

ACCESS TO PUBLIC RECORDS

Public Access to Information

It is the policy of the Board of Barbering and Cosmetology (Board) that information concerning the conduct of its licensees, candidates for licensure and unlicensed individuals be available to the public. Subject to reasonable notice, any person may review public records of the Board during weekdays and hours that these offices are regularly open for business. Public records will be available for inspection only at the office or location where they are regularly and routinely maintained.

Information regarding actions taken by the Board in the disposition of complaints, disciplinary actions and inspections shall be readily accessible to the public in accordance with the Public Information Act and the uniform policy of the Department of Consumer Affairs regarding complaint disclosure.

Request for Inspection of Public Records

All requests shall be made in writing and addressed to the division or unit having custody of the records in question. All requests shall sufficiently describe the desired record(s) being requested so that identification of such record(s) can be made by Board staff. Requests must be signed and dated by the requester and shall thereafter maintained as part of the file or records to which it pertains.

The Board shall have ten (10) days in which to respond. Where unusual circumstances exist as specified in Government Code section 6235, the Board may, by written notice to the requester, extend time for production of records for a period of time not to exceed fourteen (14) additional working days.

Public records requested will be produced at a charge of fifteen (15) cents per page plus the actual costs of the staff time for retrieving and duplicating the document(s).

A. Information to be provided regarding complaints:

The Board shall maintain information on complaints opened and provide to members of the public, upon written request, all of the following:

1. The number of closed complaints which, after investigation, results in evidence of a probable violation of the law and or regulations and with respect to each complaint.
 - a. The date the Board opened the complaint.
 - b. The disposition through formal disciplinary action or any other action, formal or informal, taken by the Board.

2. If a complaint contains a written request for confidentiality from the complainant, the Board shall not release any of the following information:
 - a. Home telephone number
 - b. Social Security number
 - c. Date of Birth

B. Information to be provided regarding disciplinary actions:

The Board maintains records showing the disciplinary history of all licensees and shall provide to members of the public, upon written request, the following information:

1. Whether a licensee has ever been disciplined (i.e. citation, Accusation, Statement of Issues, stipulated settlement and default decision) and, if so, when and for what offense(s).
2. Whether any licensee has been named in any pending disciplinary action. This applies to an Accusation or Statement of Issues **after** filing of the legal action is accomplished.

C. Information to be provided regarding inspection history:

The Board shall maintain information on inspections conducted and provide to members of the public, upon written request, all of the following:

1. The number of inspections conducted regarding a licensee, candidate for licensure, unlicensed establishments, schools or unlicensed individual with respect to each inspection report:
 - a. The date of the inspection
 - b. the violation(s) cited
 - c. The address of record
2. An inspection report, including photographs, that is part of a current investigation or open complaint will not be disclosed.

D. Information to be provided regarding license status:

The Board maintains records showing certain licensing information for all past and current license holders. The Board will provide to members of the public, upon written request, all of the following information regarding past and current license holders:

1. The name of the licensee, including all business or fictitious names, as it appears on any agency records;
2. The license number;
3. The address of record and telephone number of licensed establishments;
4. The address of record of an individual licensee
5. The date of original licensure;
6. The date or dates such licenses have expired, lapsed, or were terminated and if applicable the reason for the termination.

E. Disclosure of subpoenaed information:

The subpoena manual should be consulted for assistance when information has been requested pursuant to a subpoena.

A copy of these guidelines shall be made available and free of charge to any person requesting it.

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