

Rule Title: PROCEDURES, CRITERIA AND CURRICULA FOR EXAMINATION
AND LICENSURE OF BARBERS, COSMETOLOGISTS, MANICURISTS
AND (A) ESTHETICIANS

4. Explanation of Overall economic Impact of Proposed Rule.

A. Economic Impact on State Government.

NONE

B. Economic Impact on Political Subdivisions; Specific Industries; Specific groups of Citizens.

THIS RULE WILL ALLOW THOSE PERSONS TRAINED IN (A) ESTHETICS FROM OTHER STATES TO WORK AND OPEN BUSINESS RELATIVE TO THE (A) ESTHETICS PROFESSION.

C. Economic Impact on Citizens/Public at Large.

THIS RULE WILL OFFER EXPANDED SERVICES IN SKIN CARE AND ADDITIONAL EDUCATIONAL AND EMPLOYMENT OPPORTUNITIES FOR OUR CITIZENS.

Date: 7/8/96

Signature of Agency Head or Authorized Representative

Mitchell Davis

WEST VIRGINIA BOARD OF BARBERS AND COSMETOLOGISTS

RULE ABSTRACT

Title: Procedures, Criteria and Curricula for Examination and Licensure of Barbers, Cosmetologists, Manicurists and (A) Estheticians.

CSR Title & Series: 3 CSR 1

Type: Legislative

Summary: The proposed amendments: 1) adds (a) esthetician to the title of Series 1. 2) adds (a) esthetician curriculum and licensing requirements. 3) changes eighth grade requirement to twelfth grade or its equivalent. 4) other minor "clean up" changes.

For further information contact: West Virginia Board of Barbers and Cosmetologists, 1716 Pennsylvania Avenue, Suite 7, Charleston, West Virginia, 25302. Telephone: 558-2924.

State of West Virginia

Board of Barbers and Cosmetologists

1716 Pennsylvania Avenue, Suite 7, Charleston, West Virginia 25302
Phone (304) 558-2924 Phone/Fax (304) 558-3450



Larry W. Absten
Director

MEMO

DATE: July 2, 1996

TO: West Virginia Secretary of State
Ms. Judy Cooper
Administrative Law Division
Charleston, West Virginia 25305

FROM: Larry W. Absten, Director
Board of Barbers and Cosmetologists

RE: Title 3 Series 1 of the Board of Barbers and Cosmetologists Legislative Rules

The purpose of the amendment to this rule is to add the esthetician curriculum to the rule, increase the prerequisite for enrollment in schools of barbering and beauty culture to a 12th grade education or its equivalent, and make minor "clean up" changes to the rule.

APPENDIX B

FISCAL NOTE FOR PROPOSED RULES

Rule Title: PROCEDURES, CRITERIA AND CURRICULA FOR
EXAMINATION AND LICENSURE OF BARBERS,
COSMETOLOGISTS, MANICURISTS AND (A) ESTHETICIANS.

Type of Rule: X Legislative Interpretive Procedural

Agency: BOARD OF BARBERS AND COSMETOLOGISTS

Address: 1716 PENNSYLVANIA AVENUE, SUITE 7
CHARLESTON, WV 25302

1. Effect of Proposed Rule

	ANNUAL		FISCAL YEAR		
	INCREASE	DECREASE	CURRENT	NEXT	THEREAFTER
ESTIMATED TOTAL COST	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
PERSONAL SERVICES					
CURRENT EXPENSE					
REPAIRS & ALTERATIONS					
EQUIPMENT					
OTHER					

2. Explanation of above estimates: THE STATE WILL NOT INCUR ANY ADDITIONAL COST AS A RESULT OF THIS LEGISLATION.

3. Objectives of these rules: TO REGULATE THE PRACTICE OF (A) ESTHETICS BY THE BOARD.

TITLE 3
LEGISLATIVE RULES
BOARD OF BARBERS AND COSMETOLOGISTS

FILED

JUL 10 4 10 PM '96

SERIES 1

OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

PROCEDURES, CRITERIA AND CURRICULA FOR EXAMINATION AND
LICENSURE OF BARBERS, COSMETOLOGISTS, MANICURISTS AND (A) ESTHETICIANS

§ 3-1-1. General

1.1. **Scope** - This legislative rule establishes the minimum licensing and curriculum requirements for barbers, cosmetologists, (a) estheticians, 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** -

§ 3-1-2. License Requirement

2.1. It is unlawful for any person to practice or offer to practice barbering, beauty culture, manicuring, or (a) esthetics 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, manicurist, or (a) esthetician, 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 ~~eight~~ twelfth 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 or (a) esthetician, has successfully completed an approved course in manicuring or (a) esthetics 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 who has completed one thousand eight hundred (1,800) hours of barber training, shall complete a course of study consisting 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. Minimum Curriculum for (A) Estheticians

9.1 Every student wishing to become a licensed (a) esthetician shall complete a course of study consisting of a minimum of seven hundred fifty (750) clock hours divided as specified in Table 3-1-H of this rule.

~~§ 3-1-9.~~ § 3-1-10. Reciprocity

~~9.1.~~ 10.1 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.~~ § 3-1-11. Administrative Due Process

~~10.1.~~ 11.1. 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.~~ § 3-1-12. Severability

~~11.1.~~ 12.1. 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.	Hair coloring, effects on hair	<u>25</u>	<u>5</u> hours
10.	Barber law and regulations, salesmanship	<u>20</u>	<u>50</u> hours
11.	Theory of hair styling, methods	75	hours
11.	<u>Chemistry</u>	<u>16</u>	<u>hours</u>
		<u>406</u>	<u>475</u> 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.	Hair coloring, effects on hair	10	hours
9.	Use of audio visual aids for selling merchandise	10	hours
9.	<u>First Aid</u>	<u>10</u>	<u>hours</u>
10.	Shop arrangement, display of merchandise	<u>10</u>	<u>hours</u>
		100	hours

SUPERVISED PRACTICE

1.	Scalp treatments, shampooing	50	hours
2.	Honing and stropping	15	hours
3. 2.	Shaving	50	100 hours
4. 3.	Facials, massage, packs	50	hours
5. 4.	Haircutting	450	hours
6.	Hair tonics	10	hours
7.	5. Hair coloring, bleaching	<u>135</u>	<u>30</u> hours
8.	6. Hairstyling, methods	200	hours
9.	7. Use of implements	20	hours
8.	<u>Desk</u>	<u>19</u>	<u>hours</u>
9.	<u>Dispensary</u>	<u>40</u>	<u>hours</u>
		<u>1014</u>	<u>950</u> 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.	Hair coloring, bleaching	10 hours
8.	Hairstyling, demonstrations	10 hours
9.	Salesmanship	<u>15</u> 10 hours
10.	Unassigned	<u>10</u> 10 hours
		<u>105</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</u> hours
	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. Hair coloring	15	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	5 15	5	40	15 60
Hairstyling		13		400	413
Permanent Waving		20		200	220
Waggery 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	<u>68</u> 70		<u>1364</u> 1399	<u>1437</u> 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/Structure	3				18 3
Chemistry	15				15
Skin, Scalp and Hair Disorders/Structure	29 9				29 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>5</u>	<u>15</u>
SUB TOTAL	<u>135</u> 415	2		101	<u>253</u> 218
TOTAL					2000

SUMMARY

Scientific Subjects	239	<u>253</u>
Beginner's Demonstration	70	
Beginner's Manikin Practice	106	
Demonstrations, Clinic Manikin Practice	1585	<u>1571</u>
TOTAL PRESCRIBED TRAINING PERIOD	2000	

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

	LECTURE	DEMONSTRATION	CLINIC	TOTAL
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	25	25	50	100
TOTAL	92	39	269	400

TABLE 3-1D is new, therefore, underlining has been omitted.

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

	<u>LECTURE</u>	<u>DEMONSTRATION</u>	<u>CLINIC</u>	<u>TOTAL</u>
Professional Image, Ethics, Hygiene, Interpersonal Skills, Communication	10			10
Bacteriology, Decontamination, Sterilization, Personal Protection, Sanitation, Safety, OSHA	15	5	45	65
First Aid	1	1	4	6
Manicuring & Polish Techniques	4	6	70	80
Massage (Hand & Arm)	2	2	10	14
Physiology, Anatomy for the Manicurist	10			10
Skin and Skin Disorders/Diseases	5			5
Nail and Nail Disorders/Diseases (Including Fungus and Mold)	5			5
Chemistry for the Manicurists, Composition of Nail Products, Toxicity & Allergic Reactions	10	5		15
Electricity, Light Therapy, Machines Nail Equipment	4	2	5	11
Art of Nail Technology	5	10	65	80
West Virginia State Law, Rules and Regulations, Licensing Requirements	20			20
Management, Salesmanship	15	5	20	40
1. Salon Operations				
2. Selling Techniques				
3. Job Opportunities (Resume, Employment Applications, Conduct, Payroll Deductions)				
Appointment Desk	1	1	10	12
Dispensary	1	1	5	7
Supplemental Techniques	<u>5</u>	<u>5</u>	<u>10</u>	<u>20</u>
TOTAL	113	43	244	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
Hair coloring & Lightening	20	20		15	55
Dispensary	—	—	—	15	15
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
Hair coloring & 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>	5		<u>25</u>
TOTALS	42	45	5	208	300

TABLE 3-1H is new, therefore, underlining has been omitted.

TABLE 3-1H. Minimum Curriculum Requirements for an (A) Esthetician License

	<u>LECTURE</u>	<u>DEMON- STRATION</u>	<u>CLINIC</u>	<u>TOTAL</u>
Professional Image, Ethics, Interpersonal Skills Communication	10			10
Bacteriology, Decontamination, Sterilization, Personal Protection, Sanitation, Safety & OSHA	20	5	45	70
First Aid	5			5
Physiology, Anatomy for the (A) Esthetician	15			15
Skin Structure and Function	10			10
Skin Disorders, Dermatology and Special (A) Esthetic Procedures	8	2	5	15
Chemistry for the (A) Esthetician	15			15
Product Knowledge, Ingredient and Product Analysis	5	5	10	20
Nutrition and Health of the Skin	10			10
Massage Theory and Techniques for Professional Massage	10	10	35	55
Facial and Skin Care Treatment Procedures, Packs and Masks	30	30	90	150
Professional Make-Up Techniques, Understanding Color Co-ordination	8	12	30	50
Theatrical/Photography Make-Up Techniques, Camouflage Make-Up, Corrective Make-Up	5	10	15	30
Electricity, Light Therapy, Machines and Professional Skin Care Equipment	15	10	75	100
West Virginia State Rules & Regulations 1. Licensing Requirements	20			20