

TITLE 16. BOARD OF BARBERING AND COSMETOLOGY

INITIAL STATEMENT OF REASONS

Hearing Date: No hearing has been scheduled.

Subject Matter of Proposed Regulations: Transfer of Credit

Section Affected: Title 16, Division 9, Article 6, Section 950.10, California Code of Regulations (CCR)

Background and Statement of the Problem:

The Board of Barbering and Cosmetology (Board) licenses and regulates barbers, cosmetologists, manicurists, estheticians, hairstylists and electrologists, and the establishments where they work in California, totaling over 50,000 establishments and over 560,000 individuals. In addition to licensing individuals and establishments, the Board approves schools. Barbering, cosmetology and electrologist schools must first be approved by the Board and meet certain requirements, including maintaining courses of practical training and technical instruction in compliance with the Board's laws and regulations (Bus. & Prof. Code, §§ 7362-7362.3). Applicants are also required to complete coursework from schools approved by the Board, including coursework in barbering, cosmetology, electrolysis, nail care, skin care and hairstyling (Bus. & Prof. Code, §§ 7321, 7321.5, 7330, 7322, 7324 and 7326).

It is the Board's duty to enforce and administer the Barbering and Cosmetology Act (Chapter 10 (commencing with section 7300) of Division 3 of the Business and Professions Code (BPC)) (Act). The Board is authorized to make rules and regulations in aid or in furtherance of the Act in accordance with the Administrative Procedure Act. (BPC § 7312.)

Prior to 2022, the Act required the Board to determine, by regulation, the required subjects of instruction to be completed in all approved courses, including the minimum hours of technical instruction and minimum numbers of practical operations for each subject, and determine how much training is required before a student begins performing services on paying patrons. (BPC § 7362). BPC Section 7367 states, "For students who change from one program of instruction to another, the board shall grant credit for training obtained in one course that is identical to training required in another course."

In accordance with the above requirements, the Board adopted Title 16, California Code of Regulations (16 CCR) section 950.10, which sets standards for how credit for total clock hours will be granted for a student transferring from one course of study to another or a holder of a special license (e.g. manicurist or esthetician) who enrolls in a

general course of study (e.g. cosmetologist). These standards include how those individuals would receive credit for total clock hours completed and credit for minimum hours of technical instruction according to specified percentages, and the minimum practical operations required in each type of course listed in this section (cosmetologist course to esthetician course, cosmetologist course to manicurist course, esthetician course to cosmetologist course and manicurist course to cosmetologist course).

In 2021, Senate Bill (SB) 803 (Chapter 648, Statutes of 2021) was enacted, which among other things, reduced the number of hours required for courses in barbering and cosmetology to 1,000 hours and codified in statute the minimum amount of instruction that must be included for various subjects in a course for barbering, cosmetology, hairstyling, skin care, and nail care. With the enactment of Assembly Bill (AB) 2196 (Chapter 527, Statutes of 2022), effective January 1, 2023, electrolysis course curriculum requirements will be similarly codified (see amendments to BPC section 7366 approved by the Governor September 25, 2022.). However, neither SB 803 nor AB 2196 specifies how hours for these newly enacted curriculum requirements will be deemed “identical” or how the Board will “grant credit for training obtained” for instruction in each of the various subject matter areas specified in BPC sections 7362.5, 7363, 7364, 7365 and 7366.

In addition, SB 803 removed requirements for practical operations that previously were required to be specified by the Board in regulation at BPC 7362. As a result of the foregoing statutory changes, the Board’s current regulation is inconsistent with the Act and has been superseded by a new statutory scheme, existing regulation needs to be repealed, and new regulations need to be adopted. Those regulations would specify how the Board would grant credit for prior hours of “identical” technical and practical instruction earned in another program to a student changing from one program of instruction to another for courses in barbering, cosmetology, hairstyling, skin care, nail care and electrolysis. This proposal would address these issues by:

(1) specifying that a student changing from one program instruction to another would receive credit on an hour-for-hour basis if specified criteria were met, including: (1) prior instruction hours earned by the student are identical as defined, and (2) credit for the instruction hours of the prior program are granted in accordance with the requirements of this proposed section.

(2) specifying by subject matter of program or license type (cosmetologist licensee/cosmetology program, barber licensee/barbering program, esthetician licensee/skin care program, manicurist licensee/nail care program, hairstyling licensee/hairstyling program, and electrologist licensee/electrolysis program) how credit may be granted to a student in accordance with BPC sections 7362.5, 7363, 7364, 7365 and 7366;

(3) specifying that for any other hours of practical and technical instruction in courses that are earned by a student in excess of the minimum technical

curriculum content hours prescribed by statute, a student shall receive credit for identical prior hours earned, as defined, that are required for licensure; and,

(4) providing definitions for the use of the words “changing from one program of instruction to another” and “earned” as referenced in this section.

In addition, the Board proposes to repeal other outdated or unnecessary references in this existing section that provide: (1) total clock hours credit calculations by course type (cosmetologist course to esthetician course, cosmetologist course to manicurist course, esthetician course to cosmetologist course and manicurist course to cosmetologist course), (2) credit and balance formulas for calculating the minimum hours of technical instruction and minimum practical operations for these types of courses, (3) requirements for credit not being granted until a student in a cosmetologist course completes the number of hours instruction and training, (4) effective until January 1 2009, that training received as an apprentice could be credited toward a course of training in a school and the setting the maximum number of hours for transfer at 800, and (5) training received in a school shall not be credited toward training in an apprenticeship program.

Anticipated Benefits of the Proposal

The Board has determined that the regulatory proposal will clarify how training credit transfers between programs of instruction and make the transfer of credit easier to understand for schools, students, and licensees in courses for barbering, cosmetology, skin care, nail care, hairstyling, and electrolysis. This would help ensure that students do not inadvertently incur unnecessary costs and expenses in repeating identical instruction hours that have already been earned at another Board-approved school.

Specific Purpose and rationale for each adoption, amendment, or repeal:

Repeal and Add New Title

This section would repeal existing 950.10 title “Credit for Special License and Transfer of Training,” and adopt a new title in Article 6 of the Board’s regulations at Section 950.10 entitled “Transfer of Credit” to make it easier for users of the Board’s regulations to find information regarding the Board’s requirements for granting credit for identical prior training received in accordance with BPC section 7367.

Repeal Existing Section 950.10, subdivisions (a)-(d)

Repeal existing subsection (a): This subsection currently sets standards for how a student shall receive credit for the minimum hours of technical instruction and the minimum practical operations required in each applicable subject matter area as specified and determined by the Board. However, with the repeal of relevant authority provisions of BPC 7362 after enactment of SB 803, the Legislature removed the Board’s

authority to determine, by regulation, the required subjects of instruction to be completed in all approved courses, including the minimum hours of technical instruction and minimum numbers of practical operations for each subject. As a result, the Board proposes to repeal this subsection which implemented those prior provisions of BPC section 7362.

Repeal existing subsection (a)(1)(A)-(D): These subsections currently specify how the Board would calculate total clock hours credits that would be transferable, by specified percentage, for each type of educational course transferred to another ((A) cosmetologist course to esthetician course, (B) cosmetologist course to manicurist course, (C) esthetician course to cosmetologist course, and (D) manicurist course to cosmetologist course.

However, with the enactment of SB 803 and AB 2196 (effective January 1, 2023), the Board's underlying authority to make these determinations has been repealed and superseded by enactment of provisions setting specific minimum standards for education in each subject matter course required for each license type issued by the Board at BPC sections BPC sections 7362.5, 7363, 7364, 7365, and 7366 (Section 7366 changes are effective as of January 1, 2023). In addition, per BPC 7367, the calculations granting credit should be "identical", i.e., 100% transferable, once the determination is made that the training is identical, so the existing percentage calculations should be repealed as inconsistent with BPC section 7367 and the new statutory scheme in the Act.

Repeal existing subsection (a)(2): With the enactment of SB 803, the Act has been amended to no longer require minimum practical operations, only minimum practical and technical instruction. Therefore, calculations related to minimum practical operations are obsolete and unnecessary. In addition, the last sentence of this section is unnecessary since BPC 7367 provides that "the board shall grant credit for training obtained in one course that is identical to training required in another course," 100% of the credit earned in the required hours of instruction would be transferable and the proof of such credit would be provided by the applicant as already required by current Board regulation. Currently, at existing 16 CCR section 909(b)(6), applicants for licensure are required to provide proof of meeting education requirements by submission of a "proof of training" document, which outlines, among other things, specific information regarding transfer credit received including the course and the number of hours of training received, the date training started and the last date of attendance before transferring, and the number of hours of credit received. As this proof of training requirement satisfies the Board's requirements for examination, these requirements are no longer needed to ensure that students and applicants have "on balance" the required number of hours of training for examination and licensure by the Board.

Repeal existing subsection (b): This subsection currently provides that credit for a special course shall not be given to a student in the cosmetologist course until completion of the number of hours of instruction and training in a school of cosmetology

which will equal the minimum number of hours required for completion of the cosmetologist course. The Board proposes to repeal this subsection as it is no longer necessary to ensure compliance with examination requirements. BPC section 7321(d) currently requires all applicants to have completed a course in cosmetology from a school approved by the Board prior to qualifying to sit for the Board's examination for a license as a cosmetologist to practice cosmetology. As a result, it is irrelevant when the credit for the course may have been given, only that the cosmetologist course is completed prior to admission to the examination.

Repeal existing subsection (c): The Board is also proposing to repeal the language of subparagraph (c). Subparagraph (c) currently provides that, effective until January 1, 2009, training received as an apprentice may be credited toward a course of training in a school and specifies the maximum hours (not to exceed 800 hours) that can be transferred from an apprenticeship program to a course of training in school. After January 1, 2009, the current regulation specifies that training received as an apprentice shall not be credited toward a course of training in a school.

The Board proposes to repeal this subsection because the Board originally intended this allowance to be a temporary resolution to a problem created in 2006 when employers began terminating apprentices in response to actions by the Department of Industrial Relations, Division of Apprenticeship Standards, to require proof of workers' compensation insurance for those apprentices (see 2007 ISOR in Underlying Data). The resolution included allowing apprentices to transfer hours earned in an apprenticeship program toward a course of training in a school until January 1, 2009. Since January 1, 2009, has long passed, the emergent issue has been addressed and the statutory scheme for education and training at a school has changed since enactment of SB 803, the Board proposes to repeal these regulatory provisions.

Repeal existing subsection (d): This subsection currently provides that the training received in school shall not be credited toward training in an apprenticeship program. The Board proposes to repeal this subsection as unnecessary because the Act currently does not authorize training received at a school to be credited towards training in an apprenticeship program. The Board also considers this subsection to be unnecessary and no longer consistent with the Act, because the Board's Act and its accompanying regulations currently makes a distinction between "students" (people training through "courses of instruction" in a school as described in BPC section 7362) and apprentices (people training while working at a job and earning wages in an apprenticeship program 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) as fundamentally different entities with training requirements that do not readily transfer from one to the other. This is demonstrated by the Act and regulations, which dedicate separate articles to each type of training program (Article 4 -- commencing at BPC 7332 for apprenticeship programs and Article 8 --- commencing at BPC 7362 for schools in the Act and Article 3 of this Division for apprenticeship programs and Article 6 of this Division for schools).

Moreover, BPC section 7367 clearly only authorizes the Board to recognize credits transferred by “students” who change from one program of instruction to another, not students who change from a program of instruction to work in an apprenticeship program or vice versa.

Adopt new subsection (a)(1)-(2): Existing law at BPC Section 7367 states,

“For students who change from one program of instruction to another, the board shall grant credit for training obtained in one course that is identical to training required in another course.”

However, section 7367 does not define how the Board determines that a course is identical for the purposes of that section, how it would be calculated, or how the Board would evaluate transfers for purposes of “granting credit” to students as proof of meeting the minimum educational requirements needed to qualify for licensure under the Act. The Board proposes to resolve those ambiguities by specifying how credit hours will be calculated (hour-for-hour basis) and the requirements for coursework to be deemed “identical”, as follows.

Subsection (a): Students attending Board-approved schools receive credit for hours of instruction for each hour in attendance at the school. Proposed subsection (a) would therefore specify that a student shall receive credit for prior hours of technical and practical instruction (“instruction hours”) earned in another program on an “hour-for-hour basis” if the requirements of this subsection (subsections (a)(1) and (2)) are met. Since BPC section 7367 requires the Board grant credit for “credit obtained”, the proposal would essentially grant 100% credit for courses that are deemed identical as specified in this section. These changes are necessary to ensure that students are granted credit for training they have already obtained in accordance with BPC section 7367’s directives, and helps students avoid the time and expense of taking training which is not necessary for licensure.

As explained below under the rationale for subsection (i), this proposal would cover all types of students including those that change schools or change educational program types and who obtained training in any course that is “identical” to that required in any other course for which they enroll. This would include students not previously licensed by the Board, and licensees who have obtained training in the various subjects that lead to licensure in other professions. This ensures that the Board fairly and consistently grants credit to all types of students based on their respective training histories in the relevant subjects.

Subsection (a)(1): BPC section 7367 does not specify how the Board would determine whether a course is “identical” for the purposes of granting transfer credit. Since identical typically means “being the very same” ((Source: “identical.” Dictionary.com. 2022, <<https://www.dictionary.com>> accessed 6/22/2022.), the Board proposes to adopt

a definition of “identical” based upon the new course curriculum requirements of the Act (as more clearly listed in proposed subsections (b)-(g)) and what the Board believes, in its experience, reflects the core elements of the course that need to be the same (duration of the course and course content). This would help avoid confusion and provide certainty to applicants and licensees regarding whether and under what circumstances the Board shall accept transfer credit for their prior coursework.

Subsection (a)(2): SB 803 and AB 2196 (effective January 1, 2023) enacted specific curriculum requirements (including content and hours of technical and practical instruction) for Board-approved schools as specified in BPC sections 7362.5, 7363, 7364, 7365, and 7366. The Board currently offers licenses in six disciplines that were affected by the changes enacted by SB 803 and AB 2196: barbering, manicuring (nail care), esthetics (skin care), cosmetology (which includes training in hairstyling, manicuring, and esthetics), hairstyling (hair styling services), and electrologist (electrolysis or thermolysis).

While each license the Board issues has its own separate required educational curriculum (described in BPCs sections 7362.5, 7363, 7364, 7365, and 7366), the subjects in these curriculums overlap in several areas. This “overlap” could lead to confusion and questions from applicants regarding what course content is considered “identical” and considered to qualify the applicant for transfer of credit for other licenses the Board issues (see chart below to see the areas of overlap for prescribed curriculum content, and by course subject matter).

The following table helps explain the “overlap” in curriculum content in the newly enacted statutory scheme for all courses of instruction for each license type (“**Table A -- Course Content Overlap Overview**”) (*“X” indicates common areas of standardized curriculum content prescribed by statute):

Course	Health and Safety Instruction	Disinfection and Sanitation Instruction	Chemical Hair Services Instruction	Hair Styling Services Instruction	Skin Care Services Instruction	Hair Removal and Lash and Brow Beautification Instruction	Manicure and Pedicure Instruction
Barbering (BPC § 7362.5)	*X	X	X	X			
Cosmetology (BPC § 7362.5)	X	X	X	X	X	X	X
Hairstyling (BPC § 7363)	X	X		X			
Skin Care (BPC § 7364)	X	X			X	X	
Nail Care (BPC § 7365)	X	X					X

Electrolysis (BPC § 7366)	X	X					
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Therefore, the Board proposes to adopt this subsection to specify that credits for the instruction hours are granted in accordance with the requirements of this section. This section sets forth credit granting standards based upon the hourly statutory minimums prescribed by the applicable provisions of the Act, and according to the type of licensee applicant or prior type of instruction hours received, and type of program for which the applicant enrolls in subsections (b)-(g), as described below.

These provisions provide a simple, straightforward method for schools, students and applicants to determine if prior education earned would be acceptable by the Board as transferrable to a new educational program in accordance with the minimum educational standards set by SB 803 and AB 2196 (example: cosmetologist to barbering course of instruction – there are four categories listed in subsections (b) and (c) of BPC 7362.5 where the course content is “identical” and therefore the Board would be required to “grant credit” per BPC section 7367).

Subsections (b)-(g) set forth below and use of the words “up to”:

The Board proposes to use the terms “up to” for these sections when describing the maximum credit that will be granted in the subject matter areas referenced in these subdivisions. Each applicant using training obtained at a board-approved school to qualify for licensure must show proof to the Board of graduating from a Board-approved school of instruction (16 CCR § 909). As a condition of approval, each school must maintain a course of practical training and technical instruction for each type of course offered as specified in the Act (see BPC sections 7362, 7362.1(c), 7362.2(c), 7362.3(c)), and the instruction hour “minimums” specified in BPC sections 7362.5, 7363, 7364, 7365 and 7366). The Board interprets BPC section 7367 to authorize the Board to grant credit “up to” the statutory minimums for the prescribed curriculum since the Board cannot legally require any school or applicant to complete more instruction hours than the statutory minimums required for licensure under the Act. Any additional or excess, “identical” credit hours earned by a student required for licensure are addressed as described in subsection (h) below.

Subsection (b)(1)(A)-(D) (cosmetologist licensee or cosmetology training transferable to new barbering program):

This proposal would specify the instruction hours that would transfer for a student who is a cosmetologist licensee or who earned instruction hours as part of a cosmetology program of instruction as specified towards instructional hours in a new barbering program of instruction, “up to” the statutory minimums set forth in BPC section 7362.5(b)(1)-(4) where the instruction for those courses overlap.

As explained in Table A above, barbering and cosmetology courses of study overlap in four statutorily prescribed curriculum content areas: (A) health and safety (100 instruction hours), (B) disinfection and sanitation (100 instruction hours), (C) chemical hair services (200 instruction hours), and (D) hairstyling services (200 instruction hours). In comparing barber and cosmetology curriculum content contained in BPC sections 7362.5(b) and 7362.5(c) for these four areas of instruction, the curriculum content and hourly instruction requirements are the same and therefore would not need to be repeated to ensure minimum competency. In addition, and as explained above, credit is granted only up to the statutorily prescribed minimum hours in these content areas that are needed for licensure as a barber as set forth in BPC section 7362.5(b).

However, BPC section 7367 does not specifically state that this training would be deemed identical by the Board upon enrollment in the new barbering course, and that such credit for this type of instruction shall be granted when a student changes from a cosmetology program of instruction to a barbering course of instruction. This proposal would adopt that standard to help ensure that schools, students, and applicants understand what will be accepted transfer credit in accordance with BPC section 7367. This information may also help students avoid the time and expense of inadvertently repeating unnecessary training.

Subsection (b)(2)(A)-(D) (cosmetologist licensee or cosmetology training transferable to new skin care program):

This proposal would specify the instruction hours that would transfer for a student who is a cosmetologist licensee or who earned instruction hours as part of a cosmetology program of instruction as specified towards instructional hours in a new skin care program of instruction, “up to” the statutory minimums set forth in BPC sections 7364 and 7362.5 where the instruction for those courses overlap.

As explained in Table A above, skin care and cosmetology courses of study overlap in four statutorily prescribed curriculum content areas: (A) health and safety (100 instruction hours), (B) disinfection and sanitation (100 instruction hours), (C) skin care services (150 instruction hours), and (D) hair removal and lash and brow beautification (50 instruction hours). In comparing skin care and cosmetology curriculum content contained in BPC sections 7364(b) and 7362.5(c) for these four areas of instruction, the curriculum content and hourly instruction requirements are the same and therefore would not need to be repeated to ensure minimum competency. In addition, and as explained above, credit is granted only up to the statutorily prescribed minimum hours in these content areas that are needed for licensure as an esthetician as set forth in BPC section 7364(b).

However, BPC section 7367 does not specifically state that this training would be deemed identical by the Board upon enrollment in the new skin care course, and that such credit for this type of instruction shall be granted when a student changes from a cosmetology program of instruction to a skin care course of instruction. This proposal

would adopt that standard to help ensure that schools, students, and applicants understand what will be accepted transfer credit in accordance with BPC section 7367. This information may also help students avoid the time and expense of inadvertently repeating unnecessary training.

Subsection (b)(3)(A)-(C) (cosmetologist licensee or cosmetology training transferable to new nail care program):

This proposal would specify the instruction hours that would transfer for a student who is a cosmetologist licensee or who earned instruction hours as part of a cosmetology program of instruction as specified towards instructional hours in a nail care program of instruction, “up to” the statutory minimums set forth in BPC sections 7365 and 7362.5 where the instruction for those courses overlap.

As explained in Table A above, nail care and cosmetology courses of study overlap in three statutorily prescribed curriculum content areas: (A) health and safety (100 instruction hours), (B) disinfection and sanitation (100 instruction hours), and (C) manicure and pedicure (100 hours for cosmetologist but up to 150 hours for manicurist licensee). In comparing nail care and cosmetology curriculum content contained in BPC sections 7365(b) and 7362.5(c) for these three areas of instruction, the curriculum content requirements are the same and therefore would not need to be repeated to ensure minimum competency. With the exception of the manicure and pedicure course content, credit would be granted only up to the statutorily prescribed minimum hours in these content areas that are needed for licensure as a manicurist as set forth in BPC section 7365(b). For the manicure and pedicure course content, since the cosmetologist licensee or student would typically earn 100 hours through their cosmetology program, the Board proposes to accept identical credit “up to” 100 hours, with any remaining or excess hours accepted as identical under subdivision (h).

However, BPC section 7367 does not specifically state that this training would be deemed identical by the Board upon enrollment in the new nail care course, and that such credit for this type of instruction shall be granted when a student changes from a cosmetology program of instruction to a nail care course of instruction. This proposal would adopt that standard to help ensure that schools, students, and applicants understand what will be accepted transfer credit in accordance with BPC section 7367. This information may also help students avoid the time and expense of inadvertently repeating unnecessary training.

Subsection (b)(4)(A)-(C) (cosmetologist licensee or cosmetology training transferable to new hairstyling program):

This proposal would specify the instruction hours that would transfer for a student who is a cosmetologist licensee or who earned instruction hours as part of a cosmetology program of instruction as specified towards instructional hours in a new hairstyling program of instruction, “up to” the statutory minimums set forth in BPC sections 7363

where the instruction for those courses overlap.

As explained in Table A above, hairstyling and cosmetology courses of study overlap in three statutorily prescribed curriculum content areas: (A) health and safety (100 instruction hours), (B) disinfection and sanitation (100 instruction hours), and (C) hairstyling (200 instruction hours). In comparing hairstyling and cosmetology curriculum content contained in BPC sections 7363(b) and 7362.5(c) for these three areas of instruction, the curriculum content and hourly instruction requirements are the same and therefore would not need to be repeated to ensure minimum competency. In addition, and as explained above, credit is granted only up to the statutorily prescribed minimum hours in these content areas that are needed for licensure as a hairstylist as set forth in BPC section 7363.

However, BPC section 7367 does not specifically state that this training would be deemed identical by the Board upon enrollment in the new hairstyling course, and that such credit for this type of instruction shall be granted when a student changes from a cosmetology program of instruction to a hairstyling course of instruction. This proposal would adopt that standard to help ensure that schools, students, and applicants understand what will be accepted transfer credit in accordance with BPC section 7367. This information may also help students avoid the time and expense of inadvertently repeating unnecessary training.

Subsection (b)(5)(A)-(B) (cosmetologist licensee or cosmetology training transferable to new electrolysis program):

This proposal would specify the instruction hours that would transfer for a student who is a cosmetologist licensee or who earned instruction hours as part of a cosmetology program of instruction as specified towards instructional hours in a new electrolysis program of instruction, “up to” the statutory minimums set forth in BPC sections 7366 where the instruction for those courses overlap.

As explained in Table A above, electrolysis and cosmetology courses of study overlap in two statutorily prescribed curriculum content areas: (A) health and safety (100 instruction hours), and (B) disinfection and sanitation (100 instruction hours). In comparing electrolysis and cosmetology curriculum content contained in BPC sections 7366(b) and 7362.5(c) for these two areas of instruction, the curriculum content and hourly instruction requirements are the same and therefore would not need to be repeated to ensure minimum competency. In addition, and as explained above, credit is granted only up to the statutorily prescribed minimum hours in these content areas that are needed for licensure as an electrologist as set forth in BPC section 7366 (as enacted per AB 2196, effective January 1, 2023).

However, BPC section 7367 does not specifically state that this training would be deemed identical by the Board upon enrollment in the new electrolysis course, and that such credit for this type of instruction shall be granted when a student changes from a

cosmetology program of instruction to an electrolysis course of instruction. This proposal would adopt that standard to help ensure that schools, students, and applicants understand what will be accepted transfer credit in accordance with BPC section 7367. This information may also help students avoid the time and expense of inadvertently repeating unnecessary training.

Subsection (c)(1)(A)-(D) (barber licensee or barbering course training transferable to new cosmetology program):

This proposal would specify the instruction hours that would transfer for a student who is a barber licensee or who earned instruction hours as part of a barbering program of instruction as specified towards instructional hours in a new cosmetology program of instruction, “up to” the statutory minimums set forth in BPC section 7362.5(c)(1)-(4) where the instruction for those courses overlap.

As explained in Table A above, barber and cosmetology courses of study overlap in four statutorily prescribed curriculum content areas: (A) health and safety (100 instruction hours), (B) disinfection and sanitation (100 instruction hours), (C) chemical hair services (200 instruction hours), and (D) hairstyling services (200 instruction hours). In comparing barber and cosmetology curriculum content contained in BPC sections 7362.5(b) and 7362.5(c) for these four areas of instruction, the curriculum content and hourly instruction requirements are the same and therefore would not need to be repeated to ensure minimum competency. In addition, and as explained above, credit is granted only up to the statutorily prescribed minimum hours in these content areas that are needed for licensure as a cosmetologist as set forth in BPC section 7362.5(c).

However, BPC section 7367 does not specifically state that this training would be deemed identical by the Board upon enrollment in the new cosmetology course, and that such credit for this type of instruction shall be granted when a student changes from a barbering program of instruction to a cosmetology course of instruction. This proposal would adopt that standard to help ensure that schools, students, and applicants understand what will be accepted transfer credit in accordance with BPC section 7367. This information may also help students avoid the time and expense of inadvertently repeating unnecessary training.

Subsection (c)(2)(A)-(B) (barber licensee or barbering course training transferable to new skin care program):

This proposal would specify the instruction hours that would transfer for a student who is a barber licensee or who earned instruction hours as part of a barbering program of instruction as specified towards instructional hours in a new skin care program of instruction, “up to” the statutory minimums set forth in BPC sections 7364 where the instruction for those courses overlap.

As explained in Table A above, skin care and barbering courses of study overlap in two

statutorily prescribed curriculum content areas: (A) health and safety (100 instruction hours), and (B). In comparing skin care and barbering curriculum content contained in BPC sections 7364(b) and 7362.5(b) for these two areas of instruction, the curriculum content and hourly instruction requirements are the same and therefore would not need to be repeated to ensure minimum competency. In addition, and as explained above, credit is granted only up to the statutorily prescribed minimum hours in these content areas that are needed for licensure as an esthetician as set forth in BPC section 7364(b).

However, BPC section 7367 does not specifically state that this training would be deemed identical by the Board upon enrollment in the new skin care course, and that such credit for this type of instruction shall be granted when a student changes from a barbering program of instruction to a skin care course of instruction. This proposal would adopt that standard to help ensure that schools, students, and applicants understand what will be accepted transfer credit in accordance with BPC section 7367. This information may also help students avoid the time and expense of inadvertently repeating unnecessary training.

Subsection (c)(3)(A)-(B) (barber licensee or barbering course training transferable to new nail care program):

This proposal would specify the instruction hours that would transfer for a student who is a barber licensee or who earned instruction hours as part of a barbering program of instruction as specified towards instructional hours in a nail care program of instruction, “up to” the statutory minimums set forth in BPC sections 7365 where the instruction for those courses overlap.

As explained in Table A above, nail care and barbering courses of study overlap in two statutorily prescribed curriculum content areas: (A) health and safety (100 instruction hours), and (B) disinfection and sanitation (100 instruction hours). In comparing nail care and barbering curriculum content contained in BPC sections 7365(b) and 7362.5(b) for these two areas of instruction, the curriculum content requirements are the same and therefore would not need to be repeated to ensure minimum competency. In addition, and as explained above, credit is granted only up to the statutorily prescribed minimum hours in these content areas that are needed for licensure as a manicurist as set forth in BPC section 7365(b).

However, BPC section 7367 does not specifically state that this training would be deemed identical by the Board upon enrollment in the new nail care course, and that such credit for this type of instruction shall be granted when a student changes from a barbering program of instruction to a nail care course of instruction. This proposal would adopt that standard to help ensure that schools, students, and applicants understand what will be accepted transfer credit in accordance with BPC section 7367. This information may also help students avoid the time and expense of inadvertently repeating unnecessary training.

Subsection (c)(4)(A)-(C) (barber licensee or barbering course training transferable to new hairstyling program):

This proposal would specify the instruction hours that would transfer for a student who is a barber licensee or who earned instruction hours as part of a barbering program of instruction as specified towards instructional hours in a new hairstyling program of instruction, “up to” the statutory minimums set forth in BPC sections 7363 where the instruction for those courses overlap.

As explained in Table A above, hairstyling and barbering courses of study overlap in three statutorily prescribed curriculum content areas: (A) health and safety (100 instruction hours), (B) disinfection and sanitation (100 instruction hours), and (C) hairstyling (200 instruction hours). In comparing hairstyling and barbering curriculum content contained in BPC sections 7363(b) and 7362.5(b) for these three areas of instruction, the curriculum content and hourly instruction requirements are the same and therefore would not need to be repeated to ensure minimum competency. In addition, and as explained above, credit is granted only up to the statutorily prescribed minimum hours in these content areas that are needed for licensure as a hairstylist as set forth in BPC section 7363.

However, BPC section 7367 does not specifically state that this training would be deemed identical by the Board upon enrollment in the new hairstyling course, and that such credit for this type of instruction shall be granted when a student changes from a barbering program of instruction to a hairstyling course of instruction. This proposal would adopt that standard to help ensure that schools, students, and applicants understand what will be accepted transfer credit in accordance with BPC section 7367. This information may also help students avoid the time and expense of inadvertently repeating unnecessary training.

Subsection (c)(5)(A)-(B) (barber licensee or barbering course training transferable to new electrolysis program):

This proposal would specify the instruction hours that would transfer for a student who is a barber licensee or who earned instruction hours as part of a barbering program of instruction as specified towards instructional hours in a new electrolysis program of instruction, “up to” the statutory minimums set forth in BPC sections 7366 where the instruction for those courses overlap.

As explained in Table A above, electrolysis and barbering courses of study overlap in two statutorily prescribed curriculum content areas: (A) health and safety (100 instruction hours), and (B) disinfection and sanitation (100 instruction hours). In comparing electrolysis and barbering curriculum content contained in BPC sections 7366(b) and 7362.5(b) for these two areas of instruction, the curriculum content and hourly instruction requirements are the same and therefore would not need to be

repeated to ensure minimum competency. In addition, and as explained above, credit is granted only up to the statutorily prescribed minimum hours in these content areas that are needed for licensure as an electrologist as set forth in BPC section 7366 (as enacted per AB 2196, effective January 1, 2023).

However, BPC section 7367 does not specifically state that this training would be deemed identical by the Board upon enrollment in the new electrolysis course, and that such credit for this type of instruction shall be granted when a student changes from a barbering program of instruction to an electrolysis course of instruction. This proposal would adopt that standard to help ensure that schools, students, and applicants understand what will be accepted transfer credit in accordance with BPC section 7367. This information may also help students avoid the time and expense of inadvertently repeating unnecessary training.

Subsection (d)(1)(A)-(D) (esthetician licensee or skin care course training transferable to new cosmetology program):

This proposal would specify the instruction hours that would transfer for a student who is an esthetician licensee or who earned instruction hours as part of a skin care program of instruction as specified towards instructional hours in a new cosmetology program of instruction, “up to” the statutory minimums set forth in BPC section 7362.5(c)(1),(2), (5) and (6) where the instruction for those courses overlap.

As explained in Table A above, skin care and cosmetology courses of study overlap in four statutorily prescribed curriculum content areas: (A) health and safety (100 instruction hours), (B) disinfection and sanitation (100 instruction hours), (C) skin care (150 instruction hours maximum needed for cosmetologist; skin care course of study requires 300 instruction hours), and (D) hair removal and lash and brow beautification (50 instruction hours). In comparing skin care and cosmetology curriculum content contained in BPC sections 7364(b) and 7362.5(c) for these four areas of instruction, the curriculum content is the same and therefore any coursework that is of the same content or duration would be considered identical and a student would not need to repeat such coursework to ensure minimum competency. In addition, and as explained above, credit is granted only up to the statutorily prescribed minimum hours in these content areas that are needed for licensure as a cosmetologist as set forth in BPC section 7362.5(c).

However, BPC section 7367 does not specifically state that this training would be deemed identical by the Board upon enrollment in the new cosmetology course, and that such credit for this type of instruction shall be granted when a student changes from a skin care program of instruction to a cosmetology course of instruction. This proposal would adopt that standard to help ensure that schools, students, and applicants understand what will be accepted transfer credit in accordance with BPC section 7367. This information may also help students avoid the time and expense of inadvertently repeating unnecessary training.

Subsection (d)(2)(A)-(B) (esthetician licensee or skin care training transferable to new barbering program):

This proposal would specify the instruction hours that would transfer for a student who is an esthetician licensee or who earned instruction hours as part of a skin care program of instruction as specified towards instructional hours in a barbering program of instruction, “up to” the statutory minimums set forth in BPC sections 7362.5(b) where the instruction for those courses overlap.

As explained in Table A above, skin care and barbering courses of study overlap in two statutorily prescribed curriculum content areas: (A) health and safety (100 instruction hours), and (B) disinfection and sanitation (100 instruction hours). In comparing skin care and barbering curriculum content contained in BPC sections 7364(b) and 7362.5(b) for these two areas of instruction, the curriculum content and hourly instruction requirements are the same and therefore would not need to be repeated to ensure minimum competency. In addition, and as explained above, credit is granted only up to the statutorily prescribed minimum hours in these content areas that are needed for licensure as a barber as set forth in BPC section 7362.5(b).

However, BPC section 7367 does not specifically state that this training would be deemed identical by the Board upon enrollment in the barbering course, and that such credit for this type of instruction shall be granted when a student changes from a skin care program of instruction to a barbering course of instruction. This proposal would adopt that standard to help ensure that schools, students, and applicants understand what will be accepted transfer credit in accordance with BPC section 7367. This information may also help students avoid the time and expense of inadvertently repeating unnecessary training.

Subsection (d)(3)(A)-(B) (esthetician licensee or skin care course training transferable to new nail care program):

This proposal would specify the instruction hours that would transfer for a student who is an esthetician licensee or who earned instruction hours as part of a skin care program of instruction as specified towards instructional hours in a nail care program of instruction, “up to” the statutory minimums set forth in BPC sections 7365 where the instruction for those courses overlap.

As explained in Table A above, nail care and skin care courses of study overlap in two statutorily prescribed curriculum content areas: (A) health and safety (100 instruction hours), and (B) disinfection and sanitation (100 instruction hours). In comparing nail care and skin care curriculum content contained in BPC sections 7365(b) and 7364(b) for these two areas of instruction, the curriculum content requirements are the same and therefore would not need to be repeated to ensure minimum competency. Credit would be granted only up to the statutorily prescribed minimum hours in these content

areas that are needed for licensure as a manicurist as set forth in BPC section 7365(b).

However, BPC section 7367 does not specifically state that this training would be deemed identical by the Board upon enrollment in the new nail care course, and that such credit for this type of instruction shall be granted when a student changes from a skin care program of instruction to a nail care course of instruction. This proposal would adopt that standard to help ensure that schools, students, and applicants understand what will be accepted transfer credit in accordance with BPC section 7367. This information may also help students avoid the time and expense of inadvertently repeating unnecessary training.

Subsection (d)(4)(A)-(B) (esthetician licensee or skin care course training transferable to new hairstyling program):

This proposal would specify the instruction hours that would transfer for a student who is an esthetician licensee or who earned instruction hours as part of a skin care program of instruction as specified towards instructional hours in a hairstyling program of instruction, “up to” the statutory minimums set forth in BPC sections 7363 where the instruction for those courses overlap.

As explained in Table A above, skin care and hairstyling courses of study overlap in two statutorily prescribed curriculum content areas: (A) health and safety (100 instruction hours), and (B) disinfection and sanitation (100 instruction hours). In comparing skin care and hairstyling curriculum content contained in BPC sections 7364(b) and 7363(b) for these two areas of instruction, the curriculum content requirements are the same and therefore would not need to be repeated to ensure minimum competency. Credit would be granted only up to the statutorily prescribed minimum hours in these content areas that are needed for licensure as a hairstylist as set forth in BPC section 7363.

However, BPC section 7367 does not specifically state that this training would be deemed identical by the Board upon enrollment in the new hairstyling course, and that such credit for this type of instruction shall be granted when a student changes from a skin care program of instruction to a hairstyling course of instruction. This proposal would adopt that standard to help ensure that schools, students, and applicants understand what will be accepted transfer credit in accordance with BPC section 7367. This information may also help students avoid the time and expense of inadvertently repeating unnecessary training.

Subsection (d)(5)(A)-(B) (esthetician licensee or skin care training transferable to new electrolysis program):

This proposal would specify the instruction hours that would transfer for a student who is an esthetician licensee or who earned instruction hours as part of a skin care program of instruction as specified towards instructional hours in a new electrolysis program of instruction, “up to” the statutory minimums set forth in BPC sections 7366 where the

instruction for those courses overlap.

As explained in Table A above, electrolysis and skin care courses of study overlap in two statutorily prescribed curriculum content areas: (A) health and safety (100 instruction hours), and (B) disinfection and sanitation (100 instruction hours). In comparing electrolysis and skin care curriculum content contained in BPC sections 7366(b) and 7364(b) for these two areas of instruction, the curriculum content and hourly instruction requirements are the same and therefore would not need to be repeated to ensure minimum competency. In addition, and as explained above, credit is granted only up to the statutorily prescribed minimum hours in these content areas that are needed for licensure as an electrologist as set forth in BPC section 7366 (as enacted per AB 2196, effective January 1, 2023).

However, BPC section 7367 does not specifically state that this training would be deemed identical by the Board upon enrollment in the new electrolysis course, and that such credit for this type of instruction shall be granted when a student changes from a skin care program of instruction to an electrolysis course of instruction. This proposal would adopt that standard to help ensure that schools, students, and applicants understand what will be accepted transfer credit in accordance with BPC section 7367. This information may also help students avoid the time and expense of inadvertently repeating unnecessary training.

Subsection (e)(1)(A)-(C) (manicurist licensee or nail care course training transferable to new cosmetology program):

This proposal would specify the instruction hours that would transfer for a student who is a manicurist licensee or who earned instruction hours as part of a nail care program of instruction as specified towards instructional hours in a new cosmetology program of instruction, “up to” the statutory minimums set forth in BPC section 7362.5(c)(1)-(2), and (7) where the instruction for those courses overlap.

As explained in Table A above, nail care and cosmetology courses of study overlap in three statutorily prescribed curriculum content areas: (A) health and safety (100 instruction hours), (B) disinfection and sanitation (100 instruction hours), and (C) manicure and pedicure (100 instruction hours for cosmetology course and 150 instruction hours for nail care course). In comparing nail care and cosmetology curriculum content contained in BPC sections 7365(b) and 7362.5(c) for these three areas of instruction, the curriculum content is the same and therefore any coursework that is of the same content or duration would be considered identical and a student would not need to repeat such coursework to ensure minimum competency. In addition, and as explained above, credit is granted only up to the statutorily prescribed minimum hours in these content areas that are needed for licensure as a cosmetologist as set forth in BPC section 7362.5(c).

However, BPC section 7367 does not specifically state that this training would be

deemed identical by the Board upon enrollment in the new cosmetology course, and that such credit for this type of instruction shall be granted when a student changes from a nail care program of instruction to a cosmetology course of instruction. This proposal would adopt that standard to help ensure that schools, students, and applicants understand what will be accepted transfer credit in accordance with BPC section 7367. This information may also help students avoid the time and expense of inadvertently repeating unnecessary training.

Subsection (e)(2)(A)-(B) (manicurist licensee or nail care training transferable to new barbering program):

This proposal would specify the instruction hours that would transfer for a student who is a manicurist licensee or who earned instruction hours as part of a nail care program of instruction as specified towards instructional hours in a barbering program of instruction, “up to” the statutory minimums set forth in BPC sections 7362.5(b) where the instruction for those courses overlap.

As explained in Table A above, nail care and barbering courses of study overlap in two statutorily prescribed curriculum content areas: (A) health and safety (100 instruction hours), and (B) disinfection and sanitation (100 instruction hours). In comparing nail care and barbering curriculum content contained in BPC sections 7365(b) and 7362.5(b) for these two areas of instruction, the curriculum content and hourly instruction requirements are the same and therefore would not need to be repeated to ensure minimum competency. In addition, and as explained above, credit is granted only up to the statutorily prescribed minimum hours in these content areas that are needed for licensure as a barber as set forth in BPC section 7362.5(b).

However, BPC section 7367 does not specifically state that this training would be deemed identical by the Board upon enrollment in the barbering course, and that such credit for this type of instruction shall be granted when a student changes from a nail care program of instruction to a barbering course of instruction. This proposal would adopt that standard to help ensure that schools, students, and applicants understand what will be accepted transfer credit in accordance with BPC section 7367. This information may also help students avoid the time and expense of inadvertently repeating unnecessary training.

Subsection (e)(3)(A)-(B) (manicurist licensee or nail care course training transferable to new skin care program):

This proposal would specify the instruction hours that would transfer for a student who is a manicurist licensee or who earned instruction hours as part of a nail care program of instruction as specified towards instructional hours in a skin care program of instruction, “up to” the statutory minimums set forth in BPC sections 7364 where the instruction for those courses overlap.

As explained in Table A above, nail care and skin care courses of study overlap in two statutorily prescribed curriculum content areas: (A) health and safety (100 instruction hours), and (B) disinfection and sanitation (100 instruction hours). In comparing nail care and skin care curriculum content contained in BPC sections 7365(b) and 7364(b) for these two areas of instruction, the curriculum content requirements are the same and therefore would not need to be repeated to ensure minimum competency. Credit would be granted only up to the statutorily prescribed minimum hours in these content areas that are needed for licensure as an esthetician as set forth in BPC section 7364(b).

However, BPC section 7367 does not specifically state that this training would be deemed identical by the Board upon enrollment in the new skin care course, and that such credit for this type of instruction shall be granted when a student changes from a nail care program of instruction to a skin care course of instruction. This proposal would adopt that standard to help ensure that schools, students, and applicants understand what will be accepted transfer credit in accordance with BPC section 7367. This information may also help students avoid the time and expense of inadvertently repeating unnecessary training.

Subsection (e)(4)(A)-(B) (manicurist licensee or nail care course training transferable to new hairstyling program):

This proposal would specify the instruction hours that would transfer for a student who is a manicurist licensee or who earned instruction hours as part of a nail care program of instruction as specified towards instructional hours in a hairstyling program of instruction, “up to” the statutory minimums set forth in BPC sections 7363 where the instruction for those courses overlap.

As explained in Table A above, nail care and hairstyling courses of study overlap in two statutorily prescribed curriculum content areas: (A) health and safety (100 instruction hours), and (B) disinfection and sanitation (100 instruction hours). In comparing nail care and hairstyling curriculum content contained in BPC sections 7365(b) and 7363(b) for these two areas of instruction, the curriculum content requirements are the same and therefore would not need to be repeated to ensure minimum competency. Credit would be granted only up to the statutorily prescribed minimum hours in these content areas that are needed for licensure as a hairstylist as set forth in BPC section 7363.

However, BPC section 7367 does not specifically state that this training would be deemed identical by the Board upon enrollment in the new hairstyling course, and that such credit for this type of instruction shall be granted when a student changes from a nail care program of instruction to a hairstyling course of instruction. This proposal would adopt that standard to help ensure that schools, students, and applicants understand what will be accepted transfer credit in accordance with BPC section 7367. This information may also help students avoid the time and expense of inadvertently repeating unnecessary training.

Subsection (e)(5)(A)-(B) (manicurist licensee or nail care training transferable to new electrolysis program):

This proposal would specify the instruction hours that would transfer for a student who is a manicurist licensee or who earned instruction hours as part of a nail care program of instruction as specified towards instructional hours in a new electrolysis program of instruction, “up to” the statutory minimums set forth in BPC sections 7366 where the instruction for those courses overlap.

As explained in Table A above, electrolysis and nail care courses of study overlap in two statutorily prescribed curriculum content areas: (A) health and safety (100 instruction hours), and (B) disinfection and sanitation (100 instruction hours). In comparing electrolysis and nail care curriculum content contained in BPC sections 7366(b) and 7365(b) for these two areas of instruction, the curriculum content and hourly instruction requirements are the same and therefore would not need to be repeated to ensure minimum competency. In addition, and as explained above, credit is granted only up to the statutorily prescribed minimum hours in these content areas that are needed for licensure as an electrologist as set forth in BPC section 7366 (as enacted per AB 2196, effective January 1, 2023).

However, BPC section 7367 does not specifically state that this training would be deemed identical by the Board upon enrollment in the new electrolysis course, and that such credit for this type of instruction shall be granted when a student changes from a nail care program of instruction to an electrolysis course of instruction. This proposal would adopt that standard to help ensure that schools, students, and applicants understand what will be accepted transfer credit in accordance with BPC section 7367. This information may also help students avoid the time and expense of inadvertently repeating unnecessary training.

Subsection (f)(1)(A)-(C) (hairstyling licensee or hairstyling training transferable to new cosmetology program):

This proposal would specify the instruction hours that would transfer for a student who is a hairstyling licensee or who earned instruction hours as part of a hairstyling program of instruction as specified towards instructional hours in a new cosmetology program of instruction, “up to” the statutory minimums set forth in BPC sections 7362.5(c) where the instruction for those courses overlap.

As explained in Table A above, hairstyling and cosmetology courses of study overlap in three statutorily prescribed curriculum content areas: (A) health and safety (100 instruction hours), (B) disinfection and sanitation (100 instruction hours), and (C) hairstyling (200 instruction hours). In comparing hairstyling and cosmetology curriculum content contained in BPC sections 7363(b) and 7362.5(c) for these three areas of instruction, the curriculum content and hourly instruction requirements are the same and

therefore would not need to be repeated to ensure minimum competency. In addition, and as explained above, credit is granted only up to the statutorily prescribed minimum hours in these content areas that are needed for licensure as a cosmetologist as set forth in BPC section 7362.5.

However, BPC section 7367 does not specifically state that this training would be deemed identical by the Board upon enrollment in the new cosmetology course, and that such credit for this type of instruction shall be granted when a student changes from a hairstyling program of instruction to a cosmetology course of instruction. This proposal would adopt that standard to help ensure that schools, students, and applicants understand what will be accepted transfer credit in accordance with BPC section 7367. This information may also help students avoid the time and expense of inadvertently repeating unnecessary training.

Subsection (f)(2)(A)-(C) (hairstyling licensee or hairstyling training transferable to new barbering program):

This proposal would specify the instruction hours that would transfer for a student who is a hairstyling licensee or who earned instruction hours as part of a hairstyling program of instruction as specified towards instructional hours in a new barbering program of instruction, “up to” the statutory minimums set forth in BPC sections 7362.5(b) where the instruction for those courses overlap.

As explained in Table A above, hairstyling and barbering courses of study overlap in three statutorily prescribed curriculum content areas: (A) health and safety (100 instruction hours), (B) disinfection and sanitation (100 instruction hours), and (C) hairstyling (200 instruction hours). In comparing hairstyling and barbering curriculum content contained in BPC sections 7363(b) and 7362.5(b) for these three areas of instruction, the curriculum content and hourly instruction requirements are the same and therefore would not need to be repeated to ensure minimum competency. In addition, and as explained above, credit is granted only up to the statutorily prescribed minimum hours in these content areas that are needed for licensure as a barber as set forth in BPC section 7362.5.

However, BPC section 7367 does not specifically state that this training would be deemed identical by the Board upon enrollment in the new barbering course, and that such credit for this type of instruction shall be granted when a student changes from a hairstyling program of instruction to a barbering course of instruction. This proposal would adopt that standard to help ensure that schools, students, and applicants understand what will be accepted transfer credit in accordance with BPC section 7367. This information may also help students avoid the time and expense of inadvertently repeating unnecessary training.

Subsection (f)(3)(A)-(B) (hairstyling licensee or hairstyling course training transferable to new nail care program):

This proposal would specify the instruction hours that would transfer for a student who is a hairstyling licensee or who earned instruction hours as part of a hairstyling program of instruction as specified towards instructional hours in a nail care program of instruction, “up to” the statutory minimums set forth in BPC sections 7365 where the instruction for those courses overlap.

As explained in Table A above, nail care and hairstyling courses of study overlap in two statutorily prescribed curriculum content areas: (A) health and safety (100 instruction hours), and (B) disinfection and sanitation (100 instruction hours). In comparing nail care and hairstyling curriculum content contained in BPC sections 7365(b) and 7363(b) for these two areas of instruction, the curriculum content requirements are the same and therefore would not need to be repeated to ensure minimum competency. In addition, and as explained above, credit is granted only up to the statutorily prescribed minimum hours in these content areas that are needed for licensure as a manicurist as set forth in BPC section 7365(b).

However, BPC section 7367 does not specifically state that this training would be deemed identical by the Board upon enrollment in the new nail care course, and that such credit for this type of instruction shall be granted when a student changes from a hairstyling program of instruction to a nail care course of instruction. This proposal would adopt that standard to help ensure that schools, students, and applicants understand what will be accepted transfer credit in accordance with BPC section 7367. This information may also help students avoid the time and expense of inadvertently repeating unnecessary training.

Subsection (f)(4)(A)-(B) (hairstyling licensee or hairstyling course training transferable to new skin care program):

This proposal would specify the instruction hours that would transfer for a student who is a hairstyling licensee or who earned instruction hours as part of a hairstyling program of instruction as specified towards instructional hours in a skin care program of instruction, “up to” the statutory minimums set forth in BPC sections 7364 where the instruction for those courses overlap.

As explained in Table A above, skin care and hairstyling courses of study overlap in two statutorily prescribed curriculum content areas: (A) health and safety (100 instruction hours), and (B) disinfection and sanitation (100 instruction hours). In comparing skin care and hairstyling curriculum content contained in BPC sections 7364(b) and 7363(b) for these two areas of instruction, the curriculum content requirements are the same and therefore would not need to be repeated to ensure minimum competency. In addition, and as explained above, credit is granted only up to the statutorily prescribed minimum hours in these content areas that are needed for licensure as an esthetician as set forth in BPC section 7364(b).

However, BPC section 7367 does not specifically state that this training would be

deemed identical by the Board upon enrollment in the new skin care course, and that such credit for this type of instruction shall be granted when a student changes from a hairstyling program of instruction to a skin care course of instruction. This proposal would adopt that standard to help ensure that schools, students, and applicants understand what will be accepted transfer credit in accordance with BPC section 7367. This information may also help students avoid the time and expense of inadvertently repeating unnecessary training.

Subsection (f)(5)(A)-(B) (hairstyling licensee or hairstyling course training transferable to electrolysis program):

This proposal would specify the instruction hours that would transfer for a student who is a hairstyling licensee or who earned instruction hours as part of a hairstyling program of instruction as specified towards instructional hours in an electrolysis program of instruction, “up to” the statutory minimums set forth in BPC sections 7366 (per amendments effective January 1, 2023, under AB 2196) where the instruction for those courses overlap.

As explained in Table A above, electrolysis and hairstyling courses of study overlap in two statutorily prescribed curriculum content areas: (A) health and safety (100 instruction hours), and (B) disinfection and sanitation (100 instruction hours). In comparing electrolysis and hairstyling curriculum content contained in BPC sections 7366(b) and 7363(b) for these two areas of instruction, the curriculum content requirements are the same and therefore would not need to be repeated to ensure minimum competency. In addition, and as explained above, credit is granted only up to the statutorily prescribed minimum hours in these content areas that are needed for licensure as an electrologist as set forth in BPC section 7366(b).

However, BPC section 7367 does not specifically state that this training would be deemed identical by the Board upon enrollment in the new skin care course, and that such credit for this type of instruction shall be granted when a student changes from a hairstyling program of instruction to an electrolysis course of instruction. This proposal would adopt that standard to help ensure that schools, students, and applicants understand what will be accepted transfer credit in accordance with BPC section 7367. This information may also help students avoid the time and expense of inadvertently repeating unnecessary training.

Subsection (g)(1)(A)-(B) (electrologist licensee or electrolysis training transferable to new cosmetology program):

This proposal would specify the instruction hours that would transfer for a student who is an electrologist licensee or who earned instruction hours as part of an electrolysis program of instruction as specified towards instructional hours in a new cosmetology program of instruction, “up to” the statutory minimums set forth in BPC sections 7362.5(c)(1)-(2) where the instruction for those courses overlap.

As explained in Table A above, electrolysis and cosmetology courses of study overlap in two statutorily prescribed curriculum content areas: (A) health and safety (100 instruction hours), and (B) disinfection and sanitation (100 instruction hours). In comparing electrolysis and cosmetology curriculum content contained in BPC sections 7366(b) and 7362.5(c) for these two areas of instruction, the curriculum content and hourly instruction requirements are the same and therefore would not need to be repeated to ensure minimum competency. In addition, and as explained above, credit is granted only up to the statutorily prescribed minimum hours in these content areas that are needed for licensure as an electrologist as set forth in BPC section 7366 (as enacted per AB 2196, effective January 1, 2023).

However, BPC section 7367 does not specifically state that this training would be deemed identical by the Board upon enrollment in the new cosmetology course, and that such credit for this type of instruction shall be granted when a student changes from an electrolysis program of instruction to a cosmetology course of instruction. This proposal would adopt that standard to help ensure that schools, students, and applicants understand what will be accepted transfer credit in accordance with BPC section 7367. This information may also help students avoid the time and expense of inadvertently repeating unnecessary training.

Subsection (g)(2)(A)-(B) (electrologist licensee or electrolysis course training transferable to new barbering program):

This proposal would specify the instruction hours that would transfer for a student who is an electrologist licensee or who earned instruction hours as part of an electrolysis program of instruction as specified towards instructional hours in a new barbering program of instruction, “up to” the statutory minimums set forth in BPC sections 7362.5(b)(1)-(2) where the instruction for those courses overlap.

As explained in Table A above, electrolysis and barbering courses of study overlap in two statutorily prescribed curriculum content areas: (A) health and safety (100 instruction hours), and (B) disinfection and sanitation (100 instruction hours). In comparing electrolysis and barbering curriculum content contained in BPC sections 7366(b) and 7362.5(b) for these two areas of instruction, the curriculum content and hourly instruction requirements are the same and therefore would not need to be repeated to ensure minimum competency. In addition, and as explained above, credit is granted only up to the statutorily prescribed minimum hours in these content areas that are needed for licensure as a barber as set forth in BPC section 7362.5(b).

However, BPC section 7367 does not specifically state that this training would be deemed identical by the Board upon enrollment in the new barbering course, and that such credit for this type of instruction shall be granted when a student changes from an electrolysis program of instruction to a barbering course of instruction. This proposal would adopt that standard to help ensure that schools, students, and applicants

understand what will be accepted transfer credit in accordance with BPC section 7367. This information may also help students avoid the time and expense of inadvertently repeating unnecessary training.

Subsection (g)(3)(A)-(B) (electrologist licensee or electrolysis training transferable to new skin care program):

This proposal would specify the instruction hours that would transfer for a student who is an electrologist licensee or who earned instruction hours as part of an electrolysis program of instruction as specified towards instructional hours in a new skin care program of instruction, “up to” the statutory minimums set forth in BPC sections 7364(b)(1)-(2) where the instruction for those courses overlap.

As explained in Table A above, electrolysis and skin care courses of study overlap in two statutorily prescribed curriculum content areas: (A) health and safety (100 instruction hours), and (B) disinfection and sanitation (100 instruction hours). In comparing electrolysis and skin care curriculum content contained in BPC sections 7366(b) and 7364(b) for these two areas of instruction, the curriculum content and hourly instruction requirements are the same and therefore would not need to be repeated to ensure minimum competency. In addition, and as explained above, credit is granted only up to the statutorily prescribed minimum hours in these content areas that are needed for licensure as an esthetician as set forth in BPC section 7364.

However, BPC section 7367 does not specifically state that this training would be deemed identical by the Board upon enrollment in the new skin care course, and that such credit for this type of instruction shall be granted when a student changes from an electrolysis program of instruction to a skin care course of instruction. This proposal would adopt that standard to help ensure that schools, students, and applicants understand what will be accepted transfer credit in accordance with BPC section 7367. This information may also help students avoid the time and expense of inadvertently repeating unnecessary training.

Subsection (g)(4)(A)-(B) (electrologist licensee or electrolysis training transferable to hairstyling program):

This proposal would specify the instruction hours that would transfer for a student who is an electrologist licensee or who earned instruction hours as part of an electrolysis program of instruction as specified towards instructional hours in a hairstyling program of instruction, “up to” the statutory minimums set forth in BPC sections 7363(b)(1)-(2).

As explained in Table A above, electrolysis and hairstyling courses of study overlap in two statutorily prescribed curriculum content areas: (A) health and safety (100 instruction hours), and (B) disinfection and sanitation (100 instruction hours). In comparing electrolysis and hairstyling curriculum content contained in BPC sections 7366(b) and 7363(b) for these two areas of instruction, the curriculum content

requirements are the same and therefore would not need to be repeated to ensure minimum competency. In addition, and as explained above, credit is granted only up to the statutorily prescribed minimum hours in these content areas that are needed for licensure as a hairstylist as set forth in BPC section 7363(b).

However, BPC section 7367 does not specifically state that this training would be deemed identical by the Board upon enrollment in the new hairstyling course, and that such credit for this type of instruction shall be granted when a student changes from an electrolysis program of instruction to a hairstyling course of instruction. This proposal would adopt that standard to help ensure that schools, students, and applicants understand what will be accepted transfer credit in accordance with BPC section 7367. This information may also help students avoid the time and expense of inadvertently repeating unnecessary training.

Subsection (g)(5)(A)-(B) (electrologist licensee or electrolysis training transferable to new nail care program):

This proposal would specify the instruction hours that would transfer for a student who is an electrologist licensee or who earned instruction hours as part of an electrolysis program of instruction as specified towards instructional hours in a new nail care program of instruction, “up to” the statutory minimums set forth in BPC sections 7365(b)(1)-(2) where the instruction for those courses overlap.

As explained in Table A above, electrolysis and nail care courses of study overlap in two statutorily prescribed curriculum content areas: (A) health and safety (100 instruction hours), and (B) disinfection and sanitation (100 instruction hours). In comparing electrolysis and nail care curriculum content contained in BPC sections 7366(b) and 7365(b) for these two areas of instruction, the curriculum content and hourly instruction requirements are the same and therefore would not need to be repeated to ensure minimum competency. In addition, and as explained above, credit is granted only up to the statutorily prescribed minimum hours in these content areas that are needed for licensure as a manicurist as set forth in BPC section 7365(b).

However, BPC section 7367 does not specifically state that this training would be deemed identical by the Board upon enrollment in the new nail care course, and that such credit for this type of instruction shall be granted when a student changes from an electrolysis program of instruction to a nail care course of instruction. This proposal would adopt that standard to help ensure that schools, students, and applicants understand what will be accepted transfer credit in accordance with BPC section 7367. This information may also help students avoid the time and expense of inadvertently repeating unnecessary training.

Subsection (h) transfer of credit for other hours of instruction: This proposal would establish a requirement that a student shall receive credit for any identical hours (as defined in subsection (a)) of practical and technical instruction in courses earned by a

student in excess of the minimum technical curriculum and content hours prescribed by BPC sections 7362.5, 7363, 7364, 7365 and 7366 that are required for licensure as a barber, cosmetologist, hairstylist, esthetician, manicurist or electrologist.

BPC 7367 does not limit transferable credits only to those credits identified in the mandated core curriculum set forth in BPC sections 7362.5, 7363, 7364, 7365 and 7366, but rather “credit for training obtained in one course that is identical to training required in another course,” without limitation. This proposal is therefore necessary to ensure that students receive credit for all identical training earned (defined in subsection (a) as instruction that is of the same duration and covers the same content as that being offered by the new program) at any Board-approved school.

While subsections (b)-(g) of this section cover those transfer credit opportunities where curriculum may overlap in the legislatively mandated curriculum content areas, this proposal would cover those transfer credits that may have been earned in other subject matter areas needed to qualify for licensure. This would include, for example, a student who earned hours at one barbering program that transfers (due to closure or other contractual issue) to another barbering school with the same types of instructional content in shaving and trimming of the beard (see BPC section 7362.5(b)(5)), or where the student is transferring from a barbering program to a cosmetology program that offers the same types of other instructional content.

Minimum hours required for licensure as a barber (only 800 of the 1,000 hours is prescribed by BPC 7362.5(b)), cosmetologist (only 900 of the 1,000 hours is prescribed by BPC 7362.5(c)), hairstylist (only 400 of the 600 hours is prescribed by BPC 7363), and manicurist (only 350 of the 400 hours is prescribed by BPC 7365(b)), include instructional hours that have no statutorily prescribed content, but are nevertheless, required for licensure. The Board envisions that there could be instances where the same type of course could have been taken at a previous school and for which the student should be eligible to claim credit for licensure in transfer for such training. As a result, this subsection would function as a “catch-all” to cover these possible instances and would be granted if it met the criteria for the course being “identical” as specified in subsection (a).

Subsection (i) “Definitions”: To address possible confusion regarding what types of student “changes” qualify for transfer of instruction hours and what types of hours are considered “earned” as set forth in proposed subsection (a), the Board proposes to define “Changing form one program of instruction to another” and “earned” in this subsection. Proposed subsection (a) of this subsection uses the phrase “change from one program of instruction to another” when referring to a student’s action in attending multiple, consecutive training programs. However, this phrase is susceptible to multiple interpretations regarding what “change” might mean, resulting in confusion regarding what would ultimately trigger consideration of transfer of credits. To resolve this ambiguity, the Board proposes to define this phrase to include transferring from one program of instruction to another, or a licensee enrolling in a new program of instruction

for a different license type issued by the board. These are the instances that the Board understands that a student might need to transfer credits to a new program of instruction.

By defining these terms in this manner, this proposal would cover all types of students including those that change schools or change educational program types and who obtained training in any course that is “identical” to that required in any other course for which they enroll. This would include students not previously licensed by the Board, and licensees who have obtained training in the various subjects that lead to licensure in other professions. Since licensees are issued licenses only upon meeting the educational requirements of the Act and accompanying regulations, those who are licensed will have already had instruction hours and experience and passed a licensing examination in the prescribed subject matter areas covered by this proposal (see e.g., 16 CCR sections 950.1 and 950.2 for licensees licensed prior to January 1, 2022, the effective date of the change in curriculum standards by statute under SB 803). As a result, the Board would grant credit to a licensee consistent with the core curriculum requirements attributable to each license type. In addition, students who earned instructional hours in the applicable subject matter areas consistent with BPC sections 7362.5, 7363, 7364, 7365 and 7366 (per AB 2196 effective January 1, 2023) would be granted credit in accordance with this section since the training would overlap and be considered identical as discussed in the above explanation for the adoption of subsections (b)-(h).

Further, to avoid confusion regarding what hours of practical or technical instruction may be earned, the Board proposes to define the term “earned” in subsection as successfully completed the hours or program with a passing grade. In the Board’s experience, this definition is consistent with how an approved school would recognize successful completion of coursework and for which the coursework would be counted for transfer purposes.

Underlying Data

- January 24, 2022, Board Meeting Minutes Item #10
- Committee Analysis for SB 803, Committee on Business and Professions, dated July 14, 2021
- Minutes of the July 25, 2022, Board Meeting
- Draft excerpt minutes of the October 24, 2022, Board meeting
- October 24, 2022, agenda, and relevant meeting materials
- Initial Statement of Reasons for prior amendments to 16 CCR section 950.10, January 4, 2007, Hearing Date
- AB 2196 (Chapter 527, Statutes of 2022)

Business Impact

The Board has made the initial determination that the proposed regulations will not have a significant statewide adverse economic impact directly affecting businesses including the inability of California businesses to compete with businesses in other States.

This initial determination is based on the following facts/evidence/documents/testimony or other evidence:

This regulation will not have a significant adverse economic impact on businesses because it does not require any significant new expense or reporting, recordkeeping, or compliance measures on the part of businesses.

As a result, the regulations do not result in business impacts to the state. Any economic impacts, including costs, savings, or decreased revenues are a result of current law.

Economic Impact Assessment

This Board has determined that this regulatory proposal will have the following effects:

This regulatory proposal will not create or eliminate jobs, create new businesses, eliminate existing businesses, or affect the expansion of businesses currently doing business within the State of California because this proposal merely provides a simple, straightforward method for schools, students and applicants to determine if prior education earned would be acceptable by the Board as transferrable to a new educational program in accordance with the minimum educational standards set by SB 803 and AB 2196. It does not require any significant new expense or reporting, recordkeeping, or compliance measures on the part of businesses.

This regulatory proposal will benefit the health and welfare of California residents by clarifying how training credit transfers between programs of instruction and make the transfer of credit process easier to understand for schools, students, and licensees in courses for barbering, cosmetology, skin care, nail care, hairstyling, and electrolysis. This would help ensure that students do not inadvertently incur unnecessary costs and expenses in repeating identical instruction hours that have already been earned at another Board-approved school.

This regulatory proposal does not affect worker safety because it does not involve worker safety. The regulation only concerns the transfer of credit for students and clarifying the Board's regulations that take into consideration recent changes to state statutes regarding curriculum content and the applicability of credits to those transfers.

This regulatory proposal does not affect the state's environment because it does not involve the environment. The regulation only concerns the transfer of credit for students and clarifying the Board's regulations that take into consideration recent changes to

state statutes regarding curriculum content and the applicability of credits to those transfers.

Specific Technologies or Equipment

This regulation does not mandate the use of specific technologies or equipment.

Consideration of Alternatives

The Board has made the initial determination that no reasonable alternative to the regulatory proposal would be either more effective in carrying out the purpose for which the action is proposed or would be as effective or less burdensome to affected private persons and equally effective in achieving the purposes of the regulation in a manner that ensures full compliance with the law being implemented or made specific. The public is invited to comment on this proposal.

Description of reasonable alternatives to the regulation that would lessen any adverse impact on small business:

No such alternatives have been proposed, however, the Board welcomes comments from the public.