 1, 2013, AB 1588 and AB 1904 went in to effect, which allows the Board to extend the following accommodations:

AB 1588

The Board of Barbering and Cosmetology will waive the renewal fees for a licensee if the licensee is serving on active duty in the Armed Forces or the California National Guard. Please use the following forms when making your request:

[Armed Forces Personnel Application for Exemption from Payment of Renewal Fees](#)
[Application to Restore License to Active Status](#)

AB 1904

The Board of Barbering and Cosmetology will expedite the Reciprocity licensure process for spouses and domestic partners of those on active duty in the Armed Forces or the California National Guard. Please use the following form when making this request:

[Application for Reciprocity and Initial License Fee"](#)

Since the implementation of these provisions on February 11, 2013, the Board has expedited four reciprocity applications for the spouses of military personnel. All were processed in compliance with Business and Professions Code Section 115.5.

The Board has received and processed one request for waiver of renewal fees. It should be noted that the Board has received additional requests by the spouses of military personnel to waive licensing renewal fees.

These requests have been rejected as the law applies to military personnel only.

Examinations

The Board requires applicants for licensure as a cosmetologist, barber, manicurist, electrologist, and esthetician to take and pass both a practical (hands-on) and written examination. In May 2009, the Board adopted the national written examination and in October 2011, the practical portion was adopted. The Board offers its examinations in English, Spanish, Vietnamese and on September 1, 2012, Korean examinations became available.

The Board maintains two examination facilities that operate Monday thru Friday: one in Fairfield (Northern) and one in Glendale (Southern). The Board does participate in the computer-based testing program and each examination facility is sub-leased to the vendor for the administration of the written examination. This is necessary to facilitate same-day licensure for successful candidates. Candidates are able to take the written portion at one of the thirteen computer- based testing sites in California.

The testing procedure is really quite simple. Once an application for exam has been received by the Board and evaluated for accuracy, Board staff schedules a written and a practical exam for the applicant. Both tests are generally scheduled to be taken on the same day. The written test may be administered in the morning and the practical examination in the afternoon, or vice versa. Once the applicant has passed both the written and practical portions of the exam, the license is issued immediately at the examination facility. If an applicant fails either part of the exam (written or practical) they must pay another testing fee to schedule a re-examination. The new application and fee must be submitted to the Board within one year, as testing scores are only valid for a one-year period.

On March 1, 2012, the Board eliminated the use of live models for the practical portion of the examination and switched to mannequin heads (with the exception of the Barber examination). The use of a live model was a common reason for the elimination of a candidate from the examination. Models were often found to have broken skin, insufficient hair for a haircut, or were found to be "coaching" the candidate. The Board's transition to using mannequins has been smooth. Use of the mannequin still allows examiners to determine if the applicant shows minimal competency and follows the required health and safety protocols.

Pass Rates

Listed below are the pass rates for the Board's examinations. As noted above, an applicant must take and pass both a written and practical portion of the exam. If an applicant fails one portion they are only required to re-take the failed portion.

The Board has seen a decline in pass rates since transitioning to the national exam. It is believed that this is because the national exam is current and relevant to today's practices. The previous exam had been in circulation for many years and schools often provided courses on how to pass the examination. The implementation of the national examination verifies that the Board is testing for minimal competency and that schools are teaching minimal competency.

As the Board has been reviewing pass rates, it is evident that there is a concern with the Spanish pass rates. The Board contacted the National Interstate Council of State Boards (NIC) and they completed a review of the Spanish translation to ensure there were no issues with the accuracy of translation. The NIC believes the examinations are translated appropriately. In finding that the translation of the examination was adequate, the Board contacted the schools for input. On April 30, 2014, a letter was sent to all schools that included a survey. The survey asked:

1. Please provide your school code.
2. Do you have Spanish speaking students?
3. Do you instruct and provide textbooks and learning materials in Spanish to these students?
4. What areas do you find most challenging for these students?
5. What suggestions do you have for the Board to assist your Spanish speaking students?
6. Would you send an instructor to participate in a question and answer session concerning this topic in Sacramento?

The Board mailed the survey to the 283 approved schools and received 48 responses. Of the 48 schools that responded, their responses were as follows:

- 54% have Spanish-speaking students
- 9 schools utilize the textbook in Spanish
- 11 schools would be willing to send an instructor to Sacramento to discuss this issue

Questions 4 and 5 were open questions that allowed the schools to type in their response. The majority of schools that responded to the survey

indicated that the Spanish exam is harder on students than the English exam primarily because most students speak conversational Spanish.

To address this issue, the Board has added information to all of its examination applications that state:

Please Note: These documents are translated into the most universal or neutral version of each language to be acceptable to the widest possible audience.

WRITTEN EXAMINATION

Table 8. Examination Data								
National-Interstate Council of State Boards of Cosmetology Written Exam Pass Results by Language								
	English		Spanish		Vietnamese		Korean*	
FY 10/11	# of Candidates	Pass %	# of Candidates	Pass %	# of Candidates	Pass %	# of Candidates	Pass %
Barber	1,344	80%	75	83%	66	92%	N/A	N/A
Cosmetology	14,907	73%	1,702	33%	968	37%	N/A	N/A
Esthetician	4,367	76%	20	40%	2,354	55%	N/A	N/A
Electrology	23	91%	0	0%	0	0%	N/A	N/A
Manicurist	1,670	69%	62	52%	4,992	64%	N/A	N/A
FY 11/12	# of Candidates	Pass %	# of Candidates	Pass %	# of Candidates	Pass %	# of Candidates	Pass %
Barber	1,321	81%	84	77%	47	94%	N/A	N/A
Cosmetology	16,316	62%	1,494	24%	1,260	41%	N/A	N/A
Esthetician	4,176	78%	20	40%	1,787	64%	N/A	N/A
Electrology	23	91%	0	0%	0	0%	N/A	N/A
Manicurist	1,695	67%	60	45%	4,832	74%	N/A	N/A
FY 12/13	# of Candidates	Pass %	# of Candidates	Pass %	# of Candidates	Pass %	# of Candidates	Pass %
Barber	1,702	81%	117	77%	51	76%	5	20%
Cosmetology	17,633	59%	1,440	29%	1,573	57%	129	68%
Esthetician	4,272	81%	20	45%	1,855	77%	67	72%
Electrology	29	83%	0	0%	0	0%	0	0%
Manicurist	1,938	66%	67	51%	4,770	73%	63	79%
FY 13/14	# of Candidates	Pass %	# of Candidates	Pass %	# of Candidates	Pass %	# of Candidates	Pass %
Barber	1,779	85%	90	74%	35	97%	2	50%
Cosmetology	16,748	58%	1,240	29%	1,219	63%	117	63%
Esthetician	4,119	81%	12	25%	1,516	84%	125	91%
Electrology	37	86%	0	0%	0	0%	0	0%
Manicurist	2,164	70%	50	42%	5,335	66%	70	73%

*Offered Korean October 2012

PRACTICAL EXAMINATION

Exam Title		National-Interstate Council of State Boards of Cosmetology-Practical				
License Type		Barber	Cosmetology	Esthetician	Electrology	Manicurist
FY 2010/11	# of Candidates	1,470	16,466	5,635	24	5,544
	Pass %	81%	72%	86%	96%	78%
FY 2011/12	# of Candidates	1,447	16,292	5,317	25	6,723
	Pass %	81%	86%	90%	88%	84%
FY 2012/13	# of Candidates	1,866	16,099	5,651	27	6,040
	Pass %	81%	89%	91%	96%	87%
FY 2013/14	# of Candidates	1,890	14,340	5,428	33	6,685
	Pass %	86%	88%	91%	97%	82%
Date of Last OA		2011	2009	2012	2011	2013
Name of OA Developer		National-Interstate Council of State Boards of Cosmetology (NIC)				
Target OA Date		2015	2014	2016	2016	2017

Note: National written examination administered effective May 1, 2009 and National practical examination administered effective October 3, 2011.

School Approvals

Business and Professions Code Section 7362 states that a school that is approved by the Board is one that is licensed by the Bureau for Private Postsecondary Education (BPPE). Upon approval, the Board issues a code to the school, that must be provided on an applicant's Proof of Training document. To receive approval from the Board, a school must meet the following requirements:

- Possess minimum equipment
- Possess minimum floor space
- Utilize text books approved by the Board
- Obtain Board approval of the curriculum to be offered
- Provide a list of potential bona fide students

The Board provides copies of approval letters to the BPPE. The BPPE cannot issue their approval prior to the Board's approval. BPPE will issue an Intent to Approve letter to a school that is pending the Board's approval. Once the Board has the intent to approve, a school approval letter is generated by the Board and a copy is provided to the BPPE.

The Board also forwards complaints to the BPPE. Students often submit complaints to the Board, as it is the government agency that they are most familiar with. The Board processes these complaints as non-jurisdictional and forwards them to the BPPE. The Board also attempts to work in conjunction with the BPPE on inspections and investigations.

The Board currently has 283 approved schools. The Board only issues an initial approval. An approved school does not need to renew its approval. The Board conducts health and safety inspections at schools and attempts to complete those inspections on an annual basis. The Board does have the authority to remove its approval of a school.

The Board has no legal requirement for approving international schools.

Continuing Education/Competency Requirements

The Board does not require continuing education.



Enforcement Program

Enforcement Program

Performance Measures

Trends

Performance Barriers

Prioritization

Mandatory Reporting and Statute of Limitations

Unlicensed Activity

Cite and Fine

Cost Recovery

Franchise Tax Board Intercepts

Customer Restitution

Enforcement Program

The Board's Enforcement Program opens complaint cases submitted internally by staff, consumers, and other agencies. To ensure the health and safety of the consumer, all cases are investigated.

Investigations may include an inspection of the establishment, requests for additional information from the consumer or licensee, assistance from the Division of Investigation (DOI), or an evaluation by an expert. Complaint cases are closed after the investigation has revealed insufficient evidence to proceed, compliance with the Board's rules and regulations has been demonstrated, or disciplinary action has been taken against the licensee.

Complaints regarding the health and safety of Barbering and Cosmetology schools are processed by the Enforcement Program's designated school analyst. To ensure proper oversight of the Apprentice Program and to ensure apprentices are properly trained in their chosen profession and taught proper health and safety standards, the Enforcement Program is working with the Division of Apprenticeship Standards (DAS), Local Education Agencies (LEA), and Apprenticeship Program Sponsors.

Performance Measures

In 2010, the DCA developed standard performance measures for each board and bureau to assess the effectiveness of their enforcement programs. DCA established an overall goal to complete complaints filed with the Attorney General within 12 to 18 months. Each board or bureau is responsible for determining its performance target for each performance measure. The table below indicates the Board's targets:

Performance Measure	Definition	Target	Actual FY 13-14
PM1 Volume	Number of complaints received	*	4,879
PM2 Cycle Time	Average number of days to complete complaint intake.	10 days	4 days
PM3 Cycle Time	Average number of days to complete closed cases not resulting in formal discipline.	120 days	50 days
PM4 Cycle Time	Average number of days to complete cases resulting in formal discipline.	540 days	702 days
PM5 Efficiency (cost)	Average cost of intake and investigation for complaints not resulting in formal discipline.	**	N/A
PM6 Customer Satisfaction	Customer satisfaction with the service received during the enforcement process.	75% Satisfaction	***
PM7 Cycle Time (probation monitoring)	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	4 days
PM8 Initial Contact Cycle Time (probation monitoring)	Average number of days from the time a violation is reported to the program to the time the monitor responds.	5 days	1day

*Complaint volume is counted but is not a measurement.

**Legacy systems do not allow the board to capture this data; however, the new Breeze system will have this functionality by the time all releases are complete.

*** Due to lack of consumer response, data is not available for this measure.

Trends

The average number of complaints received per year in the previous reporting period (2009-2012) was 5,006, an increase of 50 percent over the prior reporting period. During the last two Fiscal Years (2012/13 and 2013/14), the number of complaints received by the Board leveled off at an average of 4,853 complaints per Fiscal Year. The Board opens “follow-up” complaint cases against establishments which have been cited for multiple health and safety violations, dirty foot spa violations, and unlicensed activity. The number of establishments inspected has leveled off to an average of 11,780, during the last two Fiscal Years (2012/13 and 2013/14). During that period, the number of establishments cited for unlicensed activity has also leveled off to an average of 1,926. The number of complaints opened internally as the result of inspections has averaged about 870 per Fiscal Year during this reporting period (2012-

2014). The number of analysts in the Enforcement Program has remained constant.

	FY 2011/12	FY 2012/13	FY 2013/14
Establishments Inspected	14,012	11,580	11,979
Establishments Cited for Unlicensed Activity	2,224	1,958	1,893
Internal Unlicensed Activity Follow-up Cases Opened	669	593	497
Health and Safety Follow-Up Cases Opened	275	217	362

Performance Barriers

The Board's enforcement performance barriers include internal and external entities. Staffing and workload issues affecting the DCA's Division of Investigation (DOI), the Office of Administrative Hearings (OAH), the Deputy Attorney General's (DAG) Office, and the District Attorney's (DA) Office increase processing times and result in an increase in the age of the Board's caseloads.

An inspection request involves the Board's Inspection and Cite and Fine programs. Inspectors run into barriers with inspections that require travel or DOI assistance. The Board has three territories that do not have assigned inspectors and some inspectors are assigned to territories which cover a large geographical area. Requests for inspections in these territories can require the inspector to travel. Travel involves the submission of a Request to Travel document which must go through an approval process, delaying the date of inspection. Requests for inspection that include DOI assistance are coordinated according to the DOI investigator's schedule. Joint Board/DOI inspections can take several months to schedule.

The processes of the Office of Administrative Hearings, the DAG office, and the DA offices are beyond the Board's control. Board analysts provide these offices with as much information as possible when cases are submitted. The submission of complete cases eliminates requests for information and decreases turn-around times. Case analysts regularly check case statuses to ensure cases are processed as quickly as possible.

Table 9a. Enforcement Statistics			
	FY 2011/12	FY 2012/13	FY 2013/14
COMPLAINT			
Intake			
Received	3,580	2,838	3,271
Closed	0	0	0
Referred to INV	3,579	2,818	3,296
Average Time to Close	3	4	8
Pending (close of FY)	14	36	17
Source of Complaint			
Public	2,589	1,988	2,330
Licensee/Professional Groups	0	1	12
Governmental Agencies	5	1	17
Other	2,873	2,633	2,520
Conviction / Arrest			
CONV Received	1,887	1,785	1,608
CONV Closed	1,889	1,784	1,571
Average Time to Close	3	4	3
CONV Pending (close of FY)	0	1	32
LICENSE DENIAL			
License Applications Denied	5	2	0
SOIs Filed	4	2	2
SOIs Withdrawn	0	0	0
SOIs Dismissed	0	0	0
SOIs Declined	0	0	0
Average Days SOI	0	0	0
ACCUSATION			
Accusations Filed	49	58	63
Accusations Withdrawn	3	0	3
Accusations Dismissed	3	1	0
Accusations Declined	6	1	0
Average Days Accusations	666	630	547
Pending (close of FY)	35	41	37

Table 9b. Enforcement Statistics (continued)

	FY 2011/12	FY 2012/13	FY 2013/14
DISCIPLINE			
Disciplinary Actions			
Proposed/Default Decisions	23	20	26
Stipulations	27	30	28
Average Days to Complete	908	800	702
AG Cases Initiated	113	93	79
AG Cases Pending (close of FY)	79	95	109
Disciplinary Outcomes			
Revocation	43	40	38
Voluntary Surrender	5	11	7
Suspension	0	0	0
Probation with Suspension	32	29	18
Probation	11	21	4
Probationary License Issued	0	0	0
Other	0	0	0
PROBATION			
New Probationers	87	41	52
Probations Successfully Completed	91	41	52
Probationers (close of FY)	174	119	171
Petitions to Revoke Probation	8	8	8
Probations Revoked	10	8	8
Probations Modified	0	0	0
Probations Extended	4	0	0
Probationers Subject to Drug Testing	N/A	N/A	N/A
Drug Tests Ordered	N/A	N/A	N/A
Positive Drug Tests	N/A	N/A	N/A
Petition for Reinstatement Granted	6	0	0
DIVERSION			
New Participants	N/A	N/A	N/A
Successful Completions	N/A	N/A	N/A
Participants (close of FY)	N/A	N/A	N/A
Terminations	N/A	N/A	N/A
Terminations for Public Threat	N/A	N/A	N/A
Drug Tests Ordered	N/A	N/A	N/A
Positive Drug Tests	N/A	N/A	N/A

Table 9c. Enforcement Statistics (continued)

	FY 2011/12	FY 2012/13	FY 2013/14
INVESTIGATION			
All Investigations			
First Assigned	5,467	4,600	4,859
Closed	5,699	4,712	4,597
Average days to close	72	75	50
Pending (close of FY)	864	740	932
Desk Investigations			
Closed	3,605	2,721	4,679*
Average days to close	43	36	13*
Pending (close of FY)	296	203	380*
Non-Sworn Investigation			
Closed	2,040	1,931	1,701*
Average days to close	117	116	100*
Pending (close of FY)	523	512	529*
Sworn Investigation			
Closed	54	60	31*
Average days to close	342	490	215*
Pending (close of FY)	45	25	7*
COMPLIANCE ACTION			
ISO & TRO Issued	0	0	0
PC 23 Orders Requested	1	0	0
Other Suspension Orders	0	0	0
Public Letter of Reprimand	0	0	0
Cease & Desist/Warning	0	0	0
Referred for Diversion	0	0	0
Compel Examination	0	0	0
CITATION AND FINE			
Citations Issued	18,234	15,269	14,709
Average Days to Complete	49	136	41
Amount of Fines Assessed	11,049,251	7,853,890	6,528,937
Reduced, Withdrawn, Dismissed**	N/A	N/A	N/A
Amount Collected	5,671,478	5,326,378	4,924,966
CRIMINAL ACTION			
Referred for Criminal Prosecution	22	10	9

*BreEZe reporting for these areas needs to be refined.

**Citations are only reduced, withdrawn or dismissed by DRC and this is discussed in section 13.

Table 10. Enforcement Aging						
	FY 2010/11	FY 2011/12	FY 2012/13	FY 2013/14	Cases Closed	Average %
Attorney General Cases (Average %)						
Closed Within:						
1 Year	35	31	19	3	88	32%
2 Years	31	42	38	33	144	52%
3 Years	4	14	4	12	34	12%
4 Years	4	1	0	3	8	3%
Over 4 Years	0	0	0	2	2	1%
Total Cases Closed	74	88	61	53	276	
Investigations (Average %)						
Closed Within:						
90 Days	3,547	4,041	3,420	3,858	14,866	74%
180 Days	835	1,078	807	384	3,104	16%
1 Year	457	476	365	259	1,557	8%
2 Years	139	96	103	83	421	2%
3 Years	7	8	13	12	40	.08%
Over 3 Years	1	0	4	0	5	.008%
Total Cases Closed	4,986	5,699	4,712	4,597	19,993	

The Board referred 113 cases to the DAG's Office in Fiscal Year 2011/12. During the same period, 49 accusations and four statements of issues were filed. The number of cases referred to the DAGs since Fiscal Year 2011/12 has decreased 30 percent, from 113 in Fiscal Year 2011/12 to 79 in Fiscal Year 2013/14.

	FY 2011/12	FY 2012/13	FY 2013/14
Referred	113	93	79
Accusations Filed	49	58	63
Statements of Issues Filed	4	2	2

Due to a change in the Board's Enforcement Program work processes, the number of cases referred to the DAG has continued to decrease. Consumer harm cases are more thoroughly investigated, at the Board level, and only cases which contain clear and convincing evidence that a violation of the law has occurred, are forwarded to the DAG's office. Licensees who are found to have committed a violation of the Board's regulations, which do not warrant license discipline, are issued citations.

	FY 2011/12	FY 2012/13	FY 2013/14
Consumer Harm	10%	19%	16%
Health and Safety	51%	32%	21%
Unlicensed Activity	32%	43%	52%
Misc.	7%	6%	11%

In February 2007, the Board raised its fines (and revised them again in 2011). Prior to 2007, the fines for first offenses could be waived if corrected. The Board felt the fines did not act as a deterrent to our licensees. The increase in fines is currently acting as a deterrent. The majority of our cases during this reporting period, 77 percent, are closed after the first directed inspection. The chart below shows how many directed inspections the Board requested in 2011/12, 2012/13, and 2013/14.

Type of Inspections Requested	2011/12	2012/13	2013/14
Directed 1	2,192	1,883	2,046
Directed 2	402	428	551
Directed 3	22	26	42
Investigative	289	199	228
Total	2,905	2,536	2,867
Investigatives referred to DAG's*	38	53	38

* The Board sends Investigative Inspections which have violations that warrant follow-up to the DAG's office for disciplinary action.

Prioritization

Complaint cases are prioritized using guidelines similar to those found in the DCA's *Complaint Prioritization Guidelines for Health Care Agencies*. 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 to specified analysts who "specialize" in the type of violation alleged. The processing of similar complaints allows the analyst to identify trends in the industry and identify violations more efficiently. Complaints alleging health and safety or unlicensed activity violations are considered high priority. Cases opened as the result of inspection reports indicating egregious health and safety violations or unlicensed activity are also considered high priority.

Mandatory Reporting and Statute of Limitations

The Board has no mandatory reporting requirements, nor does it operate with a statute of limitations.

Unlicensed Activity

Unlicensed activity violations are considered a high priority by the DCA and the Board. As the 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 \$1,000.00. Cases involving licensed owners who have been repeatedly cited for employing unlicensed individuals are forwarded to the DAG's office for license discipline. Discipline may include license suspension, probation, and/or revocation.

Unlicensed Activity	FY 2011/12	FY 2012/13	FY 2013/14
Complaints Received from the Public	1,027	755	906
Citations Issued to Owners for Employing Unlicensed Individuals	994	872	815

The Board has no disciplinary recourse for owners and individuals who are performing services without a Board-issued license. Administrative citations are issued to unlicensed individuals, but 65 percent of these citations go unpaid. Collecting the fines for these citations provides a challenge. In order to process a citation for collections, the Franchise Tax Board requires a Social Security number and the collections agency the Board has contracted with requires a valid ID number. Unlicensed individuals often do not provide their legal name, current address, or any type of valid photographic identification. Without proper identification, the Board cannot gather identifying information such as a California Identification or Driver's License number, birth date, or Social Security information.

In an effort to enforce the Board's licensing rules and regulations, beginning July 1, 2010, cases which involve unlicensed establishments and unlicensed activity are referred to the DCA's Division of Investigation (DOI) for assistance. The Board requests that during a joint Board Inspector/DOI Investigator inspection the DOI investigators issue misdemeanor citations to unlicensed owners and unlicensed individuals. Those cases are forwarded to the District Attorney's (DA) office for prosecution, which could result in probation, BBC fine recovery, and/or jail time, depending on the county.

Some owners continue to operate their business without complying with the Board's licensing regulations. The cited owners and operators do not pay their fines and because the DA's office does not always prosecute cases fully, the issuance of misdemeanor citations is not always a

deterrent. The cycle of inspections and non-compliance continues and the safety of the Board's inspectors becomes an issue.

Board inspectors and DOI investigators are experiencing instances where the workers in the establishments are refusing the inspection. The majority of the establishments refusing inspection have previously been cited for unlicensed activity. Even though Business and Professions Code Section 7313 authorizes the inspection of an establishment during business hours or at any time Board-regulated services are being performed, the inspector cannot force operators to unlock the doors or allow entry for an inspection. The assistance of DOI investigators does not help in these situations because DOI investigators cannot use force for entry during inspections. The Board has no recourse except to issue a citation for Inspection Refusal (Business and Professions Code Section 7313) which carries a fine of up to \$750.00.

Situations like these make future inspections uncomfortable for inspectors and investigators. Board inspector safety must be taken into account when requesting follow-up inspections at these locations. The Board cannot ensure compliance if inspections cannot be conducted due to inspector safety concerns.

In an effort to decrease the number of establishment owners cited for operating unlicensed establishments, the Board's Enforcement Program has designated an analyst to work with the establishment owners and bring them into compliance. This approach began in the spring of 2014, and establishment owners are being brought into compliance. Cases in which establishment owners are not coming into compliance are referred to local licensing or code enforcement entities for follow-up. The Board has established working relationships with several local licensing enforcement contacts throughout the State.

Cite and Fine

To ensure compliance with the Board's health and safety and licensing regulations, random and targeted inspections of establishments are conducted. Administrative fines are assessed for violations of the Board's rules and citations are issued to establishment owners and individual operators.

The inspectors provide the licensee with a copy of an inspection report as a record of the inspection. The original inspection report, photographs taken during the inspection, and any inspector comments are then forwarded to the Board's main office. The Board's Cite and Fine Program reviews the material for accuracy, issues a citation and enters the citation information into the BreEZe system. Citations with egregious health and

safety violations or unlicensed activity are forwarded to the Enforcement program for further investigation.

	FY 2011/12		FY 2012/13	FY 2013/14
Establishments Inspected	14,012		11,580	11,979
Citations Issued to Establishments	10,543		8,977	8,257
Citations Issued to Individuals	7,683		6,291	6,452
Total Citations Issued	18,234		15,268	14,709
Establishments with No Violations Cited	2,863		2,051	3,046

Fines are assessed according to how many times the licensee was cited for the same violation within the last five years. For example:

Violations:	
Section 981(a)	2014
1st Occurrence	\$100
2nd Occurrence	\$150
3rd Occurrence	\$200

In 2004, the Department of Consumer Affairs was given authority to increase the maximum amount of a fine from \$2,500 to \$5,000. Any citations with fines totaling more than \$5,000 are modified so the fine total does not exceed \$5,000.

	FY 2011/12		FY 2012/13	FY 2013/14
Citations Modified to Down to \$5,000	31		15	3

The California Code of Regulations (CCR) Section 979, Disinfecting Non-Electrical Instruments and Equipment, is cited most often. The health and safety violations cited most often are violations of rules regarding the disinfection and storage of tools, implements, instruments, and products. The top non-health and safety-related violation cited is for not properly displaying establishment or individual licenses (Section 965, CCR). The fifth most common violation concerns Section 7317 of the Business and Professions Code, Practice of Barbering, Cosmetology, or Electrology for

Compensation without a License (unlicensed establishment or unlicensed individual)

Number of Violations by Fiscal Year

Violation	FY 2011/12*	FY 2012/13	FY 2013/14
979 Non-electrical instruments - not disinfected properly	13,442	9,583	12,611
988 Storage and labeling of liquids, creams, powders and cosmetics	6,563	5,035	6,638
981(a) No disposal of instruments and supplies that cannot be disinfected	5,546	4,286	5,779
7317 Unlicensed establishment, individual, expired establishment license, expired individual license	4,049	2,916	4,700
965 Proper display of license	3,024	3,651	4,979

Anyone who is issued a citation by the Board has the right to appeal any or all of the violations cited. In 2007, the Administrative Fine Schedule was updated to reflect a single fine amount for each violation regardless of how many times the licensee had been cited for the same violation.

However, the Board found that as a result, they were modifying a large number of appealed fine amounts. In 2011, the Board reviewed and revised the Administrative Fine Schedule again and returned to an escalating fine scale. Fines are now assessed according to how many times the licensee was cited for the same violation within the last five years. As a result of the most recent revisions to the Administrative Fine Schedule, the Board is seeing a reduction in the average dollar amount appealed per citation and an increase in the average citation amount after Disciplinary Review Committee (DRC) adjustments. During this reporting period, the average fine per citation before an appeal has gone from \$891 to \$729 and the average fine amount per citation after an appeal decision by the DRC has gone from \$372 to \$565. The role of the DRC will be further explained in Section 13.

	2011/12*	2012/13	2013/14
Average Dollar Amount Appealed per Citation	\$891	\$834	\$729
Average Citation Amount After DRC Adjustment	\$372	\$521	\$565

* In 2011, the Fine amounts were reduced which resulted in less violations being adjusted in the DRC hearings.

The Board allows 30 days for the payment of fines before the fines become delinquent. Request for Payment Notices are issued for citations which have assessed fines that have not been paid in a timely manner. Three Requests for Payment Notices are issued per citation before the citation is forwarded to Fidelity Creditor Service, Inc. The Board is not currently using Franchise Tax Board (FTB) intercepts for collection of administrative fines.

Cost Recovery

Business and Professions Code Section 125.3(a) provides the Board the authority to recover the reasonable costs of investigation and adjudication of a case. The Board seeks cost recovery regardless of whether the case is heard in an administrative hearing or is settled by stipulation.

If revocation and cost recovery are ordered as a result of an administrative hearing, the Board makes three written attempts to contact the respondent to request full payment or develop a payment plan. If the respondent fails to respond, the case is referred to the FTB intercept program. Additionally, the Board has the authority to deny reinstatement of the license of any licensee who has failed to pay all ordered cost recovery. In cases where the respondent is placed on probation, cost recovery, including compliance with a payment schedule, is generally a condition of probation. Non-compliance with this term may result in transmittal of the case to the AG's Office to seek revocation or extend the probation until the costs are paid in full. This, however, results in additional enforcement costs. In October 2010, the Board revised the Disciplinary Guidelines, including many of the terms of probation. The guidelines now provide that probation shall not terminate until full cost recovery payment has been made, that any order for payment of cost recovery shall remain in effect whether or not probation is tolled, and that the filing of bankruptcy shall not relieve the respondent of the responsibility to reimburse the Board for costs. These changes close the loophole on those probationers leaving the State or filing bankruptcy, and ensure that cost recovery will be paid by every probationer. In addition, these revisions will result in fewer probation cases referred to the FTB intercept program and eliminate the

cost of having a stipulation prepared by the AG extending the probation period until costs are paid in full.

During the last three Fiscal Years, the total amount of cost recovery ordered is \$383,524.00. The table below shows the amount ordered for license revocations, surrenders, and probationers. Approximately \$131,644.00 may be uncollectable. This estimated total represents cost recovery assessed to individuals whose license was revoked or surrendered. In the majority of those cases, payment of cost recovery isn't required unless they reapply or petition for reinstatement of licensure with the Board. Additionally, any case in which the Board loses jurisdiction after the licensee is placed on probation may be uncollectable. However, in those cases, the Board does request payment and subsequently refers the case to the FTB intercept program.

Cost Recovery Ordered		
FY 2011/12 through FY 2013/14		
Revocation*	Surrenders*	Probationers
19 cases	8 cases	79 cases
\$94,006	\$37,638	\$251,880
*A case may include more than one license issued to the same respondent. If one of those license types is placed on probation, in addition to revocation or surrender of another license, the cost recovery ordered appears in the Probationers column.		

The Board seeks cost recovery in all formal disciplinary actions. Most cases referred to the DAG's Office have the potential for a cost recovery order. The Board seeks cost recovery in every case, although Administrative Law Judges (ALJ) often reduce the amount of cost recovery or reject it entirely. In an effort to reduce the cost of prosecution and hearings, (hearings create expenses that cannot be recovered by the Board), the Board may reduce the actual cost recovery amount due as an incentive to settle a case prior to a hearing. The Board cannot order cost recovery for cases which are categorized as "default decisions." These cases involve respondents that fail to file a 'Notice of Defense' or fail to appear at the scheduled hearing. As noted above, only an ALJ can award costs, unless a stipulated settlement is reached.

Franchise Tax Board Intercepts

If the respondent has failed to respond to a request for payment, or has stopped complying with a payment plan, or a petition to revoke probation has resulted in a default decision, the case is referred to the Franchise Tax Board intercept program to collect any outstanding cost recovery. Currently the Board has 113 cases in the FTB intercept

program. The intercept program has collected \$33,987.37; the total amount outstanding as of September 23, 2014, is \$404,849.29.

The intercepted amounts, for any case, are typically nominal, intercepted one time during the calendar year, and funds are usually only intercepted once. This minimal success with the FTB program has prompted the Board to seek other solutions to collecting cost recovery. After reviewing the success of using Fidelity Creditor Service, Inc. to collect fine payments, the Board plans to use this agency to collect outstanding cost recovery when other collection measures fall short.

Consumer Restitution

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.

*(d) As used in subdivision (b), specified terms of probation may include an order of restitution. Where restitution is ordered and paid pursuant to the provisions of this subdivision, the amount paid shall be credited to any subsequent judgment in a civil action.

Table 11. Cost Recovery

	FY 2011/12	FY 2012/13	FY 2013/14
Total Enforcement Expenditures	805,760*	822,914	838,662
Potential Cases for Recovery **	69	66	53
Cases Recovery Ordered	37	47	25
Amount of Cost Recovery Ordered	176,075	145,448	72,150
Amount Collected	95,613.11	121,827	63,388
* FY 2011/2012 does not include Division of Investigation costs.			
**Potential Cases for Recovery are those cases in which disciplinary action has been taken based on violation of the license practice act.			

Table 12. Restitution				
	FY 2010/11	FY 2011/12	FY 2012/13	FY 2013/14
Amount Ordered	0	0	0	0
Amount Collected	0	0	0	0

Public Information Policies

Public Information Policies

Board and Committee Meetings

Webcasting of Meetings

Public Disclosure

Consumer Outreach

RELATED APPENDICES

Appendix 6 - Outreach Events

Public Information Policies

The Board is a public agency and performs its activities publicly. The Board makes every effort to be as transparent as possible and complies with all code requirements, as well as, the Bagley Keene Open Meetings Act.

The Board uses its Web site as a primary conduit for communication with the public, applicants and licensees. The Web site provides general information about the Board, instruction on how to file a complaint, consumer brochures and informational fact sheets, barbering and cosmetology law, and licensing and enforcement information. The site has grown as a communication medium and contains more information than ever before.

Over each of the past three years, the site, which conforms to the design templates established by the DCA, has averaged 4.5 million hits. The Board works hard to ensure the site is relevant to consumers, applicants and licensees alike.

The Board also makes use of social media, having created a Facebook page and accounts with Twitter and You Tube. With more than 600 million and 1.4 billion registered users respectively, Twitter and Facebook are seen by the Board as important communication tools. The Facebook page is a quick and efficient way to disseminate current information and updates. The Board does realize this is not a primary method of information dissemination and makes it a practice to refer consumers to the Board's Web site. The Board currently has 207 followers on Twitter and 2,557 "likes" on Facebook.

Board and Committee Meetings

The Board posts dates and locations of all meetings in advance to allow licensees and the public who are interested in attending meetings to make arrangements. At the July Board meetings, members are given a proposed set of dates and locations for Board meetings for the next calendar year. Members vote if the dates/locations are acceptable and staff begins securing meeting site locations. The proposed meeting dates can be found by the public in the meeting materials provided within the July meeting packet. When locations are contractually secured, the confirmed location and date are posted on the Board's Web site.

The Board posts agendas for all Board, committee and subcommittee meetings on its Web page. Agendas are posted at least 10 days in advance of any meeting. The agenda includes a specific description of each topic so the public will have a general understanding about what will be discussed in advance. Then, typically seven to 10 days before a meeting, meeting background materials are also posted. These are the same materials provided to Board members. This provides the public with more specific information about Board activities and permits the public to be fully prepared to participate in discussions before the Board. Meeting materials provided by the Board are thorough and generally provide background information, a summary or history of the item, as well as, any recommendations or action items. Board packets also include draft minutes from the previous meeting. Board minutes serve as a helpful resource for those interested in following Board activities.

A concerted effort has been made to encourage public input. In lieu of this, the Board begins and ends each Board meeting with an invitation for public comments that are not specifically addressed on the agenda.

The Board maintains information for each meeting for a minimum of 20 years, consistent with the Board's records retention policy and maintains its Web site information based on the determinations of the current Executive Officer. Final Board meeting minutes are posted approximately two weeks after the Board approves the minutes.

Webcasting of Meetings

In addition to posting all materials, the Board also supports the use of webcasting, and has leveraged the Department of Consumer Affairs' ability to do so at Board meetings held in recent years. This includes meetings being held in southern California locations. Copies of all webcasts are posted for viewing on the Board's Web site and on DCA's You Tube account. Webcasts are archived annually according to Board meeting date. Webcasts remain on the Board's Web site for 20 years, consistent with the Board's records retention policy for meeting information.

Public Disclosure

The Board's complaint disclosure policy is similar to that of the Department's and was most recently revised in 2006. The Board follows the DCA's Recommended Minimum Standards for Consumer Complaint Disclosure.

The Board posts a significant amount of information about licensees on its Web site. Using the Web site's license verification feature, a consumer can find:

- Licensee's name
- License number
- County of residence
- Issue date
- Expiration date
- Current status, including a notation if the individual is currently on probation, has an accusation pending final decision or if the individual was previously disciplined. In addition, the Board provides a link to the accusations and decisions on individual and establishment licenses.

The availability of this information ensures that consumers have ready access to information about industry professionals, and allows employers, other governmental agencies and other licensees to quickly access license status information about any licensee. The licensure verification feature is a valuable tool for reducing unlicensed activity and provides consumers with status information about their community beauty care provider.

To supplement the information available on the Web site, the Board also responds to requests in writing. Such public information includes what is available on the Board's Web site, but also includes some information that is not posted there. For instance, a licensee may request a copy of the photographs taken by the Board's inspector during an inspection.

Disciplinary action information remains public for 20 years. The Board does not provide additional personal information about licensees regarding their education, degree, etc.

Consumer Outreach

The Board has a strong outreach and education program. The Board has separated the outreach program into two facets, consumer outreach and industry outreach. The Board has had tremendous success in both avenues of outreach.

The Board realizes the need to engage the public for assistance in combating unlicensed and unsanitary activity. In the spring of 2013, the Board launched the "See Something, Say Something" campaign to encourage the public to be aware of safety concerns when visiting a salon or barbershop. It encouraged consumers to speak out if they saw something hazardous, first to the stylist, then to the establishment owner and finally to the Board, if there was no resolution.

In the summer of 2013, the Board launched its "Safe Sandal Season" campaign. Executive Officer, Kristy Underwood, DCA representative

Cristina Valdivia Aguilar and Board Inspector Xochitl Camargo participated in TV news interviews providing consumers with tips on how to be safe when obtaining nail services. The Board's Facebook and Twitter accounts gave daily suggestions on health and safety in the nail salon. The Board, with the assistance of the Department of Consumer Affairs, produced a video providing tips on what to look for when receiving nail services in an establishment. A tri-fold: *Pedicure Safety Tips*, was produced and distributed to consumers and licensees. On June 10, 2013, the Board held an Open House that featured the Safe Sandal Season Campaign. Inspectors and Board staff were on hand to answer consumer/licensee questions and information was available for distribution. In addition, the Safe Sandal Video was viewed. This campaign is an annual event. In the summer of 2014, two new public service videos were added to the campaign. The public service videos highlighted the need for consumers to be aware of the conditions of the salon prior to receiving services. They were encouraged to leave the salon if standard health and safety practices were not being followed.

In an effort to bridge the gap between Board licensees and Board inspectors, the Board recognized the need to educate its licensees on how they can prepare to be inspected by a Board inspector. The Board produced the tri-fold, *What to Expect When You Are Inspected*. This tri-fold gives tips and explains how the inspection process works and a licensee's options if he or she is cited.

The Board has made major strides in its language access. On April 30, 2014, a new "quick hits" page was activated on the Board's Web site dedicated to Vietnamese-speaking licensees. The page contains Board information in Vietnamese. By July 2014, the Board had added a page for the Spanish and Korean languages. The Board has reached out to Vietnamese-speaking licensees by hosting two Town Hall meetings, one in Sacramento, California, on June 2, 2014, and one in Westminster, California on September 8, 2014. These Town Halls reviewed common violations and gave licensees a chance to meet and ask questions to the Board inspectors. These meetings were translated into Vietnamese, in their entirety, for all attendees.

In addition, the Board has translated and published its *Barbering & Cosmetology Act and Regulations* booklet into Korean.

Listed below are a few highlights of the outreach program. For a listing of the outreach events the Board has participated in, please see appendix 6.

- The Board routinely participates in wellness fairs, Town Hall meetings, workshops and seminars to help educate the public on health and safety issues.
- The Board customarily has a booth at trade shows throughout the State of California.
- The Board visits beauty colleges within the State to help students become familiar with Board regulations and to help establish student solidarity within their new career.

On April 26, 2011, Executive Order B-06-11 was imposed upon the Board. This, as well as, other budget restrictions has limited the Board's presence at some of the above-mentioned events. The Board, however, has continued to pursue other outreach opportunities. In response to these limitations, the Board has made it a practice to mail out materials to trade shows and consumer fairs to encourage interest in the Board and promote health and safety. The Board has also explored the use of Facebook and Twitter to reach their public.

In the summer of 2011, the Board produced the first *Smock Talk* newsletter and continues to post current editions to the Board's Web site.

Over the years, the Board has developed a series of consumer and licensee materials covering a wide range of topics. These materials have been developed by Board staff to educate the public on health and safety topics. In recent years, an innovative approach to develop consumer education materials involved development of a series of Board publications that have been divided into two categories, Consumer Publications and Licensee Publications. These two categories are prominently displayed on the Web site.

Below is a listing of the publications the Board currently produces, disseminates to consumers and licensees, and posts on its Web site for download. Several of these items are also available in Spanish and Vietnamese.

Consumer Help Tips

- Consumer Fact Sheet 1: Chemical Hair Treatments
- Consumer Fact Sheet 2: The Complaint Process
- Consumer Fact Sheet 3: Infection Control in the Salon
- Consumer Fact Sheet 4: In-Home Services
- Consumer Fact Sheet 5: Medical Spas
- Consumer Fact Sheet 6: Skin Tag/Mole Removal
- Consumer Fact Sheet 7: Whirlpool Footspa Safety

Consumer Publications

- About the Board
- Consumer Guide to Barbering and Cosmetology Services
- Barbering
- Cosmetology
- Electrology
- Esthetics
- Manicuring
- Pedicure Safety Tips

Licensee Help Tips

- Licensee Fact Sheet 1: Disciplinary Review Committee
- Licensee Fact Sheet 2: Disinfection
- Licensee Fact Sheet 3: Electrology Safety Tips
- Licensee Fact Sheet 4: Becoming an Establishment Owner

Licensee Publications

Foot Spas

Cleaning and Disinfecting Video
Foot Spa Logs (sample)
Instructions and Foot Spa Log
Probationary Foot Spa Logs

Self Inspection Worksheet

Artificial Fingernail Products - A Guide to Chemical Exposures in the Nail Salon

EDD Information Sheet

The Board has posted the Center of Disease Controls (CDC) video, *Put Your Hands Together* onto its Web site. This video discusses proper hand hygiene.

The Board has posted publications, brochures, videos and photo galleries on its Web site to encourage safety and promote a healthy working environment. These include the following:

Protecting the Health of Nail Salon Workers

Top Ten Violations

FDA Fact Sheets

- Hair Dye and Hair Relaxers
- Cosmetics
- Eye Cosmetics Safety

A Study from the California Department of Toxic Substances Control

What to Expect When You are Inspected

Foot Spa Cleaning and Disinfecting Video

Industry bulletins that provide the Board's official position on various topics are posted on the site. Some bulletins that have been posted since the Board's last sunset review have information on the following subjects:

Dermaplaning

Establishment Owner Responsibility

Fish Pedicures (Vietnamese)

Lasers (Vietnamese)

Licensee in Charge (Vietnamese)

Methyl Methacrylate Monomer (MMA)

Micro Needling/Derma Rolling

Nursing/Rehabilitation Homes

Transfer of Credits and Qualifications for Examination

Use of Ultra Violet Sterilizer Units

Unlicensed Mobile Activity (Vietnamese)

The Board also produces a column for the monthly industry newspaper, "The Stylist" that is distributed to all licensed establishments in California. Topics include everything from "Meet the Board President" to "BBC's Top Ten Violations".



Online Practice Issues

Online Practice Issues

The Barbering and Cosmetology profession cannot be practiced online.



Workforce Development and Job Creation

Workforce Development / Job Creation

Impact of Licensing Delays

Outreach to Schools



Workforce Development and Job Creation

Recently, the Bureau of Labor Statistics' Occupational Outlook Handbook reported:

"Overall employment of barbers, hairdressers, and cosmetologists is projected to grow 13 percent from 2012 to 2022, about as fast as the average for all occupations. Growth rates will vary by specialty. Employment of barbers is projected to grow 11 percent from 2012 to 2022, about as fast as the average for all occupations. The need for barbers will stem primarily from an increasing population, which will lead to greater demand for basic hair-care services. Demand for hair coloring, hair straightening, and other advanced hair treatments has risen in recent years, a trend that is expected to continue over the coming decade. "

Note: All Occupations includes all occupations in the U.S. Economy.

Source: U.S. Bureau of Labor Statistics, Employment Projections program

Estheticians also made news, the *U.S. News and World Report* had this employment opportunity listed as # 29 of their 100 Best Jobs list. They reported the following:

"The Bureau of Labor Statistics (BLS) projects employment growth of almost 40 percent from 2012 to 2022, much faster than the average for all occupations. This growth is driven primarily by the desire of women, and a growing number of men, to reduce the appearance of aging. According to the BLS, there were 44,400 esthetician jobs in 2012, of which about half were in the personal care services industry."

Not to be missed are the Nail Technicians. *U.S. News and World Report* listed this employment opportunity as # 5 on their 100 Best Social Services Jobs list. They note:

"There should be 13,500 new nail technician positions across the U.S. before 2022."

Nails Magazine reports revenues of \$8.28 billion for nail services in 2013-2014, and those who work in this profession are poised to reap the rewards of this thriving industry.

The Board is thrilled to be a part of this dynamic industry. The Board's work focuses on ensuring that individuals entering the beauty industry possess the requisite skills and knowledge to provide services to the diverse population of Californians who seek hair, skin and nail services.

Impact of Licensing Delays on Job Creation

The Board plays a significant role in job creation via the licensure of individuals and establishments.

Delays in licensing can prevent individuals from working and establishments from opening. In cases where the Board has delayed granting a license while investigating the criminal background of an applicant, for example - the job intended for that applicant may be given to someone else. Failure to grant an establishment a license in a timely manner can cause the owner to lose prospective employees who are forced to seek work elsewhere.

The Board administers examinations Monday through Friday. Approximately 80 examinations are scheduled per day. The most common delay, at the Board, is an applicant who has been approved to take the exam, but is awaiting his or her scheduled examination date. The Board schedules examinations 30 days in advance.

The Board strives to ensure establishments can open on the date they desire, even when they turn in applications very close to the their desired opening date.

Since the implementation of the new BreEZe database, the Board has not had any licensing/examination delays. Licensing renewals are immediately processed and examination applications, upon receipt, are immediately evaluated and scheduled for examination. The Board has streamlined its evaluation processes and current BreEZe technology has helped reduce any previous backlog.

Outreach to Schools

The Board is always seeking new ways to positively influence future barbering and cosmetology professionals. Recently, the Board set up Facebook and Twitter accounts to reach out to students with up-to-date information that will help them in the pursuit of their new careers. The Board hosts an annual Webcast specifically for schools to answer questions that might arise concerning the practical portion of the Board's licensing examinations.

Circular letters that provide up-to-date information directly relating to student/school activities have also been developed by the Board. These

letters are mailed to each school and posted on the Board's Web site. Letter topics have included:

- New Computer System (BreEZe), New Proof of Training and Pre-Application Forms, and New Procedures for Pre-Applicants and Proof of Training
- Low Pass Rates on Examinations Administered in the Spanish Language
- Relocation of Fairfield Examination Facility (Northern California)
- New examination scoring methods

In addition, the Board is periodically asked to lecture at California cosmetology and barbering schools, on the role of the Board, its licensing and enforcement programs, the duties of the licensee in charge, and other topics. These presentations are intended to ensure that potential licensees understand the Board's role and activities. For example, during presentations about the Board's enforcement program, staff highlights the top 10 violations commonly cited for during an inspection. Discussions like this one are designed to help students better understand how to avoid getting cited and fined, while at the same time help to protect consumers.



Current Issues

Consumer Protection Enforcement Initiative

BreEZe

Consumer Protection Enforcement Initiative

The Board was not part of the Consumer Protection Initiative (CPEI) as this was directed to the Allied Health Boards; however, the Board did take steps to improve its enforcement processes that were part of the CPEI.

The Board has continuously worked to shorten the age of its cases to within 18 months, and has monitored its performance measures to remain consistent with the DCA's goals.

Breeze

The Board was part of Release 1 for the new BreEZe database. The implementation date was October 8, 2013. While the implementation was not a smooth transition, the Board took as many steps as possible to prepare for the transition. These steps included:

- Allowing staff to work overtime prior to implementation to eliminate pending applications.
- Providing group training on specific processes.
- Setting aside time for each staff to utilize the "sand-box" test environment.
- Preparing tip-sheets for common processes.

The Board's preparation for BreEZe has allowed processing times to remain lower than what they were prior to implementation.

The Board took a 'phase in' approach for implementing online transactions. With the initial implementation, only renewals, duplicate license requests and certification letters were provided as an online transaction. Soon after, the Board added reciprocity applications and re-examination applications. In the future, regular examination applications will be added to the BreEZe menu. The online transaction capability has been extremely beneficial to the Board, as well as, the Department of Consumer Affairs (DCA). Every online transaction is one less application that must go through DCA's central cashiering and manual processing by Board staff. The Board is seeing applicants who failed to pass the examination return to retake the test within two weeks, and in some cases, within one week.

The Board believes that as it moves forward with BreEZe, and continues to make improvements in its business processes, the benefits will continue to grow.

Board Action and Response to Prior Sunset Issues

BreEZe

Internal Audits

Assessment and Allocation of Resources

Board Outreach

Health and Safety

School Approvals

Examinations

Sub-Licensing Categories

Hair Braiding

Board Inspectors

Disciplinary Review Committee (DRC)

Booth Rental Licensure

Prevention of Unlicensed Activity

Remedial Education

Workforce Issues

Consumer Satisfaction

Board Continuation

BACKGROUND PAPER FOR THE BOARD OF BARBERING AND COSMETOLOGY

IDENTIFIED ISSUES, BACKGROUND AND RECOMMENDATIONS REGARDING THE BOARD OF BARBERING AND COSMETOLOGY

CURRENT SUNSET REVIEW ISSUES

The following are unresolved issues pertaining to the Board, or those which were not previously addressed by the Committee, and other areas of concern for this Committee to consider along with background information concerning the particular issue. There are also recommendations by the Senate Business, Professions and Economic Development Committee staff which have been made regarding particular issues or problem areas which need to be addressed. The Board and other interested parties, including the professions, have been provided with this Background Paper and can respond to the issues presented and the recommendations of staff.

BOARD ADMINISTRATION ISSUES

ISSUE #1: (IMPLEMENTATION OF BreEZe.) The Board is included in the first phase of the rollout which is set to take place in early 2013. What is the status of The BreEZe Project?

Staff Recommendation: *The Board should provide an update of anticipated timelines, existing impediments and the current status of BreEZe.*

Action Taken by the Board: The Board implemented the new BreEZe database on October 8, 2013. While the implementation date was later than expected the BreEZe system is working well for the Board. The Board took as many steps as possible to prepare for the transition. These steps included:

- Working overtime prior to implementation to eliminate pending applications.
- Providing group training on specific processes.
- Setting aside time for staff to utilize the “sand-box” test environment.
- Preparing tip-sheets for common processes.

The Board’s preparation for BreEZe has allowed all processing timeframes to remain less than what they were prior to implementation of the database.

The Board took a ‘phase in’ approach for implementing online transactions. With the initial implementation, only renewals, duplicate license requests and certification letters were offered as an online transactions. Soon after, the Board added reciprocity applications and re-examination applications. In future builds of BreEZe, regular examination applications will be added.

The online transaction capability has been extremely beneficial to the Board, as well as, the Department of Consumer Affairs (DCA). Every transaction processed online is one less application that must go through DCA's central cashiering and manual processing by Board staff. The Board is seeing applicants, who have failed the exam, return to take it again, within two weeks, on average, and some within a week. The Board sees an average of more than 1,000 transactions processed online through BreEZe.

The Board believes as it moves forward with BreEZe and continues to make improvements in its business processes, the benefits will continue to grow.

ISSUE #2: (ADDRESSING DEFICIENCIES IN PRIOR INTERNAL AUDITS.) Has the Board made the necessary changes to its operations as recommended by prior DCA audits? What are the challenges the Board faces in implementing recommendations?

Staff Recommendation: *The Board should provide the Committee an update on its implementation of previous audit recommendations and describe any challenges it continues to face, as well as any statutory or regulatory efforts that might additionally aide the Board in fulfilling its duties. The Board should also explain any proactive steps it takes to deal with administrative barriers.*

Action Taken by the Board: In August 2008, the Department of Consumer Affairs Internal Audit Office identified six issues that the Board needed to address. In the Board's sunset review in 2013, the Board had three issues that remained outstanding. The Board's response in 2013 resolved two of those issues: substantial backlogs and licensing operational improvements. The remaining issue is regarding deficiencies in the inspection program. Following is an update on this issue:

Deficiencies in the Inspection Program:

The Board continues to be unable to meet the statutory mandate to inspect new salons within 90-days of opening. The Board was unsuccessful in 2013, with its request for additional inspector positions. This was due to the fact that the Board continues to have vacancies in the inspections program. The Board is again pursuing a budget change proposal to obtain additional inspector positions. It should be noted that the Board continues to face vacancies on the inspector classification. These positions are considered hard-to-fill. In February 2012, the Board contracted with CPS HR Consulting to have a classification study completed on the inspector classification. This report determined that the inspectors for the Board are appropriately classified but that the pay scales should be looked at via the bargaining process.

Inspector pay scales are one of the main reasons these positions are considered hard-to-fill. The maximum entry-level annual salary for an inspector is \$42,324 a year, which is \$2,000 less than the maximum salary of the Board's entry-level clerical classification. Inspectors for the Board have been assaulted, followed home, have had damage done to their vehicles, and more.

During an inspection in early 2014, in a salon inside of a large grocery store, the inspector was cornered into the back of the establishment. The owner then drew down the steel gate, locking the inspector inside and verbally harassed the inspector. Again, in September 2014, an inspector was physically assaulted by a licensee during an inspection, all the while, the owner of the establishment was cooperative and attempted to calm down his employee.

The Board is working with the DCA to provide training to inspectors. Inspectors have been trained in cultural diversity and procedures for handling hostile situations. In October 2014, they will receive tactical verbal training.

The Board is hopeful that this year it will be successful in obtaining additional positions. However, the Board will also be working with the DCA to ensure that procedures are in place to ensure inspector safety.

ISSUE #3: (PROPER ASSESSMENT AND ALLOCATION OF RESOURCES FOR THE BOARD TO FULFILL ITS MISSION.) The Board is taking in a lot of money and may need to evaluate its fees. Prior Sunset Reviews found that the Board spent more on its examination program than it takes in and recommended that the Board needs to assess the actual costs related to exams, and take in corresponding revenue. The Board has also cited many challenges including mandatory furloughs and travel and budget restrictions as impediments to the Board effectively fulfilling all of its responsibilities.

Staff Recommendation: *The Board should explain to the Committee any unique efforts it is making in light of certain administrative barriers and discuss if resources are being properly assessed and allocated. The Board should also comment on its ideal staffing circumstances and if pursuing a BCP or gaining additional staff could better help it fulfill its mission.*

Action Taken by the Board: The Board's main area of concern regarding resources is within the inspection program. The Board currently cannot meet its statutory mandate for inspections of new establishments due to inadequate staffing levels in the inspections program.

The Board was unsuccessful in obtaining additional inspector positions through the BCP process in 2013. This was due to the fact that vacancies existed at the time the BCP was being processed. See response to Issue #3 for additional information on the inspection program.

As for the other programs of the Board, we believe we have sufficient resources to carry out our mission.

ISSUE #4: (OUTREACH.) The Board's outreach efforts have been impacted by travel restrictions and budget constraints. Can the Board do anything outside of travel to stay in touch with and actively engage stakeholders? Are there any efforts other DCA Boards are pursuing that the Board can also take?

Staff Recommendation: *The Board should explain efforts it is taking to use existing resources like Board Members who live in certain parts of the state, the media, its Website, field staff and stakeholders to maintain a presence amongst its licensees and the public. The Board should articulate why dual oversight of schools is a barrier to interacting with students in barbering and cosmetology programs in California who will become Board licensees.*

Action Taken by the Board: The Board has been very active in outreach to consumers and licensees. The Board has been able to do this at minimal cost and travel. In the summer of 2013, the Board launched its Safe Sandal Season campaign. This included several media appearances by Board representatives who provided information to consumers on what to look for when receiving a pedicure.

In the summer of 2014, the Board again promoted Safe Sandal Season and was again asked to participate in media coverage.

The Board has updated its Web site to add information specifically directed at consumer safety. The Board has (in partnership with the DCA) produced public service videos for the Web site that provides consumers with information on health and safety within the establishment.

In June 2013, the Board held an open house and staff was on hand to answer questions and provide information to students. This event was very successful and was able to be held at no additional cost to the Board. The Board is continuing these events with town halls targeted to non-English-speaking or limited English proficient licensees. On June 2, 2014, and September 8, 2014, the Board held meetings in Sacramento and Westminster for Vietnamese-speaking licensees. The meeting in Westminster had more than 100 attendees from the Vietnamese community. The Board is planning to hold these meetings for Spanish-speaking licensees in 2015.

The Board is continuing to use social media to provide information and health and safety tips to licensees. As noted in section 6 of the background report, this continues to be a successful method of reaching many individuals to educate consumers and licensees.

ISSUE #5: (PROMOTING SAFETY.) Many products used in Board licensed establishments and by Board licensees may not be safe. What does the Board do in the event that a product is perceived to be unsafe? How does the Board promote the health and safety of its licensees as well as consumers receiving services, sometimes with dangerous products, from licensees?

Staff Recommendation: *The Board should comment on its efforts to promote awareness about potentially harmful products used by practitioners and consumers. The Board should report to the Committee on steps that it has taken to make its licensees and consumers aware of the Brazilian Blowout product.*

Action Taken by the Board: The Board has taken several steps to increase awareness about potentially harmful products. When the Board becomes aware of a potentially unsafe product, it conducts research, which includes contacting other states, the FDA, and the CDC. At times, technical advisory committees are consulted, as well as, leading industry professionals. Once the Board has the knowledge needed on the product, a course of action is determined. This may be an industry bulletin, possibly a regulation change, notification on the Board's Web and social media sites. For example, the Board published information on its Web site regarding the concerns that were raised with Brazilian Blowout services to alert licensees and consumers of the potential harm. The Board will continue this course of action with any new concerns that are raised in the industry.

ISSUE #6: (SCHOOL APPROVALS.) The Board approves many aspects of a barbering, cosmetology and electrology program in California while the Bureau for Private Postsecondary Education (BPPE) approves many institutions and ensures student protections for individuals attending schools. What is the appropriate relationship for each entity as it relates to school oversight, approval and actions against bad schools?

Staff Recommendation: *The Board should provide the Committee with an update on its current working relationship with BPPE. The Board should continue to work with the BPPE under the MOU. The Board should be granted statutory authority to remove its approval of a school, which*

will then allow the BPPE to take action for offering a training program to students who will not be eligible to sit for licensure and close down bad schools. The Committee may wish to explore providing the Board with additional resources for its school approval program. The Committee may wish to amend statute to clarify that approval of a school by BPPE is contingent upon approval of a program by the Board.

Action Taken by the Board: The Board does have an MOU with the BPPE. While the Board does follow the provisions of the MOU, better communication is needed. The Board receives little information on open enforcement cases that have been reported by the Board to the BPPE. The Board requests information on cases and rarely receives responses.

The Board feels that untimely action on the part of the BPPE is harming consumers and students. Several school cases have been reported to the BPPE in which students are clocked in but are not present, thereby gaining hours toward the requirements to sit for the examination without actually attending classes. Other cases involve students providing services on paying customers when an instructor is not present.

The Board expends resources on the process of school approvals and inspections but does not have an established fee for this service. To conduct an investigation of a school, the Board must use the Division of Investigation. The Board conducted a recent investigation of a closed school that was found to have sold hours to students. This investigation cost the Board more than \$100,000. The Board cannot continue to absorb the costs that are involved in the enforcement of schools.

The Board continues to be of the position that it is better suited to provide full oversight of barbering and cosmetology schools. Further information is provided in the Boards Background Report under section 11.

LICENSING AND ENFORCEMENT ISSUES

ISSUE #7: (TESTING ISSUES.) It is still taking a long time for applicants to receive notice of their examination date. The Board recently implemented a national exam but has seen a decline in passage rates. The Board has also worked to determine the most appropriate scoring methods. What is the current status of the Board's scoring method? The Board has also seen a consistently lower passage rate for Spanish language test takers compared to other languages. What accounts for this disparity? The Board recently began offering exams in Korean; however, the process was significantly delayed and it is unclear how implementation is going. The Board also faces delays in its ability to offer examinations in a timely manner, impacting the employability of applicants.

Staff Recommendation: *The Board should address the average time it takes to schedule an exam for an applicant and report on any delays in this process. The Board should report on measures it is taking to review decreased passage rates for the national exam and efforts it will take to monitor the situation. The Board should comment on the anticipated implementation date of the new scoring methodology and how the Board is prepared to implement it. The Board should also comment on whether it anticipated pass rates for the barber exam to fall after aggregate scoring is eliminated. The Board should identify efforts it is taking to determine the cause for the lower pass rates in the Spanish-language examinations and how it is addressing this problem.*

Action Taken by the Board: The Board's processing time for applicants to take the examination is six to eight weeks. We believe this is a significant improvement from years past.

The Board monitors passing rates on its examinations on a monthly basis. The Board saw passing rates decline when the national examinations were implemented. This decline was attributed to the fact that some schools were only teaching to the State Board examination and not to minimal competency. The passage rates for the examinations have stabilized, with the exception of cosmetology, and are now consistent with prior-year pass rates. The low pass rates on the cosmetology examination can be attributed, in part, to the low pass rates specifically for the Spanish cosmetology examination (29 percent pass rate for FY 2013/2014). This rate is 29 percent lower than the average English language pass rate.

The Board is concerned with the pass rate for the Spanish examination. The Board contacted the NIC, which completed a review of the Spanish translation, to ensure there were not concerns in this area. The NIC believes the examinations are translated appropriately.

Finding that the translation of the examination was adequate, the Board went to the schools for input. On April 30, 2014, a letter was sent to all schools that included a survey. The survey asked:

1. Please provide your school code.
2. Do you have Spanish speaking students?
3. Do you instruct and provide textbooks and learning materials in Spanish to these students?
4. What areas do you find most challenging for these students?
5. What suggestions do you have for the Board to assist your Spanish speaking students?
6. Would you send an instructor to participate in a question and answer session concerning this topic in Sacramento?

The Board has 283 approved schools and 48 responded to this survey. Of the 48 schools that responded, their responses were as follows:

- 54 percent have Spanish-speaking students
- 9 schools utilize the textbook in Spanish
- 11 schools would send an instructor to Sacramento to discuss this issue

Questions 4 and 5 were open questions that allowed the schools to type in their response. The majority of schools that responded to the survey indicate that the Spanish exam is harder on students than the English exam primarily because most students speak conversational Spanish.

To address this issue, the Board has added information to all of its examination applications that state:

Please Note: These documents are translated into the most universal or neutral version of each language to be acceptable to the widest possible audience.

In 2015, the Board plans to conduct targeted outreach to Spanish-speaking students and licensees.

The Board has adopted regulations to use criterion-referenced scoring for all grading. However, the implementation was delayed due to the implementation of the BreEZe database. The Board has now implemented the new scoring methodology, effective October 1, 2014. Notices were provided to all

schools to inform them in advance of the scoring change. While we anticipate some decline in the barber scores, we believe it will be minimal as we have been encouraging schools to plan for this change.

The Board does not have authority over quality of education however, it believes, that this is an area of concern regarding the low pass rates and we hope to have more communication with the BPPE on this matter.

ISSUE #8: (APPROPRIATE LICENSING CATEGORIES.) The Board routinely comes across services being offered that *may* be within the scope of a Board license, but is being provided by an individual not licensed by the Board. Should the Board evaluate the addition of specialized certificates or licensure in certain practices? How is the Board keeping up with trends in the marketplace and industry and reflecting those in its education requirements and licensure?

Staff Recommendation: *The Board should review the issue of recognizing specialized service providers like eyelash extension applicers, makeup artists and waxers. The Board should work with national groups, professional associations, colleagues at NIC, school owners and licensees to determine if steps are necessary to create easier paths to Board recognition for individuals performing limited services. The Board should provide the Committee with statutory recommendations by January 1, 2014 on this issue.*

Action Taken by The Board: The Board submitted its report to the Committee in January 2014. This report contained the research that was conducted and the recommendation from the Board that the existing licensing categories be maintained and not broken up to allow licensure for one aspect of the scope of practice. This report is provided in the Board's Background Paper in Section 12.

ISSUE #9: (REGULATION OF HAIR BRAIDING.) Exempt from regulation since 1997, the Board believes it should once again regulate hair braiders.

Staff Recommendation: *Hair braiding should continue to be exempt as a practice. The Board should conduct a thorough study and convene stakeholder meetings to further explore the issue and provide a report to the Committee on those efforts.*

Board Response: The Board will conduct a study as recommended and provide its findings to the Committee.

Action Taken by the Board: Included in the Board's Sunset Review Background Report is a report that was completed by the Board. This report includes actions taken by the Board which included assembling a task force of stake holders, as well as, research conducted throughout the country and from operating hair braiders.

ISSUE #10: (CONTINUOUS PROBLEMS WITH BOARD INSPECTORS.) The Board has faced numerous challenges with its inspectors, including inappropriate use of their position, lack of proper training and an inability to fill vacancies. What does the Board plan to do to address the problem of inspectors?

Staff Recommendation: *The Board should comment on its audit of inspectors and tell the Committee how its racial discrimination policy implementation is working. The Board should report on any cost-effective measures it is taking to appropriately train staff, particularly field inspectors. The Board should comment on its internal tracking efforts related to inspector complaints and what efforts it is taking to inform the public about the ability to file a complaint with the Board. The Committee may wish to direct the Board to design inspector training and administrative procedures and create inspector performance measures to ensure inspectors understand the unique nature of the Board licensees and the communities in which they operate.*

Action Taken by the Board: The Board did have a classification and pay study completed on the inspector classification that clarified the inspectors are appropriately classified and that the pay scale should be increased through the bargaining process.

In 2014, the Board held two All-Inspector meetings in which training was provided. This training included verbal tactical communication, language access priorities, inspector safety, proper conduct and a review of violations for consistency.

The Board tracks all complaints on inspectors and these complaints are fully investigated. All staff at the Board, as well as, Board members during disciplinary hearings will encourage an individual to file a complaint if they feel the inspector did not act in a professional manner. The Board is committed to ensuring that all staff display professional conduct, at all times, and this will remain a top priority for the Board.

Additional information on the inspector program is noted under Issue #2.

ISSUE #11: (BACKLOGS CONTINUE TO EXIST FOR THE BOARD'S DISCIPLINARY REVIEW COMMITTEE.) How are backlogs impacting the Board's enforcement work? What are steps the Board is taking to address the backlog? A large number of the DRC cases may be related to problems with inspectors and an overzealous inspector community. How does the Board track appeals related to inspectors?

Staff Recommendation: *The Board should update the Committee on the steps it is taking to reduce the DRC backlog. The Board should also report on trends in the DRC appeals to determine if proactive steps need to be taken to reduce violations in certain areas.*

Action Taken by the Board: The Board has taken steps to reduce the backlog of appeals. In the second half of 2014, the DRC increased its number of hearings by adding an additional day to the regularly scheduled three days per month. By the end of Fiscal Year 2013/14, the Committee had reduced its existing backlog by 800 cases. The Board anticipates a significant decrease by the end of 2014, due to the increase on the number of hearings being held.

The Board has implemented appeal by written testimony, allowing a licensee to provide their appeal in writing as opposed to appearing in person. While this has not necessarily reduced the number of appeals, it has streamlined the process for responding to appeals and allows licensees to provide an appeal if they are unable to travel to a hearing.

Due to the fact that most appeals are requested only to reduce the fine amount, there are not proactive steps that can be taken to reduce appeals. However, once the Board has sufficient staffing of

inspectors there would be better communication between inspectors and establishments as there would be more regular visits. This would help eliminate violations and ultimately appeals.

ISSUE #12: (BOOTH RENTALS.) Schools and establishment owners continue to report to the Board at its meetings that booth rentals are a problem and need a separate licensing category. What is the Board's current stance on booth rentals?

Staff Recommendation: *The Board should update the Committee on its current stance related to booth rentals and the status of stakeholder conversations on this topic.*

Action Taken by the Board: The Board is recommending that a booth rental license be established. This recommendation can be found under Section 11 of the Boards background report.

ISSUE #13: (UNLICENSED ACTIVITY.) The Board states that this is its top enforcement priority and remains a big problem for the Board.

Staff Recommendation: *The Board should comment on further ways in which it can deal with or prevent unlicensed activity.*

Action Taken by the Board: Unlicensed activity continues to be an issue for the Enforcement Program. In 2010, the Board began a partnership with the Division of Investigation (DOI) to issue misdemeanor citations when unlicensed activity is found. While the Board was hopeful that partnering with DOI was going to eventually act as a deterrent to Unlicensed Activity, the number of cases actually prosecuted by district attorney's offices has been minimal at best.

The Board is hoping to conduct additional unlicensed activity sweeps where inspectors conduct multiple inspections at the same time in a concentrated area where there is known unlicensed activity. The Board also believes that if it is successful in increasing its inspector staff, there would be less unlicensed activity as inspectors would have smaller geographical areas.

The Board has also begun to research the possibility of working with unlicensed activity and/or underground economy tasks forces throughout the state. Reviewing the unlicensed activity regulations of other boards and bureaus may promote some additional ideas to aid in the enforcement of unlicensed activity. In an attempt to bring unlicensed establishments into compliance, the Enforcement Program has assigned an analyst to work with the unlicensed business owners to bring them into compliance.

ISSUE #14: (REMEDIAL EDUCATION.) The Board has discussed offering the option of remedial education in lieu of citations and fines for some violations. Is this enough of a deterrent to violating the law?

Staff Recommendation: *The Board should update the Committee on its efforts toward remedial education. The Board may consider establishing a technical advisory committee on this issue to better explore all of the avenues involved with a remedial education proposal. The Committee may wish to require the Board to track specific data on violations for certain licensees to determine if trends exist among licensees for whom language barriers could be at the heart of unintentional violations of the law.*

Action Taken by the Board: The Board is not pursuing remedial education at this time.

WORKFORCE ISSUES

ISSUE #15: (POSSIBLE BARRIERS TO REENTRY.) How is the Board assisting those leaving incarceration in finding employment opportunities as Board licensees? Does the Board believe that there are barriers in its licensing process to ensure timely approval of applicants? The Board may need to take additional proactive steps to address this important topic.

Staff Recommendation: *The Board should suggest any statutory improvements necessary and should comment on its efforts to help put people back to work.*

Action Taken by the Board: The Board continues to conduct examinations in state correctional facilities. This program has been successful and we continue to work with the California Department of Corrections and Rehabilitation (CDCR) to administer additional examinations. At this time, we do not believe statutory changes are necessary.

BARBERING AND COSMETOLOGY RELATED STATUTORY IMPLEMENTATION EFFORTS

ISSUE #16: (CONSUMER SATISFACTION SURVEY.) How is the Board doing? What is the impression of survey respondents?

Staff Recommendation: *The Board should report on the results of its surveys and comment on how it is doing in the eyes of licensees and those who interact with the Board and the Board's staff. The Board should update the Committee on improvements it makes as a result of survey responses and comments.*

Action Taken by the Board: The Board has two customer satisfaction surveys. One is a general survey posted on the Board's Web site and one is specific to the inspection process. In regards to the general survey, the Board received 144 responses for the reporting period of Fiscal Year 2013/14. 40 percent of respondents rated their contact with the Board as Excellent, 34 percent rated their contact as either Good or Fair. Respondents rated the Board as Poor or Unacceptable in 26 percent of the responses. The Board is focusing on customer service and discusses this as a top priority at every staff meeting.

The Board continues to encourage individuals to refer to the Web site for information. 67 percent of respondents found the Web site useful and 79 percent stated that they received a timely and satisfactory response to their e-mail. The Board is continuing to make improvements on its Web site to ensure it is as user friendly as possible.

Regarding the inspection survey, this tool continues to be helpful to the Board to determine what areas of the inspection process need improvement. While we believe that the inspection program is improving, we also understand there is room for growth. The inspection survey generated 291 responses, when asked to rate the professionalism of the inspector between 1 and 5 (5 representing the highest degree of satisfaction) the average response was 3.15. The survey also allows individuals to

provide comments on the inspection process. These comments are reviewed by the Board's management and then passed on to inspectors during All-Inspector meetings.

CONTINUED REGULATION OF THE BOARD OF BARBERING AND COSMETOLOGY

ISSUE #17: (CONTINUED REGULATION BY BOARD OF BARBERING AND COSMETOLOGY.) Should the licensing and regulation of barbers, cosmetologists, electrologists, manicurists and estheticians be continued and be regulated by the current Board membership?

Staff Recommendation: *Recommend that the barbering, cosmetology, electrology, manicure and esthetician professions continue to be regulated by the current Board members in order to protect the interests of the public and be reviewed once again in two years.*

Action Taken by the Board: The Board is of the position that continued regulation of the barbering, cosmetology and electrology industries is needed to protect consumers.

New Issues

Booth Rental Licensure

Early Written Testing

Freelance Licensure

Industry Certification

Natural Hair Care and Braiding

School Oversight

Title Protection for all Board License Types

CALIFORNIA STATE
BOARD OF BARBERING AND COSMETOLOGY

Booth Rental Licensure



Board of Barbering and Cosmetology
**Report to the California Legislature on the
Regulation of Booth Rental Licensure**

Purpose

On April 16, 2013, the Board of Barbering and Cosmetology (BBC) submitted its "Responses to Identified Issues and Recommendations for the Board of Barbering and Cosmetology" to the Senate and Assembly Business and Professions Committees. Within the report, members of the Senate and Assembly recommended that Board staff update the Committees on its current stance on booth rentals and the status of stakeholder conversations regarding this topic. The BBC advised the Committees that it would convene stakeholder meetings for the purpose of discussing booth rental licensure and would report its findings and recommendations during the next scheduled Sunset Review Hearing, to be held, in early 2015.

Definition of a Booth Renter / Independent Contractor

A Board defined booth renter/independent contractor is a practitioner who qualifies as an independent contractor under California tax law and who is not under the control and direction of an establishment license holder. Board-defined booth renters/independent contractors pay their own worker's compensation insurance and taxes, and maintain their own business license, establish their own work schedules, and have access to the establishment at any time. The booth renter is literally a separate business entity operating within the establishment. For the purposes of clarity, this is the type of booth renter the Board is considering for licensure.

Worker classification affects how practitioners will pay their federal income tax, Social Security and Medicare tax, and file his or her tax return. Many facts are considered in deciding whether a practitioner is an independent contractor or an employee. These relevant facts fall under three main categories:

Behavioral Control

A practitioner can be classified as an employee when the business has a right to direct and control the worker. If the practitioner receives extensive instructions on how the work is to be done, such as, how, when or where to do the work, or what tools to use, or where to purchase supplies, chances are the practitioner is an employee. If the business provides the practitioner with training in the required procedures and methods, this indicates that the business wants the work to be done in a certain way. This suggests, the practitioner may be an employee.

Financial Control

You may be an independent contractor if:

- you can realize a profit or loss.
- you are not reimbursed for some or all business expenses.
- you have a significant investment in your work, while there is no precise dollar test, the investment must have substance.

Relationship of the Parties

If the practitioner receives benefits such as insurance, a pension, or paid leave, this indicates the practitioner is an employee. An employer withholds income tax and a portion of the practitioner's Social Security and Medicare taxes. Independent contractors pay their own tax and self-employment tax.

Current Law

California Business and Professions Code:

7346. (a) For purposes of this chapter, "establishment" means any premises, building or part of a building where any activity licensed under this chapter is practiced.

(b) "Establishment" also includes any premises, building, or part of a building in which natural hair styling is practiced for compensation.

7347. Any person, firm, or corporation desiring to operate an establishment shall make an application to the bureau 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 establishment or obtaining ownership of an existing establishment. If the applicant is obtaining ownership of an existing establishment, the bureau 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.

7424. The amounts of the fees payable under this chapter relating to licenses to operate an establishment are as follows:

(a) The application and initial license fee shall be not more than eighty dollars (\$80).

(b) The renewal fee shall be not more than forty dollars (\$40).

(c) The delinquency fee is 50 percent of the renewal fee in effect on the date of renewal.

(d) Any application and initial license fee for the change of ownership of an existing establishment may be established by the board in an amount less than the fee prescribed for a new establishment, but sufficient to cover the costs of processing the application and issuing the license.

California Code of Regulations

904. Enforcement

(a) A copy of the board's Health and Safety Rules, as specified in Article 12 of the Rules and Regulations, shall be conspicuously posted in:

- (1) Reception areas of both schools and establishments, and
- (2) Theory rooms of schools.

(b) The holder or holders of an establishment license or a mobile unit license, and the person in charge of any such establishment or mobile unit, shall be responsible for implementing and maintaining the Health and Safety Rules in such establishment or mobile unit individually and jointly with all persons in or employed by or working in or on the premises of such establishment or mobile unit.

(c) All licensed barbers, cosmetologists, estheticians, manicurists, electrologists, instructors, or apprentices shall be held individually responsible for implementation and maintenance of the Health and Safety Rules.

(d) All persons performing acts of a barber, cosmetologist, esthetician, manicurist or electrologist, except students in schools, shall, upon request of an authorized representative of the board, present satisfactory proof of identification. Satisfactory proof shall be in the form of a photographic driver's license or photographic identification card issued by any state, federal, or other recognized government entity.

(e) Failure to present valid proof of identification shall be grounds for disciplinary action.

NOTE: Authority cited: Section 7312, Business and Professions Code.
Reference: Sections 7312, 7313, 7317 and 7404, Business and Professions Code.

Effects of Current Law

The law, as written, allows the BBC to issue citations to establishment owners for violations committed by every practitioner offering services in the establishment. This

has created a conflict within the industry as establishment owners exercise very little control over independent contractors' day-to-day practices. Establishment owners complain that they are being cited unfairly for booth renters who are unwilling to come into compliance with the BBC standards.

In contrast, booth renters are often taken advantage of by establishment owners, who treat booth renters like employees by requiring specified work hours, work protocol and structured payments, all the while, not paying taxes or worker's compensation insurance on these "employees".

Stakeholder Meetings

On July 16, 2013, the BBC held a Licensing and Examinations Committee meeting and the subject of booth rental licensure was broached. Members of the public, which included legal representation of an industry association, a school owner and a salon owner, made the following assessments and recommendations:

- 60 to 75 percent of salons use the booth rental option.
- The BBC needs to send out a clear message of the roles and responsibilities of salon owners and the booth renters who work in their establishments.
- Would like to see a booth renter's license implemented that would 'travel' with the stylist and not be attached to any one establishment.
- Suggested a clear identifying notice posted in view of the public that identifies the stylist is not an employee of the establishment, but rather a booth renter working in the establishment.
- Recommended that the BBC encourage schools to incorporate, in their curriculum, information about what is fair compensation and the different kinds of ownership structures that can be found within an establishment setting.

At the conclusion of the meeting, Joseph Federico, Board President, recommended the BBC move forward with discussions on enacting a booth rental license.

On October 21, 2013, the BBC held a Board Meeting in which the recommendations of the Licensing and Examinations Committee were discussed. Regulatory language was proposed that would attach a booth renter's license to an establishment license instead of a personal license. Richard Hedges, Board member, moved that the BBC staff should continue to work with members of the industry who are interested in booth rental licensure to develop a bill that the BBC can support in the future.

Industry Associations

There exist several barbering and beauty industry associations. The intent of these associations is to encourage education and elevate professionalism within the industry, share experiences, and protect the industry from unnecessary regulatory restriction. Board staff reached out to the following organizations and asked for their official position on the creation of a booth renter's license, as defined by the BBC. The Professional

Beauty Federation of California and the Professional Beauty Association responded and their responses of support are attached.

Professional Beauty Association

Professional Beauty Federation of California

California Cosmetology Association

National Association of Barber Boards

Social Media

The Board conducted a poll on its Facebook account. The poll asked, "Do you feel the BBC should institute a booth renter's license? Yes or No." The poll stayed on our site for 30 days. 18 people said the Board should offer a booth renters license and 64 said "no".

Other State Boards

In September 2013, Board staff polled other state boards. It was found that 22 of the 51 states polled had some sort of booth rental licensure.¹ Implementation of the booth renter's license varied among the boards. Notable examples are as follows:

- Ohio - requires a practitioner who possesses a booth renter's license to also maintain a manager's license.
- Idaho – requires the primary establishment owner to submit a detailed floor plan of the entire primary and contiguous shop area. The contiguous area to be licensed must be highlighted and clearly designated on the floor plan.
- Louisiana – requires an executed agreement between the salon owner and the practitioner that states both parties agree: (1) that the practitioner is not an employee of the establishment, (2) that the salon owner has no right to control the methodology used by the practitioner to produce a given result and (3) a statement indicating the basis of the practitioner's compensation.
- North Dakota – requires booth renters provide proof they are authorized to do business in the state by registering the name of their business with the secretary of state.
- South Dakota – outlines in its general guidelines items that booth renters can share with other booth renters, such as, the reception area; restroom facilities; fire extinguishers; health and safety posters; the 'unregulated services sign'; and the ventilation system for the total area.

¹ Other names utilized for a Booth Renter's license includes: Independent Contractor's license, Contiguous Cosmetology Establishment license, Chair Renter's license, Area Renter's License or a Renter's license.

- Oregon – requires its independent contractors to post the most recent inspection certificate in public view at the establishment or the contractor's work station.
- Texas – requires establishment owners submit a booth renter's list. This list provides the Texas board with the name, license number, expiration date and date of inspection of all booth renters operating within the establishment.

Pros and Cons of Implementing a Booth Renter's License

Pros

- Establishment owners are protected against citations and a fines caused by renters who chose not to comply with BBC law.
- Owner/renter roles would be established, and both parties would clearly know what is required of them with regards to scheduling, establishment access, insurance provision, and use of supplies/equipment.

Cons

- Increased workload for the Board of Barbering and Cosmetology
- Costs associated with changes to the BreEZe database.
- Increased regulatory oversight on licensees, additional/increased fees (initial license and renewal fees).

Conclusion

The Board recommends adoption of legislative language to allow for booth rental licensure.



Professional Beauty Association (PBA) Independent Contractor Policy Statement

Professional Beauty Association Background

The Professional Beauty Association (PBA) advances the professional beauty industry by providing our members with education, charitable outreach, government advocacy, events and research. PBA is the largest national organization of salon professionals with members representing salons and spas, distributors, manufacturers, and beauty professionals.

Licensed Professional Form of Business Choice

The Professional Beauty Association respects the rights of an individual licensed professional to choose their form of business. PBA supports the option of a licensed professional to work as an independent contractor within the beauty industry if all the requirements and legal business obligations are correctly met and maintained by the licensed professional. PBA recommends following federal guidelines as determined by the Internal Revenue Service.

Independent Contractor Definition

The professional beauty industry recognizes the use of multiple terms to describe the classification of an independent contractor such as a booth renter, chair rental, salon suite owner, and suite or loft renter. According to the Internal Revenue Service (IRS),

A booth renter is someone who leases space from an existing business and operates their own business as an independent contractor. As a booth renter, or independent contractor, you are responsible for your own record-keeping and timely filing of returns and payments of taxes related to your business.¹

A few key factors as outlined by the IRS that help to determine the classification of an independent contractor include, an independent contractor will (1) have a key to the establishment, (2) set his or her own hours, (3) purchase products, (4) have his or her own telephone number and business name, and (4) determine prices to be charged.²

An independent contractor is responsible for state, city, and local taxes which include but are not limited to city sales tax, state income tax, and federal tax withholdings. All income including tips is required to be reported and the appropriate forms should be submitted for business rent in excess of \$600.00 per year.

Guidance

The Professional Beauty Association encourages individual licensed beauty professionals to view additional IRS resources for guidance regarding classification and business responsibilities in accordance with federal laws. Please visit <http://probeauty.org/irs/> to view the full version of the IRS guide, Tax Tips for the Cosmetology and Barber Industry.

¹ Tax Tips for the Cosmetology and Barber Industry. (Publication 4902). *Department of the Treasury Internal Revenue Service*, pp. 1-10.

² Ibid



www.beautyfederation.org

August 8, 2014

State Board of Barbering & Cosmetology
ATTN: Kristy Underwood, E.O.
P.O. Box 944226
Sacramento, CA 94244
Sent Via Email Tandra.Guess@dca.ca.gov

Re: Booth Rental Licensure

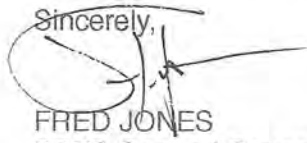
Dear Ms. Underwood:

On behalf of the only industry-wide beauty association in California whose sole mission is to raise the professionalism of the beauty industry, we would like to express our support of a Booth Rental License issued by your State Board of Barbering & Cosmetology ("BBC").

The growing presence and ever-evolving nature of independent contractors working in salons have far outpaced the laws and regulations governing State Board licensed establishments. The confusing and contradictory approaches taken by employment, tax and licensing agencies vis-a-vis booth rental salons have contributed to confusion among rental-based beauty establishments. While employment and tax law has focused on which party has the *right to control* the day-to-day operations of individuals performing beauty services for purposes of determining liability, BBC laws and regulations are more focused on protecting the consumers of such services, blurring the separations between establishment owners (landlords/employers) and beauty technicians and stylists (renters/employees) to avoid relieving any licensee of consumer safety responsibilities.

The PBFC believes a Booth Rental License will clear up many of these confusions among beauty professionals, elevate the integrity of the beauty industry, and increase consumer safety. We also believe the advent of such a new license category provides opportunities to encourage even greater consumer safety practices. So, for example, instead of holding establishment owners responsible for all State Board violations found in their salons -- as is current practice, the BBC ought to be able to waive fines on owners whose booth renters have secured their own, individual liability insurance. While not mandating such insurance coverage, this incentive could substantially increase the levels of protection granted to consumers.

So for these and many other reasons, the PBFC supports Booth Rental Licensure.

Sincerely,

FRED JONES
PBFC General Counsel

Board of Barbering and Cosmetology
**To the California Legislature on
Allowing Applicants to take the Written
Examination Prior to the Completion of School**

Purpose

To allow applicants to take the written examination prior to the completion of school.

Background

Sections 7321(d) (1), 7321.5 (d) (1), 7324 (d) (1), 7326 (d) (1) and 7330 (d) (1) of the California Business and Professions Code require students complete the curriculum (theory and practical) in cosmetology, barbering, skin care, manicuring or electrology before taking the Board of Barbering and Cosmetology's (Board) examination for licensure. The following state boards allow applicants to take their written examination prior to completion of their coursework: Idaho, Kansas, Maryland, Minnesota, New Jersey, North Carolina, Pennsylvania, South Carolina and Texas. The number of school hours students must complete before testing varies from State to State, with the average being 70-90 percent. The consensus among these States is that early testing has yielded positive results. States have noted a higher written passing rate as students can test on the information right after learning the material. In addition, early written testing allows students to complete the necessary licensure requirements to enable a faster issuance of a license.

Current Law

Business and Professions Code:

Section 7321:

The board shall admit to examination for a license as a cosmetologist to practice 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 cosmetology from a school approved by the board.

(2) Practiced 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 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.

(3) Holds a license as a barber in this state and has completed a cosmetology crossover course in a school approved by the board.

(4) Completed a barbering course in a school approved by the board and has completed a cosmetology crossover course in a school approved by the board.

(5) Completed the apprenticeship program in cosmetology specified in Article 4 (commencing with Section 7332).

Section 7321.5:

The board shall admit to examination for a license as a barber to practice barbering, 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 from a school approved by the board.

(2) Completed an apprenticeship program in barbering approved by the board as conducted under the provisions of the Shelley-Maloney Apprentice Labor Standards Act of 1939, Chapter 4 (commencing with Section 3070) of Division 3 of the Labor Code.

(3) Practiced barbering 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 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).

(4) Holds a license as a cosmetologist in this state and has completed a barber crossover course in a school approved by the board.

(5) Completed a cosmetology course in a school approved by the board and has completed a barber crossover course in a school approved by the board.

(6) Completed comparable military training as documented by submission of Verification of Military Experience and Training (V-MET) records.

Section 7324:

The board shall admit to examination for a license as an esthetician to practice 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 skin care from a school approved by the board.
 - (2) Practiced 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 skin 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).
 - (3) Completed the apprenticeship program in skin care specified in Article 4 (commencing with Section 7332).

Section 7326:

The board shall admit to examination for a license as a manicurist to practice nail 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 nail care from a school approved by the board.
 - (2) Practiced nail 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).
 - (3) Completed the apprenticeship program in nail care specified in Article 4 (commencing with Section 7332).

Section 7330:

The board shall admit to examination for a license as an electrologist to practice electrolysis, 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 12th grade or an accredited senior high school course of study in 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 of training in electrolysis from a school approved by the board.

(2) Practiced electrolysis, as defined in this chapter, for a period of 18 months outside of this state within the time equivalent to the study and training of a qualified person who has completed a course in electrolysis 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).

(3) Completed the apprenticeship program in electrology specified in Article 4 (commencing with Section 7332).

Effects of Current Law

Candidates usually have a lower score on the written examination. Members of the industry stress this is likely because individuals choosing to enter into the industry are usually more visual/hands-on learners and may struggle more with the written aspect of testing. Because of this, the Board feels allowing students to test early in the written portion may allow for a higher pass-rate percentage.

Fiscal Impact

If early testing is implemented within the State of California, the Board will sustain a significant fiscal impact.

Programming changes would be required to the current BreEZe database. Currently, any changes to programming start at \$ 20,000.00 per incident and it is unknown, at this time, how many programming changes would need to be addressed. A change of this magnitude could be up to \$100,000.00.

The Board is under contract for the administration of computer-based testing and the printing of initial licenses with Physiological Services Incorporated (PSI) until December 31, 2015. Significant programming changes would be required for both PSI and the Board's examination sites. It is unknown, at this time, how many programming changes would need to be addressed.

Changes would be required among Board staff to implement early written testing. Currently, applications are processed and scheduled at the same time. In order to allow the written examination to be conducted prior to the completion of schooling, the process would take two steps. The licensing staff would be required to process the pre-application for the written examination and notify the computer-based testing vendor of the applicant's eligibility and then separately process the scheduling for the practical examination.

Recommendation

The Board is requesting statutory changes be considered to Sections 7321(d) (1), 7321.5 (d) (1), 7324 (d) (1), 7326 (d) (1) and 7330 (d) (1) of the California Business and Professions Code to allow for early written examination after the required theory hours have been satisfied.



Board of Barbering and Cosmetology
**To the California Legislature on the Establishment
of a Freelance Certification for Licensees**

Purpose

To establish a freelance certification for licensees.

Background

A current industry trend has developed of providing services outside of a licensed establishment for the convenience of the client. The services are performed in the homes of clients, places of work, bridal suites, and other such venues. Chapter 10, Division 3, Section 7317 of the California Business and Professions Code states, in part, that it is unlawful to engage in the practice of barbering, cosmetology or electrology, for compensation, outside of a Board-licensed establishment.

The concept of instituting a freelance authorization by the Board was discussed at its June 3, 2013 and July 16th, 2013 Licensing and Examinations Committee meetings and again at the October 21, 2013 Board Meeting. It was decided the Board should include the information gathered on the subject of freelance licensure into the Board's Sunset Review report to be submitted to the Senate Business and Professions Committee in late 2014.

The pros of establishing a freelance certificate are many.

- Mobile licensees will be held accountable for health and safety laws and regulations.
- Provides a viable solution to mobile unlicensed activity.
- The Board will be able to revoke the authorization if the licensee does not stay compliant with the Board-defined requirements of the freelance authorization.
- Consumers who are already receiving this type of service will now have accessibility and knowledge as to where to report any health and/or safety concerns.
- In the event of consumer harm, insurance requirements ensure compensation to the victim.
- Creates a new employment opportunities for both licensees and State employees.

Other State Boards

Washington

Washington offers a Personal Service license. This license allows professionals to work outside of a licensed salon. They may perform their services at a client's home, office or other location that is convenient for the client. They are required to:

- Submit and pay for the Personal Service application.
- Provide company contact information.
- Provide current insurance information. (They must maintain a certificate of insurance not less than \$100,000 for public liability insurance for combined bodily injury and property damage)
- Answer specific questions related to background information. (criminal and civil)
- Renewable yearly for \$110.00.

Washington has 220 active Personal Service licenses. Currently, they have 60,000 cosmetologist and 12,000 licensed establishments. The cost of the application is \$110.00. Implementation of this program was consumer-complaint driven.

Oregon

Oregon offers a Freelance Authorization application. This authorization allows practitioners to provide services outside of a licensed establishment. They may perform their services at a client's home, office or other location that is convenient for the client. They are required to:

- Submit and pay for the Freelance Authorization application.
- List current, valid Oregon cosmetology practitioners' certifications.
- Submit an examination fee of \$35.00 and pass the Oregon laws and rules examination. (Completion of the examination is not required if the applicant passed the Oregon Laws & Rules Examination within two years before the date of the application for Freelance Authorization.)
- Provide a current copy of the Assumed Business Name (ABN).
- Submit a current registration as required by the Secretary of the State, Corporations Divisions.
- Answer specific questions related to background information (criminal and civil).
- Renewable yearly for \$100.00.

The cost of the application is \$125.00 (application fee and authorization fee).

Cautionary note: If California were to decide to require applicants to perform a written exam every two years, as does Oregon, the Board would have to consider the fiscal impact of the change. Our vendor contract and the actual written exam would have to be reviewed and possibly revised.

Ohio

Ohio offers a Temporary Special Event permit. This permit allows a licensee to provide cosmetology services in a location not licensed by the Board. The permit is only valid for one event lasting no more than 48 hours. A separate application is required for each event. The full name and license number is required for each licensee that plans to participate in the event. The fee is \$ 70.00.

Current Law

Chapter 10, Division 3, Section 7317 of the California Business and Professions Code states, in part, that it is unlawful to engage in the practice of barbering, cosmetology or electrology, for compensation, outside of a Board-licensed establishment.

Recommendation

The Board recommends that statutory changes be made to allow for a licensee to be approved to offer freelance services.



Board of Barbering and Cosmetology
**To the California Legislature on
Industry Certification**

Purpose

To establish industry certification.

Background

In recent years there has been a demand from the industry to establish educational programs beyond the minimal competency programs now offered as a path to licensure. Whether in the form of continuing education, advanced education or education provided by manufacturers, the need is growing and desired for licensees to advance their skills.

The Board is responsible for consumer protection and it does this by ensuring licensees are minimally competent when they enter the workforce. However, to distinguish valuable education programs, the Board should play a role in the area of advanced education. The Board believes that encouraging licensees to continuously expand their skills and knowledge will ultimately improve consumer protection.

Industry certifications recognized by the Board would allow an organization to become approved by the Board, and, once approved, that organization could then issue a Board-approved certification. For example, a cosmetologist who would like to be certified as a master colorist could obtain an industry-issued certification from organizations that have met the standards set by the Board.

Recommendation

The Board recommends the following statutory language be amended to provide Board-recognized industry certifications:

Business and Professions Code section 7312.

The board shall do all of the following:

- (a) Make rules and regulations in aid or furtherance of this chapter in accordance with the Administrative Procedure Act.
- (b) Conduct and administer examinations of applicants for licensure.
- (c) Issue licenses to those applicants that may be entitled thereto, and encourage those licensees to continue to develop their skills in the appropriate application and use of evolving industry techniques, products,

and equipment by recognizing industry certifications that meet the appropriate standards approved by the board.



CALIFORNIA STATE
BOARD OF BARBERING AND COSMETOLOGY

Natural Hair Care and Braiding



Board of Barbering and Cosmetology
**Report to the California Legislature on the Regulation
of Hair Braiding**

Purpose

In response to the Board of Barbering and Cosmetology's 2012 Sunset Review hearing, the Senate Business and Professions and Economic Development Committee suggested the Board conduct a thorough study of the issue of the non-regulation of Natural Hair Care providers. The result of that study is compiled in this report.

History

The Board of Barbering and Cosmetology has been an integral part of the evolution of hair care and the changes produced. In 1930, the California Cosmetology law placed regulation of all hairstyling under the State Board of Cosmetology. On May 16, 1982, the Attorney General issued an opinion finding African hair braiding is covered by cosmetology licensing requirements. On January 28, 1997, the Institute of Justice filed a lawsuit in a federal district court in San Diego challenging California's cosmetology licensing statute and regulations on behalf of practitioners of African hair braiding and other forms of natural hairstyling.¹

The plaintiff's challenged the constitutionality of the Barbering and Cosmetology Act as it relates to hair braiding as an act of cosmetology. The suit was not for monetary damages. On August 18, 1999, the court ruled in favor of the plaintiff. Noted below is an excerpt from this judgment:

"As set forth, the basis of this Order is the finding that the State's mandated curriculum, on its face and upon review of its actual implementation and associated texts and exam, does not teach braiding while at the same time it requires hair braiders to learn too many irrelevant, and even potentially harmful, tasks. The vice is not the statute, but the implementing regulations. If an individual does more than braid – if he or she routinely shampoos or cuts or dyes hair, or uses chemicals at all – they are not a hair braider. If they do such activities, they are subject to the Act and regulations."

On June 9, 2000, SB 235 was chaptered which amended Sections 7316 and 7346 of the California Business and Professions Code. This law removed the practice and further defined specified activities commonly referred to as natural hair braiding from the practice of cosmetology.

In an effort to further fine-tune the Board's correlation to the profession of hair braiding a legal opinion was requested on November 9, 2011 from the legal counsel representing the Department of Consumer Affairs Board of Barbering and Cosmetology. The legal opinion clarified the Board's inspectors are not to cite hair braiders who are not licensed with the Board for using a brush or comb.

¹ Cornwell v. California Board of Barbering and Cosmetology, 962 F.Supp. 126 (S.D. Cal, 1997).

On March 19, 2013, representatives from the Board of Barbering and Cosmetology appeared before the Senate Business and Professions and Economic Development Committee in a Sunset Review Hearing. During this hearing the Board formally recommended braiding of the hair be considered part of the scope of practice for a cosmetologist.

The Senate Business and Professions and Economic Development Committee responded that hair braiding should remain exempt, as a practice, but that the Board should conduct a thorough study and convene stakeholder meetings to further explore the issue and provide a report to the Committee on those efforts.

Current Law

California Business and Professions Code:

Section 7316 (b) (1) defines the scope of cosmetology as arranging, dressing, curling, waving, machineless permanent waving, permanent waving, cleansing, cutting, shampooing, relaxing, singeing, bleaching, tinting, coloring, straightening, dyeing, applying hair tonics to, beautifying, or otherwise treating by any means, the hair of any person.

Section 7316 (d) (2) states that the practice of barbering and cosmetology does not include natural hair braiding. Natural hair braiding is a service that results in tension on hair strands or roots by twisting, wrapping, weaving, extending, locking or braiding by hand or mechanical device, provided that the service does not include hair cutting or the application of dyes, reactive chemicals or other preparations to alter the color of the hair or to straighten, curl or alter the structure of the hair.

Section 7316 (e) states notwithstanding paragraph (2) of subdivision (d), a person who engages in natural hairstyling, which is defined as the provision of natural hair braiding services together with any of the services or procedures defined within the regulated practices of barbering or cosmetology, is subject to regulation pursuant to this chapter and shall obtain and maintain a barbering or cosmetology license as applicable to the services respectively offered or performed.

California Code of Regulations

Section 950.2 (1) states that the curriculum for cosmetology includes hairstyling, which includes (but is not limited to) hair analysis, shampooing, finger waving, pin curling, comb outs, straightening, waving, curling with hot combs, hot curling irons, and blow styling.

Effects of Current Law

Due to Section 7316 (d) (2) of the California Business and Professions Code, there are no health and safety regulations that natural hair care/braiding providers and braiding studios must follow. There is no guarantee that natural hair care/braiding is being performed properly and safely for consumers. The Board has seen multiple blogs on the internet abounding with suggestions on proper/improper braiding techniques and

suggestions on how to treat scalp conditions. It is unclear as to the training these bloggers have retained. Braiding when done incorrectly can cause traction alopecia, a gradual hair loss caused primarily by the inappropriate level of pulling force being applied to the hair by improperly trained braiders. In addition, the internet abounds with anecdotal stories of cases of traction alopecia, hair loss and bacterial infections caused by improper braiding techniques and/or improper disinfection.

Photographs, as seen here, are a common occurrence when a person does an internet search for the word, "traction alopecia".



Since the Board does not regulate hair braiding, client complaints remain low. However, we do occasionally receive a complaint such as this one (personal information has been removed for confidentiality reasons):

"I found X on yelp and contacted her about doing my hair extensions. I went to her house on 5/8/14 to have my old extensions removed and new ones installed. Within an hour of leaving, I had a throbbing headache and my scalp was really sore. It was so bad that I wasn't able to sleep that night because it hurt too much to put my head on the pillow. I told X and she tried to say that's normal, but I've been getting extensions for 10 years so I knew that wasn't normal. The following morning I went to 4 different salons to find out what was wrong and why I was in so much pain. I was told that she took big, wide locks of hair instead of small, deep locks which is what you are supposed to do. I had to have them removed immediately and when I did I had welts on my scalp!! I contacted X and she refused to take any responsibility for it and said I just have a "sensitive scalp". I asked her if she was licensed and she said she was but she refused to show me her license or give her license number to me. When I looked on the board of barbering and cosmetology site I saw that she is not licensed, nor is her business. I also assume she is not licensed to work out of her home either.

I paid \$400 to have the extensions she applied removed and redone. She also removed my old extensions with the wrong tools which I am sure further damaged my hair. The incident occurred on 5/8/14 at X's home. Her address is: X, Corona, CA. X. Her phone number is XXX-XXX-XXXX.

I went to her to have my extensions re-moved and new ones put in my hair as the woman who normally does my hair is out on maternity leave. I had shrink link extensions, those use adhesive so it's my understanding that you are supposed to use a chemical (acetone) and a heat tool to remove them. She used a pair of pliers, similar to what is in this photo:

Stainless Steel Pliers + Micro Bead Ring Pulling Needle Hook Hair Extension Kit



Stainless Steel Pliers + Micro Bead Ring Pulling Needle ...

US \$26.28 New with tags in Braiding, Nails & Accessories, Woman's Accessories, Wig, Extensions & Supplies

View on www.aliexpress.com

Then she applied a new set of micro bead extensions with the above pliers and tools. She did them all wrong and they were so incredibly painful that I had to have them immediately removed. When I did I had welts on my scalp. Turns out she was unlicensed and had no idea what she was doing. She used tools for the whole thing which I know is against the law without a license."

(See appendix for additional blogs recounting cases of traction alopecia found on the internet.)

Natural Hair Care Task Force

On April 14, 2014, in Sacramento, California a meeting of the Natural Hair Care task force was assembled. The purpose of this task force was to determine if the public's health and safety interests were being served with regard to the non-regulated practice of hair braiding and if natural hair care should be placed under the scope of practice for a cosmetologist. Task force members included salon owners, hair braiders, cosmetology instructors, celebrity stylists, industry representation from an industry association, the author of a natural hair care textbook, currently on the approved textbook list by the National Interstate Council of State Boards of Cosmetology (NIC), two Board members and Board staff. A discussion included defining exactly what constitutes a natural hair stylist, the explosion of consumer harm related to traction alopecia, and how the art and practice of natural hair care is no longer culturally specific. The task force was in agreement that the practice of natural hair care should be regulated by the Board of Barbering and Cosmetology. Several task force members conceded to seeing an increase of cases of fungi, infection and traction alopecia as a result of lack of education of proper braiding techniques, poor disinfection procedures

and lack of understanding in basic hair histology. With a resounding, unified voice, the task members stated that natural hair care and the practice of braiding is no longer culturally specific. Infection, fungi and scarring from traction alopecia is non-discriminate to race. Task force members were in unanimous agreement that the practice of natural hair care/braiding needs to be regulated for the safety and care of California consumers. For clarity, members defined natural hair care as:

"A natural hair care stylist provides a service for compensation that result in tension on hair strands or roots by braiding, locking, twisting, wrapping, weaving, finishing, and extending the hair with or without natural hair or synthetic fibers or applying cornrows to the hair. Such a practice may include: shampooing, drying the hair, incidental trimming or singeing the ends of the hair to complete the service; applying antiseptics, powders, oil, clays, lotions or applying tonics to the hair, head, or scalp to condition the hair; the use of tools such as combs, hair rods, hair rollers, hair clips, brushes or shears. **Such practice shall not include:** the application of glues and/or adhesives; the use of preparations or the use of any device or tool designed to alter the color or chemically straighten/curl the hair; the application of extreme heat applications, such as, flat irons, straightening combs or curling irons."

Non-Licensed Hair Braiders

In June 2014, a representative from the Board of Barbering and Cosmetology initiated contact/visits to five (5) non-licensed braiding studios in and around the Sacramento, California area. Three (3) braiders agreed to meet with the Board representative. Some interviewed worked in a braid bar others out of their homes. The goal of the visit was to determine how non-licensed braiders educated themselves on health and safety and if they saw the value in being regulated by the State of California. The representative asked the braiders the following questions:

- How long have you been providing braiding services to the public for a fee?
- How did you learn to braid?
- Do you feel that braiding is culturally specific?
- Have you ever received training in infection control and sanitation procedures?
- What safety precautions do you utilize to ensure consumer health and safety?
- Have you seen consumer harm resulting from improper braiding techniques or improper infection control?
- Do you feel that Braiding should be regulated? Why or Why not?

The general consensus of these interviews was that natural hair care should remain unregulated by the State. Included below is a brief synopsis of each of the visits.

Braider #1

This braider operates out of her home and has been doing professional braiding for the last 10 years. She learned braiding from her cousin and other friends in West Africa. She noted that all of the women in her family are taught braiding at an early age. She does feel that braiding is culturally specific to the African American population. She mentioned that she has seen Caucasians have their hair braided but generally, it is not

in the same fashion as African braiding. When the Board representative entered her home, it was observed that the braider had a barber chair set up in the living room and had disinfectant made up and ready for use. When asked where she learned how to disinfect her tools she stated that other braider friends had taught her about infection control. She ensures health and safety by maintaining a clean home environment. She mentioned that she has not seen consumer harm, such as traction alopecia, in the years she has performed braiding. When asked if she felt that natural hair care should be regulated, in general, she said "No", but then noted that it might be good to have a license and be educated professionally. She is considering going to cosmetology school so that she can perform chemical work. She currently does do hair extensions including, the sew-in type.

Braider #2

The braider was hesitant to meet with the board representative in person and asked to be interviewed via telephone. She currently works out of her home. This braider is a third generation braider. Infection control, safe practice protocol and braiding techniques have been passed down to her through family generations. She does feel that braiding is culturally specific to African Americans. She feels that it is specific to race due to the fact that African Americans contend with a specific hair type. Regarding infection control, this braider stated she throws out the comb used to braid a clients hair and doesn't ever reuse combs on clients, thus preventing the need to disinfect her tools. If she were to see any type of skin condition on a client's hair, she has them sign a release waiver before administering services. She feels that the unlicensed braider does not need to be regulated. They do not need to attend school. You can learn braiding techniques from You Tube. She became interested in braiding at 5 years of age and feels that braiders are capable of educating themselves. She did state that if braiding were to be regulated that it may present a higher level of professionalism within the braiding community.

Braider #3

Originally, the Board representative was to meet at the braider's studio. Due to a medical emergency with the braider, the interview had to be administered over the telephone. The Board staffer was able to observe the braider's studio and noted that there still remains some confusion by the interviewed braider as to what was allowable within her practice. This braider's studio displayed signage on the window of the studio that indicated that chemical work could be performed. (Chemical work, such as, chemical straightening, hair coloring and perming is currently under the scope of practice for a cosmetologist and is a regulated practice). This would constitute unlicensed activity.

This braider has been conducting professional braiding services for the last two years. She was taught how to braid in Africa by family and friends. She stated that learning to braid is a part of everyday life in Africa. It is considered a form of art and that not everyone who learns to braid can or is successful at it. She does feel that braiding is culturally specific to the black race. She has never "formally" received any training in infection control but states that by working in a studio she has observed that cosmetologists use Barbicide in the disinfection of their tools. She has adopted this form of infection control. She states she has seen cases of traction alopecia from

improper braiding techniques and that many times she will be called upon from clients dissatisfied by the techniques of their previous braider. She does not feel braiders should be regulated since they do not use chemicals and since braiding is an art you need to have the gift for it and she doesn't feel that schooling can provide that gift.

Natural Hair Care Associations

There exist several natural hair care/braiders associations. The intent of these associations is to encourage education, share experiences and protect their industry from regulatory restriction. Most of the organizations have either a Facebook account or a blog in which participants can ask for guidance. Board staff reached out to the following organizations and asked for their official position on the regulating of natural hair care. The positions of those associations that chose to respond are attached.

Illinois Natural Hair Care Association

743 East 75th Street
Chicago, IL 60619
(773) 301 2318

Natural Healthy Hair Society

(866) 578-2008
<http://healthyhair.weebly.com/>

Atlanta National Hair Care Professional (ANHC Pro)

2479 Peachtree Road Suite 1316
Atlanta, GA 30308
(678) 459-5212
Professional@AtlantaNaturalHair.com

Natural Hair Care Association - Uniting professionals and consumers in the natural hair community.

[https://www.facebook.com/pages/Natural-Hair Associationorg/160036050696616](https://www.facebook.com/pages/Natural-Hair%20Associationorg/160036050696616)

The Institute for Justice

Founded in 1991, the Institute for Justice is a civil liberties law firm dedicated to defending the rights of natural, African-style hair braiders to earn an honest living without submitting to overly-burdensome government regulations.

On June 17, 2014, the Institute of Justice filed lawsuits in three states challenging various laws governing natural hair braiding practices. The States under litigation are: Washington, Missouri and Arkansas. The Institute of Justice does not feel that braiders should be required to complete a cosmetology course of instruction and/or be licensed, in order to braid hair.

Currently, the Institute of Justice is promoting the campaign initiative #braidingfreedom in which they are encouraging braiders to come forward and pursue litigation against states currently regulating or proposing regulation for natural hair care/braiding. The Institute has had prior legal success (two victories in court and six legislative victories).

Medical Community

Currently, cases of traction alopecia are treated primarily by dermatologists. The internet abounds with the advertizing of multiple clinics designed to treat hair loss. In general, to determine why alopecia is occurring on a person a dermatologists performs a visual inspection and performs a scalp biopsy. The biopsy is used to determine the cause of hair loss. (Hereditary, nutritional deficiency or environmental)

It would not be the intent of a natural hair care stylist to treat or diagnose hair loss but rather to learn proper braiding techniques that allow for the correct amount of tension on the hair and proper disinfection techniques to reduce the amount of traction alopecia cases seen within the medical community.

The natural hair care stylist could be compared to how a licensed esthetician works cohesively with a dermatologist.

Social Media

The Board conducted a poll on its Facebook account. The poll asked, "Do you feel the practice of Natural Hair Care should be regulated by the Board of Barbering and Cosmetology?" The poll stayed on our site for 42 days. 35 people responded the Board should regulate Natural Hair Care and 5 people responded the Board should not regulate Natural Hair Care.

In addition, the Board posted the following to its own Facebook page:

"Have you or someone you know been a victim of improper braiding techniques? Have you experienced traction alopecia, contracted a fungus or infection from an unlicensed hair braider? If so, we want to hear from you. Please email your experience to Tandra.Guess@dca.ca.gov. Let's all have a safe, healthy, salon experience."

In addition, the Board requested the Black Hair Media Facebook page and the Naturally Curly.com Facebook page to post the above inquiry.

The Board did not receive any responses. The Board was not surprised by these results as hair loss continues to be an embarrassing subject to discuss. Shame and confusion continues to be cited as to why more victims do not come forward to discuss their condition.

Other State Boards

In a poll by the California State Board of Barbering and Cosmetology it was found that at least 19 States have some sort of hair braiding/natural hair styling license or certification. The average number of theory/instructional hours required was 300 hours.

Pros and Cons of Regulating Natural Hair Care

Pros

- Required education providing minimal competency in hair histology, conditions of the scalp and infection control standards.
- Provides consumers with an avenue for complaint, if consumer harm occurs.
- Alleviates confusion as to the scope of practice for a cosmetologist and the Natural Hair Care provider.
- Possible reduction in consumer harm, specifically, traction alopecia.

Cons

- Costs incurred to attend schooling, passing a State examination, and licensure fees.
- Invasion by a regulatory entity on a previously viewed culturally specific profession.

Conclusion

The Board recognizes that some forms of braiding are passed down by generations. The Board believes that individuals that perform this type of braiding, to family and friends, without charging a fee, should continue to be exempt. However, the Board does realize that braiding is no longer culturally specific. The popularity of braiding has allowed the practice of natural hair care to become more and more diverse. The art of natural hair care is being practiced through every ethnic culture universally. Photographs of consumer harm are flooding the internet and words like "traction alopecia" are being coined to identify the types of consumer harm being administered. The Board does realize that natural hair care is a specialized practice under the scope of practice for a cosmetologist.

The Board recommends that:

- if an individual is offering natural hair care services, including braiding, for a fee, they must in fact be trained in infection control and proper braiding techniques to prevent further consumer harm.
- the Legislature consider enacting a bill for the development of a natural hair care license, with a theory hour requirement of 400 hours and a curriculum to be determined by the Board.
- a grandfathering clause be added to the bill to allow persons currently engaging in natural hair care to be able to be licensed by passing a State exam without the inclusion of school training. This clause would be in effect for a two-year period. New natural hair care stylists would be required to attend schooling and pass the State exam.



Furthering the
growth &
professionalism
of the hair care
industry

ANHC Pro Position Statement: Regulation of Natural Hair Care Services

ANHC Pro is a Georgia based professional association which serves the needs of hair care professionals who include or are interested in including "Natural Hair Care" as part of their professional service offerings. As a professional resource, ANHC Pro utilizes and partners with Georgia State Boards of Barbering and Cosmetology, Schools, Hair Care Product Brands and Manufacturers, as well as Business Service providers.

For the use of establishing "Natural Hair Care" service regulations ANHC Pro defines "Natural Hair Care" as:

- a) Hair care services which **include**
 - a. Styling hair utilizing combing and brushing with hands or other tools
 - b. Providing hair and scalp cleansing and clarifying treatments
 - c. Providing hair and scalp conditioning treatments
 - d. Installation of extensions utilizing natural or synthetic fibers
 - e. Locking or interlocking of hair
 - f. Twisting, Plaiting, or Braiding
 - g. Hair cutting utilizing shears
- b) Hair care services which **exclude** services which should be reserved for licensed barbers and cosmetologists.
 - a. Chemical and thermal services designed to alter the structure and/or texture of the hair
 - b. Hair cutting with razors or clippers
 - c. Hair Coloring

ANHC Pro approves of regulation of Natural Hair Care by government entities, industry regulators, and/or consumer advocacy groups in order to ensure consumer wellbeing and safety. The basis for Natural Hair Care Service regulations and education should include the following:

- a) **Health and Safety** including but not limited to Bloodborne Pathogens, Decontamination, and basic knowledge of Skin Conditions, Diseases, and Disorders
- b) **Product Knowledge** including the proper use and understanding of hair products and styling aides excluding products designed to alter the structure and/or texture of the hair
- c) **Natural Hair Styling Techniques** including basic styling, basic hair cutting, interlocking, twisting, braiding, hairweaving, and installation of extensions

Appendices

Appendix 1 - Nappturality.com

Nappturality.com

"I was diagnosed with Traction Alopecia 7 years ago. I had locs down my back for 4 years prior. I had the steroid shots, scalp biopsies and the works. I was told my follicles were dead and the bald spots will remain unfortunately. I have nickel and quarter size spots throughout my hair. I decided to do the BC and haven't regretted it since. I have a very close cut and my husband cuts my hair on a weekly basis. That seems to be the only style that camouflages the spots. I was self-conscious at first, but everyone kept telling me how nice I looked and how it fits my face. Now I suffer with dryness."

"My daughter is steadily losing hair on the side and the back of her head. It is so bad to the point that I can not even grip it to style at all. I need serious help because it comes out in clumps and it's another wash and style day. Any suggestions?"

"I am currently suffering from traction alopecia at the sides that looks similar to male pattern baldness. I have been rubbing glycerine and Boundless tresses on the spots to promote growth for at least a month now and so far I haven't seen any results. After taking a close look at my scalp, in some spots I see very sparse, thin hair and in others there are no follicles. I went to the dermatologist and she prescribed Rogaine for women, but how can that work on scarred tissue with no hair follicles? I researched information on Rogaine and found that it doesn't really help so I ended up never using it and didn't even bother to waste my money. I would like to know anything that can help. I am afraid that I would be bald in these spots forever and I just can't deal with this anymore. Anybody who has went through something like this and has had success with a product please let me know. I can't help but to cry because I could have prevented this but I was just too stubborn to stop getting my hair braided and pressed before it was too late."

"I have a scarring type alopecia (CCCA), and the dermatologist has told me to use the men's Rogaine (5%) in order to maintain the hair I have. I was diagnosed with a biopsy. That is the only way to determine the type of alopecia you have. If it is a scarring alopecia (which is what it sounds like it could be from your description) it can be a progressive situation causing more (eventually all) follicles to be lost. Try to find a dermatologist specializing in hair loss, as there are different ways to treat different conditions. Once you are diagnosed, you will need to be willing to trust that your dermatologist is trying to help you save the hair you have, and be open to the treatment suggested. I feel I still have hair at all due to my dermatologist's treatment plan."

"I am currently having the same problem (traction alopecia) and both of the dermatologists I went to only looked at my scalp to tell me what I have. I have been in contact with a clinic in Cali to discuss other options like Hair restoration surgery. Has anyone tried that? I have a bald spot in the top and thin hair in the front. The funny thing is that sometimes the hair in front starts growing and thickening, then it will stop. I was treated with shots before and I think that's what initiated the thickening of my sides and some light growth, but every time I start them I have to stop for a long period of time, usually because of work. I feel so unbeautiful now, and am willing to try the surgery."

"I studied a little more on the condition I have. My follicles are indeed dead and I no longer put heavy extensions on my hair and I NEVER EVER WILL. Even though I stopped, my scalp still feels the soreness and pain whenever I try to comb the front of my hair. If you look at your scalp you can tell the difference between the affected area and the normal areas. The affected area is either a reddish color or the same color as your forehead, meaning bald. Or the follicle hairs look very thin and wispy. A healthy scalp is whiter or paler and has follicles. To be certain sure, you have to get a biopsy from the derm. If you see your hair thickening back then you have hope. Unfortunately for me, I am still losing hair and experiencing pain in the surrounding area. Nothing is ever going to change that."

"I just took out my sisterlocks after 10 years for this reason. The top of my head was almost bald and my scalp needed a break from the stress of them so now My hair is growing back I no longer have bald spots I have fuzz and hair growing. (THANK GOD)."

Board of Barbering and Cosmetology
**To the California Legislature on
Oversight of Barbering, Cosmetology and Electrology
Schools**

Purpose

The Board recommends it be granted sole oversight over barbering, cosmetology and electrology schools as opposed to dual oversight by the Board and the Bureau for Private Postsecondary Education (BPPE), two entities under the Department of Consumer Affairs.

Background

The Board believes it is the appropriate entity to regulate barbering, cosmetology and electrology schools. Currently, beauty schools are regulated by two DCA entities, the Board and the BPPE. The problems associated with dual oversight have been an on-going issue for many years and have been discussed in prior Sunset Reviews under the old BPPVE. Not only is this not a cost-effective method, it is confusing to students and the lack of sufficient oversight by the Board permits potentially harmful practices to be carried into the industry.

To differentiate between the two regulatory entities, listed below are the areas of oversight that each entity is responsible for:

Board Oversight of Beauty Schools

- Curriculum
- Minimum Equipment
- Minimum Enrollment
- Minimum Floor Space
- Textbooks
- Health and Safety on Clinic Floor
- Licensing Examination
- School Approval

BPPE Oversight

- Student protection concerns -- tuition issues, catalog, student contracts, unqualified instructors etc.
- School Approval

Section 7362 of the Business and Professions Code states a school must be both licensed by BPPE and approved by the Board. Schools are encouraged to begin the application process with both DCA agencies at the same time. Once the BPPE issues an "intent to approve" letter, the Board will issue its approval. When the Board receives an application, a review is conducted of the requirements stated above, followed by an initial inspection. An approved school is issued a school code from the Board that must be noted on the Proof of Training (POT) Document that is provided to a student who completes a course of instruction (a completed POT is required to qualify for the licensing examination).

Problems

1. To approve a school, the Board reviews the application and curriculum, and conducts an inspection, all without receiving an application fee.
2. Students invariably contact the Board to file complaints against schools and must be referred to another DCA entity (all students are familiar with the "State Board"; very few-if any-know about the BPPE).
3. Lack of communication between the Board and the BPPE is causing student harm and potentially increases unlicensed activity in the industry. The BPPE regularly fails to respond to the Board.
4. The selling of hours continues to take place. The Board investigates this based on fraudulent POT's being issued; however, the lack of oversight prevents the Board from conducting internal investigations and requires the Board to utilize costly options for investigating and prosecuting these fraudulent schools. With sole oversight, the Board could require schools to provide the Board with the records of each registered student from day-one of their schooling, immediately ending this fraudulent practice of selling hours to individual enrollees.
5. The Board has no authority for the renewal of the school approval; therefore, schools are not held accountable to the Board's requirements.

Discussion

The Board has been attempting to work with the BPPE since it was reconstituted in January 2010. However, many of the same problems that the Board experienced with the prior iteration of the BPPE -- the "BPPVE" -- remain. While dual oversight explains a lot of the confusion and issues, there are also communication issues and a lack of consistent action on the part of BPPE enforcement staff. This has created an environment where fraudulently operated schools continue to exist.

The Board does not receive the information it needs to ensure applicants (students) are attending approved schools. For example, the Board is not made aware of schools that

are out of compliance with the BPPE. Schools that are no longer approved (expired) should not be providing services to consumers nor should they be teaching students. The Board must go online and monitor schools on a regular basis to determine if schools are in compliance with the BPPE. When a school is out of compliance with BPPE, the Board must notify the school that the Board will no longer admit their students into the examination. Students often are the last to know and are usually informed by being denied admittance to the exam from the Board.

The Board often inspects schools and finds students performing services on consumers with no instructor present. The Board also often finds students that are "clocked-in" but are not present, therefore, gaining hours toward their education without even attending school. These cases are forwarded to the BPPE. However, the Board is not aware of any action taken.

Prior to the early 1990's, schools were regulated solely by the barbering and cosmetology Boards. As part of that oversight, schools were required to register each student with the Board at the time of enrollment. Therefore, the Board would be able to monitor if a student had indeed completed the full course of instruction. The above-outlined infraction would have been detected immediately without any costly investigation, if the Board had sole oversight authority.

The Board attempts to conduct annual inspections of existing schools, in addition to the timely inspections of new schools seeking approval. The Board receives complaints from students and consumers on the cleanliness of schools and therefore the Board's enforcement staff will request a directed inspection of schools. The Board often finds various health and safety violations. A citation without fine is issued to the school owner, with current law only allowing the Board to forward such violations to BPPE for further actions.

Statistics

FY	Schools Opened	Complaints Received	Cases Opened	Cases Closed	Inspections Requested
2007/2008	14	5	3	50	0
2008/2009	26	1	0	0	0
2009/2010	16	169	51	156	29
2010/2011	8	134	69	127	36
2011/2012	10	178	90	177	43
2012/2013	12	84	45	67	57
2013/2014	8	84	42	75	56
Total	94	655	300	652	221

Types of Complaints Received

FY	Health and Safety	Non-Jurisdictional	Instructor	Financial	Hours	Consumer Harm
2007/2008	3	2	0	0	0	0
2008/2009	0	1	0	0	0	0
2009/2010	47	120	19	17	23	0
2010/2011	56	73	8	5	8	2
2011/2012	84	90	6	2	17	2
2012/2013	4	61	0	3	16	0
2013/2014	29	40	0	13	2	0
Total	223	387	33	40	66	4

Recommendation

The Board believes that it is the best positioned regulatory entity to have sole oversight of schools. Dual oversight is not cost-effective and it is redundant to have two DCA entities regulating the same business. The Board cannot be removed from the school oversight because schools offer industry specific, Board regulated services, to consumers. Therefore, the Board should be the sole DCA agency in charge of regulating beauty schools. With regard to tuition recovery assurances, there are three options: (a) cosmetology, barbering and electrology schools can be required to post bonds (as was required before the Student Tuition Recovery Fund); (b) BPPE will continue to handle this for barbering, cosmetology and electrology schools (as they do with all other private postsecondary's); or (c) this function be transferred to the Board.



Board of Barbering and Cosmetology
**To the California Legislature on
Title Protection for all Board Individual License
Types**

Purpose

To establish title protection for all individual license types issued by the Board.

Background

Sections 7320.3 and 7320.4 of the Business and Professions Code state that persons who are not licensed as a cosmetologist or barber may not represent themselves as a cosmetologist or barber.

The Board issues licenses to cosmetologists and barbers, and also to electrologists, manicurists and estheticians. All of these license categories require minimum education be completed, and the applicant must take and pass both a written and practical examination.

As stated above, title protection is provided to cosmetologists and barbers but not to the remaining three licensed professions.

Current Law

Business and Professions Code:

Section 7320.3: Persons who are not licensed to perform all of the practices of a cosmetologist may not represent themselves as a cosmetologists.

Section 7320.4: Persons who are not licensed as barbers in this state may not represent themselves as barbers.

Recommendation

The Board recommends the following statutory language be added to provide title protections to all of the professions that it regulates:

Persons who are not licensed to perform nail care may not represent themselves as a manicurist or nail technician.

Persons who are not licensed to perform skin care may not represent themselves as an esthetician or aesthetician.

Persons who are not licensed to perform electrology may not represent themselves as an electrologist.



Attachments

Administrative Manual

Organizational Chart

Year-end Organizational Charts

Major Studies

**DEPARTMENT OF CONSUMER AFFAIRS
BOARD OF BARBERING AND COSMETOLOGY**

June 30, 2014

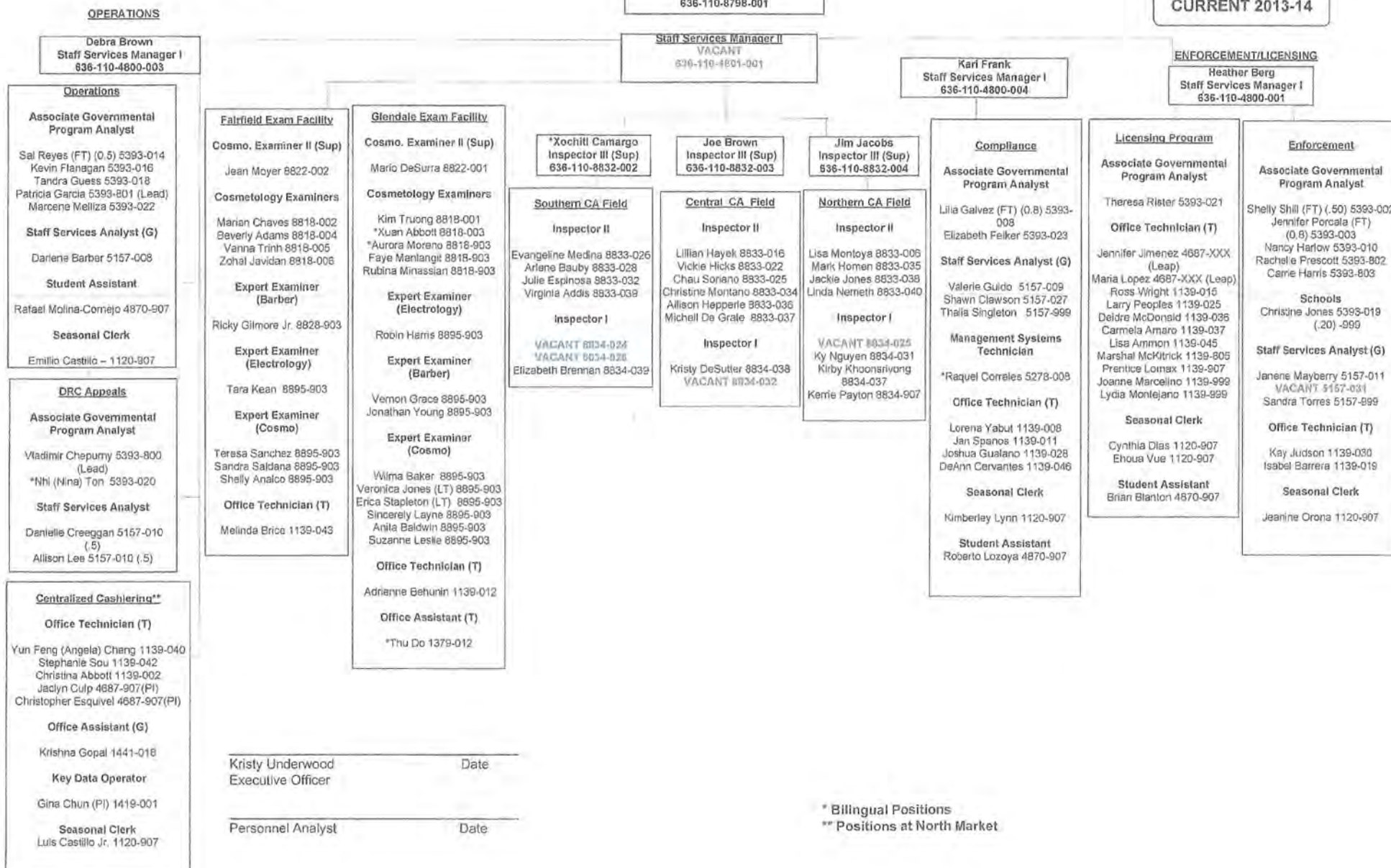
82.1 Positions

Temp Help – General 12.0

Temp Help – Examiners 13.0

BL 12-03 (999 blanket): 4.2

CURRENT 2013-14



* Bilingual Positions

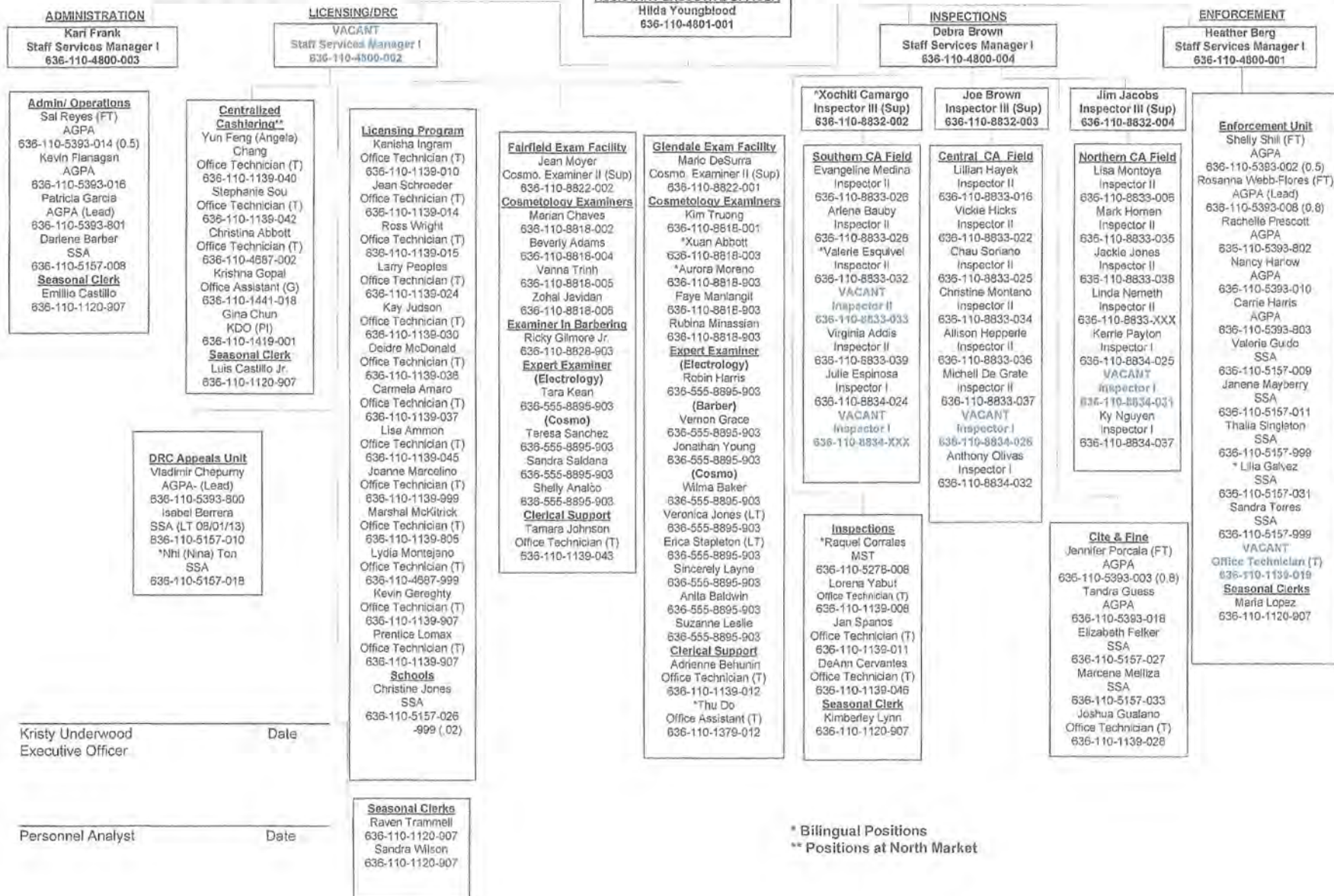
** Positions at North Market

DEPARTMENT OF CONSUMER AFFAIRS
BOARD OF BARBERING AND COSMETOLOGY

June 30, 2013

86.1 Positions
6.00 Temp Help – General
14.00 Temp Help – Examiners
BL 12-03 (999 blanket): 4.2

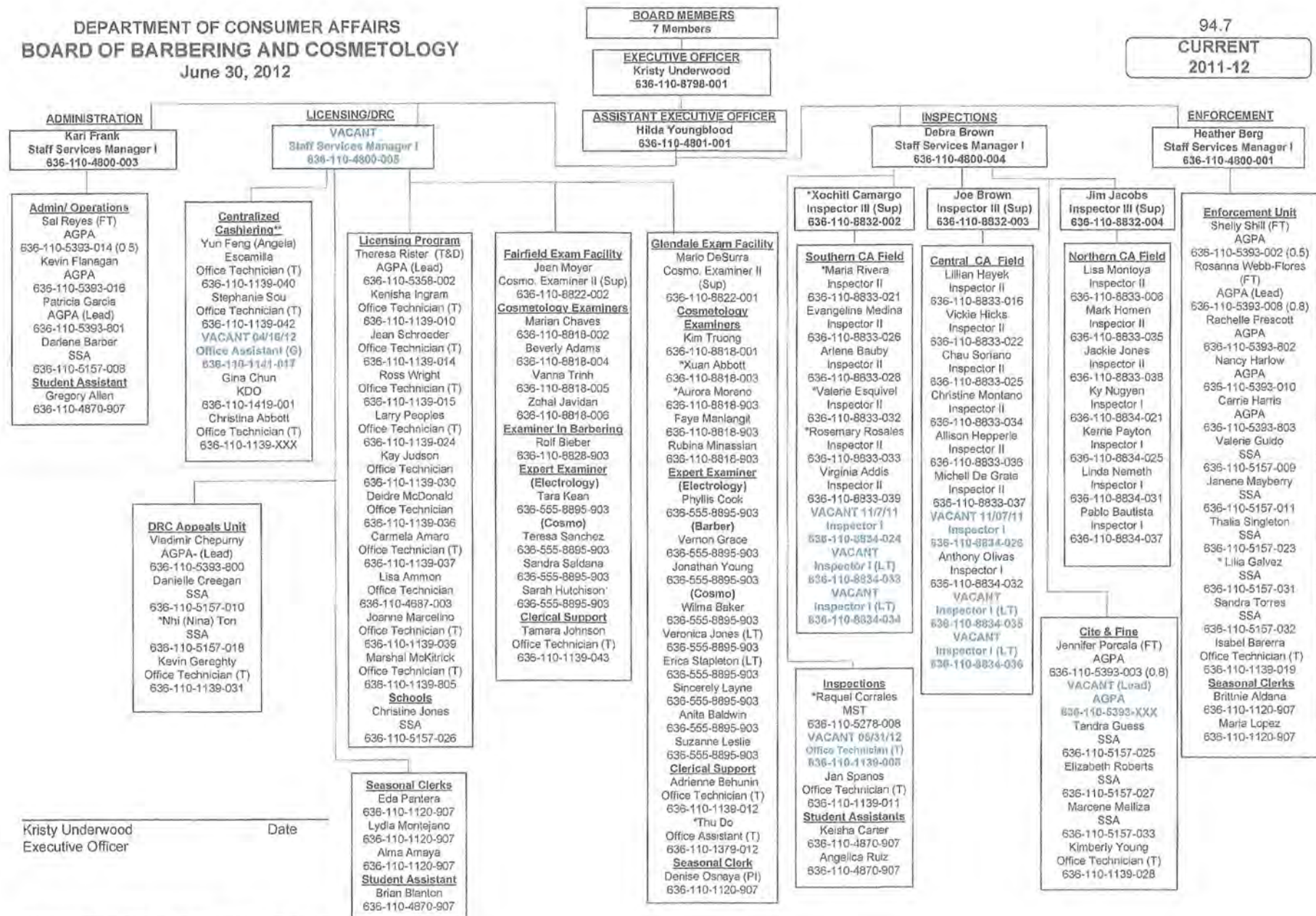
CURRENT
2012-13



* Bilingual Positions
** Positions at North Market

**DEPARTMENT OF CONSUMER AFFAIRS
BOARD OF BARBERING AND COSMETOLOGY**
June 30, 2012

94.7
CURRENT
2011-12



Kristy Underwood
Executive Officer

Date

Classification and Pay Analyst

Date

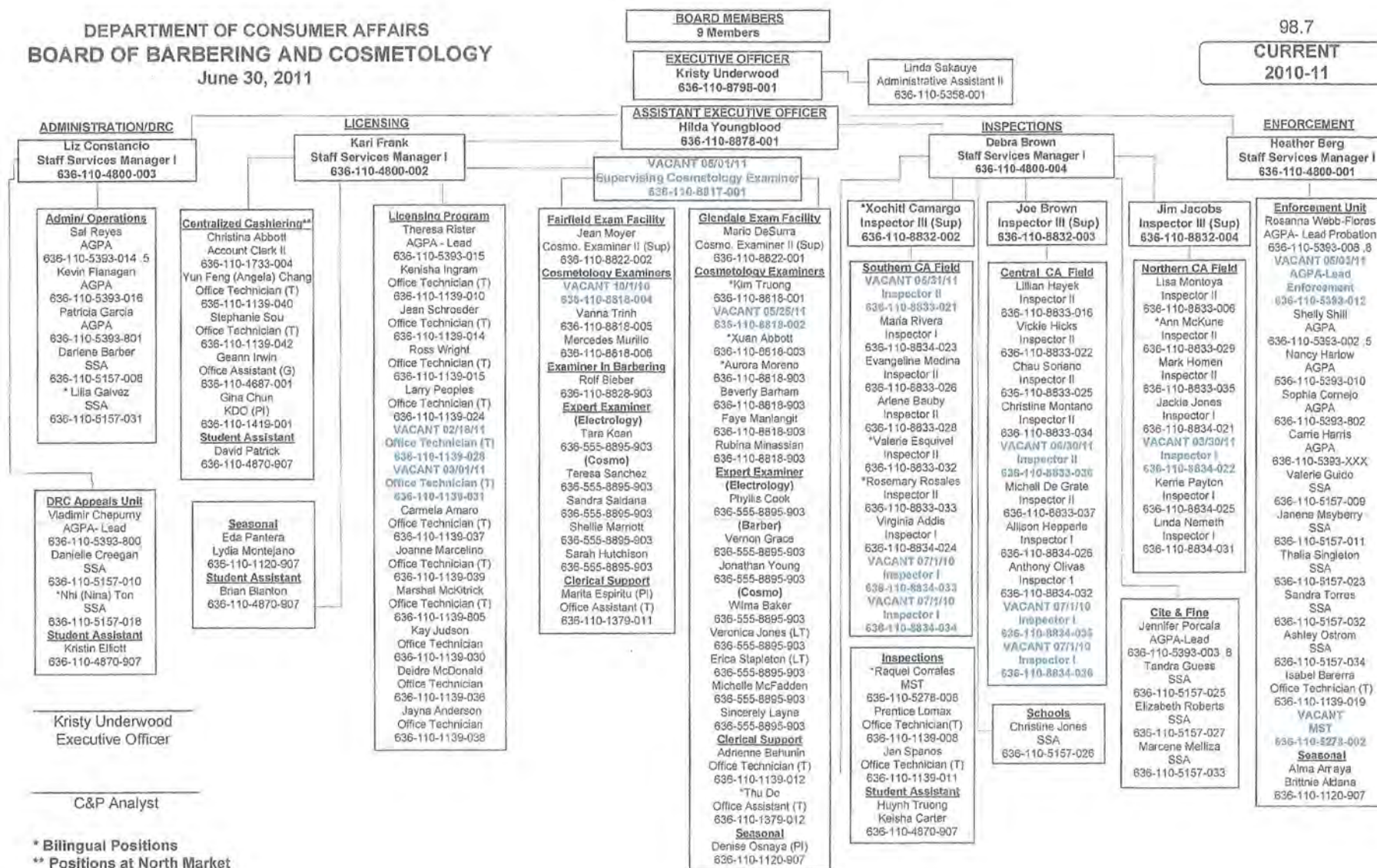
* Bilingual Positions

** Positions at North Market

DEPARTMENT OF CONSUMER AFFAIRS
BOARD OF BARBERING AND COSMETOLOGY
June 30, 2011

98.7

CURRENT
2010-11



Kristy Underwood
Executive Officer

C&P Analyst

* Bilingual Positions

** Positions at North Market

CALIFORNIA STATE
BOARD OF BARBERING AND COSMETOLOGY

Report on Appropriate Licensing Sub-Categories



Purpose:

In 2013, the Board underwent its scheduled sunset review and appeared before the Senate and Assembly Business and Professions Committees. One of the issues raised from the committee was regarding appropriate licensing categories. In the final recommendations of the Board's sunset review, staff's recommendation for item number eight (8) stated:

Staff Recommendation: The Board should review the issue of recognizing specialized service providers like eyelash extension appliers, makeup artists and waxers. The Board should work with national groups, professional associations, colleagues at NIC, school owners and licensees to determine if steps are necessary to create easier paths to Board recognition for individuals performing limited services. The Board should provide the Committee with statutory recommendations by January 1, 2014.

Recommendation:

The Board's is recommending statutory language that will establish a Board recognized industry certification program.

On June 3, 2013, the Board held a public meeting with its Legislative and Budget Committee and invited individuals who have expressed interest in obtaining a license in a specialized area. During this meeting the option of having specialized licenses was discussed. It was determined that issuing a license to a specialized service (that exists within the current scope of practice) is diminishing the existing scope of practice.

The Board discussed the topic on July 14, 2013 and again on October 21, 2013 where it approved a final motion to proceed with a statutory change to allow for a Board recognized certification program. The Board recognizes the need for certification for specialized services and/or advanced services, and is recommending the proposed language that is included at the end of this report.

Background:Priority of the Board

The Boards priority and number one goal is consumer protection. As such, the Board tests for minimal competency. The Board does not test for advanced skill, however, many licensees take their own initiative to further their skills and take advanced training after licensure.

Scope of Practice

The Board has recently been approached by individuals wishing to be licensed only to perform one skill of the scope of practice. For example, the scope of practice of an esthetician states:

Skin care is any one or more of the following practices:

Giving facials, applying makeup, giving skin care, removing superfluous hair from the body of any person by use of depilatories, tweezers or waxing, or applying eyelashes to any person.

Beautifying the face, neck, arms, or upper part of the human body by use of cosmetic preparations, antiseptics, tonics, lotions or creams.

Massaging, cleaning, or stimulating the face, neck, arms or upper part of the human body, by means of the hands, devices, apparatus or appliances, with the use of cosmetic preparations, antiseptics, tonics, lotions or creams.

There have been requests made to the Board to have a waxing only certificate, makeup artist, or lash extension appliers, all topics are specifically covered in an esthetician scope of practice. The Board has concerns with issuing licenses/certificates to a single service within the existing scope because it could lead to a high amount of certificates for specialized areas. For example, a facial only certificate, hair color only certificate, or shaving certificate.

The Board is confident that the existing scope of practice is sufficient and necessary to carry out the Board's priority (consumer protection). Individuals may choose to perform only one skill within the scope of practice, however, the knowledge that is learned through the curriculum and the examinations should remain intact.

Licensee and Approved School Input

At the Board's sunset hearing on March 18, 2013 several individuals came forward asking that a makeup artist certification be implemented. The Board has several concerns with this concept, most importantly (as stated above) the application of make-up is currently specified in the scope of practice of a cosmetologist and an esthetician. The Board believes it is in the best interest of consumer protection that individuals obtain, at a minimum, an esthetician license by completing a 600 hour course. Should that individual then wish to pursue an advanced career in make-up, the certification program being proposed in this report will allow for recognized advanced training.

The Board reached out to multiple schools and did not find any schools currently approved by the Board that are in support of specialized licensing categories.

Professional Beauty Federation of California (PBFC)

The Professional Beauty Federation of California (PBFC) has made a statement that it agrees with the Board that creating specialized license types diminishes the scope of practice of existing licensure. The PBFC supports an industry wide certification process that is recognized by the Board, but implemented by the industry.

National Interstate Council on Cosmetologists (NIC)

The NIC is the organization that provides the national examinations utilized by California. Research indicates that only two states (Virginia and Wyoming) administer tests to issue waxing certificates. In addition, only two states provide examinations for a form of makeup (Louisiana issues a makeup permit and Oklahoma issues a cosmetician license for hairdressing and makeup only).

Proposed Statutory Language:

7312. The board shall do all of the following:

(a) Make rules and regulations in aid or furtherance of this chapter in accordance with the Administrative Procedure Act.

(b) Conduct and administer examinations of applicants for licensure.

(c) Issue licenses to those applicants that may be entitled thereto and to encourage such licensees to continue to develop their skills and the appropriate application and use of evolving industry techniques, products and equipment by recognizing industry certifications that meet appropriate standards approved by the board.

(d) Discipline persons who have been determined to be in violation of this chapter or the regulations adopted pursuant to this chapter.

(e) Adopt rules governing sanitary conditions and precautions to be employed as are reasonably necessary to protect the public health and safety in establishments, schools approved by the board, and in the practice of any profession provided for in this chapter. The rules shall be adopted in accordance with the Administrative Procedure Act, Chapter 3.5 (commencing with Section 11340) of Title 2 of the Government Code, and shall be submitted to the State Department of Health Services and approved by that department prior to filing with the Secretary of State. A written copy of all those rules shall be furnished to each licensee.

Board Specific Issues

Disciplinary Review Committee

DRC Statistics

Disciplinary Review Committee

Business and Professions Code section 7410 established the Board's Disciplinary Review Committee (DRC). The DRC allows an individual who has been cited and fined to appeal the violation by appearing in person or submitting in writing their evidence relating to the facts and circumstances of the citation. Per CCR section 974.2(d) the cited individual can contest or appeal any of the following aspects of the citation:

- the occurrence of a violation
- the period of time for correction
- the amount of the fine

The DRC is comprised of three members of the Board (CCR section 974.1(a)). The Board President appoints members to the DRC on an annual basis; however, due to the volume of appeals, members that do not serve on a regular basis on the DRC are selected as alternates. These members are called upon, should the need arise. All meetings of the DRC are held in accordance with the Open Meetings Act and are noticed on the Board's Web site. In addition, statistical updates on the DRC are provided at each Board meeting and the public is encouraged to attend the hearings.

The DRC hearings are held on a monthly basis. The only time there is difficulty in scheduling these meetings is if there is not an approved state budget and therefore, staff is not able to travel. While that has happened over the years, the hearings are held in Sacramento to ensure the work flow continues.

In the last three years the DRC held 111 hearings. The monthly hearings of the DRC are for three days at a time. An average of 85 cases is heard at each session (255 cases a month). There are currently 1,717 cases pending. The Board is continuing to address the high workload by scheduling a higher number of cases each month as well as an additional day.

The Board makes every effort to minimize the costs associated with conducting the DRC hearings. All meetings are attempted held at State facilities and the number of staff attending the hearings has been reduced. Costs for DRC meetings can average on a monthly basis anywhere from \$1,000 to \$4,000 depending on the location of the hearings. Costs are primarily related to the costs of travel for members and staff. Listed below are the annual costs for the DRC.

FY 11/12	FY 12/13	FY 13/14
\$33,448	\$48,315	\$57,832

DRC Statistics

DRC Statistics as of June 30, 2014			
	FY 2011/12	FY 2012/13	FY 2013/14
Total Appeals Received	3,660	3,088	2,342
Appeals Pending at FY End	2,550	2,551	1,717
Hearings			
Scheduled	2,971	2,958	3,003
Appeared	922	821	1,046
Defaulted	273	374	558
Written Testimony	1,622	1,575	1,148
Withdrawals	115	188	251

Appendices

Appendix 1 - Table 1a. Board Member Attendance

Appendix 2 - Table 1b. Board/Committee Member Roster

Appendix 3 - DCA Quarterly Performance Measure Reports

Appendix 4 - Customer Satisfaction Online Survey

Appendix 5 - Inspector Satisfaction Online Survey

Appendix 6 - Outreach Events

Table 1a. Attendance

Mary Lou Amaro (Professional Member)

Date Appointed:	4/5/2013		
Meeting Type	Meeting Date	Meeting Location	Attended?
Board Meeting	4/8/2013	San Jose	Yes
Reinstatement Hearing	4/9/2013	San Jose	Yes
DRC Hearing	4/22/2013	Sacramento	No
DRC Hearing	4/23/2013	Sacramento	No
DRC Hearing	4/24/2013	Sacramento	No
Board Meeting	5/6/2013	Sacramento	Yes
DRC Hearing	5/14/2013	San Diego	No
DRC Hearing	5/15/2013	San Diego	No
DRC Hearing	5/16/2013	San Diego	No
Enforcement Committee Meeting	6/3/2013	Sacramento	No
Legislative Committee Meeting	6/3/2013	Sacramento	No
DRC Hearing	6/5/2013	Sacramento	No
DRC Hearing	6/18/2013	Norwalk	Yes
DRC Hearing	6/19/2013	Norwalk	Yes
DRC Hearing	6/20/2013	Norwalk	Yes
Board Meeting	7/15/2013	Sacramento	Yes
Education and Outreach Committee	7/15/2013	Sacramento	Yes
Licensing and Examination Committee	7/16/2013	Sacramento	Yes
DRC Hearing	7/29/2013	Sacramento	No
DRC Hearing	7/30/2013	Sacramento	No
DRC Hearing	7/31/2013	Sacramento	No
DRC Hearing	8/19/2013	Sacramento	No
DRC Hearing	8/27/2013	Norwalk	Yes
DRC Hearing	8/28/2013	Norwalk	Yes
DRC Hearing	8/29/2013	Norwalk	Yes
DRC Hearing	9/16/2013	Sacramento	No
DRC Hearing	9/24/2013	Los Angeles	Yes
DRC Hearing	9/25/2013	Los Angeles	Yes
DRC Hearing	9/26/2013	Los Angeles	Yes
Board Meeting	10/21/2013	San Diego	Yes
DRC Hearing	10/22/2013	San Diego	Yes
DRC Hearing	10/23/2013	San Diego	Yes
DRC Hearing	10/24/2013	San Diego	Yes
DRC Hearing	11/18/2013	Sacramento	Yes
DRC Hearing	11/19/2013	Sacramento	Yes
DRC Hearing	11/20/2013	Sacramento	Yes
DRC Hearing	12/17/2013	Los Angeles	Yes
DRC Hearing	12/18/2013	Los Angeles	Yes
DRC Hearing	12/19/2013	Los Angeles	Yes
Board Meeting	1/13/2014	Sacramento	Yes
DRC Hearing	1/14/2014	Sacramento	Yes
DRC Hearing	1/15/2014	Sacramento	Yes
DRC Hearing	1/16/2014	Sacramento	Yes
DRC Hearing	2/18/2014	Norwalk	Yes
DRC Hearing	2/19/2014	Norwalk	Yes
DRC Hearing	2/20/2014	Norwalk	Yes
DRC Hearing	3/25/2014	Los Angeles	Yes
DRC Hearing	3/26/2014	Los Angeles	Yes
DRC Hearing	3/27/2014	Los Angeles	Yes
Natural Hair Care Task Force	4/14/2014	Sacramento	No

Board Meeting	4/21/2014	Sacramento	Yes
DRC Hearing	4/22/2014	Sacramento	Yes
DRC Hearing	4/23/2014	Sacramento	Yes
DRC Hearing	4/24/2014	Sacramento	Yes
DRC Hearing	5/20/2014	Los Angeles	No
DRC Hearing	5/21/2014	Los Angeles	No
DRC Hearing	5/22/2014	Los Angeles	No
DRC Hearing	6/24/2014	San Diego	No
DRC Hearing	6/25/2014	San Diego	No
DRC Hearing	6/26/2014	San Diego	No
DRC Hearing	6/27/2014	San Diego	No
DRC Hearing	7/21/2014	Sacramento	Yes
DRC Hearing	7/22/2014	Sacramento	Yes
DRC Hearing	7/23/2014	Sacramento	Yes
DRC Hearing	7/24/2014	Sacramento	Yes
Board Meeting	7/28/2014	Sacramento	Yes
Board Meeting	7/29/2014	Sacramento	No
DRC Hearing	8/26/2014	Norwalk	No
DRC Hearing	8/27/2014	Norwalk	No
DRC Hearing	8/28/2014	Norwalk	No
DRC Hearing	8/29/2014	Norwalk	No
Board Meeting	9/4/2014	Sacramento	Yes
Enforcement Committee Meeting	10/16/2014	Sacramento	No
Board Meeting	10/20/2014	Rancho Cucamonga	Yes
DRC Hearing	10/21/2014	Rancho Cucamonga	No
DRC Hearing	10/22/2014	Rancho Cucamonga	No
DRC Hearing	10/23/2014	Rancho Cucamonga	No
Term Ends	1/1/2017		

Bobbie Anderson (Public Member)

Date Appointed:	10/26/2012		
Meeting Type	Meeting Date	Meeting Location	Attended?
Board Meeting	11/1/2012	Sacramento	No
DRC Hearing	11/27/2012	San Diego	No
DRC Hearing	11/28/2012	San Diego	No
DRC Hearing	11/29/2012	San Diego	No
DRC Hearing	12/18/2012	Los Angeles	No
DRC Hearing	12/19/2012	Los Angeles	No
DRC Hearing	12/20/2012	Los Angeles	No
DRC Hearing	1/8/2013	Sacramento	No
DRC Hearing	1/9/2013	Sacramento	No
DRC Hearing	1/10/2013	Sacramento	No
Enforcement Committee Meeting	1/11/2013	Sacramento	No
Board Meeting	1/11/2013	Sacramento	Yes
DRC Hearing	2/19/2013	Norwalk	No
DRC Hearing	2/20/2013	Norwalk	No
DRC Hearing	2/21/2013	Norwalk	No
Sunset Review Hearing	3/19/2013	Sacramento	No
DRC Hearing	3/26/2013	Los Angeles	No
DRC Hearing	3/27/2013	Los Angeles	No
DRC Hearing	3/28/2013	Los Angeles	No
Board Meeting	4/8/2013	San Jose	Yes
Reinstatement Hearing	4/9/2013	San Jose	Yes
DRC Hearing	4/22/2013	Sacramento	No
DRC Hearing	4/23/2013	Sacramento	No
DRC Hearing	4/24/2013	Sacramento	No
Board Meeting	5/6/2013	Sacramento	Yes
DRC Hearing	5/14/2013	San Diego	No
DRC Hearing	5/15/2013	San Diego	No
DRC Hearing	5/16/2013	San Diego	No
Enforcement Committee Meeting	6/3/2013	Sacramento	No
Legislative Committee Meeting	6/3/2013	Sacramento	No
DRC Hearing	6/5/2013	Sacramento	No
DRC Hearing	6/18/2013	Norwalk	No
DRC Hearing	6/19/2013	Norwalk	No
DRC Hearing	6/20/2013	Norwalk	No
Board Meeting	7/15/2013	Sacramento	Yes
Education and Outreach Committee	7/15/2013	Sacramento	No
Licensing and Examination Committee	7/16/2013	Sacramento	No
DRC Hearing	7/29/2013	Sacramento	No
DRC Hearing	7/30/2013	Sacramento	No
DRC Hearing	7/31/2013	Sacramento	No
DRC Hearing	8/19/2013	Sacramento	No
DRC Hearing	8/27/2013	Norwalk	No
DRC Hearing	8/28/2013	Norwalk	No
DRC Hearing	8/29/2013	Norwalk	No
DRC Hearing	9/16/2013	Sacramento	No
DRC Hearing	9/24/2013	Los Angeles	No
DRC Hearing	9/25/2013	Los Angeles	No
DRC Hearing	9/26/2013	Los Angeles	No

Board Meeting	10/21/2013	San Diego	Yes
DRC Hearing	10/22/2013	San Diego	No
DRC Hearing	10/23/2013	San Diego	No
DRC Hearing	10/24/2013	San Diego	No
DRC Hearing	11/18/2013	Sacramento	No
DRC Hearing	11/19/2013	Sacramento	No
DRC Hearing	11/20/2013	Sacramento	No
DRC Hearing	12/17/2013	Los Angeles	No
DRC Hearing	12/18/2013	Los Angeles	No
DRC Hearing	12/19/2013	Los Angeles	No
Board Meeting	1/13/2014	Sacramento	No
DRC Hearing	1/14/2014	Sacramento	No
DRC Hearing	1/15/2014	Sacramento	No
DRC Hearing	1/16/2014	Sacramento	No
DRC Hearing	2/18/2014	Norwalk	No
DRC Hearing	2/19/2014	Norwalk	No
DRC Hearing	2/20/2014	Norwalk	No
DRC Hearing	3/25/2014	Los Angeles	No
DRC Hearing	3/26/2014	Los Angeles	No
DRC Hearing	3/27/2014	Los Angeles	No
Natural Hair Care Task Force	4/14/2014	Sacramento	No
Board Meeting	4/21/2014	Sacramento	Yes
DRC Hearing	4/22/2014	Sacramento	No
DRC Hearing	4/23/2014	Sacramento	No
DRC Hearing	4/24/2014	Sacramento	No
DRC Hearing	5/20/2014	Los Angeles	No
DRC Hearing	5/21/2014	Los Angeles	No
DRC Hearing	5/22/2014	Los Angeles	No
DRC Hearing	6/24/2014	San Diego	No
DRC Hearing	6/25/2014	San Diego	No
DRC Hearing	6/26/2014	San Diego	No
DRC Hearing	6/27/2014	San Diego	No
DRC Hearing	7/21/2014	Sacramento	No
DRC Hearing	7/22/2014	Sacramento	No
DRC Hearing	7/23/2014	Sacramento	No
DRC Hearing	7/24/2014	Sacramento	No
Board Meeting	7/28/2014	Sacramento	Yes
Board Meeting	7/29/2014	Sacramento	No
DRC Hearing	8/26/2014	Norwalk	No
DRC Hearing	8/27/2014	Norwalk	No
DRC Hearing	8/28/2014	Norwalk	No
DRC Hearing	8/29/2014	Norwalk	No
Board Meeting	9/4/2014	Sacramento	Yes
Enforcement Committee Meeting	10/16/2014	Sacramento	No
Board Meeting	10/20/2014	Rancho Cucamonga	Yes
DRC Hearing	10/21/2014	Rancho Cucamonga	No
DRC Hearing	10/22/2014	Rancho Cucamonga	No
DRC Hearing	10/23/2014	Rancho Cucamonga	No
Term Ends	1/1/2015		

Wen Ling Cheng (Public Member)

Date Appointed:	5/2/2011		
Meeting Type	Meeting Date	Meeting Location	Attended?
Board Meeting	11/1/2012	Sacramento	Yes
DRC Hearing	11/27/2012	San Diego	No
DRC Hearing	11/28/2012	San Diego	No
DRC Hearing	11/29/2012	San Diego	No
DRC Hearing	12/18/2012	Los Angeles	No
DRC Hearing	12/19/2012	Los Angeles	No
DRC Hearing	12/20/2012	Los Angeles	No
DRC Hearing	1/8/2013	Sacramento	No
DRC Hearing	1/9/2013	Sacramento	No
DRC Hearing	1/10/2013	Sacramento	No
Enforcement Committee Meeting	1/11/2013	Sacramento	No
Board Meeting	1/11/2013	Sacramento	Yes
DRC Hearing	2/19/2013	Norwalk	No
DRC Hearing	2/20/2013	Norwalk	No
DRC Hearing	2/21/2013	Norwalk	No
Sunset Review Hearing	3/19/2013	Sacramento	No
DRC Hearing	3/26/2013	Los Angeles	No
DRC Hearing	3/27/2013	Los Angeles	No
DRC Hearing	3/28/2013	Los Angeles	No
Board Meeting	4/8/2013	San Jose	Yes
Reinstatement Hearing	4/9/2013	San Jose	Yes
DRC Hearing	4/22/2013	Sacramento	No
DRC Hearing	4/23/2013	Sacramento	No
DRC Hearing	4/24/2013	Sacramento	No
Board Meeting	5/6/2013	Sacramento	No
DRC Hearing	5/14/2013	San Diego	No
DRC Hearing	5/15/2013	San Diego	No
DRC Hearing	5/16/2013	San Diego	No
Enforcement Committee Meeting	6/3/2013	Sacramento	No
Legislative Committee Meeting	6/3/2013	Sacramento	No
DRC Hearing	6/5/2013	Sacramento	No
DRC Hearing	6/18/2013	Norwalk	No
DRC Hearing	6/19/2013	Norwalk	No
DRC Hearing	6/20/2013	Norwalk	No
Board Meeting	7/15/2013	Sacramento	No
Education and Outreach Committee	7/15/2013	Sacramento	No
Licensing and Examination Committee	7/16/2013	Sacramento	No
DRC Hearing	7/29/2013	Sacramento	No
DRC Hearing	7/30/2013	Sacramento	No
DRC Hearing	7/31/2013	Sacramento	No
DRC Hearing	8/19/2013	Sacramento	Yes
DRC Hearing	8/27/2013	Norwalk	No
DRC Hearing	8/28/2013	Norwalk	No
DRC Hearing	8/29/2013	Norwalk	No
DRC Hearing	9/16/2013	Sacramento	No
DRC Hearing	9/24/2013	Los Angeles	No
DRC Hearing	9/25/2013	Los Angeles	No
DRC Hearing	9/26/2013	Los Angeles	No

Board Meeting	10/21/2013	San Diego	No
DRC Hearing	10/22/2013	San Diego	No
DRC Hearing	10/23/2013	San Diego	No
DRC Hearing	10/24/2013	San Diego	No
DRC Hearing	11/18/2013	Sacramento	No
DRC Hearing	11/19/2013	Sacramento	No
DRC Hearing	11/20/2013	Sacramento	No
DRC Hearing	12/17/2013	Los Angeles	No
DRC Hearing	12/18/2013	Los Angeles	No
DRC Hearing	12/19/2013	Los Angeles	No
Board Meeting	1/13/2014	Sacramento	Yes
DRC Hearing	1/14/2014	Sacramento	No
DRC Hearing	1/15/2014	Sacramento	No
DRC Hearing	1/16/2014	Sacramento	No
DRC Hearing	2/18/2014	Norwalk	No
DRC Hearing	2/19/2014	Norwalk	No
DRC Hearing	2/20/2014	Norwalk	No
DRC Hearing	3/25/2014	Los Angeles	No
DRC Hearing	3/26/2014	Los Angeles	No
DRC Hearing	3/27/2014	Los Angeles	No
Natural Hair Care Task Force	4/14/2014	Sacramento	No
Board Meeting	4/21/2014	Sacramento	Yes
DRC Hearing	4/22/2014	Sacramento	No
DRC Hearing	4/23/2014	Sacramento	No
DRC Hearing	4/24/2014	Sacramento	No
DRC Hearing	5/20/2014	Los Angeles	No
DRC Hearing	5/21/2014	Los Angeles	No
DRC Hearing	5/22/2014	Los Angeles	No
DRC Hearing	6/24/2014	San Diego	No
DRC Hearing	6/25/2014	San Diego	No
DRC Hearing	6/26/2014	San Diego	No
DRC Hearing	6/27/2014	San Diego	No
DRC Hearing	7/21/2014	Sacramento	No
DRC Hearing	7/22/2014	Sacramento	No
DRC Hearing	7/23/2014	Sacramento	No
DRC Hearing	7/24/2014	Sacramento	No
Board Meeting	7/28/2014	Sacramento	Yes
Board Meeting	7/29/2014	Sacramento	Yes
DRC Hearing	8/26/2014	Norwalk	No
DRC Hearing	8/27/2014	Norwalk	No
DRC Hearing	8/28/2014	Norwalk	No
DRC Hearing	8/29/2014	Norwalk	No
Board Meeting	9/4/2014	Sacramento	No
Enforcement Committee Meeting	10/16/2014	Sacramento	No
Board Meeting	10/20/2014	Rancho Cucamonga	No
DRC Hearing	10/21/2014	Rancho Cucamonga	No
DRC Hearing	10/22/2014	Rancho Cucamonga	No
DRC Hearing	10/23/2014	Rancho Cucamonga	No
Term Ends	1/1/2015		

Andrew Drabkin (Public Member)

Date Appointed: 4/5/2013

Meeting Type	Meeting Date	Meeting Location	Attended?
Board Meeting	4/8/2013	San Jose	No
Reinstatement Hearing	4/9/2013	San Jose	No
DRC Hearing	4/22/2013	Sacramento	No
DRC Hearing	4/23/2013	Sacramento	No
DRC Hearing	4/24/2013	Sacramento	No
Board Meeting	5/6/2013	Sacramento	Yes
DRC Hearing	5/14/2013	San Diego	No
DRC Hearing	5/15/2013	San Diego	No
DRC Hearing	5/16/2013	San Diego	No
Enforcement Committee Meeting	6/3/2013	Sacramento	No
Legislative Committee Meeting	6/3/2013	Sacramento	No
DRC Hearing	6/5/2013	Sacramento	No
DRC Hearing	6/18/2013	Norwalk	No
DRC Hearing	6/19/2013	Norwalk	No
DRC Hearing	6/20/2013	Norwalk	No
Board Meeting	7/15/2013	Sacramento	Yes
Education and Outreach Committee	7/15/2013	Sacramento	Yes
Licensing and Examination Committee	7/16/2013	Sacramento	Yes
DRC Hearing	7/29/2013	Sacramento	No
DRC Hearing	7/30/2013	Sacramento	No
DRC Hearing	7/31/2013	Sacramento	No
DRC Hearing	8/19/2013	Sacramento	No
DRC Hearing	8/27/2013	Norwalk	No
DRC Hearing	8/28/2013	Norwalk	No
DRC Hearing	8/29/2013	Norwalk	No
DRC Hearing	9/16/2013	Sacramento	No
DRC Hearing	9/24/2013	Los Angeles	No
DRC Hearing	9/25/2013	Los Angeles	No
DRC Hearing	9/26/2013	Los Angeles	No
Board Meeting	10/21/2013	San Diego	Yes
DRC Hearing	10/22/2013	San Diego	No
DRC Hearing	10/23/2013	San Diego	No
DRC Hearing	10/24/2013	San Diego	No
DRC Hearing	11/18/2013	Sacramento	No
DRC Hearing	11/19/2013	Sacramento	No
DRC Hearing	11/20/2013	Sacramento	No
DRC Hearing	12/17/2013	Los Angeles	No
DRC Hearing	12/18/2013	Los Angeles	No
DRC Hearing	12/19/2013	Los Angeles	No
Board Meeting	1/13/2014	Sacramento	Yes
DRC Hearing	1/14/2014	Sacramento	No
DRC Hearing	1/15/2014	Sacramento	No
DRC Hearing	1/16/2014	Sacramento	No
DRC Hearing	2/18/2014	Norwalk	No
DRC Hearing	2/19/2014	Norwalk	No
DRC Hearing	2/20/2014	Norwalk	No
DRC Hearing	3/25/2014	Los Angeles	No
DRC Hearing	3/26/2014	Los Angeles	No
DRC Hearing	3/27/2014	Los Angeles	No
Natural Hair Care Task Force	4/14/2014	Sacramento	No
Board Meeting	4/21/2014	Sacramento	Yes

DRC Hearing	4/22/2014	Sacramento	No
DRC Hearing	4/23/2014	Sacramento	No
DRC Hearing	4/24/2014	Sacramento	No
DRC Hearing	5/20/2014	Los Angeles	No
DRC Hearing	5/21/2014	Los Angeles	No
DRC Hearing	5/22/2014	Los Angeles	No
DRC Hearing	6/24/2014	San Diego	No
DRC Hearing	6/25/2014	San Diego	No
DRC Hearing	6/26/2014	San Diego	No
DRC Hearing	6/27/2014	San Diego	No
DRC Hearing	7/21/2014	Sacramento	No
DRC Hearing	7/22/2014	Sacramento	No
DRC Hearing	7/23/2014	Sacramento	No
DRC Hearing	7/24/2014	Sacramento	No
Board Meeting	7/28/2014	Sacramento	Yes
Board Meeting	7/29/2014	Sacramento	Yes
DRC Hearing	8/26/2014	Norwalk	No
DRC Hearing	8/27/2014	Norwalk	No
DRC Hearing	8/28/2014	Norwalk	No
DRC Hearing	8/29/2014	Norwalk	No
Board Meeting	9/4/2014	Sacramento	Yes
Enforcement Committee Meeting	10/16/2014	Sacramento	Yes
Board Meeting	10/20/2014	Rancho Cucamonga	Yes
DRC Hearing	10/21/2014	Rancho Cucamonga	No
DRC Hearing	10/22/2014	Rancho Cucamonga	No
DRC Hearing	10/23/2014	Rancho Cucamonga	No
Term Ends	1/1/2017		

Joseph Federico (Professional Member)

Date Appointed: 12/29/2011

Meeting Type	Meeting Date	Meeting Location	Attended?
Board Meeting	11/1/2012	Sacramento	Yes
DRC Hearing	11/27/2012	San Diego	No
DRC Hearing	11/28/2012	San Diego	No
DRC Hearing	11/29/2012	San Diego	No
DRC Hearing	12/18/2012	Los Angeles	No
DRC Hearing	12/19/2012	Los Angeles	No
DRC Hearing	12/20/2012	Los Angeles	No
DRC Hearing	1/8/2013	Sacramento	No
DRC Hearing	1/9/2013	Sacramento	Yes
DRC Hearing	1/10/2013	Sacramento	Yes
Enforcement Committee Meeting	1/11/2013	Sacramento	No
Board Meeting	1/11/2013	Sacramento	Yes
DRC Hearing	2/19/2013	Norwalk	No
DRC Hearing	2/20/2013	Norwalk	No
DRC Hearing	2/21/2013	Norwalk	No
Sunset Review Hearing	3/19/2013	Sacramento	Yes
DRC Hearing	3/26/2013	Los Angeles	Yes
DRC Hearing	3/27/2013	Los Angeles	Yes
DRC Hearing	3/28/2013	Los Angeles	Yes
Board Meeting	4/8/2013	San Jose	Yes
Reinstatement Hearing	4/9/2013	San Jose	Yes
DRC Hearing	4/22/2013	Sacramento	Yes
DRC Hearing	4/23/2013	Sacramento	Yes
DRC Hearing	4/24/2013	Sacramento	Yes
Board Meeting	5/6/2013	Sacramento	Yes
DRC Hearing	5/14/2013	San Diego	No
DRC Hearing	5/15/2013	San Diego	No
DRC Hearing	5/16/2013	San Diego	No
Enforcement Committee Meeting	6/3/2013	Sacramento	Yes
Legislative Committee Meeting	6/3/2013	Sacramento	Yes
DRC Hearing	6/5/2013	Sacramento	Yes
DRC Hearing	6/18/2013	Norwalk	No
DRC Hearing	6/19/2013	Norwalk	No
DRC Hearing	6/20/2013	Norwalk	No
Board Meeting	7/15/2013	Sacramento	Yes
Education and Outreach Committee	7/15/2013	Sacramento	Yes
Licensing and Examination Committee	7/16/2013	Sacramento	Yes
DRC Hearing	7/29/2013	Sacramento	Yes
DRC Hearing	7/30/2013	Sacramento	Yes
DRC Hearing	7/31/2013	Sacramento	Yes
DRC Hearing	8/19/2013	Sacramento	Yes
DRC Hearing	8/27/2013	Norwalk	No
DRC Hearing	8/28/2013	Norwalk	No
DRC Hearing	8/29/2013	Norwalk	No
DRC Hearing	9/16/2013	Sacramento	Yes
DRC Hearing	9/24/2013	Los Angeles	No
DRC Hearing	9/25/2013	Los Angeles	No
DRC Hearing	9/26/2013	Los Angeles	No

Board Meeting	10/21/2013	San Diego	Yes
DRC Hearing	10/22/2013	San Diego	No
DRC Hearing	10/23/2013	San Diego	No
DRC Hearing	10/24/2013	San Diego	No
DRC Hearing	11/18/2013	Sacramento	Yes
DRC Hearing	11/19/2013	Sacramento	Yes
DRC Hearing	11/20/2013	Sacramento	Yes
DRC Hearing	12/17/2013	Los Angeles	No
DRC Hearing	12/18/2013	Los Angeles	No
DRC Hearing	12/19/2013	Los Angeles	No
Board Meeting	1/13/2014	Sacramento	Yes
DRC Hearing	1/14/2014	Sacramento	Yes
DRC Hearing	1/15/2014	Sacramento	Yes
DRC Hearing	1/16/2014	Sacramento	Yes
DRC Hearing	2/18/2014	Norwalk	No
DRC Hearing	2/19/2014	Norwalk	No
DRC Hearing	2/20/2014	Norwalk	No
DRC Hearing	3/25/2014	Los Angeles	No
DRC Hearing	3/26/2014	Los Angeles	No
DRC Hearing	3/27/2014	Los Angeles	No
Natural Hair Care Task Force	4/14/2014	Sacramento	No
Board Meeting	4/21/2014	Sacramento	Yes
DRC Hearing	4/22/2014	Sacramento	Yes
DRC Hearing	4/23/2014	Sacramento	Yes
DRC Hearing	4/24/2014	Sacramento	Yes
DRC Hearing	5/20/2014	Los Angeles	No
DRC Hearing	5/21/2014	Los Angeles	No
DRC Hearing	5/22/2014	Los Angeles	No
DRC Hearing	6/24/2014	San Diego	No
DRC Hearing	6/25/2014	San Diego	No
DRC Hearing	6/26/2014	San Diego	No
DRC Hearing	6/27/2014	San Diego	No
DRC Hearing	7/21/2014	Sacramento	Yes
DRC Hearing	7/22/2014	Sacramento	Yes
DRC Hearing	7/23/2014	Sacramento	Yes
DRC Hearing	7/24/2014	Sacramento	Yes
Board Meeting	7/28/2014	Sacramento	Yes
Board Meeting	7/29/2014	Sacramento	Yes
DRC Hearing	8/26/2014	Norwalk	No
DRC Hearing	8/27/2014	Norwalk	No
DRC Hearing	8/28/2014	Norwalk	No
DRC Hearing	8/29/2014	Norwalk	No
Board Meeting	9/4/2014	Sacramento	Yes
Enforcement Committee Meeting	10/16/2014	Sacramento	Yes
Board Meeting	10/20/2014	Rancho Cucamonga	Yes
DRC Hearing	10/21/2014	Rancho Cucamonga	No
DRC Hearing	10/22/2014	Rancho Cucamonga	No
DRC Hearing	10/23/2014	Rancho Cucamonga	No
Term Ends	1/1/2015		

Richard Hedges (Public Member)
Date Re-appointed: 1/9/2013

Meeting Type	Meeting Date	Meeting Location	Attended?
Board Meeting	11/1/2012	Sacramento	Yes
DRC Hearing	11/27/2012	San Diego	Yes
DRC Hearing	11/28/2012	San Diego	Yes
DRC Hearing	11/29/2012	San Diego	Yes
DRC Hearing	12/18/2012	Los Angeles	Yes
DRC Hearing	12/19/2012	Los Angeles	Yes
DRC Hearing	12/20/2012	Los Angeles	Yes
DRC Hearing	1/8/2013	Sacramento	Yes
DRC Hearing	1/9/2013	Sacramento	No
DRC Hearing	1/10/2013	Sacramento	Yes
Enforcement Committee Meeting	1/11/2013	Sacramento	Yes
Board Meeting	1/11/2013	Sacramento	Yes
DRC Hearing	2/19/2013	Norwalk	No
DRC Hearing	2/20/2013	Norwalk	No
DRC Hearing	2/21/2013	Norwalk	No
Sunset Review Hearing	3/19/2013	Sacramento	Yes
DRC Hearing	3/26/2013	Los Angeles	Yes
DRC Hearing	3/27/2013	Los Angeles	Yes
DRC Hearing	3/28/2013	Los Angeles	Yes
Board Meeting	4/8/2013	San Jose	Yes
Reinstatement Hearing	4/9/2013	San Jose	Yes
DRC Hearing	4/22/2013	Sacramento	Yes
DRC Hearing	4/23/2013	Sacramento	Yes
DRC Hearing	4/24/2013	Sacramento	Yes
Board Meeting	5/6/2013	Sacramento	Yes
DRC Hearing	5/14/2013	San Diego	Yes
DRC Hearing	5/15/2013	San Diego	Yes
DRC Hearing	5/16/2013	San Diego	Yes
Enforcement Committee Meeting	6/3/2013	Sacramento	Yes
Legislative Committee Meeting	6/3/2013	Sacramento	Yes
DRC Hearing	6/5/2013	Sacramento	Yes
DRC Hearing	6/18/2013	Norwalk	Yes
DRC Hearing	6/19/2013	Norwalk	Yes
DRC Hearing	6/20/2013	Norwalk	Yes
Board Meeting	7/15/2013	Sacramento	Yes
Education and Outreach Committee	7/15/2013	Sacramento	No
Licensing and Examination Committee	7/16/2013	Sacramento	No
DRC Hearing	7/29/2013	Sacramento	Yes
DRC Hearing	7/30/2013	Sacramento	Yes
DRC Hearing	7/31/2013	Sacramento	Yes
DRC Hearing	8/19/2013	Sacramento	Yes
DRC Hearing	8/27/2013	Norwalk	Yes
DRC Hearing	8/28/2013	Norwalk	Yes
DRC Hearing	8/29/2013	Norwalk	Yes
DRC Hearing	9/16/2013	Sacramento	Yes
DRC Hearing	9/24/2013	Los Angeles	Yes
DRC Hearing	9/25/2013	Los Angeles	Yes
DRC Hearing	9/26/2013	Los Angeles	Yes

Board Meeting	10/21/2013	San Diego	Yes
DRC Hearing	10/22/2013	San Diego	Yes
DRC Hearing	10/23/2013	San Diego	Yes
DRC Hearing	10/24/2013	San Diego	Yes
DRC Hearing	11/18/2013	Sacramento	Yes
DRC Hearing	11/19/2013	Sacramento	Yes
DRC Hearing	11/20/2013	Sacramento	Yes
DRC Hearing	12/17/2013	Los Angeles	Yes
DRC Hearing	12/18/2013	Los Angeles	Yes
DRC Hearing	12/19/2013	Los Angeles	Yes
Board Meeting	1/13/2014	Sacramento	Yes
DRC Hearing	1/14/2014	Sacramento	No
DRC Hearing	1/15/2014	Sacramento	No
DRC Hearing	1/16/2014	Sacramento	No
DRC Hearing	2/18/2014	Norwalk	No
DRC Hearing	2/19/2014	Norwalk	No
DRC Hearing	2/20/2014	Norwalk	No
DRC Hearing	3/25/2014	Los Angeles	Yes
DRC Hearing	3/26/2014	Los Angeles	Yes
DRC Hearing	3/27/2014	Los Angeles	Yes
Natural Hair Care Task Force	4/14/2014	Sacramento	Yes
Board Meeting	4/21/2014	Sacramento	Yes
DRC Hearing	4/22/2014	Sacramento	Yes
DRC Hearing	4/23/2014	Sacramento	Yes
DRC Hearing	4/24/2014	Sacramento	Yes
DRC Hearing	5/20/2014	Los Angeles	Yes
DRC Hearing	5/21/2014	Los Angeles	Yes
DRC Hearing	5/22/2014	Los Angeles	Yes
DRC Hearing	6/24/2014	San Diego	Yes
DRC Hearing	6/25/2014	San Diego	Yes
DRC Hearing	6/26/2014	San Diego	Yes
DRC Hearing	6/27/2014	San Diego	Yes
DRC Hearing	7/21/2014	Sacramento	Yes
DRC Hearing	7/22/2014	Sacramento	Yes
DRC Hearing	7/23/2014	Sacramento	Yes
DRC Hearing	7/24/2014	Sacramento	Yes
Board Meeting	7/28/2014	Sacramento	Yes
Board Meeting	7/29/2014	Sacramento	Yes
DRC Hearing	8/26/2014	Norwalk	Yes
DRC Hearing	8/27/2014	Norwalk	Yes
DRC Hearing	8/28/2014	Norwalk	Yes
DRC Hearing	8/29/2014	Norwalk	Yes
Board Meeting	9/4/2014	Sacramento	Yes
Enforcement Committee Meeting	10/16/2014	Sacramento	Yes
Board Meeting	10/20/2014	Rancho Cucamonga	Yes
DRC Hearing	10/21/2014	Rancho Cucamonga	Yes
DRC Hearing	10/22/2014	Rancho Cucamonga	Yes
DRC Hearing	10/23/2014	Rancho Cucamonga	Yes
Term Ends	1/1/2017		

Christie Truc Tran (Professional Member)

Date Re-appointed: 1/1/2011

Meeting Type	Meeting Date	Meeting Location	Attended?
Board Meeting	11/1/2012	Sacramento	No
DRC Hearing	11/27/2012	San Diego	Yes
DRC Hearing	11/28/2012	San Diego	Yes
DRC Hearing	11/29/2012	San Diego	Yes
DRC Hearing	12/18/2012	Los Angeles	Yes
DRC Hearing	12/19/2012	Los Angeles	Yes
DRC Hearing	12/20/2012	Los Angeles	Yes
DRC Hearing	1/8/2013	Sacramento	No
DRC Hearing	1/9/2013	Sacramento	No
DRC Hearing	1/10/2013	Sacramento	No
Enforcement Committee Meeting	1/11/2013	Sacramento	No
Board Meeting	1/11/2013	Sacramento	Yes
DRC Hearing	2/19/2013	Norwalk	Yes
DRC Hearing	2/20/2013	Norwalk	Yes
DRC Hearing	2/21/2013	Norwalk	Yes
Sunset Review Hearing	3/19/2013	Sacramento	No
DRC Hearing	3/26/2013	Los Angeles	Yes
DRC Hearing	3/27/2013	Los Angeles	Yes
DRC Hearing	3/28/2013	Los Angeles	Yes
Board Meeting	4/8/2013	San Jose	Yes
Reinstatement Hearing	4/9/2013	San Jose	Yes
DRC Hearing	4/22/2013	Sacramento	No
DRC Hearing	4/23/2013	Sacramento	No
DRC Hearing	4/24/2013	Sacramento	No
Board Meeting	5/6/2013	Sacramento	No
DRC Hearing	5/14/2013	San Diego	Yes
DRC Hearing	5/15/2013	San Diego	Yes
DRC Hearing	5/16/2013	San Diego	Yes
Enforcement Committee Meeting	6/3/2013	Sacramento	No
Legislative Committee Meeting	6/3/2013	Sacramento	No
DRC Hearing	6/5/2013	Sacramento	No
DRC Hearing	6/18/2013	Norwalk	No
DRC Hearing	6/19/2013	Norwalk	No
DRC Hearing	6/20/2013	Norwalk	No
Board Meeting	7/15/2013	Sacramento	Yes
Education and Outreach Committee	7/15/2013	Sacramento	No
Licensing and Examination Committee	7/16/2013	Sacramento	No
DRC Hearing	7/29/2013	Sacramento	No
DRC Hearing	7/30/2013	Sacramento	No
DRC Hearing	7/31/2013	Sacramento	No
DRC Hearing	8/19/2013	Sacramento	No
DRC Hearing	8/27/2013	Norwalk	No
DRC Hearing	8/28/2013	Norwalk	No
DRC Hearing	8/29/2013	Norwalk	No
DRC Hearing	9/16/2013	Sacramento	No
DRC Hearing	9/24/2013	Los Angeles	No
DRC Hearing	9/25/2013	Los Angeles	No
DRC Hearing	9/26/2013	Los Angeles	No

Board Meeting	10/21/2013	San Diego	Yes
DRC Hearing	10/22/2013	San Diego	No
DRC Hearing	10/23/2013	San Diego	No
DRC Hearing	10/24/2013	San Diego	No
DRC Hearing	11/18/2013	Sacramento	No
DRC Hearing	11/19/2013	Sacramento	No
DRC Hearing	11/20/2013	Sacramento	No
DRC Hearing	12/17/2013	Los Angeles	No
DRC Hearing	12/18/2013	Los Angeles	No
DRC Hearing	12/19/2013	Los Angeles	No
Board Meeting	1/13/2014	Sacramento	Yes
DRC Hearing	1/14/2014	Sacramento	No
DRC Hearing	1/15/2014	Sacramento	No
DRC Hearing	1/16/2014	Sacramento	No
DRC Hearing	2/18/2014	Norwalk	Yes
DRC Hearing	2/19/2014	Norwalk	Yes
DRC Hearing	2/20/2014	Norwalk	Yes
DRC Hearing	3/25/2014	Los Angeles	Yes
DRC Hearing	3/26/2014	Los Angeles	Yes
DRC Hearing	3/27/2014	Los Angeles	Yes
Natural Hair Care Task Force	4/14/2014	Sacramento	No
Board Meeting	4/21/2014	Sacramento	Yes
DRC Hearing	4/22/2014	Sacramento	No
DRC Hearing	4/23/2014	Sacramento	No
DRC Hearing	4/24/2014	Sacramento	No
DRC Hearing	5/20/2014	Los Angeles	Yes
DRC Hearing	5/21/2014	Los Angeles	Yes
DRC Hearing	5/22/2014	Los Angeles	Yes
DRC Hearing	6/24/2014	San Diego	Yes
DRC Hearing	6/25/2014	San Diego	Yes
DRC Hearing	6/26/2014	San Diego	Yes
DRC Hearing	6/27/2014	San Diego	Yes
DRC Hearing	7/21/2014	Sacramento	No
DRC Hearing	7/22/2014	Sacramento	No
DRC Hearing	7/23/2014	Sacramento	No
DRC Hearing	7/24/2014	Sacramento	No
Board Meeting	7/28/2014	Sacramento	Yes
Board Meeting	7/29/2014	Sacramento	Yes
DRC Hearing	8/26/2014	Norwalk	Yes
DRC Hearing	8/27/2014	Norwalk	Yes
DRC Hearing	8/28/2014	Norwalk	Yes
DRC Hearing	8/29/2014	Norwalk	Yes
Board Meeting	9/4/2014	Sacramento	Yes
Enforcement Committee Meeting	10/16/2014	Sacramento	No
Board Meeting	10/20/2014	Rancho Cucamonga	Yes
DRC Hearing	10/21/2014	Rancho Cucamonga	Yes
DRC Hearing	10/22/2014	Rancho Cucamonga	Yes
DRC Hearing	10/23/2014	Rancho Cucamonga	Yes
Term Ends	1/1/2015		

Dr. Kari Williams (Professional Member)
Date Appointed: 4/5/2013

Meeting Type	Meeting Date	Meeting Location	Attended?
Board Meeting	4/8/2013	San Jose	Yes
Reinstatement Hearing	4/9/2013	San Jose	Yes
DRC Hearing	4/22/2013	Sacramento	No
DRC Hearing	4/23/2013	Sacramento	No
DRC Hearing	4/24/2013	Sacramento	No
Board Meeting	5/6/2013	Sacramento	Yes
DRC Hearing	5/14/2013	San Diego	No
DRC Hearing	5/15/2013	San Diego	No
DRC Hearing	5/16/2013	San Diego	No
Enforcement Committee Meeting	6/3/2013	Sacramento	No
Legislative Committee Meeting	6/3/2013	Sacramento	No
DRC Hearing	6/5/2013	Sacramento	No
DRC Hearing	6/18/2013	Norwalk	Yes
DRC Hearing	6/19/2013	Norwalk	Yes
DRC Hearing	6/20/2013	Norwalk	Yes
Board Meeting	7/15/2013	Sacramento	Yes
Education and Outreach Committee	7/15/2013	Sacramento	Yes
Licensing and Examination Committee	7/16/2013	Sacramento	Yes
DRC Hearing	7/29/2013	Sacramento	Yes
DRC Hearing	7/30/2013	Sacramento	Yes
DRC Hearing	7/31/2013	Sacramento	Yes
DRC Hearing	8/19/2013	Sacramento	No
DRC Hearing	8/27/2013	Norwalk	Yes
DRC Hearing	8/28/2013	Norwalk	Yes
DRC Hearing	8/29/2013	Norwalk	Yes
DRC Hearing	9/16/2013	Sacramento	No
DRC Hearing	9/24/2013	Los Angeles	No
DRC Hearing	9/25/2013	Los Angeles	No
DRC Hearing	9/26/2013	Los Angeles	No
Board Meeting	10/21/2013	San Diego	Yes
DRC Hearing	10/22/2013	San Diego	Yes
DRC Hearing	10/23/2013	San Diego	Yes
DRC Hearing	10/24/2013	San Diego	Yes
DRC Hearing	11/18/2013	Sacramento	No
DRC Hearing	11/19/2013	Sacramento	No
DRC Hearing	11/20/2013	Sacramento	No
DRC Hearing	12/17/2013	Los Angeles	Yes
DRC Hearing	12/18/2013	Los Angeles	Yes
DRC Hearing	12/19/2013	Los Angeles	Yes
Board Meeting	1/13/2014	Sacramento	Yes
DRC Hearing	1/14/2014	Sacramento	Yes
DRC Hearing	1/15/2014	Sacramento	Yes
DRC Hearing	1/16/2014	Sacramento	No
DRC Hearing	2/18/2014	Norwalk	Yes
DRC Hearing	2/19/2014	Norwalk	Yes
DRC Hearing	2/20/2014	Norwalk	No
DRC Hearing	3/25/2014	Los Angeles	No
DRC Hearing	3/26/2014	Los Angeles	No
DRC Hearing	3/27/2014	Los Angeles	No
Natural Hair Care Task Force	4/14/2014	Sacramento	Yes
Board Meeting	4/21/2014	Sacramento	Yes

DRC Hearing	4/22/2014	Sacramento	No
DRC Hearing	4/23/2014	Sacramento	No
DRC Hearing	4/24/2014	Sacramento	No
DRC Hearing	5/20/2014	Los Angeles	Yes
DRC Hearing	5/21/2014	Los Angeles	Yes
DRC Hearing	5/22/2014	Los Angeles	Yes
DRC Hearing	6/24/2014	San Diego	Yes
DRC Hearing	6/25/2014	San Diego	Yes
DRC Hearing	6/26/2014	San Diego	Yes
DRC Hearing	6/27/2014	San Diego	No
DRC Hearing	7/21/2014	Sacramento	No
DRC Hearing	7/22/2014	Sacramento	No
DRC Hearing	7/23/2014	Sacramento	No
DRC Hearing	7/24/2014	Sacramento	No
Board Meeting	7/28/2014	Sacramento	Yes
Board Meeting	7/29/2014	Sacramento	Yes
DRC Hearing	8/26/2014	Norwalk	Yes
DRC Hearing	8/27/2014	Norwalk	Yes
DRC Hearing	8/28/2014	Norwalk	Yes
DRC Hearing	8/29/2014	Norwalk	Yes
Board Meeting	9/4/2014	Sacramento	Yes
Enforcement Committee Meeting	10/16/2014	Sacramento	Yes
Board Meeting	10/20/2014	Rancho Cucamonga	Yes
DRC Hearing	10/21/2014	Rancho Cucamonga	Yes
DRC Hearing	10/22/2014	Rancho Cucamonga	Yes
DRC Hearing	10/23/2014	Rancho Cucamonga	Yes
Term Ends	1/1/2017		

Table 1b. Board Member Roster

Board of Barbering and Cosmetology - 9 Board Members
Executive Officer: Kristy Underwood

Member Name (Includes Vacancies)	Date First Appointed	Date Reappointed	Date Term Ends	Appointing Authority	Type (public or professional)
Mary Lou Amaro	4/5/2013		1/1/2017	Governor	Professional
Bobbie Anderson	10/26/2012		1/1/2015	Governor	Public
Wen Ling Cheng	5/2/2011		1/1/2015	Speaker of the Assembly	Public
Andrew Drabkin	4/5/2013		1/1/2017	Governor	Public
Joseph Federico	12/29/2011		1/1/2015	Governor	Professional
Richard Hedges	1/1/2003	1/14/2009, 1/9/2013	1/1/2017	Senate Rules Committee	Public
Christie Truc Tran	1/4/2010	1/2/2011	1/1/2015	Governor	Professional
Dr. Kari Williams	4/5/2013		1/1/2017	Governor	Professional
Vacant				Governor	Public
Business & Professions Code 700-7191 - Senate Confirmation (Govt. Code 1322)					
<p>7303. The board shall consist of nine members. Five members shall be public and four members shall represent the professions. The Governor shall appoint three of the public members and the four professions members. The Senate Committee on Rules and the Speaker of the Assembly shall each appoint one public member. Members of the board shall be appointed for a term of four years, except that of the members appointed by the Governor, two of the public members and two of the professions members shall be appointed for an initial term of two years. No Board member may serve longer than two consecutive terms.</p>					

Performance Measures

Q1 Report (July - September 2012)

To ensure stakeholders can review the Board's progress toward meeting its enforcement goals and targets, we have developed a transparent system of performance measurement. These measures will be posted publicly on a quarterly basis.

Volume

Number of complaints and convictions received.

Q1 Total: 1,280

Complaints: 845 Convictions: 435

Q1 Monthly Average: 427



Intake

Average cycle time from complaint receipt, to the date the complaint was assigned to an investigator.

Target: 10 Days

Q1 Average: 5 Days



Intake & Investigation

Average cycle time from complaint receipt to closure of the investigation process. Does not include cases sent to the Attorney General or other forms of formal discipline.

Target: 120 Days

Q1 Average: 70 Days



Formal Discipline

Average number of days to complete the entire enforcement process for cases resulting in formal discipline. (Includes intake and investigation by the Board, and prosecution by the AG)

Target: 540 Days

Q1 Average: 695 Days

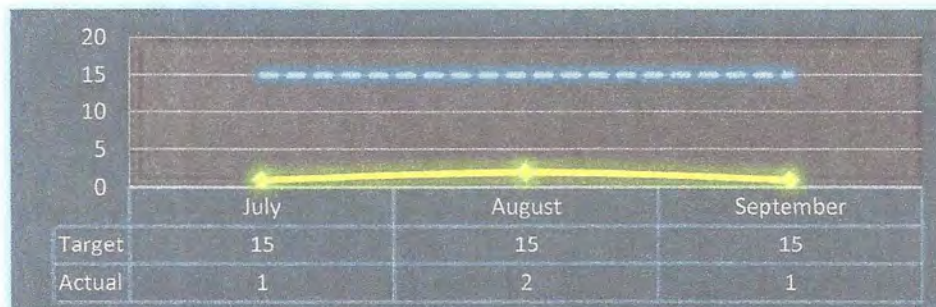


Probation Intake

Average number of days from monitor assignment, to the date the monitor makes first contact with the probationer.

Target: 15 Days

Q1 Average: 1 Day



Probation Violation Response

Average number of days from the date a violation of probation is reported, to the date the assigned monitor initiates appropriate action.

Target: 5 Days

Q1 Average: 1 Day



Performance Measures

Q2 Report (October - December 2012)

To ensure stakeholders can review the Board's progress toward meeting its enforcement goals and targets, we have developed a transparent system of performance measurement. These measures will be posted publicly on a quarterly basis.

Complaints: 680 Convictions: 471

Q2 Monthly Average: 384

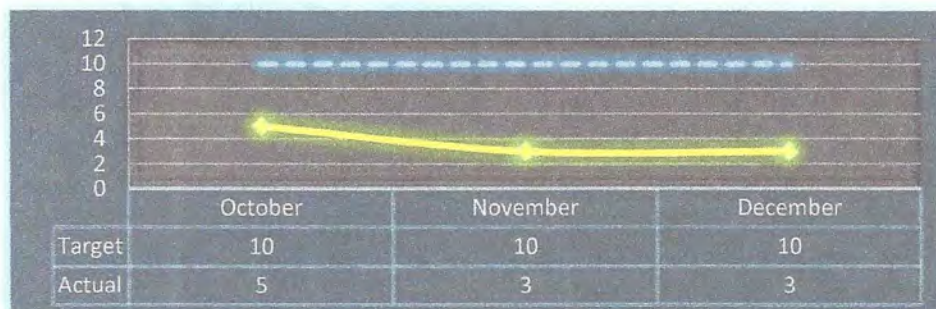


Intake

Average cycle time from complaint receipt, to the date the complaint was assigned to an investigator.

Target: 10 Days

Q2 Average: 4 Days

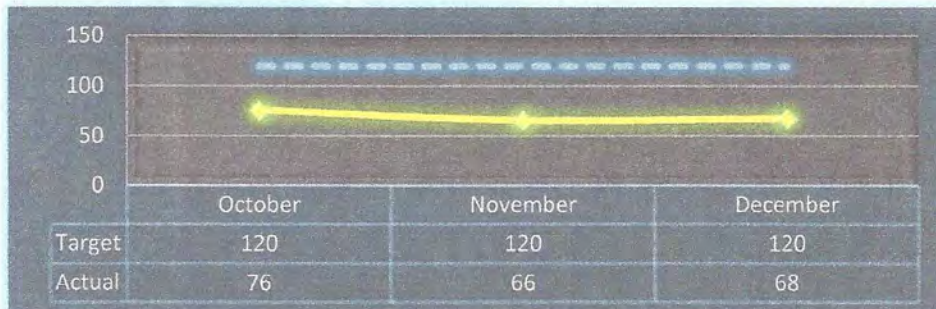


Intake & Investigation

Average cycle time from complaint receipt to closure of the investigation process. Does not include cases sent to the Attorney General or other forms of formal discipline.

Target: 120 Days

Q2 Average: 71 Days



Formal Discipline

Average number of days to complete the entire enforcement process for cases resulting in formal discipline. (Includes intake and investigation by the Board, and prosecution by the AG)

Target: 540 Days

Q2 Average: 481 Days

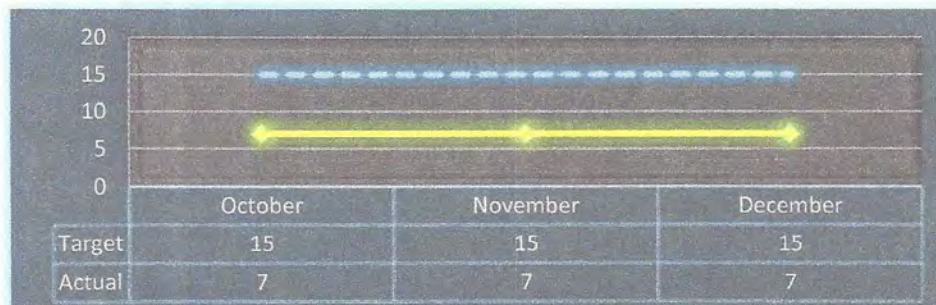


Probation Intake

Average number of days from monitor assignment, to the date the monitor makes first contact with the probationer.

Target: 15 Days

Q2 Average: 7 Days

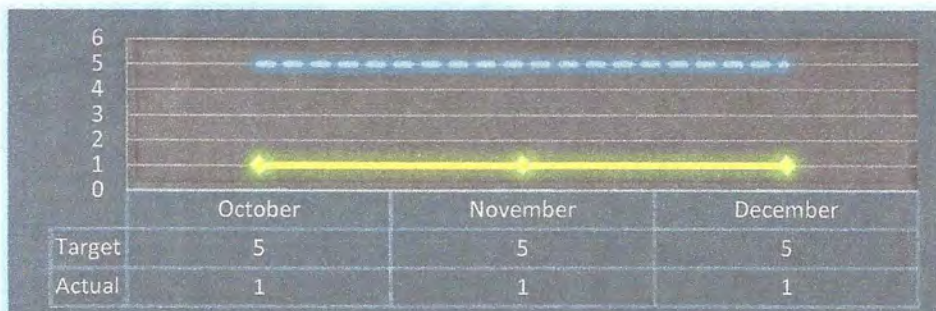


Probation Violation Response

Average number of days from the date a violation of probation is reported, to the date the assigned monitor initiates appropriate action.

Target: 5 Days

Q2 Average: 1 Day



Department of Consumer Affairs
Board of Barbering &
Cosmetology

Performance Measures

Q3 Report (January - March 2013)

To ensure stakeholders can review the Board's progress toward meeting its enforcement goals and targets, we have developed a transparent system of performance measurement. These measures will be posted publicly on a quarterly basis.

Volume

Number of complaints and convictions received.

Q3 Total: 1,129

Complaints: 720 Convictions: 409

Q3 Monthly Average: 376

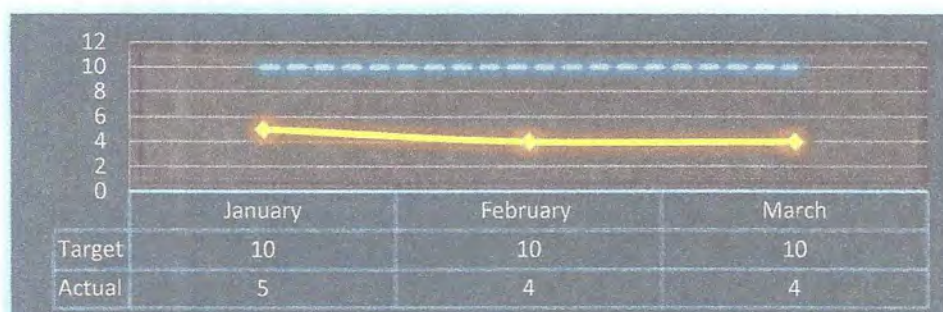


Intake

Average cycle time from complaint receipt, to the date the complaint was assigned to an investigator.

Target: 10 Days

Q3 Average: 4 Days

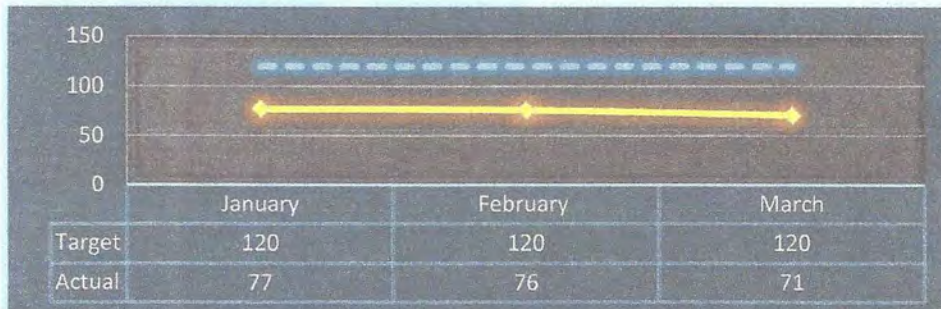


Intake & Investigation

Average cycle time from complaint receipt to closure of the investigation process. Does not include cases sent to the Attorney General or other forms of formal discipline.

Target: 120 Days

Q3 Average: 75 Days

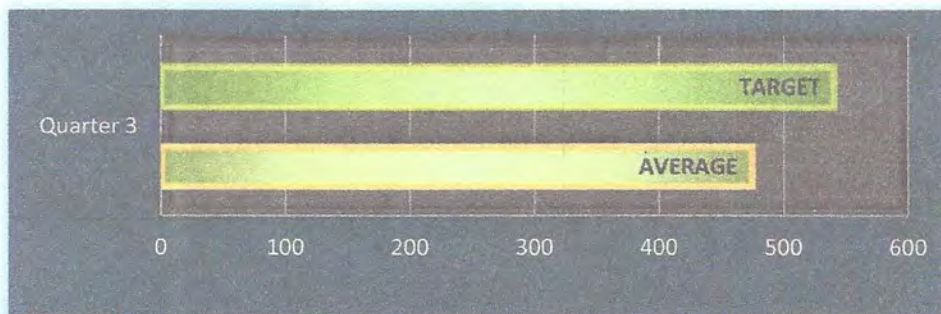


Formal Discipline

Average number of days to complete the entire enforcement process for cases resulting in formal discipline. (Includes intake and investigation by the Board, and prosecution by the AG)

Target: 540 Days

Q3 Average: 474 Days

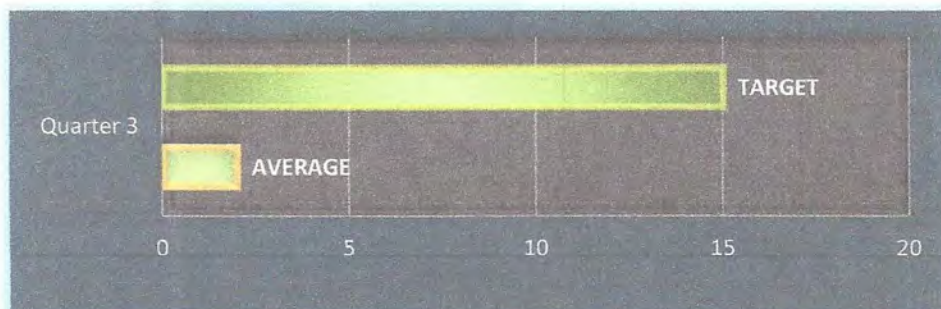


Probation Intake

Average number of days from monitor assignment, to the date the monitor makes first contact with the probationer.

Target: 15 Days

Q3 Average: 2 Days

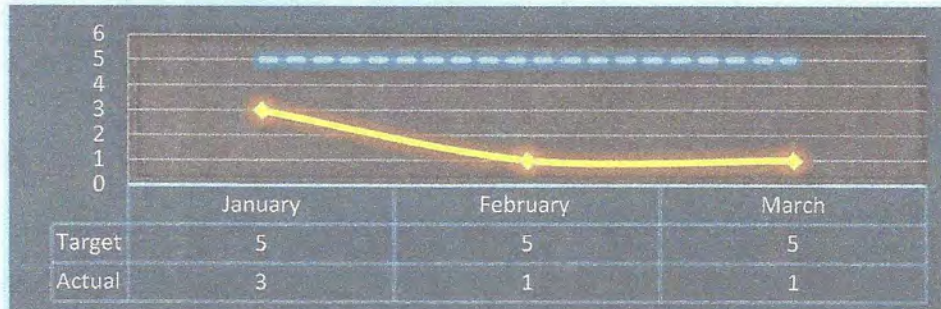


Probation Violation Response

Average number of days from the date a violation of probation is reported, to the date the assigned monitor initiates appropriate action.

Target: 5 Days

Q3 Average: 2 Days



Performance Measures

Q4 Report (April - June 2013)

To ensure stakeholders can review the Board's progress toward meeting its enforcement goals and targets, we have developed a transparent system of performance measurement. These measures will be posted publicly on a quarterly basis.

Volume

Number of complaints and convictions received.

Q4 Total: 1,055

Complaints: 586 Convictions: 469

Q4 Monthly Average: 352

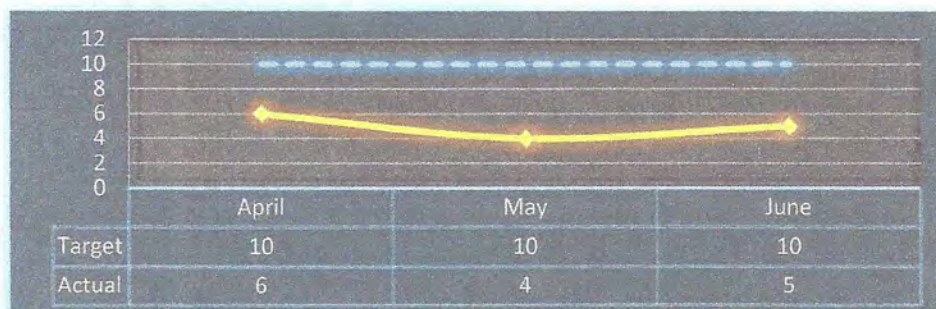


Intake

Average cycle time from complaint receipt, to the date the complaint was assigned to an investigator.

Target: 10 Days

Q4 Average: 5 Days



Intake & Investigation

Average cycle time from complaint receipt to closure of the investigation process. Does not include cases sent to the Attorney General or other forms of formal discipline.

Target: 120 Days

Q4 Average: 71 Days



Formal Discipline

Average number of days to complete the entire enforcement process for cases resulting in formal discipline. (Includes intake and investigation by the Board, and prosecution by the AG)

Target: 540 Days

Q4 Average: 598 Days

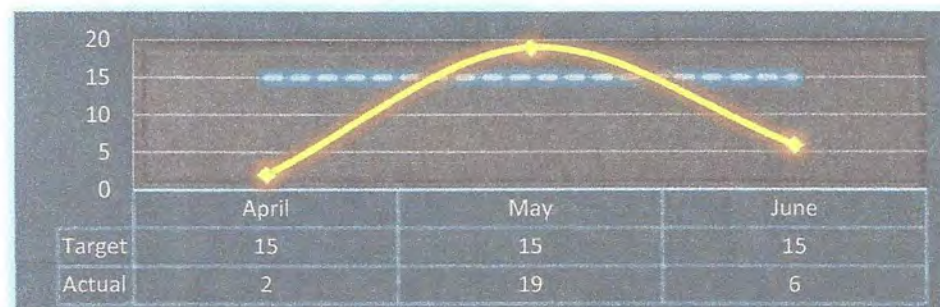


Probation Intake

Average number of days from monitor assignment, to the date the monitor makes first contact with the probationer.

Target: 15 Days

Q4 Average: 10 Days

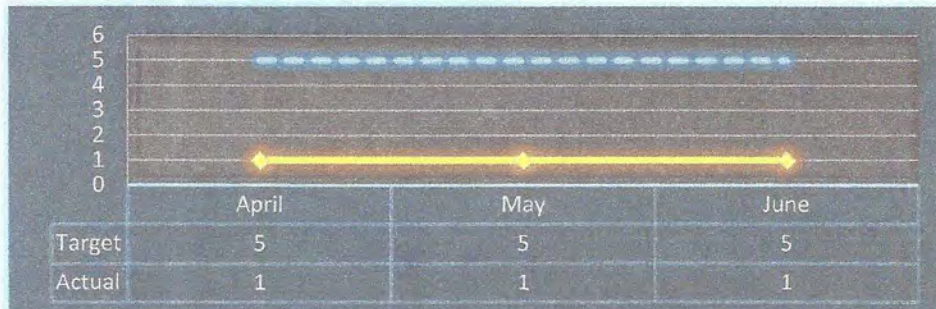


Probation Violation Response

Average number of days from the date a violation of probation is reported, to the date the assigned monitor initiates appropriate action.

Target: 5 Days

Q4 Average: 1 Day



Board of Barbering & Cosmetology

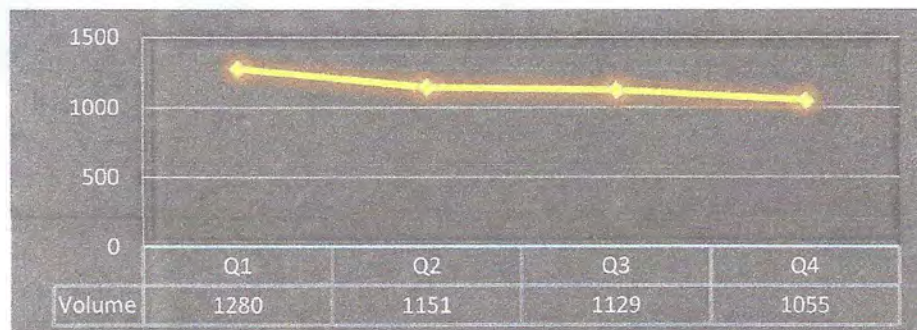
Performance Measures Annual Report (2012 – 2013 Fiscal Year)

To ensure stakeholders can review the Board's progress in meeting its enforcement goals and targets, we have developed a transparent system of performance measurement. These measures are posted publicly on a quarterly basis.

Volume

Number of complaints and convictions received.

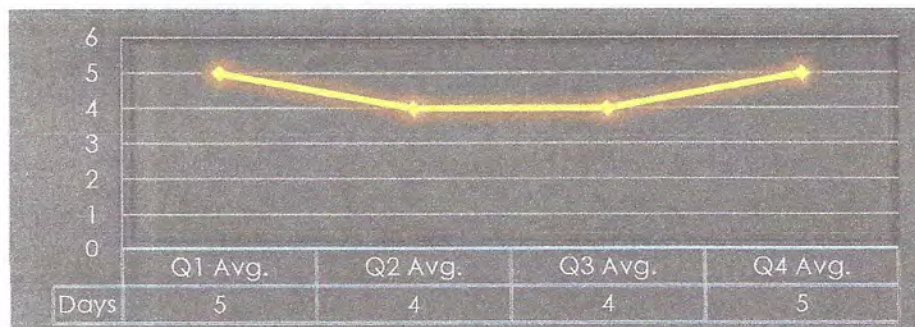
The Board had an annual total of 4,615 this fiscal year.



Intake

Average cycle time from complaint receipt, to the date the complaint was assigned to an investigator.

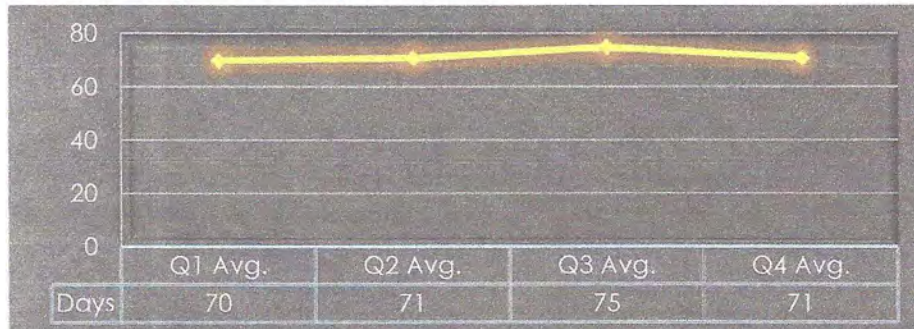
The Board has set a target of 10 days for this measure.



Intake & Investigation

Average cycle time from complaint receipt to closure of the investigation process. Does not include cases sent to the Attorney General or other forms of formal discipline.

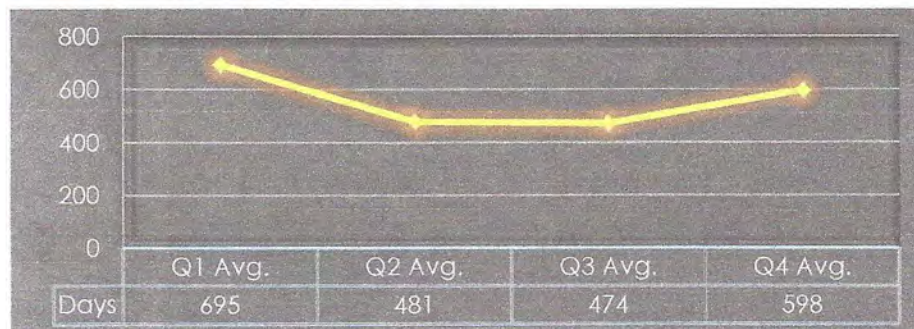
The Board has set a target of 120 days for this measure.



Formal Discipline

Average number of days to complete the entire enforcement process for cases resulting in formal discipline. (Includes intake and investigation by the Board, and prosecution by the AG)

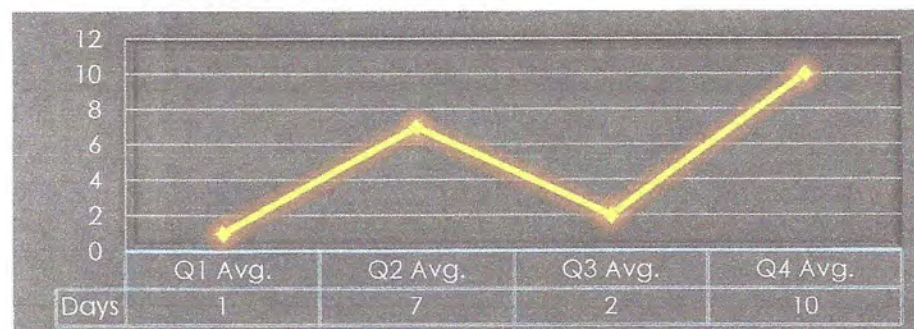
The Board has set a target of 540 days for this measure.



Probation Intake

Average number of days from monitor assignment, to the date the monitor makes first contact with the probationer.

The Board has set a target of 15 days for this measure.



Probation Violation Response

Average number of days from the date a violation of probation is reported, to the date the assigned monitor initiates appropriate action.

The Board has set a target of 5 days for this measure.



Department of Consumer Affairs
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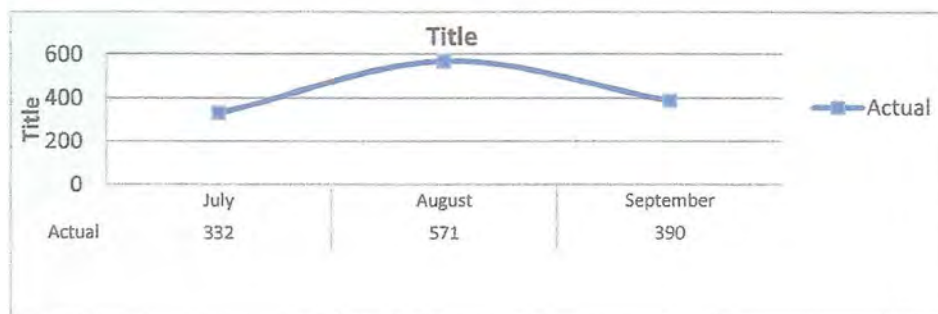
Performance Measures

Q1 Report (July - September 2013)

To ensure stakeholders can review the Board's progress toward meeting its enforcement goals and targets, we have developed a transparent system of performance measurement. These measures will be posted publicly on a quarterly basis.

PM1 | Volume

Number of complaints and convictions received.

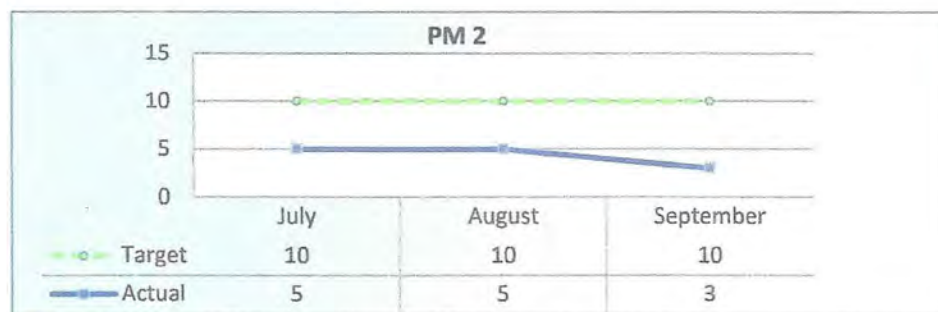


Total Received: 1,293 Monthly Average: 431

Complaints: 855 | Convictions: 438

PM2 | Intake

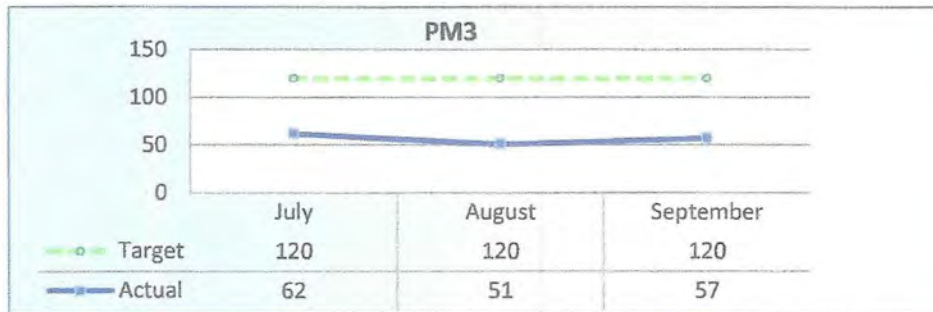
Average cycle time from complaint receipt, to the date the complaint was assigned to an investigator.



Target Average: 10 Days | Actual Average: 7 Days

PM3 | Intake & Investigation

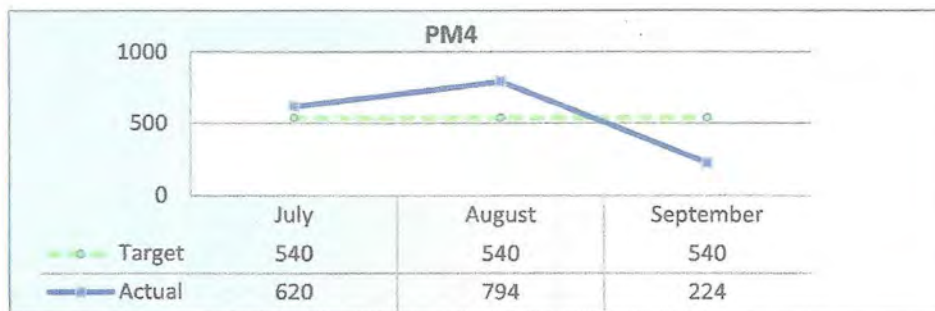
Average cycle time from complaint receipt to closure of the investigation process. Does not include cases sent to the Attorney General or other forms of formal discipline.



Target Average: 120 Days | Actual Average: 56 Days

PM4 | Formal Discipline

Average number of days to complete the entire enforcement process for cases resulting in formal discipline. (Includes intake and investigation by the Board and prosecution by the AG).



Target Average: 540 Days | Actual Average: 511 Days

PM7 | Probation Intake

Average number of days from monitor assignment, to the date the monitor makes first contact with the probationer.

The Board did not contact any new probationers this quarter.

Target Average: 15 Days | Actual Average: N/A

PM8 | Probation Violation Response

Average number of days from the date a violation of probation is reported, to the date the assigned monitor initiates appropriate action.

The Board did not report any new probation violations this quarter.

Target Average: 5 Days | Actual Average: N/A

Department of Consumer Affairs
Board of Barbering and
Cosmetology

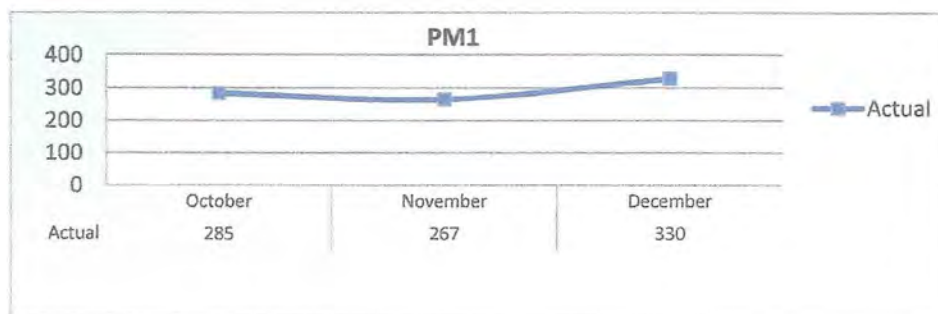
Performance Measures

Q2 Report (October - December 2013)

To ensure stakeholders can review the Board's progress toward meeting its enforcement goals and targets, we have developed a transparent system of performance measurement. These measures will be posted publicly on a quarterly basis.

PM1 | Volume

Number of complaints and convictions received.

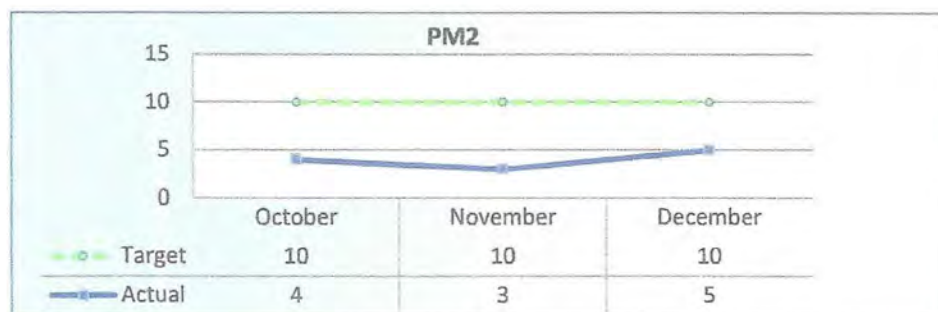


Total Received: 880 Monthly Average: 293

Complaints: 592 | Convictions: 288

PM2 | Intake

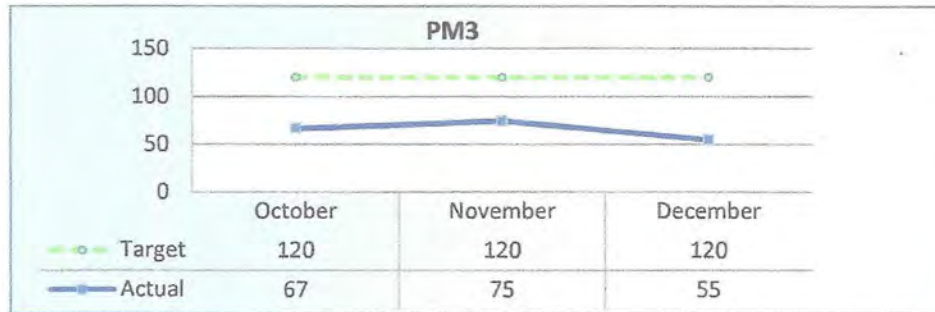
Average cycle time from complaint receipt, to the date the complaint was assigned to an investigator.



Target Average: 10 Days | Actual Average: 4 Days

PM3 | Intake & Investigation

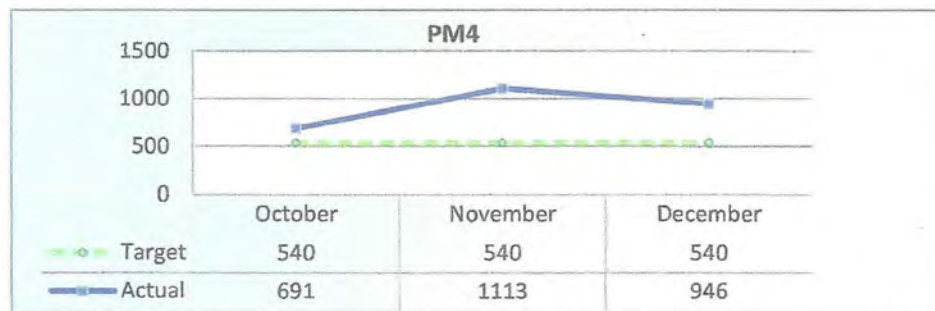
Average cycle time from complaint receipt to closure of the investigation process. Does not include cases sent to the Attorney General or other forms of formal discipline.



Target Average: 120 Days | Actual Average: 66 Days

PM4 | Formal Discipline

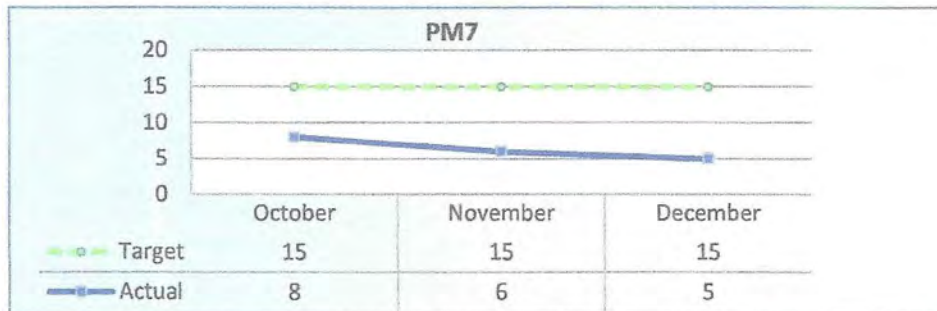
Average number of days to complete the entire enforcement process for cases resulting in formal discipline. (Includes intake and investigation by the Board and prosecution by the AG).



Target Average: 540 Days | Actual Average: 939 Days

PM7 | Probation Intake

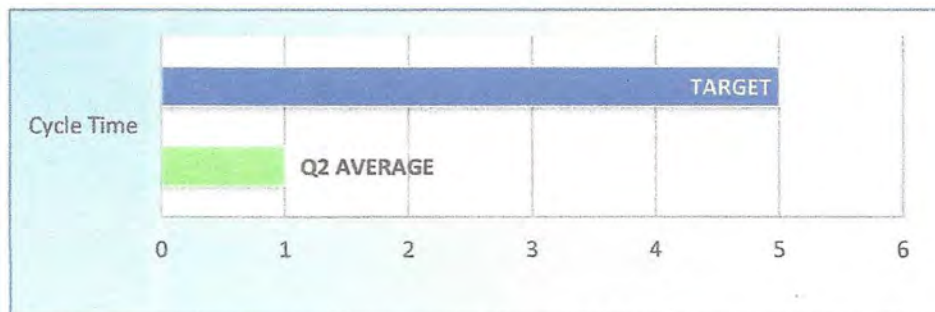
Average number of days from monitor assignment, to the date the monitor makes first contact with the probationer.



Target Average: 15 Days | Actual Average: 6 Days

PM8 | Probation Violation Response

Average number of days from the date a violation of probation is reported, to the date the assigned monitor initiates appropriate action.



Target Average: 5 Days | Actual Average: 1 Day

Department of Consumer Affairs
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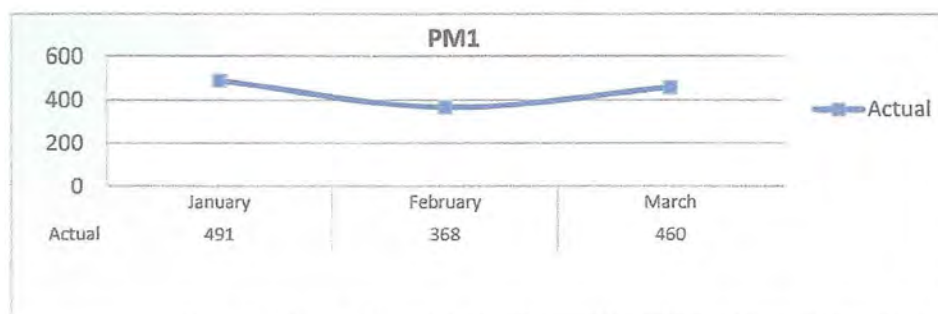
Performance Measures

Q3 Report (January - March 2014)

To ensure stakeholders can review the Board's progress toward meeting its enforcement goals and targets, we have developed a transparent system of performance measurement. These measures will be posted publicly on a quarterly basis.

PM1 | Volume

Number of complaints and convictions received.

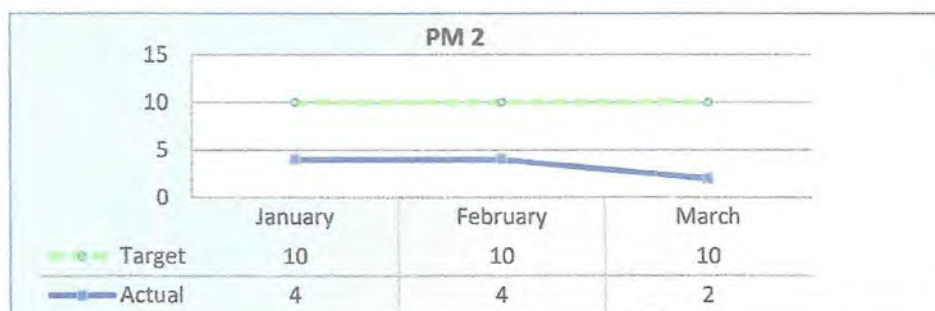


Total Received: 1,319 Monthly Average: 440

Complaints: 869 | Convictions: 450

PM2 | Intake

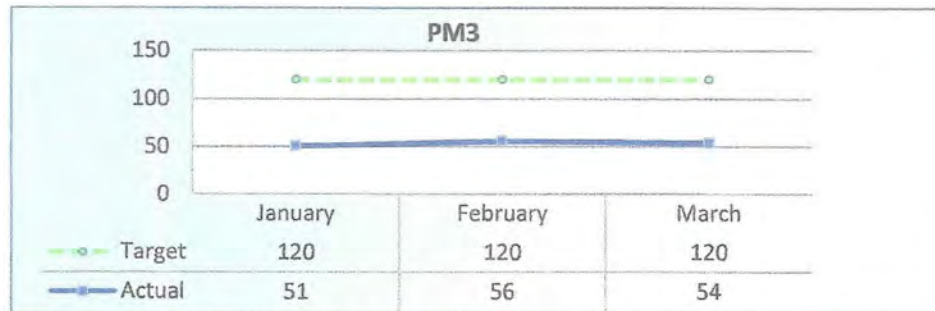
Average cycle time from complaint receipt, to the date the complaint was assigned to an investigator.



Target Average: 10 Days | Actual Average: 3 Days

PM3 | Intake & Investigation

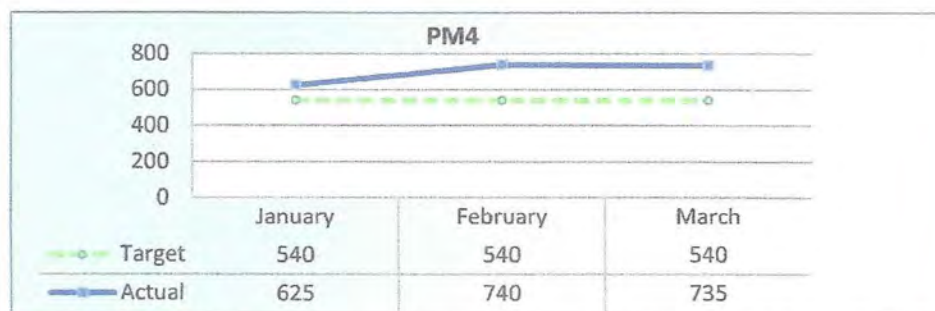
Average cycle time from complaint receipt to closure of the investigation process. Does not include cases sent to the Attorney General or other forms of formal discipline.



Target Average: 120 Days | Actual Average: 54 Days

PM4 | Formal Discipline

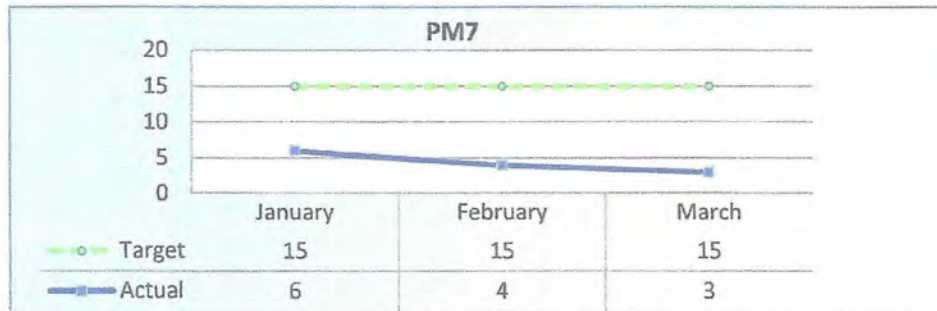
Average number of days to complete the entire enforcement process for cases resulting in formal discipline. (Includes intake and investigation by the Board and prosecution by the AG).



Target Average: 540 Days | Actual Average: 697 Days

PM7 | Probation Intake

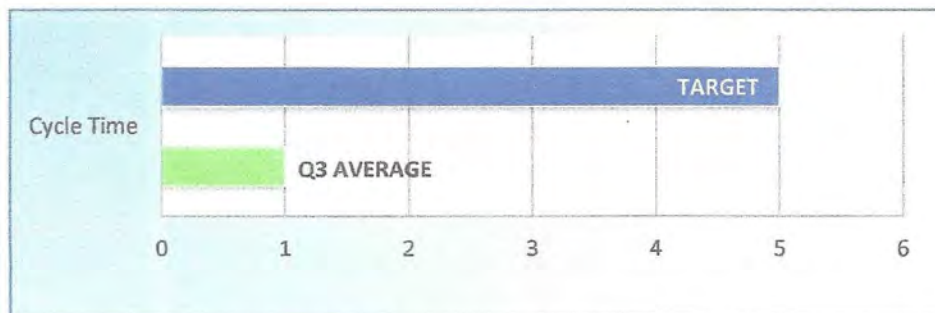
Average number of days from monitor assignment, to the date the monitor makes first contact with the probationer.



Target Average: 15 Days | Actual Average: 5 Days

PM8 | Probation Violation Response

Average number of days from the date a violation of probation is reported, to the date the assigned monitor initiates appropriate action.



Target Average: 5 Days | Actual Average: 1 Day

Department of Consumer Affairs
Board of Barbering and
Cosmetology

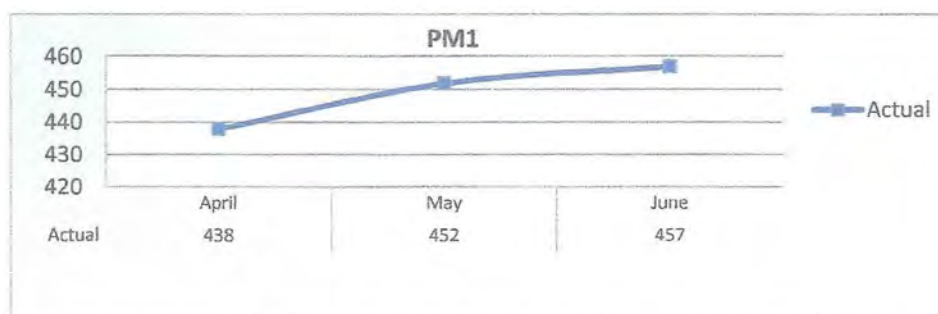
Performance Measures

Q4 Report (April - June 2014)

To ensure stakeholders can review the Board's progress toward meeting its enforcement goals and targets, we have developed a transparent system of performance measurement. These measures will be posted publicly on a quarterly basis.

PM1 | Volume

Number of complaints and convictions received.

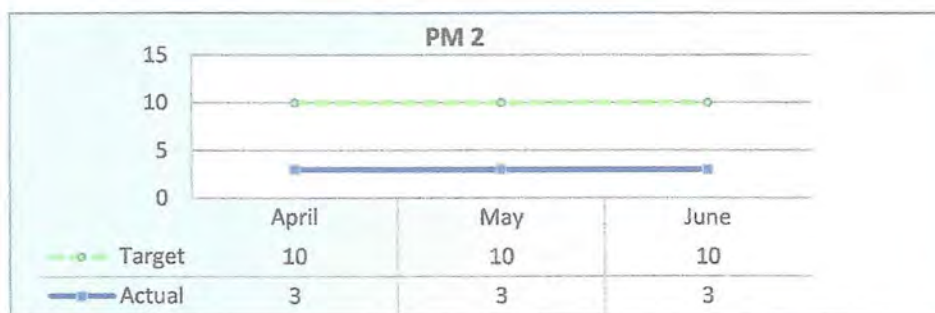


Total Received: 1,347 Monthly Average: 449

Complaints: 922 | Convictions: 425

PM2 | Intake

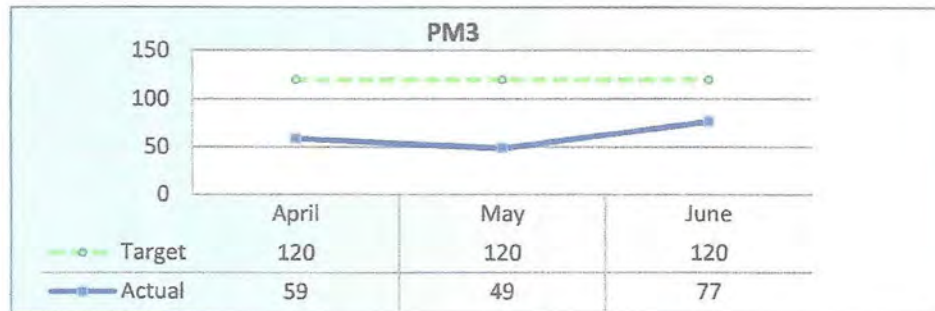
Average cycle time from complaint receipt, to the date the complaint was assigned to an investigator.



Target Average: 10 Days | Actual Average: 3 Days

PM3 | Intake & Investigation

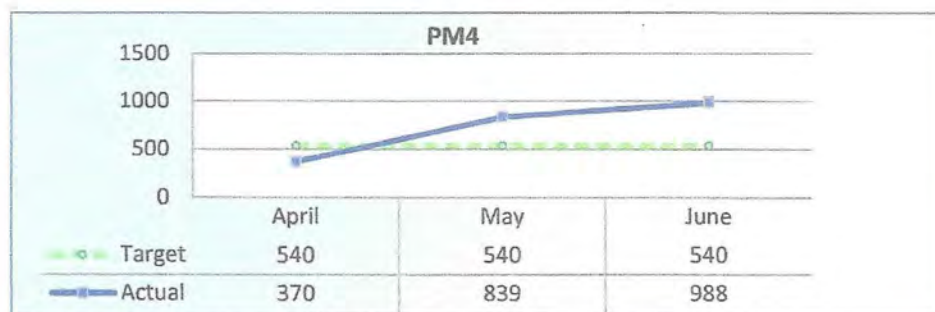
Average cycle time from complaint receipt to closure of the investigation process. Does not include cases sent to the Attorney General or other forms of formal discipline.



Target Average: 120 Days | Actual Average: 63 Days

PM4 | Formal Discipline

Average number of days to complete the entire enforcement process for cases resulting in formal discipline. (Includes intake and investigation by the Board and prosecution by the AG).



Target Average: 540 Days | Actual Average: 657 Days

PM7 | Probation Intake

Average number of days from monitor assignment, to the date the monitor makes first contact with the probationer.

The Board did not contact any new probationers this quarter.

Target Average: 15 Days | Actual Average: N/A

PM8 | Probation Violation Response

Average number of days from the date a violation of probation is reported, to the date the assigned monitor initiates appropriate action.

The Board did not report any new probation violations this quarter.

Target Average: 5 Days | Actual Average: N/A

Appendix 4 - Customer Satisfaction Online Survey

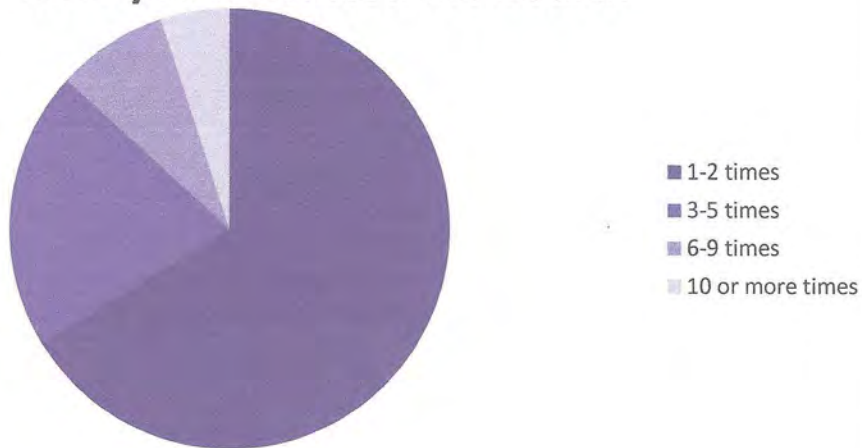
Annual Report (2012 - 2013 Fiscal Year)

Question 1

During the past 12 months, how often have you contacted the Board?

Answer Options	Response Percent	Response Count
1-2 times	66.2%	129
3-5 times	20.5%	40
6-9 times	8.2%	16
10 or more times	5.1%	10
<i>answered question</i>		195
<i>skipped question</i>		0

During the past 12 months, how often
have you contacted the Board?



Question 2

Please rate the following categories and your overall experience with Board staff:

Answer Options	Excellent	Good	Fair	Poor	Unacceptable	N/A
Staff Courtesy	28	27	12	7	1	15
Staff Accessibility	9	15	21	15	8	10
Overall Satisfaction	55	39	23	19	15	5

answered question 195
skipped question 0

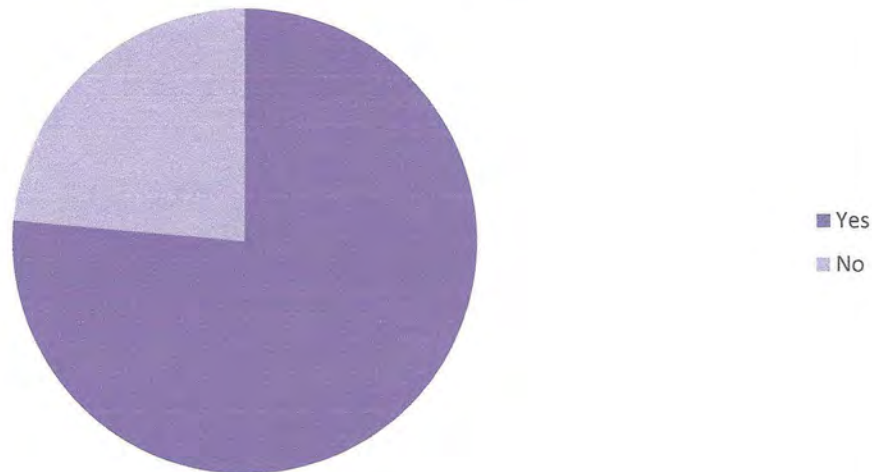
Question 3

Did you receive the assistance that you needed as a result of your contact with the Board?

Answer Options	Response Percent	Response Count
Yes	76.4%	149
No	23.6%	46

answered question 195
skipped question 0

**Did you receive the assistance that you needed
as a result of your contact with the Board?**

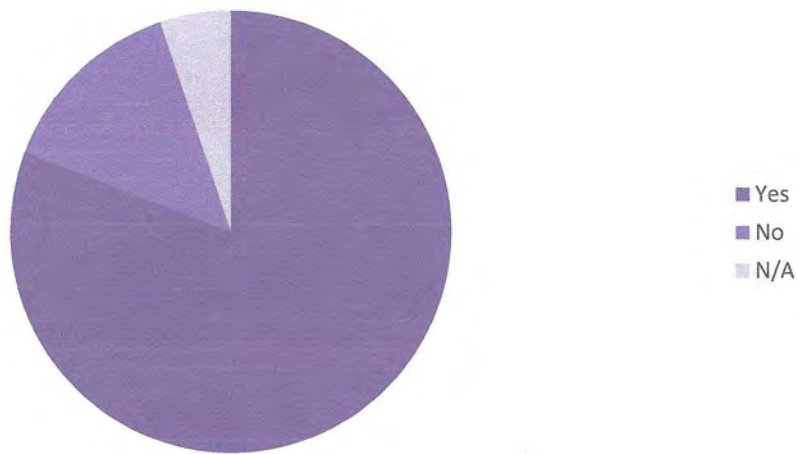


Question 4

Do you find the Board's Web site useful?

Answer Options	Response Percent	Response Count
Yes	80.8%	156
No	14.0%	27
N/A	5.2%	10
<i>answered question</i>		193
<i>skipped question</i>		2

Do you find the Board's Web site useful?

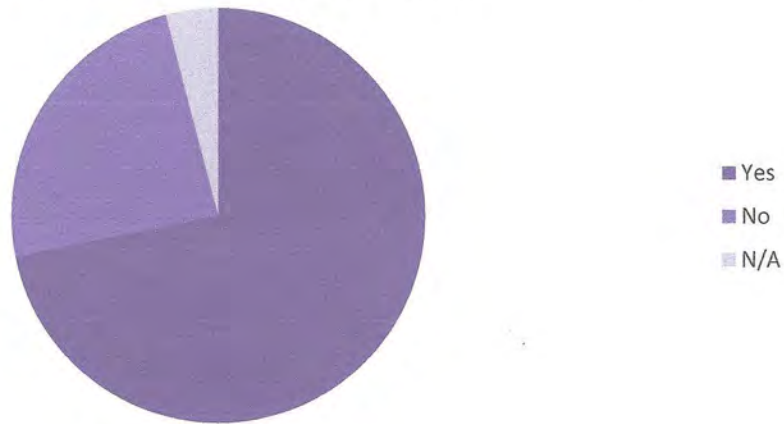


Question 5

When you e-mailed your question to the Board, was your e-mail answered timely and to your satisfaction?

Answer Options	Response Percent	Response Count
Yes	71.8%	140
No	24.1%	47
N/A	4.1%	8
<i>answered question</i>		195
<i>skipped question</i>		0

When you e-mailed your question to the Board, was your e-mail answered timely and to your satisfaction?

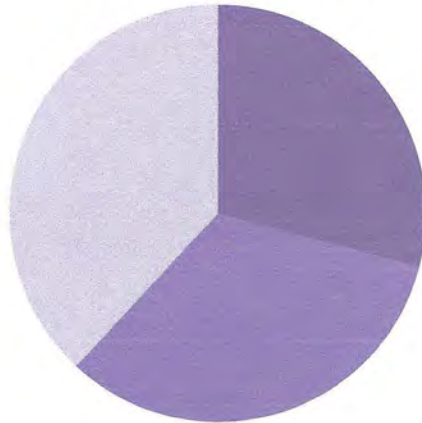


Question 6

When you contacted the Board by telephone, was your call answered timely and in a professional manner?

Answer Options	Response Percent	Response Count
Yes	29.1%	55
No	32.8%	62
N/A	38.1%	72
<i>answered question</i>		189
<i>skipped question</i>		6

When you contacted the Board by telephone, was your call answered timely and in a professional manner?



■ Yes
■ No
■ N/A

Appendix 5 - Inspection Satisfaction Online Survey

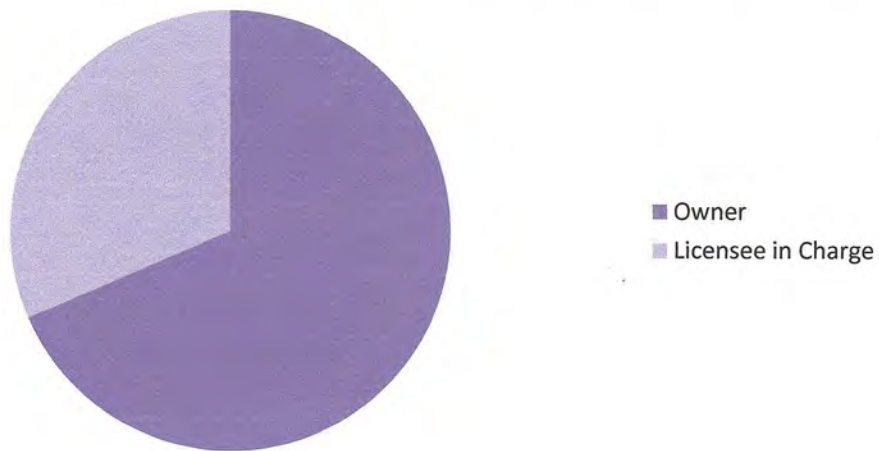
Annual Report (2012-2013 Fiscal Year)

Question 1

Are you the Owner or Licensee in Charge?

Answer Options	Response Percent	Response Count
Owner	68.5%	1187
Licensee in Charge	31.5%	546
<i>answered question</i>		1733
<i>skipped question</i>		222

Are you the Owner or Licensee in Charge?

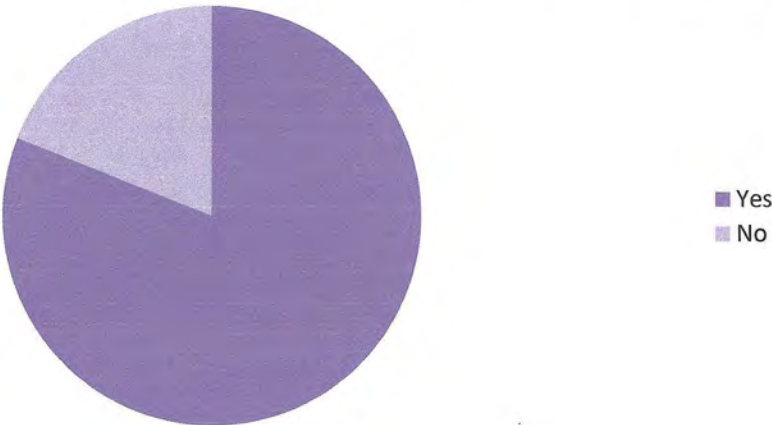


Question 2

Were you present during the inspection?

Answer Options	Response Percent	Response Count
Yes	81.0%	1498
No	19.0%	351
<i>answered question</i>		1849
<i>skipped question</i>		106

Were you present during the inspection?



Question 3

Please rate your satisfaction with the Board's inspection on a scale of 1 through 5, with 5 representing the highest degree of satisfaction.

Answer Options	1	2	3	4	5	Rating Average
Are you satisfied with the degree of professionalism displayed by the inspector?	472	138	229	255	789	3.40
Are you satisfied with the way the inspector went over the report with you and explained the reason for each violation?	512	138	209	252	767	3.33
Are you satisfied that the Inspector's comments will help you protect your clients' health and safety in the future?	480	105	219	247	828	3.45

answered question 1895

skipped question 60



BBC OUTREACH EVENTS (ATTENDED/SENT PUBLICATIONS)

Appendix 6

FY 12-13 INDUSTRY EVENTS			
EVENT NAME	ATTENDEE TYPE	DATE	LOCATION
Electrology Association Convention	Industry	October 21, 2012	Sacramento
Paul Mitchell School	Industry	November 7, 2012	Citrus Heights
Cosmo Professional Spring Style Show	Industry	April 14-15, 2013	San Jose
Skyline Community College	Industry	April 17, 2013	San Bruno
Parlier High School	Industry	April 26, 2013	Parlier
California Cosmetology Association	Industry	May 19, 2013	Redding
Lyle's Beauty College	Industry	May 28, 2013	Fresno
The International Latino Expo	Industry	June 16, 2013	Long Beach
FY 12-13 CONSUMER EVENTS			
EVENT NAME	ATTENDEE TYPE	DATE	LOCATION
Fox 5 Dangerous Pedicures News Report Interview	Consumer	March 21, 2013	San Diego
Safe Sandal Season Open House	Consumer	June 10, 2013	Sacramento
Fox 40 News Interview	Consumer	June 24, 2013	Sacramento
Univision Channel 19 Interview	Consumer	June 24, 2013	Sacramento
FY 13-14 INDUSTRY EVENTS			
EVENT NAME	ATTENDEE TYPE	DATE	LOCATION
Nail Salon-Town Hall Meeting	Industry	July 17, 2013	Westminster
LA Natural Hair Care Expo	Industry	August 4, 2013	El Segundo
Face & Body Expo	Industry	August 25-26, 2013	San Jose
Sacramento City College	Industry	September 16, 2013	Sacramento
Nail Pro Show	Industry	September 22, 2013	Sacramento
School Open House	Industry	September 23, 2013	Sacramento
Barristar School Forum	Industry	September 29-30, 2013	Burbank
Great Clips	Industry	October 14, 2013	Sacramento
Skyline Community College	Industry	October 17, 2013	San Bruno
Barbering and Beauty Expo	Industry	October 28, 2013	Norwalk
Parlier High School	Industry	December 13, 2013	Parlier
Universal College of Beauty	Industry	January 22, 2014	Los Angeles
ISSE Beauty Expo	Industry	January 25-27, 2014	Long Beach
Universal College of Beauty	Industry	March 26, 2014	Los Angeles
Vietnamese Town Hall Meeting	Industry	June 2, 2014	Sacramento
FY 13-14 CONSUMER EVENTS			
EVENT NAME	ATTENDEE TYPE	DATE	LOCATION
News 10 Interview (Safe Sandal Season)	Consumer	July 1, 2013	Sacramento
KCRA Channel 3 Interview (Safe Sandal Season)	Consumer	July 3, 2013	Sacramento
KMIR NBC Skype Interview (Safe Sandal Season)	Consumer	May 7, 2014	Sacramento
Fox 40 Interview (Safe Sandal Season)	Consumer	June 11, 2014	Sacramento
Good Day Sacramento Interview (Safe Sandal Season)	Consumer	June 18, 2014	Sacramento
FY 14-15 INDUSTRY EVENTS			
EVENT NAME	ATTENDEE TYPE	DATE	LOCATION
Informational Question & Answer Session (Face and Body Expo)	Industry	August 23, 2014	San Jose
Vietnamese Town Hall Meeting	Industry	September 8, 2014	Westminster
FY 14-15 CONSUMER EVENTS			
EVENT NAME	ATTENDEE TYPE	DATE	LOCATION
Telenumdo 52 Interview (Safe Sandal Season)	Consumer	July 30, 2014	La Habra



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