

**WEST VIRGINIA**  
**SECRETARY OF STATE**  
KEN HECHLER  
**ADMINISTRATIVE LAW DIVISION**

Form #4

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OFFICE OF WEST VIRGINIA  
SECRETARY OF STATE

**NOTICE OF RULE MODIFICATION OF A PROPOSED RULE**

AGENCY: West Virginia Board of Barbers and Beauticians TITLE NUMBER: 3

CITE AUTHORITY W. Va. Code 30-27-1 et seq.

AMENDMENT TO AN EXISTING RULE: YES  NO

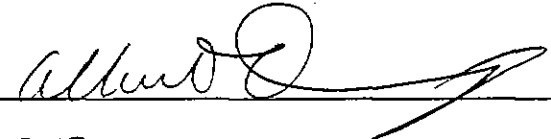
IF YES, SERIES NUMBER OF RULE BEING AMENDED: \_\_\_\_\_

TITLE OF RULE BEING AMENDED: \_\_\_\_\_  
\_\_\_\_\_

IF NO, SERIES NUMBER OF NEW RULE BEING PROPOSED: 1

TITLE OF RULE BEING PROPOSED: Procedures, Criteria and Curricula for  
Examination and Licensure of Barbers, Beauticians, Manicurists

THE ABOVE PROPOSED LEGISLATIVE RULE, FOLLOWING REVIEW BY THE LEGISLATIVE RULE MAKING REVIEW COMMITTEE IS HEREBY MODIFIED AS A RESULT OF REVIEW AND COMMENT BY THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE. THE ATTACHED MODIFICATIONS ARE FILED WITH THE SECRETARY OF STATE.

  
348-2522

TITLE 3  
LEGISLATIVE RULES  
BOARD OF BARBERS AND BEAUTICIANS

SERIES 1

PROCEDURES, CRITERIA AND CURRICULA FOR EXAMINATION AND  
LICENSURE OF BARBERS, BEAUTICIANS, MANICURISTS

§ 3-1-1.      **General**

1.1.      **Scope** - This legislative rule establishes the minimum licensing and curriculum requirements for barbers, beauticians and manicurists as promulgated by the West Virginia Board of Barbers and Beauticians (hereinafter Board).

1.2.      **Authority** - W. Va. Code § 30-27-1 et seq.,      **Related** - W. Va. Code § 30-27-1 et seq.

1.3.      **Filing Date** -

1.4.      **Effective Date** -

1.5.      **Approval Date** -

1.6.      **Repeal and Replace** - This rule repeals and replaces the former rule titled "Curriculum and Minimum Requirements, Subjects and Hour Schedule, Rules and Regulations for Schools of Beauty Culture Operating in West Virginia; Joint Barber and Beautician's License," 3 CSR 1, filed December 7, 1990, and effective July 1, 1991.

§ 3-1-2.      **License Requirement**

2.1.      It is unlawful for any person to practice or offer to practice barbering, beauty culture or manicuring in this state without first obtaining a license for such purposes from the Board.

§ 3-1-3.      **Qualification for Licensure**

3.1.      An applicant for licensure as a barber, beautician or manicurist shall present satisfactory evidence to the Board that he or she:

- (a) Is at least eighteen years of age;
- (b) Is of good moral character and temperate habits;
- (c) has completed at least the eighth grade of public school or its equivalent;
- (d) has graduated from a school of barbering or beauty culture approved by the Board, or in the case of a

manicurist, has successfully completed an approved course in manicuring in such a school;

(e) has passed the appropriate examination;

(f) has transmitted the appropriate application to the Board with the respective fee;

(g) has presented a certificate of health from a licensed physician to the Board.

**§ 3-1-4. Minimum Curriculum for Barber Permanent Wave License**

4.1. Every student wishing to receive a barber permanent wave license shall complete a course of study consisting of at least two thousand (2,000) clock hours divided as specified in Table 3-1A of this rule and subdivided at the discretion of the faculty of each school.

4.2. Every student wishing to receive a license to perform permanent waving and hair coloring services shall complete one thousand eight hundred (1,800) hours of barber training to acquire their barber permanent wave license. This course of study shall consist of a minimum of three hundred seventy five (375) clock hours divided as specified in Table 3-1B of this rule. This course is designed to enable those persons who previously graduated to obtain their permanent wave license.

**§ 3-1-5. Minimum Curriculum for Beauticians**

5.1. Every student wishing to become licensed as a beautician shall complete a course of study consisting of a minimum of two thousand (2000) clock hours divided as specified in Table 3-1C of this rule. A licensed beautician may also trim beards or mustaches.

5.2. Students wishing to become licensed beauticians shall perform practical work during the first three hundred (300) hours on manikins only.

**§ 3-1-6. Minimum Curriculum for Manicurists**

6.1. Every student wishing to become a licensed manicurist shall complete a course of study consisting of a minimum of four hundred (400) clock hours divided as specified in Table 3-1D of this rule.

**§ 3-1-7. Minimum Curriculum for Barbers to Obtain a Cross-Over Beautician's License**

7.1. The curriculum for a barber to adequately pass the Beauty Culture examination in order to obtain a cross-over

Beautician's license is specified in Table 3-1E of this rule. An individual must complete the two thousand (2,000) hours of barber's training prior to taking the three hundred (300) hours cosmetology cross-over training. An individual who has completed the barber's training may, however, take the cosmetology cross-over training prior to taking the barber examination. Upon completing both sets of training requirements, the individual must then sit for both the two thousand (2,000) hours barber examination and the three hundred (300) hours Beautician examination. The Board may consider out-of-state applicants for licensure on an individual basis if the applicant's out-of-state requirements are substantially equal to the requirements in this state. The Board may accept less than two thousand (2,000) hours barber's training if supplemented by one (1) year of practical experience for every three hundred (300) hours of schooling not to exceed one thousand (1,000) hours.

7.2. Barbers desiring a cross-over license and having graduated with the one thousand eight hundred (1,800) hours curriculum must take a cross-over curriculum of five hundred (500) hours as specified in Table 3-1F of this rule.

7.3. The cross-over curriculum from barbering to beauty culture shall be taught in all approved West Virginia schools of beauty culture.

**§ 3-1-8. Minimum Curriculum for Beautician to Obtain a Cross-Over Barber License**

8.1. Every beautician who wishes to pass the barber examination in order to obtain a cross-over barber license shall complete the courses as specified in Table 3-1G of this rule. Individuals must have completed two thousand (2,000) hours of beautician's training prior to taking the three hundred (300) hours barber cross-over license training. An individual who has completed the beautician's training may, however, take the barber cross-over training prior to taking the beautician examination. Upon completing both sets of training requirements, the individual must then sit for both the two thousand (2,000) hours beautician examination and the three hundred (300) hours barber examination. The Board may consider out-of-state applicants for licensure on an individual basis if the applicant's out-of-state requirements are substantially equal to the requirements in this state. The Board may accept less than two thousand (2,000) hours cosmetologist's training if supplemented by one (1) year of practical experience for every three hundred (300) hours of schooling not to exceed one thousand (1,000) hours.

8.2. The cross-over curriculum from beauty culture to barbering shall be taught in all approved West Virginia schools of barbering.

**§ 3-1-9. Reciprocity**

9.1. Students who have previously attended school, or who have graduated from a school of barbering or beauty culture in a state other than West Virginia, may receive credit towards the two thousand (2000) hour requirement for graduation in this state if: Upon entrance into a school in this state, the student requests credit for hours obtained in another state and subsequently presents to the in-state school manager, credentials showing subjects studied and the hours of credit received, duly signed and certified by the manager of the school previously attended. The Board may also award credit to those applicants who can demonstrate work experience. The amount of credit awarded shall be twenty-five (25) hours credit for each month or three hundred (300) hours credit for one year, not to exceed an award of one thousand (1000) hours total.

**§ 3-1-10. Administrative Due Process**

9.1. Those persons adversely affected by the enforcement of this rule have the right to request a contested case hearing consistent with the provisions of W. Va. Code § 29A-5-1 et seq.

**§ 3-1-11. Severability**

10.1. If any provision of this rule, or the application thereof, to any person or circumstance is determined to be invalid, the invalidity shall not affect the provisions or applications of this rule which can be given effect without the invalid provision or application, and to this end, the provisions of this rule are severable.

TABLE 3-1A. Minimum Curriculum for a Barber/Permanent Waving License

**SCIENTIFIC STUDY**

1. Shop management, business law, ethics	100 hours
2. Bacteriology, sanitation, disease of skin	125 hours
3. Cells, anatomy	20 hours
4. Skin and appendages, biochemistry of hair	60 hours
5. Implements, honing, stropping, use and care	10 hours
6. Haircutting procedures, history of barbering	20 hours
7. Electricity, light therapy	5 hours
8. Theory of massage, tonics	5 hours
9. Haircoloring, effects on hair	5 hours
10. Barber law and regulations, salesmanship	50 hours
11. Theory of hair styling, methods	<u>75 hours</u>
	475 hours

**DEMONSTRATION AND LECTURE ON SCIENTIFIC STUDY**  
**(NO LECTURE ON SATURDAY)**

1. Shop management, business law, ethics, salesmanship	25 hours
2. Bacteriology, sanitation, disease	10 hours
3. Cells, skin and appendages, biochemistry of hair	10 hours
4. Implements, honing, stropping, use and care	5 hours
5. Haircutting procedures, history of barbering	10 hours
6. Electricity, light therapy	5 hours
7. Theory of massage, tonics	5 hours
8. Haircoloring, effects on hair	10 hours
9. Use of audio visual aids for selling merchandise	10 hours
10. Shop arrangement, display of merchandise	<u>10 hours</u>
	100 hours

**SUPERVISED PRACTICE**

1. Scalp treatments, shampooing	75 hours
2. Honing and stropping	15 hours
3. Shaving	100 hours
4. Facials, massage, packs	50 hours
5. Haircutting	450 hours
6. Hair tonics	10 hours
7. Haircoloring, bleaching	30 hours
8. Hairstyling, methods	200 hours
9. Use of implements	<u>20 hours</u>
	950 hours

TABLE 3-1A. Minimum Curriculum for a Barber/Permanent Waving License, (Cont'd.)

**ILLUSTRATED LECTURE AND DEMONSTRATIONS ON PRACTICAL WORK**  
**NO DEMONSTRATION OR LECTURE ON SATURDAY)**

1. Scalp treatments, shampooing	20 hours
2. Honing and stropping	5 hours
3. Shaving	10 hours
4. Facials, massage, packs	10 hours
5. Haircutting	10 hours
6. Hair tonics	5 hours
7. Haircoloring, bleaching	10 hours
8. Hairstyling, demonstrations	10 hours
9. Salesmanship	10 hours
10. Unassigned	<u>10 hours</u>
	100 hours

**PERMANENT WAVING**

	<u>LECTURE</u>	<u>DEMONSTRATION</u>	<u>MANIKIN PRACTICE</u>	<u>TOTAL CLINIC</u>	<u>HOURS</u>
1. Permanent Waving	15	30	40	200	285
2. Chemical Hair Relaxing and Hair Straightening	8	7	10	65	90
	<u>23</u>	<u>37</u>	<u>50</u>	<u>265</u>	<u>375</u>

**SUMMARY**

Scientific Study	575 hours
Supervised Practice	1050 hours
Permanent Waving	<u>375 hours</u>
2000 hours	

A student must perform a minimum of twenty-five (25) hairstyles before graduation.

TABLE 3-1B. Minimum Curriculum for Barber With One Thousand Eight Hundred (1,800) Hours Training to Acquire a Barber Permanent Waving License

	<u>LECTURE</u>	<u>DEMONSTRATION</u>	<u>MANIKIN PRACTICE</u>	<u>TOTAL CLINIC</u>	<u>HOURS</u>
1. Permanent Waving	15	30	40	145	230
2. Haircoloring	5	10	10	30	55
3. Chemical Hair Relaxing and Hair Straightening	8	7	10	65	90
	<u>28</u>	<u>47</u>	<u>60</u>	<u>240</u>	<u>375</u>

Table 3-1C. Minimum Curriculum for a Beautician's License

TOTAL	<u>LECTURE</u>	<u>DEMON- STRATION</u>	<u>MANIKIN PRACTICE</u>	<u>CLINIC</u>	<u>TOTAL HOURS</u>
Ethics, Personal Hygiene, Visual Poise and Personality Development	10				10
Sanitation, Sterilization and Bacteriology	15	5			20
Shampooing and Rinsing	5	2	1		8
Hair and Scalp Treatment	6	1	3		10
Manicuring and First Aid	3	1			4
Haircutting	5	5	10		20
Hairstyling	10	10	30		50
Permanent Waving	15	10	40		65
Safety Precautions	10				10
Salesmanship and Merchandising	10				10
Wiggery and Hair Pieces	2	1	4		7
Review for Clinic Floor		5			5
Facials, Massage, Paks and Eyebrow Arching	5	3	3		11
Chemical Hair Relaxing and Hair Straightening	8	7	10		25
Hair Coloring and Lightening	<u>20</u>	<u>20</u>	<u>5</u>		<u>45</u>
SUB TOTAL First 300 Hours	124	70	106		300

TABLE 3-1C. Minimum Curriculum for a Beautician's License  
(Cont'd.)

<u>SUPERVISED CLINIC PRACTICE</u>					
	<u>LECTURE</u>	<u>DEMON- STRATION</u>	<u>MANIKIN PRACTICE</u>	<u>CLINIC</u>	<u>TOTAL HOURS</u>
Sanitation, Sterilization and Bacteriology				60	60
Shampooing and Rinsing				37	37
Hair and Scalp Treatment				40	40
Manicuring and First Aid		2		31	33
Haircutting		13		300	313
Beard & Mustache Shaping	5	15		40	60
Hairstyling		13		400	413
Permanent Waving		20		200	220
Wiggery and Hair Pieces		2			2
Merchandising				20	20
Unassigned				7	7
Facials, Massage, Paks and Eyebrow Arching				44	44
Chemical Hair Relaxing and Hair Straightening				65	65
Hair Coloring and Lightening		<u>13</u>		<u>155</u>	<u>168</u>
SUB TOTAL	5	78		1399	1482

TABLE 3-1C. Minimum Curriculum for a Beautician's License  
(Cont'd.)

LECTURE ON SCIENTIFIC SUBJECTS

	<u>LECTURE</u>	<u>DEMON- STRATION</u>	<u>MANIKIN PRACTICE</u>	<u>CLINIC</u>	<u>TOTAL HOURS</u>
Nail disorders	3				3
Chemistry	15				15
Skin, Scalp and Hair Disorders	9				9
Electricity, Light Therapy	12				12
Anatomy and Cells	20				20
State Laws and Regulations	20				20
Beauty Salon Management	25				25
Dispensary				80	80
Appointment Desk	1	2		16	19
Job Placement	<u>10</u>	<u>—</u>	<u>—</u>	<u>5</u>	<u>15</u>
SUB TOTAL	115	2		101	218
TOTAL					2000

SUMMARY

Scientific Subjects	239
Beginner's Demonstration	70
Beginner's Manikin Practice	106
Demonstrations, Clinic Manikin Practice	<u>1585</u>
TOTAL PRESCRIBED TRAINING PERIOD	2000

TABLE 3-1D. Minimum Curriculum Requirements for a Manicuring License

Personal Hygiene	Lecture	Demonstration	Clinic	Total
Ethics	10	0	0	= 10
Visual Poise				
Personal Development				
Sanitation				
Sterilization	15	5	105	= 125
Bacteriology				
First Aid	1	1	4	= 6
Manicuring	3	3	90	= 96
Nail Disorders	3		0	= 3
State Law	20	0	0	= 20
Business and Salon management	15	5	20	= 40
Advanced Nail	<u>25</u>	<u>25</u>	<u>50</u>	= <u>100</u>
TOTAL	77	34	289	= 400

Table 3-1E. Curriculum requirements for barbers with 2,000 hour barber/permanent wave training to obtain a cross-over cosmetology license.

	<u>LECTURE</u>	<u>DEMON- STRATION</u>	<u>CLINIC PRACTICE</u>	<u>CLINIC</u>	<u>TOTAL HOURS</u>
Manicuring & Disorders	3	2		5	10
Hairdressing	15	10	30	75	130
Haircutting	10	10	20	40	80
Makeup	3	2		5	10
Haircoloring & Lightening	20	20		15	55
Dispensary	—	—	—	<u>15</u>	<u>15</u>
TOTALS	51	44	50	155	300

TABLE 3-1F. Curriculum Requirements for Barbers with 1800 hours to Obtain a Cross-Over Cosmetologist License

	<u>LECTURE</u>	<u>DEMON- STRATION</u>	<u>CLINIC PRACTICE</u>	<u>CLINIC</u>	<u>TOTAL HOURS</u>
Manicuring & Disorders	3	2		5	10
Hairdressing	15	10	30	75	130
Permanent Waving & Haircutting	30	30	60	160	280
Makeup	3	2		5	10
Haircoloring & Lightening	20	20		15	55
Dispensary	—	—	—	<u>15</u>	<u>15</u>
TOTALS	71	64	90	275	500

TABLE 3-1G. Curriculum Requirements for a Beautician to Obtain a Cross-Over Barber License.

	<u>LECTURE</u>	<u>DEMONSTRATION</u>	<u>CLINIC PRACTICE</u>	<u>CLINIC</u>	<u>TOTAL HOURS</u>
Mustaches & Beards	4	2		21	27
Haircutting	10	10		85	105
Hairstyling	10	15		65	90
Honing, Stropping & Shaving	8	8		37	53
Hair Pieces	<u>10</u>	<u>10</u>	<u>5</u>	<u>    </u>	<u>25</u>
TOTALS	42	45	5	208	300



WEST VIRGINIA LEGISLATURE  
 LEGISLATIVE RULE-MAKING REVIEW COMMITTEE  
 Room M-152, State Capitol  
 Charleston, West Virginia 25305  
 (304) 340-3286

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1991 DEC 12 AM 10:36

OFFICE OF WEST VIRGINIA  
 SECRETARY OF STATE

Senator William R. Wooton, Co-Chair  
 Delegate David Grubb, Co-Chair

Debra A. Graham, Counsel  
 Michael McThomas, Associate Counsel  
 Marie Nickerson, Admr. Assistant

NOTICE OF ACTION TAKEN BY LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

December 9, 1991

TO: Ken Hechler, Secretary of State, State Register

TO: Mr. Larry W. Absten  
 Executive Director  
 WV Board of Barbers and Beauticians  
 4860 Brenda Lane, Guthrie Center  
 Charleston, WV 25312

FROM: Legislative Rule-Making Review Committee

PROPOSED RULE: Curriculum and Minimum Requirements, Subjects and  
 Hour Schedule; Rules and Regulations for Schools  
 of Beauty Culture Operating in West Virginia; Joint  
 Barber and Beautician License

The Legislative Rule-Making Review Committee recommends that the West Virginia Legislature:

1. Authorize the agency to promulgate the Legislative Rule
  - (a) as originally filed \_\_\_\_\_
  - (b) as modified by the agency     X
2. Authorize the agency to promulgate part of the Legislative rule; a statement of reasons for such recommendation is attached. \_\_\_\_\_
3. Authorize the agency to promulgate the Legislative rule with certain amendments; amendments and a statement of reasons for such recommendation is attached. \_\_\_\_\_
4. Authorize the agency to promulgate the Legislative rule as modified with certain amendments; amendments and a statement of reasons for such recommendation is attached. \_\_\_\_\_
5. Recommends that the rule be withdrawn; a statement of reasons for such recommendation is attached. \_\_\_\_\_

Pursuant to Code 29A-3-11(c), this notice has been filed in the State Register and with the agency proposing the rule.

cc: Albert Dunn, Jr.  
 Assistant Attorney General