

TITLE 3
LEGISLATIVE RULES
BOARD OF BARBERS AND COSMETOLOGISTS

FILED

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OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

SERIES 1

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

§ 3-1-1. General

1.1. Scope - This legislative rule establishes the minimum licensing and curriculum requirements for barbers, cosmetologists and manicurists as promulgated by the West Virginia Board of Barbers and Cosmetologists (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, cosmetologist 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 license 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 Cosmetologists

5.1. Every student wishing to become licensed as a cosmetologist shall complete a course of study consisting of a minimum of two thousand (2,000) clock hours divided as specified in Table 3-1C of this rule. A licensed cosmetologist may also trim beards or mustaches.

5.2. Students wishing to become licensed cosmetologists 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 Cosmetologist's License

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

cosmetologist'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 cosmetologist 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 Cosmetologists to Obtain a Cross-Over Barber License

8.1. Every cosmetologist 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 cosmetologist's training prior to taking the three hundred (300) hours barber cross-over license training. An individual who has completed the cosmetologist's training may, however, take the barber cross-over training prior to taking the cosmetologist examination. Upon completing both sets of training requirements, the individual must then sit for both the two thousand (2,000) hours cosmetologist 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 (2,000) 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 (1,000) hours total.

§ 3-1-10. Administrative Due Process

10.1. 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

11.1. 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 DEMONSTRATION 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>CLINIC</u>	<u>TOTAL 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>CLINIC</u>	<u>TOTAL 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 Cosmetologist's License.

	<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 Cosmetologist'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 Cosmetologist'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	<u>2</u>		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.

	<u>LECTURE</u>	<u>DEMONSTRATION</u>	<u>CLINIC</u>	<u>TOTAL</u>
Personal Hygiene				
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	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	92	39	269	400

TABLE 3-1E. Curriculum Requirements for Barbers With 2,000 Hours 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 1,800 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 Cosmetologist to Obtain a Cross-Over Barber License.

	<u>LECTURE</u>	<u>DEMON- STRATION</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

29.57

Bill B&B, Curriculum 3-1

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H. B. 4267

(By Delegate Grubb)

(Introduced January 27, 1992; referred to the
Committee on Government Organization then the Judiciary)

10 A BILL to amend and reenact section five, article nine, chapter
11 sixty-four of the code of West Virginia, one thousand nine
12 hundred thirty-one, as amended, relating to authorizing the
13 board of barbers and beauticians to promulgate legislative
14 rules relating to the procedures, criteria and curricula for
15 the examination and licensure of barbers, beauticians and
16 manicurists.

17 Be it enacted by the Legislature of West Virginia:

18 That section five, article nine, chapter sixty-four of the
19 code of West Virginia, one thousand nine hundred thirty-one, as
20 amended, be amended and reenacted, to read as follows:

21 ARTICLE 9. AUTHORIZATION FOR MISCELLANEOUS AGENCIES AND BOARDS
22 TO PROMULGATE LEGISLATIVE RULES.

23 §64-9-5. Board of barbers and beauticians.

42.1

1 (a) The legislative rules filed in the state register on the
2 tenth day of June, one thousand nine hundred eighty-eight,
3 modified by the board of barbers and beauticians to meet the
4 objections of the legislative rule-making review committee and
5 refiled in the state register on the eighth day of December, one
6 thousand nine hundred eighty-eight, relating to the board of
7 barbers and beauticians (minimum curriculum for schools of
8 barbering), are authorized with the amendment set forth below:

9 On page 9, by inserting a new section, designated section
10 3-6-14, to read as follows:

11 "§3-6-14. Repeal of rule -- This rule will automatically be
12 repealed on July 1, 1991, unless extended prior to that date by
13 an act of the Legislature."

14 (b) The legislative rules filed in the state register on the
15 tenth day of June, one thousand nine hundred eighty-eight,
16 modified by the board of barbers and beauticians to meet the
17 objections of the legislative rule-making review committee and
18 refiled in the state register on the eighth day of December, one
19 thousand nine hundred eighty-eight, relating to the board of
20 barbers and beauticians (qualifications, training, examination
21 and registration of instructors in barbering and beauty culture),
22 are authorized with the amendment set forth below:

23 On page 6, by inserting a new section, designated section
24 3-2-9, to read as follows:

1 **"§3-2-9. Repeal of rule --** This rule will automatically be
2 repealed on July 1, 1991, unless extended prior to that date by
3 an act of the Legislature."

4 (c) The legislative rules filed in the state register on the
5 tenth day of June, one thousand nine hundred eighty-eight,
6 modified by the board of barbers and beauticians to meet the
7 objections of the legislative rule-making review committee and
8 refiled in the state register on the eighth day of December, one
9 thousand nine hundred eighty-eight, relating to the board of
10 barbers and beauticians (operation of barber shops and schools of
11 barbering), are authorized with the amendment set forth below:

12 On page 5, by inserting a new section, designated section
13 3-3-6, to read as follows:

14 **"§3-3-6. Repeal of rule --** This rule will automatically be
15 repealed on July 1, 1991, unless extended prior to that date by
16 an act of the Legislature."

17 (d) The legislative rules filed in the state register on the
18 tenth day of June, one thousand nine hundred eighty-eight,
19 modified by the board of barbers and beauticians to meet the
20 objections of the legislative rule-making review committee and
21 refiled in the state register on the eighth day of December, one
22 thousand nine hundred eighty-eight, relating to the board of
23 barbers and beauticians (curriculum and minimum requirements,
24 subjects and hour schedule, rules and regulations for schools of
25 beauty culture operation in West Virginia: joint barbers and

1 beauticians license), are authorized with the amendments set
2 forth below:

3 On page 7, by inserting a new section, designated section
4 3-1-11, to read as follows:

5 "**§3-1-11. Repeal of rule** -- This rule will automatically be
6 repealed on July 1, 1991, unless extended prior to that date by
7 an act of the Legislature."

8 (e) The legislative rules filed in the state register on the
9 tenth day of June, one thousand nine hundred eighty-eight,
10 modified by the board of barbers and beauticians to meet the
11 objections of the legislative rule-making review committee and
12 refiled in the state register on the eighth day of December, one
13 thousand nine hundred eighty-eight, relating to the board of
14 barbers and beauticians (operation of beauty shops and schools of
15 beauty culture), are authorized with the amendments set forth
16 below:

17 On page 4, by inserting a new section, designated section
18 3-4-6, to read as follows:

19 "**§3-4-6. Repeal of rule** -- This rule will automatically be
20 repealed on July 1, 1991, unless extended prior to that date by
21 an act of the Legislature."

22 On page 4, by inserting a new subsection, designated
23 subsection 3.25, to read as follows:

1 "3.25 Notwithstanding any law to the contrary or
2 interpretation of law to the contrary, any licensed beautician
3 may trim beards or mustaches."

4 (f) The legislative rules filed in the state register on the
5 tenth day of June, one thousand nine hundred eighty-eight,
6 modified by the board of barbers and beauticians to meet the
7 objections of the legislative rule-making review committee and
8 refiled in the state register on the eighth day of December, one
9 thousand nine hundred eighty-eight, relating to the board of
10 barbers and beauticians (licensing schools of barbering or beauty
11 culture), are authorized with the amendments set forth below:

12 On page 2, subsection 4.1, by deleting subdivision (b) and
13 relettering the remaining subdivisions.

14 And,

15 On page 6, by inserting a new section, designated section
16 3-5-8, to read as follows:

17 "**§3-5-8. Repeal of rule** -- This rule will automatically be
18 repealed on July 1, 1991, unless extended prior to that date by
19 an act of the Legislature."

20 (g) The legislative rules filed in the state register on the
21 tenth day of August, one thousand nine hundred ninety, modified
22 by the board of barbers and beauticians to meet the objections of
23 the legislative rule-making review committee and refiled in the
24 state register on the seventh day of December, one thousand nine
25 hundred ninety, relating to the board of barbers and beauticians

1 (licensing of schools of barbering and beauty culture), are
2 authorized with the amendment set forth below:

3 On page 6, by inserting a new section, designated section
4 3-5-8, to read as follows:

5 **"§3-5-8. Repeal of rule --** This rule will automatically be
6 repealed on July 1, 1992, unless extended prior to that date by
7 an act of the Legislature."

8 (h) The legislative rules filed in the state register on the
9 tenth day of August, one thousand nine hundred ninety, modified
10 by the board of barbers and beauticians to meet the objections of
11 the legislative rule-making review committee and refiled in the
12 state register on the seventh day of December, one thousand nine
13 hundred ninety, relating to the board of barbers and beauticians
14 (qualifications, training, examination and registration of
15 instructors in barbering and beauty culture), are authorized with
16 the amendment set forth below:

17 On page 6, by inserting a new section, designated section
18 3-2-9, to read as follows:

19 **"§3-2-9. Repeal of rule --** This rule will automatically be
20 repealed on July 1, 1992, unless extended prior to that date by
21 an act of the Legislature."

22 (i) The legislative rules filed in the state register on the
23 tenth day of August, one thousand nine hundred ninety, modified
24 by the board of barbers and beauticians to meet the objections of
25 the legislative rule-making review committee and refiled in the

1 state register on the seventh day of December, one thousand nine
2 hundred ninety, relating to the board of barbers and beauticians
3 (minimum curriculum for schools of barbering), are authorized
4 with the amendment set forth below:

5 On page 7, by inserting a new section, designated section
6 3-6-14, to read as follows:

7 "§3-6-14. Repeal of rule -- This rule will automatically be
8 repealed on July 1, 1992, unless extended prior to that date by
9 an act of the Legislature."

10 (j) The legislative rules filed in the state register on the
11 tenth day of August, one thousand nine hundred ninety, modified
12 by the board of barbers and beauticians to meet the objections of
13 the legislative rule-making review committee and refiled in the
14 state register on the seventh day of December, one thousand nine
15 hundred ninety, relating to the board of barbers and beauticians
16 (curriculum and minimum requirements, subjects and hour schedule,
17 rules and regulations for schools of beauty culture operation in
18 West Virginia; joint barbers and beauticians license), are
19 authorized with the amendment set forth below:

20 On page 7, by inserting a new section, designated section
21 3-1-11, to read as follows:

22 "§3-1-11. Repeal of rule -- This rule will automatically be
23 repealed on July 1, 1992, unless extended prior to that date by
24 an act of the Legislature."

1 (k) The legislative rules filed in the state register on the
2 tenth day of August, one thousand nine hundred ninety, modified
3 by the board of barbers and beauticians to meet the objections of
4 the legislative rule-making review committee and refiled in the
5 state register on the seventh day of December, one thousand nine
6 hundred ninety, relating to the board of barbers and beauticians
7 (operation of barber and beauty shops and schools of barbering
8 and beauty culture), are authorized with the amendment set forth
9 below:

10 On page 4, by inserting a new section, designated section
11 3-3-6, to read as follows:

12 "§3-3-6. Repeal of rule -- This rule will automatically be
13 repealed on July 1, 1992, unless extended prior to that date by
14 an act of the Legislature."

15 (l) The legislative rules filed in the state register on the
16 thirteenth day of August, one thousand nine hundred ninety-one,
17 modified by the board of barbers and beauticians to meet the
18 objections of the legislative rule-making review committee and
19 refiled in the state register on the thirty-first day of
20 December, one thousand nine hundred ninety-one, relating to the
21 board of barbers and beauticians (procedures, criteria and
22 curricula for examination and licensure of barbers, beauticians
23 and manicurists) are authorized.

24

25 NOTE: The purpose of this bill is to authorize the Board of
26 Barbers and Beauticians to promulgate legislative rules relating

1 to the procedures, criteria and curricula for the examination and
2 licensure of barbers, beauticians and manicurists.

3

4 Strike-throughs indicate language that would be stricken from
5 the present law, and underscoring indicates new language that
6 would be added.



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OFFICE OF THE ATTORNEY GENERAL
SECRETARY OF STATE

December 27, 1991

Debra A. Graham
Counsel, LRMRC
Capitol Complex
Charleston, West Virginia 25305

Dear Debra,

This letter is being prepared in order to chronologically track the procedure by which the West Virginia Board of Barbers and Beauticians has utilized in order to have the Legislative Rule-Making Review Committee approve the Board's proposed rules, series 1 through 6.

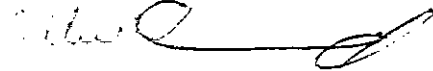
The Board filed the proposed legislative rules for public comment on June 17, 1991. The public comment period ended July 22, 1991, with no comments having been received by the Board. The comment period ended on July 22, 1991.

The Proposed rules, series 1 through 6 were then filed by the Board with the Secretary of State's Office on July 22, 1991, and subsequently filed with your office on August 12, 1991 for review. At your request, the Board proceeded to revise the rules, series 1 through 6, in order to create a more organized set of rules. The rules that were reorganized were intended to be "modified" versions of the proposed rules and not offered as new proposed rules. There were no substantive changes to the rules, only a reorganization of the subject matter in order to make the rules more easily understandable and to allow the general public the opportunity to find information within the rules in an logical order.

These rules which were intended to modify the proposed rules were filed with the LRMRC on August 12, 1991. Due to the mass reorganization of the rules, the titles of the rules had changed. (thereby creating possible confusion for persons wanting to receive a copy of the rules from the Secretary of State's Office and prompting the preparation of this letter) The rules that were submitted for public comment contained the exact same subject matter as the revised or modified rules.

These revised or modified rules were reviewed by the LRMRC on December 9, 1991 and were approved pending very minor modifications relating to grammar. These changes were made and the final rule was submitted on the date of this letter, December 1991.

Very truly yours,



Albert C. Dunn, Jr.
Assistant Attorney General

cc: Judy Cooper
Larry Absten



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Secretary of State

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Deputy Secretary of State

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STATE OF WEST VIRGINIA

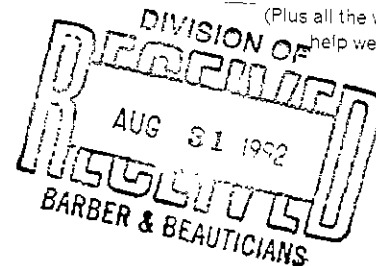
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Director, Corporations

(Plus all the volunteer help we can get)



TO: Larry Absten

AGENCY: Board of Barbers and Cosmetologists

FROM: JUDY COOPER, DIRECTOR, ADMINISTRATIVE LAW DIVISION

DATE: August 27, 1992

THE ATTACHED RULE RECENTLY FILED BY YOUR AGENCY HAS BEEN ENTERED INTO OUR COMPUTER SYSTEM. PLEASE REVIEW, PROOF AND RETURN IT WITH ANY CORRECTIONS. IF THERE ARE NO CORRECTIONS, PLEASE SIGN THIS MEMO AND RETURN IT TO THIS OFFICE. YOU WILL BE SENT A FINAL VERSION OF THE RULE FOR YOUR RECORDS.

PLEASE RETURN EITHER THE CORRECTED RULE OR THIS FORM WITHIN TEN (10) WORKING DAYS OF THE DATE YOU RECEIVED THIS REQUEST. CALL IF YOU HAVE ANY QUESTIONS.

SERIES: 1 TITLE: 3 Board of Barbers and Cosmetologists

* THE ATTACHED RULE HAS BEEN REVIEWED AND IS CORRECT.

SIGNED: _____

TITLE OF PERSON SIGNING: _____

DATE: _____

* THE ATTACHED RULE HAS BEEN REVIEWED AND NEEDS CORRECTING. THE CORRECTIONS HAVE BEEN MARKED.

SIGNED: Larry Wilkes

TITLE OF PERSON SIGNING: Director

DATE: 9/3/92

NOTE: IF YOU ARE NOT THE PERSON WHO HANDLES THIS RULE, PLEASE FORWARD TO THE CORRECT PERSON.