

**WEST VIRGINIA
SECRETARY OF STATE
NATALIE E. TENNANT
ADMINISTRATIVE LAW DIVISION**

Form #3

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STATE OF WEST VIRGINIA

**NOTICE OF AGENCY APPROVAL OF A PROPOSED RULE
AND
FILING WITH THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE**

AGENCY: Board of Barbers and Cosmetologists TITLE NUMBER: 3CSR1

CITE AUTHORITY: 30-27-5

AMENDMENT TO AN EXISTING RULE: YES NO

IF YES, SERIES NUMBER OF RULE BEING AMENDED: 1

TITLE OF RULE BEING AMENDED: Procedures, Criteria, and Curricula for Examination and Licensure of Barbers, Cosmetologists, Manicurists, and Aestheticians

IF NO, SERIES NUMBER OF RULE BEING PROPOSED: _____

TITLE OF RULE BEING PROPOSED: _____

THE ABOVE PROPOSED LEGISLATIVE RULE HAVING GONE TO A PUBLIC HEARING OR A PUBLIC COMMENT PERIOD IS HEREBY APPROVED BY THE PROMULGATING AGENCY FOR FILING WITH THE SECRETARY OF STATE AND THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE FOR THEIR REVIEW.



Authorized Signature

TITLE 3
LEGISLATIVE RULES
BOARD OF BARBERS AND COSMETOLOGISTS

SERIES 1

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

§3-1-1. General

1.1. **Scope** - This legislative rule establishes the minimum licensing and curriculum requirements for barbers, cosmetologists, aestheticians, and manicurists.

1.2. **Authority** - W. Va. Code § ~~30-27-8~~ 30-27-5 and § ~~30-27-4~~ 30-27-6.

1.3. **Filing Date** - April 4, 2000

1.4. **Effective Date** - April 4, 2000

~~§ 3-1-2. Definition of Aesthetician~~

~~“Aesthetician” means any person who engages in the practice and use of cosmetic preparations, makeups, antiseptics, tonics, lotions, creams, chemical preparations, or otherwise with hands or mechanical or electrical apparatus or appliances or who massages, cleanses, stimulates, manipulates, exercises, beautifies, grooms or performs similar work to the face, neck, arms and hands.~~

§ 3-1-32. License Requirement

32.1. It is unlawful for any person to practice or offer to practice barbering, beauty culture, manicuring, or aesthetics in this state without first obtaining a license for that purpose from the Board.

32.2. Every person practicing barbering, beauty culture, manicuring or aesthetics and every student shall display his or her license or license renewal ~~in a conspicuous place at the workstation the licensed individual is currently working in the shop where he or she practices or is employed and whenever required, shall exhibit the license to the board or its authorized representative.~~

32.3. In addition to the license that must be displayed as provided for in Subsection 3.2, of this section, every person practicing barbering, beauty culture, manicuring or aesthetics in this state shall possess a pocket identification card containing the licensee's photograph.

32.4. The licensee shall show the pocket identification card to the Board, or its authorized representative, upon request.

32.5. The pocket identification card is valid for five years and renewable thereafter at five year increments.

32.6. A licensee may obtain the pocket identification card at any Department of Motor Vehicles licensing bureau at a fee to be determined by the Department of Motor Vehicles.

32.7. To obtain the pocket identification card, the Licensee shall provide to the Department of Motor Vehicles evidence of a valid barber, cosmetologist, manicuring or aesthetician license and at least one other form of picture identification including but not limited to a driver's license.

2.8 Board of Barbers and Cosmetologists shall maintain, use, and store the digital pictures taken specifically for the pocket identification card of licensed individuals under Chapter 30, Article 27 Code of West Virginia by Department of Motor Vehicles and transferred from Department of Motor Vehicles database to the licensing database and software operated, secured, and maintained by the Board of Barbers and Cosmetologists.

§ 3-1-43. Qualification for Licensure

43.1. An applicant for licensure as a barber, cosmetologist, manicurist, or aesthetician, 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 twelfth grade of public school or its equivalent, or has passed an ability to benefit test approved by the U.S. Dept. Of Education;
- (d) Has graduated from a school of barbering or beauty culture approved by the Board, or in the case of a manicurist or aesthetician, has successfully completed an approved course in manicuring or aesthetics in a school of beauty culture or graduated from a school of aesthetics or nail technology/manicuring;
- (e) Has passed the appropriate examination;
- (f) Has transmitted the appropriate application to the Board with the respective fee; and
- (g) Has presented a certificate of health from a licensed physician to the Board.
- (h) Is a citizen of the United State or is eligible for employment in the United States;
- (i) Has fulfilled any other requirement specified by the board.

§ 3-1-54. Minimum Curriculum for Barber Permanent Wave License

54.1. Every student desiring 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.

54.2. Every student desiring a license to perform permanent waving and hair coloring services who has completed one thousand eight hundred (1,800) hours of barber training, shall complete a course of study consisting 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.

54.3. Every student has the option of completing a course of study for:

54.3.1. A one thousand eight hundred hour barbering course, exclusive of permanent waving license as specified in Table 3-1I of this rule; or

54.3.2. The existing course of study consisting of at least two thousand clock hours divided as specified in Table 3-1A of this rule and subdivided at the discretion of the faculty of the school.

§ 3-1-65. Minimum Curriculum for Cosmetologists

65.1. 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.

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

§ 3-1-76. Minimum Curriculum for Manicurists

76.1. 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.

§ 3-1-87. Minimum Curriculum for Barbers to Obtain a Cross-Over Cosmetologist's License

87.1. 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 licensure 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.

87.2. 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.

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

§ 3-1-98. Minimum Curriculum for Cosmetologists to Obtain a cross-Over Barber License

98.1. 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 licensure requirements are substantially equal to the requirement 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.

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

§ 3-1-109. Minimum Curriculum for Aestheticians

109.1. Every student wishing to become a licensed aesthetician shall complete a course of study consisting of a minimum of six hundred (600) clock hours divided as specified in Table 3-1H of this rule.

§ 3-1-110. Reciprocity

110.1. 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, on 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 a total award of one thousand (1,000) hours.

§ 3-1-121. Administrative Due Process

121.1. 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~~ 30-27-20 et seq.

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

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 | 25 hours |
| 10. | Barber law and regulations, salesmanship | 20 hours |
| 11. | Chemistry | <u>16 hours</u> |
| | | 406 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. | First Aid | 10 hours |
| 10. | Shop arrangement, display of merchandise | <u>10 hours</u> |
| | | 100 hours |

SUPERVISED PRACTICE

| | | |
|----|------------------------------|-----------------|
| 1. | Scalp treatments, shampooing | 50 hours |
| 2. | Shaving | 50 hours |
| 3. | Facials, massage, packs | 50 hours |
| 4. | Haircutting | 450 hours |
| 5. | Hair coloring, bleaching | 135 hours |
| 6. | Hairstyling, methods | 200 hours |
| 7. | Use of implements | 20 hours |
| 8. | Desk | 19 hours |
| 9. | Dispensary | <u>40 hours</u> |

1014 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 | 10 hours |
| 8. Hairstyling, demonstrations | 10 hours |
| 9. Salesmanship | 15 hours |
| 10. Unassigned | <u>10 hours</u> |
| | 105 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 | <u>8</u> | <u>7</u> | <u>10</u> | <u>65</u> | <u>90</u> |
| | 23 | 37 | 50 | 265 | 375 |

SUMMARY

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

A student shall 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 | 5 | 10 | 10 | 30 | 55 |
| 3. Chemical Hair Relaxing and Hair Straightening | <u>8</u> | <u>7</u> | <u>10</u> | <u>65</u> | <u>90</u> |
| | 28 | 47 | 60 | 240 | 375 |

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, Packs 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 (Contd.).

| <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 | | 5 | 15 |
| Hairstyling | | 13 | | 400 | 413 |
| Permanent Waving | | 20 | | 200 | 220 |
| Wiggery and Hair Pieces | | 2 | | | 2 |
| Merchandising | | | | 20 | 20 |
| Unassigned | | | | 7 | 7 |
| Facials, Massage, Packs 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 | 68 | | 1364 | 1437 |

TABLE 3-1C. Minimum Curriculum for a Cosmetologist's License (Contd.).

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 |
| Chemistry | 15 | | | | 15 |
| Skin, Scalp and Hair Disorders/Structure | 29 | | | | 29 |
| 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> | — | — | 5 | 15 |
| SUB TOTAL | 135 | 2 | | 101 | <u>253</u> |
| TOTAL | | | | | 2000 |

SUMMARY

| | |
|---|-------------|
| Scientific Subjects | 253 |
| Beginner's Demonstration | 70 |
| Beginner's Manikin Practice | 106 |
| Demonstrations' Clinic Manikin Practice | <u>1571</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> |
|---|----------------|----------------------|---------------|--------------|
| 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 & Skin Disorders/Diseases | 5 | | | 5 |
| Nail & Nail Disorders/Diseases (Including Fungus and Mold) | 5 | | | 5 |
| Chemistry for the Manicurist, 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 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>MANIKIN 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 | — | — | — | <u>15</u> | <u>15</u> |
| TOTAL | 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>MANIKIN 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> |
| TOTAL | 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>MANIKIN 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>25</u> |
| TOTALS | 42 | 45 | 5 | 208 | 300 |

TABLE 3-1H. Minimum Curriculum Requirements for an Aesthetician License.

| | <u>LECTURE</u> | <u>DEMONSTRATION</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 Aesthetician | 15 | | | 15 |
| Skin Structure and Function | 8 | | | 8 |
| Skin Disorders, Dermatology and Special Esthetic Procedures | 6 | 2 | 4 | 12 |
| Chemistry for the Aesthetician | 15 | | | 15 |
| Product Knowledge, Ingredient and Products Analysis | 5 | 21 | 6 | 10 |
| Nutrition and Health of the Skin | 5 | | | 5 |
| Massage Theory and Techniques for Professional Massage | 10 | 5 | 35 | 50 |
| Facial and Skin Care Treatment Procedures, Packs and Masks | 25 | 25 | 75 | 125 |
| Professional Make-Up Techniques, Understanding Color Co-ordination | 6 | 8 | 21 | 35 |
| Theatrical/Photography Make-Up Techniques, Camouflage Make-Up, Corrective Make-Up | 3 | 5 | 12 | 20 |
| Electricity, Light Therapy, Machines and Professional Skin Care Equipment | 10 | 5 | 65 | 80 |
| West Virginia State Law, Rules and Licensing Requirements | 20 | | | 20 |

TABLE 3-1H Minimum Curriculum Requirements for an Aesthetician License (continued)

| | <u>LECTURE</u> | <u>DEMONSTRATION</u> | <u>CLINIC</u> | <u>TOTAL</u> |
|--|-----------------|----------------------|------------------|------------------|
| Management, Salesmanship, 1. Salon Operations 2. Selling Techniques 3. Job Opportunities (Resume, Employment Applications, Conduct, Payroll Deductions) | 30 | | | 30 |
| Hair Structure and Temporary Removal Methods | 2 | 2 | 6 | 10 |
| Eyebrow Arching, Tinting, Artificial Eye Lashes, Facial Hairpieces, Eyebrow Alternatives | 2 | 2 | 6 | 10 |
| Appointment Desk | 1 | 1 | 18 | 20 |
| Dispensary | 1 | 1 | 18 | 20 |
| Supplemental Techniques | <u>5</u> 201 | <u>5</u> 68 | <u>20</u> 331 | <u>30</u> 600 |

TABLE 3-II Minimum Curriculum for 1800 Clock Hour Barber License

SCIENTIFIC STUDY

| | |
|---|-----------|
| 1. History of Barbering | 10 |
| 2. Professional Images, Ethics, Hygiene, Good Grooming & Personality | 10 |
| 3. Bacteriology, Sterilization & Sanitation, Decontamination & Safe Work Places | 125 |
| 4. First Aid, Hazard Communication | 10 |
| 5. Implements, tools, and equipment; Haircutting methods | 65 |
| 6. Honing, stropping, use and care; Shaving fundamentals, Mustache & Beard Design | 30 |
| 7. Properties and Disorders of the Skin, Scalp, and Hair | 10 |
| 8. Theory of Massage; Hair and Scalp Treatments, Shampooing & Tonics | 10 |
| 9. Facial Massage & Treatments | 10 |
| 10. Anatomy & Physiology | 20 |
| 11. Electricity & Light Therapy | 5 |
| 12. Chemistry | 20 |
| 13. Nail Structure, Disorders & Diseases | 5 |
| 14. Artificial Hairpieces theory & development | 10 |
| 15. Hairstyling Techniques and methods | 10 |
| 16. Hair coloring & Lightening theory and effects | 35 |
| 17. Shop Management, merchandising, salesmanship, job search, business law | 70 |
| 18. West Virginia State Regulations & Barber law | <u>20</u> |
| Total | 475 |

DEMONSTRATION AND LECTURE ON SCIENTIFIC STUDY

| | |
|---|-----------|
| 1. History of Barbering | 5 |
| 2. Professional Images, Ethics | 5 |
| 3. Bacteriology, Sterilization & Sanitation, Decontamination & Safety in the Work Place | 10 |
| 4. First Aid & Hazard Communication | 10 |
| 5. Implements, tools, honing & stropping use and care | 5 |
| 6. Haircutting procedures & Hairstyling techniques | 20 |
| 7. Properties and Disorders of the skin, scalp & hair | 5 |
| 8. Theory of Massage, tonics | 5 |
| 9. Electricity & Light Therapy | 5 |
| 10. Chemistry | 5 |
| 11. Cells, Anatomy & Physiology | 5 |
| 12. Hair coloring, effects on hair | 10 |
| 13. Shop Arrangement, display of merchandise, business | <u>10</u> |
| Total | 100 |

SUPERVISED PRACTICE

| | |
|--|-----------|
| 1. Scalp Treatments, tonics, Shampooing | 85 |
| 2. Honing & Stropping | 15 |
| 3. Shaving | 100 |
| 4. Facials, massage, packs | 60 |
| 5. Hair coloring & Hair lightening | 50 |
| 6. Haircutting Techniques | 500 |
| 7. Hairstyling methods | 225 |
| 8. Use of tools & implements & equipment | 20 |
| 9. Artificial hair pieces | <u>20</u> |
| Total | 1075 |

ILLUSTRATED LECTURE AND DEMONSTRATIONS ON PRACTICAL WORK

| | |
|------------------------------------|-----------|
| 1. Scalp treatments, shampooing | 20 |
| 2. Honing and stropping | 5 |
| 3. Shaving | 20 |
| 4. Facials, massage, packs | 10 |
| 5. Haircutting | 25 |
| 6. Hair tonics | 5 |
| 7. Hair coloring & hair lightening | 15 |
| 8. Hairstyling demonstrations | 15 |
| 9. Artificial hair pieces | 15 |
| 10. Retail display & salesmanship | 10 |
| 11. Unassigned | <u>10</u> |
| <u>Total</u> | 150 |

| | |
|---------------------|----------------|
| Scientific Study | 575 hrs. |
| Supervised Practice | 1215 hrs. |
| Unassigned | <u>10 hrs.</u> |
| | 1800 hrs. |



Joe Manchin III
Governor

Adam L. Higginbotham
Director

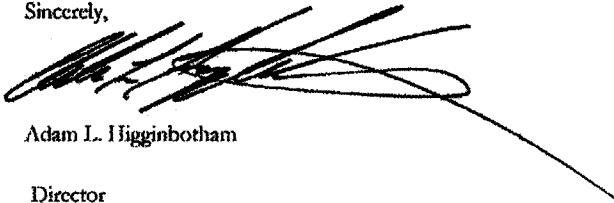
State of West Virginia
Board of Barbers and Cosmetologists
1201 Dunbar Ave.
Dunbar, WV 25064
Telephone: 304-558-2924
Fax: 304-558-3450
www.wvbbc.org

Board Members
Michael Belcher
Justina Gabbert
Sarah Hamrick
Paula Kurczak
Susan Poveromo
Jim Ryan
Rick Stache

TO: SECRETARY OF STATE NATALIE TENNANT
FROM: ADAM L. HIGGINBOTHAM, DIRECTOR, BOARD OF BARBERS AND COSMETOLOGISTS
SUBJECT: 3 CSR 1
DATE: 6/17/2010

The attached proposed rule changes remove the definition of aesthetician in the rule and add language to correspond with Chapter 30, Article 27.

Sincerely,



Adam L. Higginbotham
Director

APPENDIX B

FISCAL NOTE FOR PROPOSED RULES

Rule Title: Procedures, Criteria, and Curricula for Examination and Licensure of Barbers, Cosmetologists, Manicurists, and Aestheticians

Type of Rule: Legislative Interpretive Procedural

Agency: Board of Barbers and Cosmetologists

Address: 1201 Dunbar Avenue
Dunbar, WV 25064

Phone Number: 304-558-2924 Email: wybbc@wv.gov

Fiscal Note Summary

Summarize in a clear and concise manner what impact this measure will have on costs and revenues of state government.

NA

Fiscal Note Detail

Show over-all effect in Item 1 and 2 and, in Item 3, give an explanation of Breakdown by fiscal year, including long-range effect.

| FISCAL YEAR | | | |
|-----------------------------|-------------------------------------|----------------------------------|--|
| Effect of Proposal | Current Increase/Decrease (use "-") | Next Increase/Decrease (use "-") | Fiscal Year (Upon Full Implementation) |
| 1. Estimated Total Cost | 0.00 | 0.00 | 0.00 |
| Personal Services | 0.00 | 0.00 | 0.00 |
| Current Expenses | 0.00 | 0.00 | 0.00 |
| Repairs & Alterations | 0.00 | 0.00 | 0.00 |
| Assets | 0.00 | 0.00 | 0.00 |
| Other | 0.00 | 0.00 | 0.00 |
| 2. Estimated Total Revenues | 0.00 | 0.00 | 0.00 |

Rule Title: Procedures, Criteria, and Curricula for Examination and Licensure of Barbers, Cosmetologists, Manicurists, and Aestheticians

Rule Title: _____

3. **Explanation of above estimates (including long-range effect):**
Please include any increase or decrease in fees in your estimated total revenues.

NA

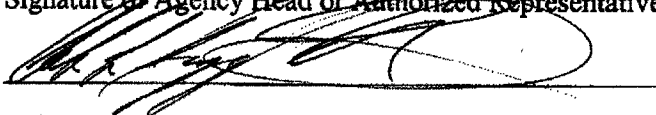
MEMORANDUM

Please identify any areas of vagueness, technical defects, reasons the proposed rule would not have a fiscal impact, and/or any special issues not captured elsewhere on this form.

This rule has no fiscal impact.

Date: 6/17/2010

Signature of Agency Head or Authorized Representative



QUESTIONNAIRE

(Please include a copy of this form with each filing of your rule: Notice of Public Hearing or Comment Period; Proposed Rule, and if needed, Emergency and Modified Rule.)

DATE: 7/30/2010

TO: LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

FROM: *(Agency Name, Address & Phone No.)* Board of Barbers and Cosmetology
1201 Dunbar Avenue
Dunbar, WV 25064
304-558-2924

LEGISLATIVE RULE TITLE: Procedures, Criteria, and Curricula for Examination and
Licensure of Barbers, Cosmetologists, Manicurists, and
Aestheticians

1. Authorizing statute(s) citation 30-27-5

2. a. Date filed in State Register with Notice of Hearing or Public Comment Period:
6/18/2010

b. What other notice, including advertising, did you give of the hearing?
Posting on www.wvbbc.org

c. Date of Public Hearing(s) or Public Comment Period ended:
7/22/2010

d. Attach list of persons who appeared at hearing, comments received, amendments, reasons for amendments.

Attached X No comments received

- e. Date you filed in State Register the agency approved proposed Legislative Rule following public hearing: (be exact)

7/30/2010

- f. Name, title, address and phone/fax/e-mail numbers of agency person(s) to receive all *written correspondence* regarding this rule: (Please type)

Adam L. Higginbotham

Director

304-558-2924

- g. **IF DIFFERENT FROM ITEM 'f'**, please give Name, title, address and phone number(s) of agency person(s) who wrote and/or has responsibility for the contents of this rule: (Please type)

NA

3. If the statute under which you promulgated the submitted rules requires certain findings and determinations to be made as a condition precedent to their promulgation:

- a. Give the date upon which you filed in the State Register a notice of the time and place of a hearing for the taking of evidence and a general description of the issues to be decided.

NA

b. Date of hearing or comment period:

NA

c. On what date did you file in the State Register the findings and determinations required together with the reasons therefor?

NA

d. Attach findings and determinations and reasons:

Attached NA

Higginbotham, Adam L

From: Joe Mamone [joe@scottcollegeofcosmetology.edu]
Sent: Thursday, July 22, 2010 5:14 PM
To: Higginbotham, Adam L
Subject: Proposed changes 1, 2 & 4

Dear Adam Higginbotham,

I am writing in regards to proposed changes 1, 2 & 4. I have read all 3 and have found nothing in any of the 3 that I would be opposed to.

I do want to say that even though I am not opposed to proposal 4 as I do feel it will be better than as currently written I want to take this opportunity to say that I am opposed to the 2 tier instructor status in West Virginia. I feel the proposed changes will make more people eligible to test for a masters license but I see no useful advantage to the masters instructor status and I also feel that being a successful hairdresser for 15 years certainly does not guarantee that that individual would make a good instructor.

I want to go on record and say that in my opinion the best thing for the industry in West Virginia would be to switch back to a 1 tier instructor license. I have research the licensing of instructors though out the United States and cannot find another state that requires a 2nd tier level instructor to be able to operate a school of cosmetology.

Thank you for this opportunity to express my opinion.

Sincerely,

Joe Mamone
Scott College of Cosmetology
1502 Market Street
Wheeling, WV. 26003



Joe Manchin III
Governor

Adam L. Higginbotham
Director

State of West Virginia
Board of Barbers and Cosmetologists

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Rick Stache

Joe Mamone
Scott College of Cosmetology
1502 Market Street
Wheeling, WV 26003

July 28th, 2010

Dear Mr. Mamone,

On behalf of the Board I would like to thank you for your response to the proposed rule changes posted on our website for the upcoming 2011 legislative session.

I definitely concur with your opinion that being a hairdresser for fifteen (15) years will not guarantee that the individual would make a good instructor. I would even venture to state that the completion of any three tracks or options to master instructor status would guarantee an individual being a good instructor. The main reasons for trying to create additional tracks or options to obtain master instructor status are to create more master instructors to replenish their decreasing numbers and to increase the opportunities of individuals with different life experiences to provide valuable insight professionally and educationally to neophytes in the beauty industry.

As for the request to eliminate the two-tiered system of instructors in West Virginia (instructor and master instructor), there are many that agree with your opinion. At this time the Board has three rules open for proposed changes. The rules covering master instructors include four different rules. Therefore, if the Board would choose to propose the elimination of the master instructor program in the current three rules that mention the master instructors, one rule would still mention the master instructor program causing our rules to be inconsistent. Since the four different rules would not be in unison we could not proceed with a proposed elimination of the two-tiered system for the 2011 legislative session.

If the elimination of the two-tiered system of instructors is important to the industry or your business growth, I strongly encourage your input at a board meeting during the February, March, April, May months of 2011.

Again, I would like to thank you for your participation and input for the proposed rule changes.

Sincerely,

Adam L. Higginbotham
Director