

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

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OFFICE OF THE WEST VIRGINIA
SECRETARY OF STATE

Form #6

**NOTICE OF FINAL FILING AND ADOPTION OF A LEGISLATIVE RULE AUTHORIZED
BY THE WEST VIRGINIA LEGISLATURE**

AGENCY: Board of Barbers and Cosmetologists TITLE NUMBER: 3

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 RULE HAS BEEN AUTHORIZED BY THE WEST VIRGINIA LEGISLATURE.

AUTHORIZATION IS CITED IN (house or senate bill number) HB2639

SECTION §64-9-5 a, PASSED ON March 18th, 2011

THIS RULE IS FILED WITH THE SECRETARY OF STATE. THIS RULE BECOMES EFFECTIVE ON THE
FOLLOWING DATE: July 1st, 2011


Authorized Signature

**TITLE 3
LEGISLATIVE RULES
BOARD OF BARBERS AND COSMETOLOGISTS**

SERIES 1

FILED
2011 JUN 16 PM 3:59
OFFICE OF THE VIRGINIA
SECRETARY OF STATE

**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 § 30-27-5 and § 30-27-6.

1.3. **Filing Date** – June 16, 2011

1.4 **Effective Date** – July 1, 2011

§ 3-1-2. License Requirement

2.1. 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.

2.2 A person and student practicing barbering, cosmetology, manicuring or aesthetics shall display his or her license or license renewal at the workstation the individual is currently working and shall exhibit the license to the board or its authorized representative.

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

§ 3-1-3. Qualification for Licensure

3.1. An applicant for licensure shall present satisfactory evidence to the Board that he or she:

(a) Is at least 18 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 cosmetology 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 cosmetology 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.

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

4.1. A student shall complete a course of study consisting of at least 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 desiring to obtain a barber permanent wave license.

4.2. A student who has completed 1,800 clock hours of barber training, shall complete a course of study consisting of a minimum of 375 clock hours divided as specified in Table 3-1B of this rule to obtain a barber permanent wave license.

§ 3-1-5. Minimum Curriculum for Cosmetologists

5.1. A student shall complete a course of study consisting of a minimum of 2,000 clock hours divided as specified in Table 3-1C of this rule to become licensed as a cosmetologist; and

5.2. Shall perform practical work during the first 300 hours on manikins only.

§ 3-1-6. Minimum Curriculum for Manicurists

6.1. A student shall complete a course of study consisting of a minimum of 40) clock hours divided as specified in Table 3-1D of this rule to become a licensed manicurist.

§ 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 cosmetology 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 2,000 clock hours of barber's training prior to taking the 300 clock hours cosmetology cross-over training. An individual who has completed the barber's training may, 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 the cosmetologist examination and the 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 requirements in this state. The Board may accept less than 2,000 clock hours barber's training if supplemented by 1 year of practical experience for every 300 clock hours of schooling not to exceed 1,000 clock hours.

7.2. Barbers desiring a cross-over license and having graduated with the 1,800 clock hours curriculum must take a cross-over curriculum of 500 clock hours as specified in Table 3-1F of this rule.

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

§ 3-1-8. Minimum Curriculum for Cosmetologists to Obtain a cross-Over Barber License

8.1. A cosmetologist shall complete the courses as specified in Table 3-1G of this rule to obtain a cross-over barber license. Individuals must have completed 2,000 hours of cosmetologist's training prior to taking the 300 hours barber cross-over license training. An individual who has completed the cosmetologist's training may 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 the cosmetologist examination and the 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 requirements in this state. The Board may accept less than 2,000 clock hours barber's training if supplemented by 1 year of practical experience for every 300 clock hours of schooling not to exceed 1,000 clock hours.

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

§ 3-1-9. Minimum Curriculum for Aestheticians

9.1. A student shall complete a course of study consisting of a minimum of 600 clock hours divided as specified in Table 3-1H of this rule to become a licensed aesthetician.

§ 3-1-10. Reciprocity

10.1. A student who has previously attended school, or who has graduated from a school of barbering or cosmetology in another state, may receive credit towards the 2,000 clock 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 25 hours credit for each month or 300 hours credit for 1 year, not to exceed a total award of 1,000 hours.

§ 3-1-11. Administrative Due Process

11.1. A person adversely affected by the enforcement of this rule has the right to request a contested case hearing consistent with the provisions of W. Va. Code §30-27-1 et seq. and §29A-5-1 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>	<u>5</u>	<u>20</u>	<u>30</u>
	201	68	331	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.