

**State of California
Office of Administrative Law**

In re:
Board of Barbering and Cosmetology

Regulatory Action:

Title 16, California Code of Regulations

Amend section: 950.10

**NOTICE OF APPROVAL OF REGULATORY
ACTION**

Government Code Section 11349.3

OAL Matter Number: 2023-0629-01

OAL Matter Type: Regular (S)

This rulemaking action by the Board of Barbering and Cosmetology ("Board") establishes how and when technical and practical instruction hours earned by successfully completing courses of study in one Board program may be credited towards a different Board program.

OAL approves this regulatory action pursuant to section 11349.3 of the Government Code. This regulatory action becomes effective on 10/1/2023.

Date: August 10, 2023


Eric Partington
Senior Attorney

For: Kenneth J. Pogue
Director

Original: Kristy Underwood, Executive
Officer

Copy: Jennifer Huetter

REGULAR

STATE OF CALIFORNIA—OFFICE OF ADMINISTRATIVE LAW

NOTICE PUBLICATION/REGULATIONS SUBMISSION

For use by Secretary of State only

STD. 600 (REV. 10/2018)

OAL FILE NUMBERS: NOTICE FILE NUMBER: 2022-1101-07; REGULATORY ACTION NUMBER: 2022-0629-016; EMERGENCY NUMBER:

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RECEIVED DATE: NOV 01 '22; PUBLICATION DATE: NOV 11 '22; Office of Administrative Law

OFFICE OF ADMIN. LAW
2023 JUN 29 PM 2:24

ENDORSED - FILED
in the office of the Secretary of State
of the State of California

AUG 10 2023

1:52 PM

NOTICE REGULATIONS

AGENCY WITH RULEMAKING AUTHORITY: Board of Barbering and Cosmetology

AGENCY FILE NUMBER (if any)

A. PUBLICATION OF NOTICE (Complete for publication in Notice Register)

1. SUBJECT OF NOTICE Transfer of Credit	TITLE(S) 16	FIRST SECTION AFFECTED 950.10	2. REQUESTED PUBLICATION DATE November 11, 2022
3. NOTICE TYPE <input checked="" type="checkbox"/> Notice Proposed <input type="checkbox"/> Rule <input type="checkbox"/> Action <input type="checkbox"/> Other	4. AGENCY CONTACT PERSON Samuel Swafford	TELEPHONE NUMBER (279) 278-5121	FAX NUMBER (Optional) (916) 928-6810
OAL USE ONLY <input type="checkbox"/> Approved as Submitted <input type="checkbox"/> Approved as Modified <input type="checkbox"/> Disapproved/Withdrawn	ACTION ON PROPOSED NOTICE		NOTICE REGISTER NUMBER 2022, 45-Z
			PUBLICATION DATE 11/11/22

B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)

1a. SUBJECT OF REGULATION(S) Transfer of Credit	1b. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S)
2. SPECIFY CALIFORNIA CODE OF REGULATIONS TITLE(S) AND SECTION(S) (including title 26, if toxic related)	
SECTION(S) AFFECTED (List all section number(s) individually. Attach additional sheet if needed.) TITLE(S) 16	ADAPT AMEND 950.10 PER AGENCY REQUEST REPEAL EP

3. TYPE OF FILING

<input checked="" type="checkbox"/> Regular Rulemaking (Gov. Code §11346)	<input type="checkbox"/> Certificate of Compliance: The agency officer named below certifies that this agency complied with the provisions of Gov. Code §§11346.2-11347.3 either before the emergency regulation was adopted or within the time period required by statute.	<input type="checkbox"/> Emergency Readopt (Gov. Code, §11346.1(h))	<input type="checkbox"/> Changes Without Regulatory Effect (Cal. Code Regs., title 1, §100)
<input type="checkbox"/> Resubmittal of disapproved or withdrawn nonemergency filing (Gov. Code §511349.3, 11349.4)	<input type="checkbox"/> Resubmittal of disapproved or withdrawn emergency filing (Gov. Code, §11346.1)	<input type="checkbox"/> File & Print	<input type="checkbox"/> Print Only
<input type="checkbox"/> Emergency (Gov. Code, §11346.1(b))	<input type="checkbox"/> Other (Specify)		

4. ALL BEGINNING AND ENDING DATES OF AVAILABILITY OF MODIFIED REGULATIONS AND/OR MATERIAL ADDED TO THE RULEMAKING FILE (Cal. Code Regs. title 1, §44 and Gov. Code §11347.1)

5. EFFECTIVE DATE OF CHANGES (Gov. Code, §§11343.4, 11346.1(d), Cal. Code Regs., title 1, §100)

Effective January 1, April 1, July 1, or October 1 (Gov. Code §11343.4(a))

Effective on filing with Secretary of State

\$100 Changes Without Regulatory Effect

Effective other (Specify)

6. CHECK IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL OR CONCURRENCE BY, ANOTHER AGENCY OR ENTITY

Department of Finance (Form STD. 399) (SAM §6660)

Fair Political Practices Commission

State Fire Marshal

Other (Specify): Kimberly Kirchmeyer, Director, Department of Consumer Affairs

7. CONTACT PERSON: Jennifer Huetter; TELEPHONE NUMBER: 279-278-5089; FAX NUMBER (Optional): 916-575-7281; E-MAIL ADDRESS (Optional): Jennifer.Huetter@dca.ca.gov

8. I certify that the attached copy of the regulation(s) is a true and correct copy of the regulation(s) identified on this form, that the information specified on this form is true and correct, and that I am the head of the agency taking this action, or a designee of the head of the agency, and am authorized to make this certification.

SIGNATURE OF AGENCY HEAD OR DESIGNEE: Kristy Underwood

DATE: May 23, 2023

TYPED NAME AND TITLE OF SIGNATORY: Kristy Underwood, Executive Officer, Board of Barbering and Cosmetology

For use by Office of Administrative Law (OAL) only
ENDORSED APPROVED
AUG 10 2023
Office of Administrative Law

BOARD OF BARBERING AND COSMETOLOGY
Division 9, Title 16, of the California Code of Regulations

ORDER OF ADOPTION

Amend Section 950.10, Title 16, California Code of Regulations, as follows:

§ 950.10. ~~Credit for Special License and Transfer of Training~~Transfer of Credit.****

~~(a) 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), shall receive credit for total clock hours completed and credit for and a balance of the minimum hours of technical instruction and the minimum practical operations required in each applicable subject as follows:~~

~~(1) Total Clock Hours Credit.~~

~~(A) Cosmetologist course to esthetician course. A student transferring from the cosmetologist course to the esthetician course shall receive a credit of 35 percent of the total clock hours earned while enrolled in the cosmetologist course.~~

~~(B) Cosmetologist course to manicurist course. A student transferring from the cosmetologist course to the manicurist course shall receive a credit of 20 percent of the total clock hours earned while enrolled in the cosmetologist course.~~

~~(C) Esthetician course to cosmetologist course. A student transferring from the esthetician course to the cosmetologist course shall receive a credit of 65 percent of the total clock hours earned while enrolled in the esthetician course. A holder of a esthetician license enrolling in the cosmetologist course shall receive a credit of 65 percent of the total clock hours required for the esthetician course.~~

~~(D) Manicurist course to cosmetologist course. A student transferring from the manicurist course to the cosmetologist course shall receive a credit of 70 percent of the total clock hours earned while enrolled in the manicurist course. A holder of a manicurist license enrolling in the cosmetologist course shall receive a credit of 70 percent of the total clock hours required for the manicurist course.~~

~~(2) Credit and balance for the minimum hours of technical instruction and minimum practical operations required. A student transferring from one course of study to another, or a holder of a special license who enrolls in a general course of study, shall receive a credit and balance for the minimum hours of technical instruction and minimum practical operations required by subtracting the number of hours and operations earned by the student or licensee while enrolled in the prior course from the minimum hours of technical instruction and minimum practical operations required for the new course in each applicable subject. If the student has earned more hours or operations in the prior course than are required in a specific subject of the new course, then that student's balance of hours and operations required in that subject shall be zero.~~

~~(b) 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, when added to the number of hours for which the student is entitled~~

to credit for the special course, will equal the minimum number of hours required for completion of the cosmetologist course.

~~(c) Effective until January 1, 2009, training received as an apprentice may be credited toward a course of training in a school. The maximum amount of hours that can be transferred from an apprenticeship program to a course of training in school shall not exceed 800 hours as reasonably determined by the school to which the apprentice is transferring and shall not exceed 50% credit for each hour earned as an apprentice. After January 1, 2009, training received as an apprentice shall not be credited toward a course of training in a school.~~

~~(d) Training received in a school shall not be credited toward training in an apprenticeship program.~~

(a) A student changing from one program of instruction to another shall receive credit for prior hours of technical and practical instruction earned in another program ("instruction hours") on an hour-for-hour basis if the following requirements are met:

(1) The prior instruction hours earned by the student are identical, which means instruction is of the same duration and covers the same content as that being offered by the new program; and

(2) Credit for the instruction hours of the prior program is granted in accordance with the requirements of this section.

(b) Credit shall be granted to a student who is a cosmetologist licensee or who earned instruction hours as part of a cosmetology program of instruction as follows:

(1) For enrollment in a new barbering program, up to:

(A) 100 instruction hours in health and safety course content as defined in section 7362.5(b)(1) of the Business and Professions Code ("Code").

(B) 100 instruction hours in disinfection and sanitation course content as defined in section 7362.5(b)(2) of the Code.

(C) 200 instruction hours in chemical hair services course content as defined in section 7362.5(b)(3) of the Code.

(D) 200 instruction hours in hairstyling services course content as defined in section 7362.5(b)(4) of the Code.

(2) For enrollment in a new skin care program, up to:

(A) 100 instruction hours in health and safety course content as defined in section 7364(b)(1) of the Code.

(B) 100 instruction hours in disinfection and sanitation course content as defined in section 7364(b)(2) of the Code.

(C) 150 instruction hours in skin care services course content as defined in section 7364(b)(3) of the Code.

(D) 50 instruction hours in hair removal and lash and brow beautification course content as defined in section 7364(b)(4) of the Code.

(3) For enrollment in a new nail care program, up to:

(A) 100 instruction hours in health and safety course content as defined in section 7365(b)(1) of the Code.

(B) 100 instruction hours in disinfection and sanitation course content as defined in section 7365(b)(2) of the Code.

(C) 100 instruction hours in manicure and pedicure course content as defined in section 7365(b)(3) of the Code.

(4) For enrollment in a new hairstyling program, up to:

(A) 100 instruction hours in health and safety course content as defined in section 7363(b)(1) of the Code.

(B) 100 instruction hours in disinfection and sanitation course content as defined in section 7363(b)(2) of the Code.

(C) 200 instruction hours in hairstyling services course content as defined in section 7363(b)(3) of the Code.

(5) For enrollment in a new electrolysis program, up to:

(A) 100 instruction hours in health and safety course content as defined in section 7366(b)(1) of the Code.

(B) 100 instruction hours in disinfection and sanitation course content as defined in section 7366(b)(2) of the Code.

(c) Credit shall be granted to a student who is a barber licensee or who earned instruction hours as part of a barbering program of instruction as follows:

(1) For enrollment in a new cosmetology program, up to:

(A) 100 instruction hours in health and safety course content as defined in section 7362.5(c)(1) of the Code.

(B) 100 instruction hours in disinfection and sanitation course content as defined in section 7362.5(c)(2) of the Code.

(C) 200 instruction hours in chemical hair services course content as defined in section 7362.5(c)(3) of the Code.

(D) 200 instruction hours in hairstyling services course content as defined in section 7362.5(c)(4) of the Code.

(2) For enrollment in a new skin care program, up to:

(A) 100 instruction hours in health and safety course content as defined in section 7364(b)(1) of the Code.

(B) 100 instruction hours in disinfection and sanitation course content as defined in section 7364(b)(2) of the Code.

(3) For enrollment in a new nail care program, up to:

(A) 100 instruction hours in health and safety course content as defined in section 7365(b)(1) of the Code.

(B) 100 instruction hours in disinfection and sanitation course content as defined in section 7365(b)(2) of the Code.

(4) For enrollment in a new hairstyling program, up to:

(A) 100 instruction hours in health and safety course content as defined in section 7363(b)(1) of the Code.

(B) 100 instruction hours in disinfection and sanitation course content as defined in section 7363(b)(2) of the Code.

(C) 200 instruction hours in hairstyling services course content as defined in section 7363(b)(3) of the Code.

(5) For enrollment in a new electrolysis program, up to:

(A) 100 instruction hours in health and safety course content as defined in section 7366(b)(1) of the Code.

(B) 100 instruction hours in disinfection and sanitation course content as defined in section 7366(b)(2) of the Code.

(d) Credit shall be granted to a student who is an esthetician licensee or who earned instruction hours as part of a skin care program of instruction as follows:

(1) For enrollment in a new cosmetology program, up to:

(A) 100 instruction hours in health and safety course content as defined in section 7362.5(c)(1) of the Code.

(B) 100 instruction hours in disinfection and sanitation course content as defined in section 7362.5(c)(2) of the Code.

(C) 150 instruction hours in skin care services course content as defined in section 7362.5(c)(5) of the Code.

(D) 50 hours in hair removal and lash and brow beautification course content as defined in section 7362.5(c)(6) of the Code.

(2) For enrollment in a new barbering program, up to:

(A) 100 instruction hours in health and safety course content as defined in section 7362.5(b)(1) of the Code.

(B) 100 instruction hours in disinfection and sanitation course content as defined in section 7362.5(b)(2) of the Code.

(3) For enrollment in a new nail care program, up to:

(A) 100 instruction hours in health and safety course content as defined in section 7365(b)(1) of the Code.

(B) 100 instruction hours in disinfection and sanitation course content as defined in section 7365(b)(2) of the Code.

(4) For enrollment in a new hairstyling program, up to:

(A) 100 instruction hours in health and safety course content as defined in section 7363(b)(1) of the Code.

(B) 100 instruction hours in disinfection and sanitation course content as defined in section 7363(b)(2) of the Code.

(5) For enrollment in a new electrolysis program, up to:

(A) 100 instruction hours in health and safety course content as defined in section 7366(b)(1) of the Code.

(B) 100 instruction hours in disinfection and sanitation course content as defined in section 7366(b)(2) of the Code.

(e) Credit shall be granted to a student who is a manicurist licensee or who earned instruction hours as part of a nail care program of instruction as follows:

(1) For enrollment in a new cosmetology program, up to:

(A) 100 instruction hours in health and safety course content as defined in section 7362.5(c)(1) of the Code.

(B) 100 instruction hours in disinfection and sanitation course content as defined in section 7362.5(c)(2) of the Code.

(C) 100 instruction hours in manicure and pedicure course content as defined in section 7362.5(c)(7) of the Code.

(2) For enrollment in a new barbering program, up to:

(A) 100 instruction hours in health and safety course content as defined in section 7362.5(b)(1) of the Code.

(B) 100 instruction hours in disinfection and sanitation course content as defined in section 7362.5(b)(2) of the Code.

(3) For enrollment in a new skin care program, up to:

(A) 100 instruction hours in health and safety course content as defined in section 7364(b)(1) of the Code.

(B) 100 instruction hours in disinfection and sanitation course content as defined in section 7364(b)(2) of the Code.

(4) For enrollment in a new hairstyling program, up to:

(A) 100 instruction hours in health and safety course content as defined in section 7363(b)(1) of the Code.

(B) 100 instruction hours in disinfection and sanitation course content as defined in section 7363(b)(2) of the Code.

(5) For enrollment in a new electrolysis program, up to:

(A) 100 instruction hours in health and safety course content as defined in section 7366(b)(1) of the Code.

(B) 100 instruction hours in disinfection and sanitation course content as defined in section 7366(b)(2) of the Code.

(f) Credit shall be granted to a student who is a hairstylist licensee or who earned instruction hours as part of a hairstyling program of instruction as follows:

(1) For enrollment in a new cosmetology program, up to:

(A) 100 instruction hours in health and safety course content as defined in section 7362.5(c)(1) of the Code.

(B) 100 instruction hours in disinfection and sanitation course content as defined in section 7362.5(c)(2) of the Code.

(C) 200 instruction hours in hairstyling services course content as defined in section 7362.5(c)(4) of the Code.

(2) For enrollment in a new barbering program, up to:

(A) 100 instruction hours in health and safety course content as defined in section 7362.5(b)(1) of the Code.

(B) 100 instruction hours in disinfection and sanitation course content as defined in section 7362.5(b)(2) of the Code.

(C) 200 instruction hours in hairstyling services course content as defined in section 7362.5(b)(4) of the Code.

(3) For enrollment in a new nail care program, up to:

(A) 100 instruction hours in health and safety course content as defined in section 7365(b)(1).

(B) 100 instruction hours in disinfection and sanitation course content as defined in section 7365(b)(2).

(4) For enrollment in a new skin care program, up to:

(A) 100 instruction hours in health and safety course content as defined in section 7364(b)(1) of the Code.

(B) 100 instruction hours in disinfection and sanitation course content as defined in section 7364(b)(2) of the Code.

(5) For enrollment in a new electrolysis program, up to:

(A) 100 instruction hours in health and safety course content as defined in section 7366(b)(1) of the Code.

(B) 100 instruction hours in disinfection and sanitation course content as defined in section 7366(b)(2) of the Code.

(g) Credit shall be granted to a student who is an electrologist licensee or who earned instruction hours as part of an electrolysis program of instruction as follows:

(1) For enrollment in a new cosmetology program, up to:

(A) 100 instruction hours in health and safety course content as defined in section 7362.5(c)(1) of the Code.

(B) 100 instruction hours in disinfection and sanitation course content as defined in section 7362.5(c)(2) of the Code.

(2) For enrollment in a new barbering program, up to:

(A) 100 instruction hours in health and safety course content as defined in section 7362.5(b)(1) of the Code.

(B) 100 instruction hours in disinfection and sanitation course content as defined in section 7362.5(b)(2) of the Code.

(3) For enrollment in a new skin care program, up to:

(A) 100 instruction hours in health and safety course content as defined in section 7364(b)(1) of the Code.

(B) 100 instruction hours in disinfection and sanitation course content as defined in section 7364(b)(2) of the Code.

(4) For enrollment in a new hairstyling program, up to:

(A) 100 instruction hours in health and safety course content as defined in section 7363(b)(1) of the Code.

(B) 100 instruction hours in disinfection and sanitation course content as defined in section 7363(b)(2) of the Code.

(5) For enrollment in a new nail care program, up to:

(A) 100 instruction hours in health and safety course content as defined in section 7365(b)(1) of the Code.

(B) 100 instruction hours in disinfection and sanitation course content as defined in section 7365(b)(2) of the Code.

(h) In accordance with section 7367 of the Code, for any 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 sections 7362.5, 7363, 7364, 7365 and 7366 of the Code, the student shall receive credit for those prior hours earned that are required for licensure as a barber, cosmetologist, hairstylist, esthetician, manicurist, or electrologist and are identical as defined in subsection (a)(1).

(i) For purposes of this section, the following definitions apply:

(1) "Changing from one program of instruction to another" means transferring from one program of instruction to another or, as a licensee, enrolling in a new program of instruction for a different license type issued by the Board.

(2) "Earned" means successfully completed the hours or program with a passing grade.

Note: Authority cited: Section 7312, Business and Professions Code. Reference: Sections 7316, 7362.5, 7363, 7364, 7365, 7366 and 7367, Business and Professions Code.