

**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: 3

CITE AUTHORITY: 30-27-5 and 30-27-6

AMENDMENT TO AN EXISTING RULE: YES NO

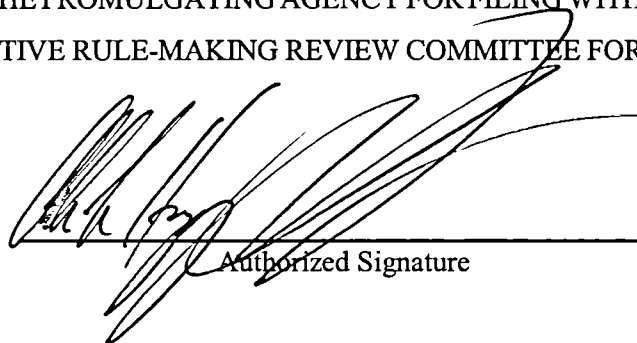
IF YES, SERIES NUMBER OF RULE BEING AMENDED: 1

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.


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

DEPARTMENT OF STATE
STATE OF WEST VIRGINIA

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 § 30-27-5 and § 30-27-6.

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

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 Barbers ~~Permanent Wave~~

~~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.~~

4.1 A barber student shall complete a course of study consisting of 1200 clock hours divided as specified in Table 3-1A of this rule to obtain a barber license.

4.2 A barber student shall have 250 clock hours before working on the general public in a licensed school.

~~4.2. A student who has completed 1,800 clock hours of barber training specified in Table 3-1B, 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~~ 1,800 clock hours divided as specified in Table 3-1B of this rule to become licensed as a cosmetologist; and

5.2. A cosmetology student shall have at least 300 clock hours before working on the general public in a licensed school. 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 400 clock hours

divided as specified in Table 3-1D of this rule to become a licensed manicurist.

6.2. A manicuring student shall have at least 150 clock hours before working on the general public in a licensed school.

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

~~7.1. A barber student who has completed 1200 hours or a licensed barber wishing to obtain a cross-over cosmetologist's license must complete 500 clock hours consisting of the manicuring (Table 3-1C) and aesthetic (Table 3-1D) curriculums and 100 clock hours of the "chemicals" course of cosmetology (Table 3-1F) in this rule. 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.~~

7.32. 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 cosmetology student who has completed 1,800 hours of cosmetology or a licensed cosmetologist wishing to obtain a cross-over barber's license must complete a 100 clock hour course specializing in just clipper cuts, shaving, and facial hair trimming. 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

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

9.2. An aesthetic student shall have at least 200 clock hours before working on the general public in a licensed school.

§ 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~~ 1800 for cosmetologists or 1200 for barbering clock 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~~ of 50% of West Virginia's hour requirements.

§ 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 a Barber

| <u>General Professional Information</u> | <u>Theory Work</u> | <u>Practical Work</u> |
|---|--|---|
| <p data-bbox="212 512 654 541"><u>In this section, students will learn:</u></p> <ul data-bbox="228 552 737 886" style="list-style-type: none"> <li data-bbox="228 552 613 581">• <u>Professional Development</u> <li data-bbox="228 590 607 619">• <u>Effective Communication</u> <li data-bbox="228 627 500 657">• <u>Human Relations</u> <li data-bbox="228 665 711 695">• <u>Business Management/Ownership</u> <li data-bbox="228 703 407 732">• <u>State Law</u> <li data-bbox="228 741 711 770">• <u>Sanitation in the Licensed Facility</u> <li data-bbox="228 779 737 808">• <u>Sanitation Processes and Guidelines</u> <li data-bbox="228 816 391 846">• <u>First Aid</u> <li data-bbox="228 854 607 884">• <u>General Infection Control</u> | <p data-bbox="1006 443 1221 472"><u>100 clock hours</u></p> | <p data-bbox="1240 443 1422 472"><u>0 clock hours</u></p> |
| <p data-bbox="212 978 829 1008"><u>Introduction into Barber Permanent Waving</u></p> <p data-bbox="212 1115 654 1144"><u>In this section, students will learn:</u></p> <ul data-bbox="228 1155 951 1299" style="list-style-type: none"> <li data-bbox="228 1155 483 1184">• <u>Course Outlines</u> <li data-bbox="228 1192 542 1222">• <u>History of Barbering</u> <li data-bbox="228 1230 431 1260">• <u>Study Skills</u> <li data-bbox="228 1268 951 1297">• <u>Professional Image as a Student and Future Licensee</u> | <p data-bbox="1006 978 1188 1008"><u>Theory Work</u></p> <p data-bbox="1006 1045 1188 1075"><u>3 clock hours</u></p> | <p data-bbox="1240 978 1458 1008"><u>Practical Work</u></p> <p data-bbox="1240 1045 1422 1075"><u>0 clock hours</u></p> |
| <p data-bbox="212 1390 561 1419"><u>The Science of Barbering</u></p> <p data-bbox="212 1526 654 1556"><u>In this section, students will learn:</u></p> <ul data-bbox="228 1566 951 1827" style="list-style-type: none"> <li data-bbox="228 1566 451 1596">• <u>Microbiology</u> <li data-bbox="228 1604 824 1633">• <u>Infection Control Specifically to Barbering</u> <li data-bbox="228 1642 727 1671">• <u>Implements, Tools, and Equipment</u> <li data-bbox="228 1680 602 1709">• <u>Anatomy and Physiology</u> <li data-bbox="228 1717 407 1747">• <u>Chemistry</u> <li data-bbox="228 1755 407 1785">• <u>Electricity</u> <li data-bbox="228 1793 951 1822">• <u>Properties and Disorders of the Skin, Hair, and Scalp</u> | <p data-bbox="1006 1390 1205 1419"><u>Theory Work</u></p> <p data-bbox="1006 1457 1221 1486"><u>200 clock hours</u></p> | <p data-bbox="1240 1390 1458 1419"><u>Practical Work</u></p> <p data-bbox="1240 1457 1455 1486"><u>150 clock hours</u></p> |

| <u>Professional Barbering</u> | <u>Theory Work</u> | <u>Practical Work</u> |
|--|---------------------------|------------------------------|
| | <u>150 clock hours</u> | <u>597 clock hours</u> |
| <p><u>In this section, students will learn:</u></p> <ul style="list-style-type: none">• <u>Treatment of the Hair and Scalp</u>• <u>Shaving and Facial Hair Design</u>• <u>Men's Haircutting and Styling</u>• <u>Men's Hair Replacements</u> | | |

Table 3-1B Minimum Curriculum for a Cosmetologist

| <u>General Professional Information</u> | <u>Theory Work</u> | <u>Practical Work</u> |
|--|---------------------------|------------------------------|
| | <u>100 clock hours</u> | <u>0 clock hours</u> |
| <u>In this section, students will learn:</u> <ul style="list-style-type: none"> • <u>Professional Development</u> • <u>Effective Communication</u> • <u>Human Relations</u> • <u>Business Management/Ownership</u> • <u>State Law</u> • <u>Sanitation in the Licensed Facility</u> • <u>Sanitation Processes and Guidelines</u> • <u>First Aid</u> • <u>General Infection Control</u> | | |
| <u>The Science of Cosmetology</u> | <u>Theory Work</u> | <u>Practical Work</u> |
| | <u>200 clock hours</u> | <u>50 clock hours</u> |
| <u>In this section, students will learn:</u> <ul style="list-style-type: none"> • <u>Infection Control Specifically for Cosmetology</u> • <u>General Anatomy and Physiology</u> • <u>Skin Diseases and Disorders and Structure</u> • <u>Properties of the Hair and Scalp</u> • <u>Basics of Chemistry</u> • <u>Basics of Electricity</u> | | |
| <u>Professional Cosmetology</u> | <u>Theory Work</u> | <u>Practical Work</u> |
| | <u>50 clock hours</u> | <u>403 clock hours</u> |
| <u>In this section, students will learn:</u> <ul style="list-style-type: none"> • <u>Principles of Hair Design</u> • <u>Scalp Care, Shampooing, and Conditioning</u> • <u>Haircutting</u> • <u>Hairstyling</u> • <u>Braiding and Extensions</u> • <u>Wigs and Hair Additions.</u> | | |

| | | |
|---|---------------------------|------------------------------|
| <u>Chemicals</u> | <u>Theory Work</u> | <u>Practical Work</u> |
| | <u>100 clock hours</u> | <u>100 clock hours</u> |
| <u>In this section, students will learn:</u> <ul style="list-style-type: none"> • <u>Chemical Texture Services</u> • <u>Hair Coloring</u> | | |

| | | |
|--|---------------------------|------------------------------|
| <u>The Science of Aesthetics</u> | <u>Theory Work</u> | <u>Practical Work</u> |
| | <u>117 clock hours</u> | <u>50 clock hours</u> |
| <u>In this section, students will learn:</u> <ul style="list-style-type: none"> • <u>Infection Control Specifically for Aesthetics</u> • <u>General Anatomy and Physiology</u> • <u>Basics of Chemistry</u> • <u>Basics of Electricity</u> • <u>Basics of Nutrition</u> | | |

| | | |
|--|---------------------------|------------------------------|
| <u>Skin Sciences</u> | <u>Theory Work</u> | <u>Practical Work</u> |
| | <u>40 clock hours</u> | <u>90 clock hours</u> |
| <u>In this section, students will learn:</u> <ul style="list-style-type: none"> • <u>Physiology and Histology of the Skin</u> • <u>Disorders and Diseases of the Skin</u> • <u>Skin Analysis</u> • <u>Skin Care Products: Chemistry, Ingredients and Selection</u> | | |

| <u>General Aesthetics</u> | <u>Theory Work</u> | <u>Practical Work</u> |
|---|-----------------------|------------------------|
| | <u>36 clock hours</u> | <u>167 clock hours</u> |
| <p><u>In this section, students will learn:</u></p> <ul style="list-style-type: none"> • <u>The Treatment Room</u> • <u>Basic Facial</u> • <u>Facial Massage</u> • <u>Hair Removal</u> • <u>Advance Topics and Treatments</u> • <u>Makeup</u> | | |

| <u>The Science of Nail Technology</u> | <u>Theory Work</u> | <u>Practical Work</u> |
|--|-----------------------|-----------------------|
| | <u>64 clock hours</u> | <u>10 clock hours</u> |
| <p><u>In this section, students will learn:</u></p> <ul style="list-style-type: none"> • <u>Infection Control Specifically for Nail Technicians</u> • <u>General Anatomy and Physiology</u> • <u>Skin Structure and Growth</u> • <u>Nail Structure and Growth</u> • <u>Nail Diseases and Disorders</u> • <u>Basics of Chemistry</u> • <u>Nail Product Chemistry</u> • <u>Electricity</u> | | |

| <u>Basic Procedures</u> | <u>Theory Work</u> | <u>Practical Work</u> |
|--|-----------------------|-----------------------|
| | <u>12 clock hours</u> | <u>80 clock hours</u> |
| <p><u>In this section, students will learn:</u></p> <ul style="list-style-type: none"> • <u>Pre and Post Service Procedures</u> • <u>Handling and Exposure Incidents</u> • <u>Performing Basic Manicures and Pedicures</u> • <u>Hand, Arm, Foot, and Leg Messages</u> • <u>Disinfecting Tools and Implements</u> • <u>Wraps, Tips, Paraffin Wax Treatments</u> • <u>Polishing, UV Gel, and Design</u> | | |

| <u>The Art of Nail Technology</u> | <u>Theory Work</u> | <u>Practical Work</u> |
|--|---------------------------|------------------------------|
| | <u>21 clock hours</u> | <u>110 clock hours</u> |
| <p><u>In this section, students will learn:</u></p> <ul style="list-style-type: none">• <u>Advanced Manicuring and Pedicuring</u>• <u>Electric Filing</u>• <u>Nail Tips and Wraps</u>• <u>Monomer Liquid and Polymer Powder Nail Enhancements</u>• <u>UV Gels</u>• <u>Creative Design</u> | | |

Table 3-1C Minimum Curriculum for Manicurists/Nail Technicians

| <u>General Professional Information</u> | <u>Theory Work</u> | <u>Practical Work</u> |
|---|---------------------------|------------------------------|
| | <u>100 clock hours</u> | <u>0 clock hours</u> |
| <p><u>In this section, students will learn:</u></p> <ul style="list-style-type: none"> • <u>Professional Development</u> • <u>Effective Communication</u> • <u>Human Relations</u> • <u>Business Management/Ownership</u> • <u>State Law</u> • <u>Sanitation in the Licensed Facility</u> • <u>Sanitation Processes and Guidelines</u> • <u>First Aid</u> • <u>General Infection Control</u> | | |
| <u>The Science of Nail Technology</u> | <u>Theory Work</u> | <u>Practical Work</u> |
| | <u>64 clock hours</u> | <u>10 clock hours</u> |
| <p><u>In this section, students will learn:</u></p> <ul style="list-style-type: none"> • <u>Infection Control Specifically for Nail Technicians</u> • <u>General Anatomy and Physiology</u> • <u>Skin Structure and Growth</u> • <u>Nail Structure and Growth</u> • <u>Nail Diseases and Disorders</u> • <u>Basics of Chemistry</u> • <u>Nail Product Chemistry</u> • <u>Electricity</u> | | |
| <u>Basic Procedures</u> | <u>Theory Work</u> | <u>Practical Work</u> |
| | <u>12 clock hours</u> | <u>80 clock hours</u> |
| <p><u>In this section, students will learn:</u></p> <ul style="list-style-type: none"> • <u>Pre and Post Service Procedures</u> • <u>Handling and Exposure Incidents</u> • <u>Performing Basic Manicures and Pedicures</u> • <u>Hand, Arm, Foot, and Leg Messages</u> • <u>Disinfecting Tools and Implements</u> • <u>Wraps, Tips, Paraffin Wax Treatments</u> • <u>Polishing, UV Gel, and Design</u> | | |

| <u>The Art of Nail Technology</u> | <u>Theory Work</u> | <u>Practical Work</u> |
|--|---------------------------|------------------------------|
| | <u>21 clock hours</u> | <u>113 clock hours</u> |
| <p><u>In this section, students will learn:</u></p> <ul style="list-style-type: none">• <u>Advanced Manicuring and Pedicuring</u>• <u>Electric Filing</u>• <u>Nail Tips and Wraps</u>• <u>Monomer Liquid and Polymer Powder Nail Enhancements</u>• <u>UV Gels</u>• <u>Creative Design</u> | | |

Table 3-1D Barber to Obtain Cosmetology Cross-Over

| <u>Chemicals</u> | <u>Theory Work</u> | <u>Practical Work</u> |
|--|-------------------------------|-------------------------------|
| <p><u>In this section, students will learn:</u></p> <ul style="list-style-type: none"> • <u>Chemical Texture Services</u> • <u>Hair Coloring</u> | <p><u>100 clock hours</u></p> | <p><u>100 clock hours</u></p> |

Table 3-1E Minimum Curriculum for Aestheticians

| <u>General Professional Information</u> | <u>Theory Work</u> | <u>Practical Work</u> |
|---|---------------------------|------------------------------|
| | <u>100 clock hours</u> | <u>0 clock hours</u> |
| <p><u>In this section, students will learn:</u></p> <ul style="list-style-type: none"> • <u>Professional Development</u> • <u>Effective Communication</u> • <u>Human Relations</u> • <u>Business Management/Ownership</u> • <u>State Law</u> • <u>Sanitation in the Licensed Facility</u> • <u>Sanitation Processes and Guidelines</u> • <u>First Aid</u> • <u>General Infection Control</u> | | |
| <u>The Science of Aesthetics</u> | <u>Theory Work</u> | <u>Practical Work</u> |
| | <u>117 clock hours</u> | <u>50 clock hours</u> |
| <p><u>In this section, students will learn:</u></p> <ul style="list-style-type: none"> • <u>Infection Control Specifically for Aesthetics</u> • <u>General Anatomy and Physiology</u> • <u>Basics of Chemistry</u> • <u>Basics of Electricity</u> • <u>Basics of Nutrition</u> | | |
| <u>Skin Sciences</u> | <u>Theory Work</u> | <u>Practical Work</u> |
| | <u>40 clock hours</u> | <u>90 clock hours</u> |
| <p><u>In this section, students will learn:</u></p> <ul style="list-style-type: none"> • <u>Physiology and Histology of the Skin</u> • <u>Disorders and Diseases of the Skin</u> • <u>Skin Analysis</u> • <u>Skin Care Products: Chemistry, Ingredients and Selection</u> | | |

| <u>General Aesthetics</u> | <u>Theory Work</u> | <u>Practical Work</u> |
|--|---------------------------|------------------------------|
| | <u>36 clock hours</u> | <u>167 clock hours</u> |
| <p><u>In this section, students will learn:</u></p> <ul style="list-style-type: none">• <u>The Treatment Room</u>• <u>Basic Facial</u>• <u>Facial Massage</u>• <u>Hair Removal</u>• <u>Advance Topics and Treatments</u>• <u>Makeup</u> | | |

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

| <u>SCIENTIFIC STUDY</u> | |
|---|------------|
| 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 | 16 hours |
| | 406 hours |
| <u>DEMONSTRATION AND LECTURE ON SCIENTIFIC STUDY</u> <u>(NO LECTURE ON SATURDAY)</u> | |
| 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 | 10 hours |
| | 100 hours |
| <u>SUPERVISED PRACTICE</u> | |
| 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 | 40 hours |
| | 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 | 10 hours |
| | 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 | 8 | 7 | 10 | 65 | 90 |
| | 23 | 37 | 50 | 265 | 375 |

SUMMARY

| | |
|---------------------|------------|
| Scientific Study | 575 hours |
| Supervised Practice | 1050 hours |
| Permanent Waving | 375 hours |
| | 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 | 8 | 7 | 10 | 65 | 90 |
| | 28 | 47 | 60 | 240 | 375 |

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

| | <u>LECTURE</u> | <u>DEMONSTRATION</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 | 20 | 20 | 5 | | 45 |
| 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>TOTAL HOURS</u> | |
|--|-----------------------------------|----------------------------|-----------------------------|------------------------|---------------|
| | <u>LECTURE</u> | <u>DEMON- STRATION</u> | <u>MANIKIN PRACTICE</u> | | <u>CLINIC</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 | | 13 | | 155 | 168 |
| SUB-TOTAL | 5 | 68 | | 1364 | 1437 |

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

| <u>LECTURE ON SCIENTIFIC SUBJECTS</u> | | | | | |
|---|----------------|---------------------------|-----------------------------|---------------|------------------------|
| | <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 | 10 | | | 5 | 15 |
| SUB-TOTAL | 135 | 2 | | 101 | 253 |
| TOTAL | | | | | 2000 |

SUMMARY

| | |
|---|-------------|
| Scientific Subjects | 253 |
| Beginner's Demonstration | 70 |
| Beginner's Manikin Practice | 106 |
| Demonstrations' Clinic Manikin Practice | 1571 |
| 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 | 5 | 5 | 10 | 20 |
| 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 |
| Hairecutting | 10 | 10 | 20 | 40 | 80 |
| Makeup | 3 | 2 | | 5 | 10 |
| Hair coloring & Lightening | 20 | 20 | | 15 | 55 |
| Dispensary | | | | 15 | 15 |
| 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 | | | | 15 | 15 |
| 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>DEMONSTRATION</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 | 10 | 10 | 5 | | 25 |
| 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, | 30 | | | 30 |
| 1. Salon Operations | | | | |
| 2. Selling Techniques | | | | |
| 3. Job Opportunities (Resume, | | | | |
| Employment Applications, | | | | |
| Conduct, Payroll Deductions) | | | | |
| 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 | 5 | 5 | 20 | 30 |
| | 201 | 68 | 331 | 600 |

TABLE 3-11 Minimum Curriculum for 1800 Clock Hour Barber License

| <u>SCIENTIFIC STUDY</u> | |
|---|-----|
| 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 | 20 |
| Total | 475 |
| <u>DEMONSTRATION AND LECTURE ON SCIENTIFIC STUDY</u> | |
| 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 | 10 |
| 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 | 20 |
| 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 | 10 |
| Total | 150 |

| | |
|---------------------|------------------|
| Scientific Study | 575 hrs. |
| Supervised Practice | 1215 hrs. |
| Unassigned | 10 hrs. |
| | 1800 hrs. |



Earl Ray Tomblin
Governor

State of West Virginia
Board of Barbers and Cosmetologists
1201 Dunbar Avenue
Dunbar, WV 25064

p: 304.558.2924
f: 304.558.3450
www.wvbbc.org

Director
Adam L. Higginbotham

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

MEMORANDUM

To: Natalie E. Tennant
 Secretary of State

From: Adam L. Higginbotham
 Director
 Board of Barbers and Cosmetologists

Date: July 28, 2011

Subject: 3CSR1 Rule Submission

A handwritten signature in black ink, appearing to read "Adam L. Higginbotham", written over the printed name in the memorandum header.

On behalf of the Board of Barbers and Cosmetologists, I submit 3CSR1, Procedures, Criteria and Curricula for Examination and Licensure of Barbers, Cosmetologists, Manicurists, and Aestheticians.

This rule change reduces the number of hour's barbers and cosmetologists must complete in the curriculum in order to take the national examination.

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: 7/28/2011

TO: LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

FROM: (Agency Name, Address & Phone No.) Board of Barbers and Cosmetologists
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 and 30-27-6

2. a. Date filed in State Register with Notice of Hearing or Public Comment Period:
6/15/2011

b. What other notice, including advertising, did you give of the hearing?
website

c. Date of Public Hearing(s) *or* Public Comment Period ended:
07/18/2011

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)

No public hearing

- 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
1201 Dunbar Avenue
Dunbar, WV 25064
304-558-2924
adam.l.higginbotham@wv.gov

- 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 _____

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: adam.l.higginbotham@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.

This rule change will no have fical impact.

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 | | | |
| Personal Services | | | |
| Current Expenses | | | |
| Repairs & Alterations | | | |
| Assets | | | |
| Other | | | |
| 2. Estimated Total Revenues | | | |

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

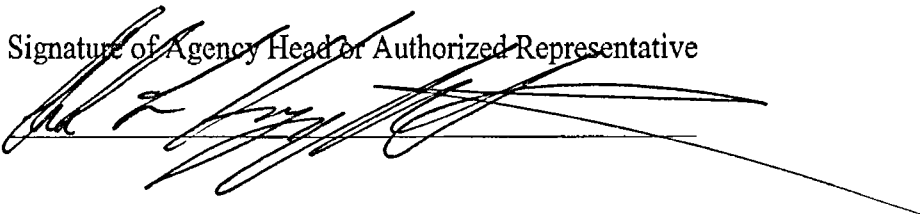
MEMORANDUM

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.

NA

Date: 6/13/2011

Signature of Agency Head or Authorized Representative



Page 1 of 4

July 13, 2011

West Virginia Board of Barbers & Cosmetologists
1201 Dunbar Avenue
Dunbar, WV 25064

Attn: Adam Higginbotham, Director

Re: Proposed Changes

Dear Mr Higginbotham:

I am submitting this response in reference to the proposed changes in the Cosmetology Course and the addition of Shampoo Assistant.

I have many years of experience and am very knowledgeable in all facets of the cosmetology industry. I attended beauty school in 1966 and worked for years in a salon. In the early 1980's I began employment in a WV school of cosmetology, where I remained for the next 20 years. My philosophy was always that each time I could learn something new it would be to my advantage, so I became familiar with all aspects of the school industry. I worked in the Financial Aid Department, I maintained all records for all students, including tracking hours, all state board reports, student permits, state board exams, graduation, licensure and placement records. I also was an Accreditation Specialist, assuring the school remained in compliance with all rules and criteria set forth by our accrediting agency, including preparing all documents for submission for on site visits by the accrediting agency. I developed policy and procedures manuals as well as course outline manuals for the students. I also set up curriculum, and kept it updated each time there was a textbook change, for all courses, breaking the hours down for theory, demonstration, practice and clinic (the state board curriculum was only broken down for theory and practical, and did not take into consideration the textbook changes, nor break the hours down for demonstration and practice). During this 20 year period, we also opened an additional five (5) schools, one (1) in WV and four (4) in Kentucky. I set up the courses for these schools as well as the accreditation requirements. As you can see, I have a long and diverse resume of skills, which I feel more than qualifies me to respond to the desired changes set forth by the WV Board of Cosmetology.

I will first address the changes in the Cosmetology Course, as follows:

- (1) In my opinion, the person(s) that developed the new curriculum is not familiar with teaching, how courses are taught, and the hours that should be required for each theory subject, demonstration, practice and clinic are broken down. The proposed curriculum is only broken down for theory and practical.
- (2) In order to meet Federal Financial Aid requirements, students are scheduled to attend school between 30/35 hours per week. The proposed curriculum has a total of 740 hours for theory and 1054 (should be 1060, error made in hours) for practice. Breaking down this proposed new curriculum, the students would be required to attend theory class approximately 14 hours per week, leaving approximately 20 hours per week for demonstration, practice and/or clinic work. I have

- (3) obtained a copy of a Kentucky 1800 clock hour cosmetology curriculum breakdown. Theory is taught for 450 hours, Kentucky Law 45 hours (state board requirement), which leaves 1305 hours for demonstration, practice and/or clinic. This is approximately 9 ½ hours per week for theory and approximately 25 hours per week for demonstration, practice and/or clinic.
- (4) In addition, the new proposed cosmetology curriculum has designated 500 hours for Aesthetics and 297 hours for Nail Technology, leaving only 1003 hours for teaching the cosmetology portion. WV has a separate 600 hour/400 hour course and licensing for those wishing to become an Aesthetician or a Nail Technician. During my 20 years in the cosmetology school industry, the vast majority of those students wishing to become a Cosmetologist *were definitely not interested in studying aesthetics or nail technology (only that part which was included in the cosmetology course)*. We did offer an Advanced Skin Care and Advanced Nail Class for those that wished to also perform these services in the salon.

I have recently spoken with numerous licensed Cosmetologists, asking them if they were to be enrolling in school today, would it make a difference to them if they were forced to study aesthetics and nail technology.....their response was *"I would then probably not go to cosmetology school"* and this is exactly what will happen if this proposed curriculum is forced upon the schools.

If haircoloring were to be added to the Barber Permanent Wave Course, students could then attend this course instead of the cosmetology course where they would be forced to study for a course in which they had no interest.

The Cosmetology Course has *always* been 2000 clock hours. We always took great pride that our students had more hours than other states, thus, better educated and qualified. If it has worked for so many years at 2000 hours, why would anyone now want it changed to 1800 clock hours. *I have spoken to most of the WV school owners and they certainly do not approve this change.....this would mean changes in their financial aid requirements as well as many other changes.*

In my opinion, it would not make a great deal of difference to go from 2000 to 1800 clock hours. However, the hours should be broken down in a manner which would be less hours for theory and more hours for demonstration, practice and/or clinic. *Most definitely 44% of the total hours should not be designated for aesthetics and nail technology.....this does not leave enough hours for the study of cosmetology.* However, on the other hand, as the old says goes *"If it ain't broken, why fix it"*

Response to changes in the Barber Course as follows:

- (1) If this were not such a serious proposal, it would be almost comical. It is beyond the comprehension of anyone that teaches barbering that someone could think this course can be taught in 800 hours. This again gets back to the person(s) that is/are suggesting this astronomical decrease in hours has never been in the barbering school classroom.
- (2) Upon review of the states that offer a Barbering Course, the vast majority of them have 1500 clock hours, some with even more hours, up to 2100. Only a couple of states have less than 1000 clock hours. The ***proposed 800 hour Barbering Course is not a national standard.***

Therefore, there must be another reason for wanting to make such a drastic, ridiculous change in this course.

- (3) In my opinion, it would be almost impossible for the Barbering Course to be taught in 800 clock hours. If it needs to be changed at all, I would recommend that it be not less than 1500 clock hours.
- (4) This change would also result in a drastic changes in charges for the Barbering Course, however, it would take a great deal of manpower hours to make all the necessary changes in all documents, computer software, financial aid guidelines, etc.

At this time, there is only one (1) Barber School in the State of WV to offer barbering to those interested in becoming barbers. In all probability, if these proposed changes go through, it will force the closure of this school. With the terrible economy in our state, would this really be the best move?

Response to adding "Shampoo Assistant", as follows:

- (1) There are many students completing the 2000 clock hour cosmetology that do not know how to offer the client a good shampoo, therefore it would be totally impossible for anyone to take an online course and become a shampoo assistant. The shampoo is one of the most important services that you can offer your client, and the technique cannot be learned from a textbook or an online course. This is a hands on training with no substitute. The proposal has stated that the addition of Shampoo Assistant will offer many jobs, however, this is NOT true. I have spoken to many cosmetologists, all of which have advised they would not allow an untrained person to shampoo their clients.
- (2) In addition, if a "Shampoo Assistant" even with the proper training were to become licensed in WV, I can guarantee that, before long, the shampoo assistant would take on more responsibility, such as applying color. Therefore, if a course were to be offered for an assistant, the course should be taught in a school of cosmetology and be a minimum of 150 hours, which could include color application. This type of assistant would be much more beneficial to the busy salon.

In closing, as I stated in the beginning of this letter, I feel that my many years of varied experience in the cosmetology industry more than qualifies me to respond to these proposed changes and I sincerely hope that my responses will be taken into consideration before any changes are made to courses offered by the WV cosmetology schools and the barber school.

Also, each person that will be making a decision should take into consideration whether they would like a well trained operator, be it a cosmetologist or barber, or one that has received sub standard training, which will happen if these changes are approved.

A copy of this response has been forwarded to those persons listed below.

Page 4 of 4

Sincerely,

Patricia Stewart Blodgett
PO Box 16
Barboursville, WV 25504
304-733-6453

Copy: Natalie Tennant, WV Secretary of State
Earl Ray Tomblin , WV Governor
Judy Hall, Charleston School of Beauty Culture
Roberta Saunders, Beckley Beauty Academy
Angela Pollicana, Clarksburg Beauty School
Toni Madia, Mountaineer Beauty School
All Members of WV Legislative Rule Making Committee
Senator Evan Jenkins



Earl Ray Tomblin
Governor

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Director
Adam L. Higginbotham

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

Patricia Stewart Blodgett
PO BOX 16
Barboursville, WV 25504

July 25, 2011

Dear Patricia Stewart Blodgett:

Thank you for your letter explaining your concern over some of the improvements that the Board thinks will help the industry. I hope this letter satisfies the questions that you have asked.

The reason the curriculum is broken down only by theory and practical is due to the Board not feeling that each step of the education process should be dictated by the Board. By generalizing theory as any type of non-hands-on practice and practical as any hands-on practice, the Board hopes to allow the schools to have more room for creative teaching in lieu of achieving a specific number of demonstrations or model work.

The next issue that you raise is against the requirements of aesthetic training and nail training as an integral part of the cosmetology program. Since cosmetologists can perform aesthetic and nail services on clients and the current law allows this scope of practice by cosmetologists, it is important that aesthetic and nail curriculums are equally integrated into the cosmetology program to insure that the general public receives competent services from the licensees the Board oversees within the scope of practice.

I do feel that your comment concerning current cosmetologists not enrolling in school today if they had to learn aesthetic and nail services is inaccurate. With the current law and trends in the current industry, cosmetologists must have equal understanding and training in hair, aesthetic, and nail services. I can approach the Board on your behalf to satisfy your comment by requesting a separate license just for hair services that would not include aesthetic or nail services. Thus, it would create a new license for individuals just wanting to perform hair services.

The next issue that you bring up for discussion is the barbering program changes. After reviewing some of your comments and others, the Board decided to develop a single barber program that will contain 1200 hours of training. This will help the State's barbers be close to the national average and also comparable in scope of practices as other states.

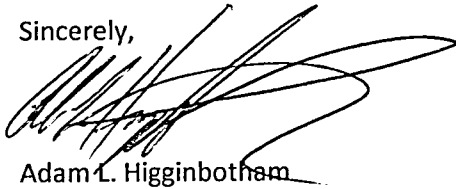
As for your comment concerning the Board's need to think of the "manpower" needed to make these proposed changes for the schools, my response is that these changes are for the greater number of West Virginia citizens seeking to learn a profession in a reasonable amount of time and in a way to protect the citizens seeking professional services in this State.

For your final comment concerning the shampoo assistant rule, I strongly disagree with you that this rule will not create jobs. To say that all estimated 3000 shops in the State of West Virginia will strongly oppose this rule and not hire shampoo assistants is farfetched. Our legislators fought hard to ensure that the shampoo assistant bill passed during the 2011 legislative session to create jobs. It is estimated that this rule will create an estimated 500 jobs within 18 months of implementation and spark interest in the cosmetology and/or barbering field.

Finally, the need for training in a school to shampoo is not feasible. There should be on-the-job training for shampoo assistants offered by the employer after four hours of sanitation training has been achieved. To ask an individual to attend school for nearly two months to learn how to shampoo hair is not the type of job creation this State needs.

In conclusion, I thank you for your comment and hope that I have answered all your questions or issues that you have raised with the Board.

Sincerely,

A handwritten signature in black ink, appearing to read 'Adam L. Higginbotham', written over a horizontal line.

Adam L. Higginbotham
Director

July 18, 2011

Judy C. Hall
Charleston School of Beauty Culture, Inc
210 Capitol Street
Charleston, WV 25301

Rule Response
1201 Dunbar Ave.
Dunbar, WV 25064
Adam.l.higginbotham@wv.gov

RE: 3CSR1, 30-27-5

Dear Sir:

In response to the proposed amendment to Series 1, "Procedure, Criteria and Curricula for Examinations and Licensure of Barbers, Cosmetologists, Manicurists and Aestheticians," lowering the hours for cosmetologists from 2000 to 1800, barbers from 1800 to 800, and barber permanent waviest from 2000 to 1000, I can only assume that this amendment was written by someone with no working knowledge of the industry. This attempt to lower hours would lower the standards of the profession.

The 1800 hour reduction in cosmetology hours would be workable, if there were not more hours dedicated to skin care and nail technology than there is dedicated to hair. Cosmetologists by nature are hairstylists, hairdressers, hair designers, etc. They come to school because they want to do hair, and it would be difficult for them to spend half of their scheduled time in skin care and nails. It would not allow them sufficient time to concentrate on the chemical aspects of hair such as chemical re-texturizing and hair coloring.

The Board itself felt it necessary to disallow the use of certain chemical texturizing products that they deemed harmful to the cosmetologists and the public, and this is explicitly and prominently listed on their website in red letters. In addition at their last board meeting the board decided to ban all chemically straightening systems that do not fall within OSHA guidelines. With this making an impact on the national level, it seems irresponsible of the Board to propose reducing the hours in chemical services. The proposed curriculum reduces the chemical chapters and practice to 200 theory and practical. That is in itself a drastic reduction from the previous requirements of 838 hours for those same studies. That calculates to over a 76% reduction in hours for chemical services that contribute to more than 60% of the cosmetologist's income.

"Professional Cosmetology" that includes: Principles of Hair Design, Scalp Care, Shampooing and Conditioning, Haircutting, Hairstyling, Braiding and Extensions, and Wigs and hair Additions are reduced in the proposed curriculum from 900 clock hours to

447 hours. The board members comment that students are graduating without the technical skills they need to work in a salon. If that is the case, then why reduce those studies by more than half. It seems more appropriate to require more hours in the technical skills that cosmetologists will use in the salon rather than transfer those hours to areas when they are not going to be needed as in the aesthetics and nail technology studies.

Under the proposed cosmetology curriculum the board is proposing 500 hours in Aesthetics training and 297 in nail technology studies. Both of these curriculums were expanded to allow students who wished to major only in those areas to specialize in those studies. It would be unfair to require those cosmetologists who wish to do hair to spend so much time studying skin care and nail technology. Just as a cardiologist or pediatrician spend extra time beyond their general medical practice studies to specialize in those areas of expertise. The Aesthetics and Nail Technology curriculum already allow for this expansion.

As to the hours dedicated to infection control there are no specifics as to the amount of actual hours dedicated to this subject. The TITLE 3 SERIES & 3CSR7 LEGISLATIVE RULE BOARD OF BARBERS AND COSMETOLOGISTS SCHEDULE OF FINES lists 12 pages of fines for licensed professionals comprising of 69 individual fines of which 45 pertain to sanitation and infection control. I feel this needs to be made more specific for those people being trained and licensed under this board.

The Board's proposal states there would be no fiscal impact to the State. However, I do know, if the schools were to teach the proposed curriculum as it is currently proposed, there would be a definite monetary impact to the students. In order to teach the proposed curriculum for the addition of aesthetics to the cosmetology program, students would be required to purchase another set of textbooks, because there is not sufficient material in the current or new cosmetology books to cover this material, and the student kits would need to be expanded to include a skin care kit. The cost for our current aesthetician's kit is \$800.00. The books alone are around \$356.85 and the skin care product kit is \$347.86 and this does not include the extras that are added to the kit such as a make-up kit , brushes, etc.

In addition, it would entail the purchase of nail technology books and an additional kit.. Although several chapters are included in the cosmetology book, there is additional subject matter that is not included in the cosmetology book. These additions would increase the cost to the student by around \$1800.00 in subjects they do not wish to specialize in. Therefore it will make a definite impact on those students.

3-1-4: Minimum Curriculum for Barber and Barber Permanent Wave License

The West Virginia Board of Barbers and Cosmetologists proposed rule changes to reduce barbering from 1800 clock hour to 800 clock hours and a Barber Perm Wavist from 2000 clock hours to 1000 clock hours seems to be slap in the face to all the men and women over the years that have preserved the integrity of the profession from the ancient Greeks of 300 BC to the tonsorial surgeons to the early apprentices of barbering that dedicated

several years of their time to learning the tonsorial arts. West Virginia has always stood above most states in the hours required, and this allowed them to acquire licenses in most states, if they decided to relocate. To reduce these hours to 800 would require any licensed barber desiring to relocate to another state to return to school to meet that States requirements. For example, Kentucky requires 1800 clock hours, Ohio requires 1800 clock hours, Virginia requires 1500 clock hours, Tennessee requires 1500 clock hours, Pennsylvania requires 1250 clock hours, and Maryland requires 1200 clock hours. These are the states that border West Virginia. If we cannot at least match their hours, we cannot reciprocity with these states for licensure; therefore our graduates would be unemployable by our neighboring States, and for that matter, any other State..

As in cosmetology, there needs to be more than 200 hours of Theory and Practice for the chemical services to be performed by the Barber Permanent Wavist in order for them to be proficient, and help ensure the safety of the general public. The previous requirement of 588 clock hours in these subjects amount to a 65.99% reduction in the required hours of haircutting, shaving, hairstyling and hair replacement have been reduced to 50 hours of theory and only 397 hours of practice being reduced from the Barber Perm Wavist from 920 clock hours, and from the Barbering program from 830 clock hours. While this does allow a certain amount of symmetry in the hours, this is by far, not enough hours for the practice in which the student needs to train for their chosen profession.

In addition the section dealing with Reciprocity 3-1-10 still requires, "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 2000 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 subject studied and the hours of credit received, duly signed and certified by the manager of the school previous attended. The Board may also award credit 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 1000 hours." Is this something that the Board failed to change or will reciprocity applicants be required to complete 2000 clock hours, or if they only need 1000 clock hours can they show it by work experience. This seems to be confusing. Are they going to be required to have a total of 2000 clock hour or will they be allowed to get a license if they can show 1000 hours of work experience. Remember some barbers get practice in the military or while incarcerated.

As a teacher for over 40 years in the cosmetology and barbering profession, I can assure you that the proposed curriculum would not work in a classroom setting in many ways. There are not enough hours proposed to cover the subject matter in theoretical study in order for the students to complete the studies they need in order to pass their boards, and there is not enough practice involved to ensure the safety of the general public.

If the board wishes to reduce hours for these programs, they should consider an across the board amount of hours. Cosmetology and Barbering could be reduced to 1500 clock hours or just hold one license at 1800 clock hours. Leave the Aesthetician and Nail

Technology Courses as they are and reduce the amount of hours in the cosmetology curriculum for those subjects. In surveying most cosmetologists and cosmetology students, they want to do hair. They do not want to spend half of their enrollment studying subjects they do not plan to use in the salon. I would also suggest that those Board members, who are licensed professionals in the fields of barbering and cosmetology, set down with instructors from across the state and come up with a workable curriculum that would ensure that both the theory and practical needs of the students and public are being met. There is not one instructor on the current Board. This curriculum should not be written by persons who have not been in the classroom settings of a barber or cosmetology school.

On the other hand the Board may want to consider this. If they are set on lowering the standards for barbering, and requiring cosmetologists to take half of their curriculum in aesthetics and nail technology, there will be an increase in enrollment for the 1000 hour Barber Permanent Wavist Course and a reduction in the enrollment in the Cosmetology Course. It would make more sense for those persons who only want to do hair to go to school for 6 months rather than a year. It would be detrimental to every cosmetology school in the State of West Virginia. If it is the Board's intention to close the cosmetology schools in West Virginia, you are on the right path. I apparently have been under the mistaken notion that the West Virginia Board of Barbers and Cosmetologists ultimate goal was to further the professionalism of the industry, not to destroy it.

I would urge every legislator to look closely at these proposed changes and require the Board to achieve some type of balance in the required hours for both the barbering and cosmetology curricula..

Respectfully submitted,

Judy C. Hall
Charleston School of Beauty Culture



Earl Ray Tomblin
Governor

State of West Virginia
Board of Barbers and Cosmetologists

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Jim Ryan Rick Stache

Judy Hall
Charleston School of Beauty Culture Inc.
210 Capitol Street
Charleston, WV 25301

July 26, 2011

Dear Judy Hall:

Thank you for your letter concerning the Board's proposed rules. I hope that I address your concerns in this letter.

To answer your first concern, assuming that a reduction in hours lowers standards of your profession is invalid. It's the attempt of the board to make these professions more attainable for a wide range of prospective students.

As you should be aware, as a cosmetologist and school owner, the act of cosmetology includes: hair, nail, and aesthetic services. To your comment that cosmetologists are by nature hair stylists, hair dressers and hair designers, is old fashioned since cosmetologists can perform a wide range of practices that now include hair, nail, and aesthetic services. Therefore, it would be important for cosmetologists to be equally trained in aesthetics, much like an aesthetician, and to be trained in nails much like a nail technician since a cosmetologist's scope of practice includes these professions. Furthermore, since you feel cosmetologists come to school just to learn hair, shouldn't a license be created just for hair services, excluding nail and aesthetic services? I will discuss with the board to see if your proposal of just a hair service license is practical.

As to your concerns with the reduction of the chemical services in the cosmetology program, the Board feels there is no connection to your intent in the letter and the Board's action to ban a product that uses more formaldehyde than OSHA allows in all licensed facilities.

As to your fourth concern, the board members do not remember commenting on student's technical skills. Therefore, there is no response.

To your fifth concern, currently cosmetologists can perform nail and aesthetic services; therefore they need to have the same training as required by law that nail technicians and aestheticians must have.

In response to your sixth issue about the financial impact, the cosmetology program is directly from a national leading and accepted cosmetology textbook. The cosmetology book covers aesthetics and nails technology, and should not require additional textbooks as you have stated.

To respond to your seventh issue, the Board has decided to change part of the previously proposed barbering program into one program and have the hours set at 1200. This will allow the barber program to have the hour requirements near the national average and have a comparable scope of practice as other states.

As for your final issue, again, I stress that cosmetology is the practice of hair, nail and aesthetic services. It seems that your ninth issue returns back to a new license that would cover just hair services. I will address this with the Board, in the very near future to propose possible future in legislative session.

Again, I thank you for taking time to write your concerns down, and I hope I addressed each of the appropriately.

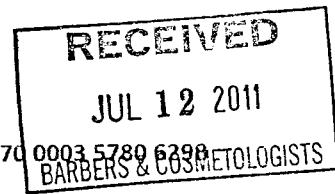
Sincerely,

A handwritten signature in black ink, appearing to read 'Adam L. Higginbotham', with a long horizontal flourish extending to the right.

Adam L. Higginbotham
Director

July 8, 2011

West Virginia Board of Barbers and Cosmetologist
Rule Response
1201 Dunbar Ave.
Dunbar, WV 25064



Certified Mail: 7010 1870 0003 5789 6298

Mr. Higginbotham:

I would like to inquire as to the boards reasoning for their proposal that would drastically reduce the number of hours a student of barbering must attended school as outlined in CSR 3-1.

Currently those students wishing to be licensed as a Barber/Perm waviest must complete 2000 hours and the board is proposing a requirement of only 1000 hours. Then those students wishing to be licensed as only a barber must currently complete 1800 hours and the board is proposing a requirement of only 800 hours.

I for one have been confused by the actions and proposals by this board since your time as its director.

I recall being in several board meetings where educational standards were discussed for all areas of the industry and the board's position during those meetings was always that the schools were not properly educating and preparing students to pass the licensing exam which at that time was being administered by the board members themselves. Then with much urging by the school owner's this board finally moved to third party testing with a company that administers the licensing exam in many states. It has been my understanding that the passage rate has increased since the third party testing started, because they brought clarity and consistency to the examination process. Then there were board meetings where continuing education was the topic of discussion. During these meetings the board gave various reasons as to why the industry needed continuing education. However, the prominent reason that stands out in my mind is the one pointed out by the boards Attorney General representative. "It has always been mandated by law, but this board has never complied with the legal mandate." Therefore, we now have to provide documentation that we have completed some form of continuing education before renewing our license beginning in 2013.

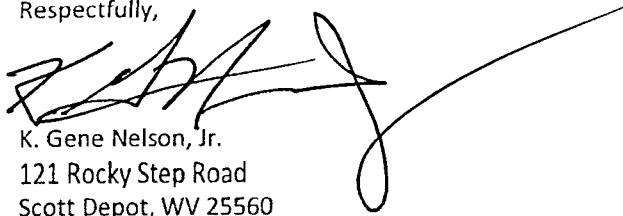
Now , I ask why this board wants to drastically decrease educational time before licensing, when the legislators of our great state decided that education should continue annually for all licensed professionals with in the industry.

As a licensed barber, I am not totally against a reduction of hours a student of barbering must complete. However, I believe the board's proposal is so drastic that it would be detrimental to the profession, that I and so many others are very passionate about. This proposal is perceived by many as the boards attempt to eliminating barbers from the industry.

As a licensed instructor of barbering who has actually faced the challenge of educating many diversified students of barbering, unlike either of the barbers on the board or any member of the current board for that matter. Therefore, I believe the board should withdraw their current proposal and consider proposing a requirement of not less than 1500 hours for a student wishing to be licensed as a Barber/Perm waviest and a requirement of not less than 1250 hours for a student wishing to be licensed only as a Barber.

I look forward to your written reply and its inclusion along with this letter of public comment in your official report, once you have submitted it to the Secretary of State and the Legislative Rule's and Regulation's Making Committee for their consideration.

Respectfully,



K. Gene Nelson, Jr.
121 Rocky Step Road
Scott Depot, WV 25560

Cc: State Legislators for Putnam County, WV
LRRMC members



Earl Ray Tomblin
Governor

State of West Virginia
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Kelly Gene Nelson, Jr.
121 Rocky Step Road
Scott Depot, WV25560

July 26, 2011

Dear Kelly Gene Nelson, Jr.:

Thank you for your letter concerning your interest in the proposed changes by the Board. I hope to address each question or issue that you offer within this letter.

The main issue that you bring up for discussion is both barbering program changes that I have discuss with others seeking information about the proposed changes. The Board has reviewed your comments and decided that you have some valid points. The Board has decided to propose a 1200 hour program that would combine the current barber programs. This change will create a barber program that is near the national average in hour requirements for barbers and comparable scope of practice as other states.

Again, I would like thank you for taking time to write your concerns to me. I hope that I have addressed your concerns in this letter.

Sincerely,

Adam L. Higginbotham
Director



CHARLESTON SCHOOL OF BEAUTY CULTURE, INC.
210 CAPITOL STREET
CHARLESTON, WV 25301

Thursday, July 14, 2011

West Virginia Board of Barbers & Cosmetologists
Rule Response
1201 Dunbar Avenue
Dunbar, WV 25064

To Whom It May Concern:

I would like to take this opportunity to comment publicly on the proposed regulations and the detrimental effects these proposed changes will create.

Firstly, I'd like to address the lowering of academic standards this proposal requires. Currently, a cosmetologist is required to have about half of the training of a manicurist or aesthetician in the respective fields of nail and skin care, or about 400 hours. The board seeks to double this training; by expanding this type of training the board takes away from the traditional training by the same 400 hours. The board further seeks to reduce the hours of training by another 200 hours by shortening the program. In short, this proposal cuts the traditional training of cosmetologists, outside of nails and skin care, in half. This proposal does the same for barbers; their training is cut by more than half

West Virginia has traditionally held one of the countries highest standards for barbering and cosmetology training, requiring 1800 and 2000 hours respectively. This proposal guts those standards, taking them from one of the highest in the country to one of the lowest. One of the few areas WV has excelled has been in the training of these fields. Instead of being ranked at the bottom of the heap, for once, in this small field, WV has been at the top, well respected and prosperous. Now, the state agency want's to undermine and ruin that success; taking WV from the top all the way to the bottom by cutting the student's training in half.

Currently, a graduate from a school in WV can go anywhere in the country, get licensed and find employment. Under this proposal, WV graduates will be at a competitive disadvantage, having to undergo additional training if they simply move across the border, before they can even qualify for a job. WV graduates will no longer be sought after, but avoided.

If anyone pretends that this is for the benefit of the students, reducing hours and thereby reducing cost, the truth is that the cost of books for the exaggerated study in manicuring and

aesthetics for the cosmetologist will result in the student having to buy three sets of books at over \$200 per set. The decrease in the number of hours will be more than offset by the increase in the cost of books for the student.

Further, for the barber students, the shortening of the course will result in cutting the financial aid available for the student in half, but the tuition cost will not be cut in half because the operating costs of the schools are not linear. So that the barbering student may receive half as much financial aid but still have to pay out three-fourths or more of their current tuition. This extra cost is going to have to come out of the pockets of the students. The students are going to be hurt economically by this reduction in hours.

This proposal for the reduction in training of barbers and cosmetologists glaringly contrasts with recently passed legislation demanding each and every barber and cosmetologist undergo additional continuing education requirements every year. It is completely irrational to demand more training at the same time you are demanding less training. Obviously, these proposed changes have nothing to do with training or education; but by demanding less “initial” training with more “continuing” training, this agency hopes to rake in greater profits from the licensees. This proposal seems more about milking the workers for money rather than promoting the welfare of the worker.

So, what kind of education is this drastic reduction in training and qualifications likely to produce; what will be the ultimate effect of this proposal? Our public education has already been increasingly *dumbed down* as teachers “teach to the test” in order to get better test scores. This abbreviated training will force schools to “teach to the test” in order to keep their pass rates up. Schools have to maintain the rates their students get licensed and employed in order to keep financial aid available to their students. With half the time to teach students, schools will be forced to concentrate on their students getting licensed, cutting out the extras; there will be little time for anything else. These unfortunate students will be ill prepared to do anything other than take their licensing exam, and will be far less desirable as employees, because of this gutting of their education.

Looking at this proposed regulation, it is obvious what the writers were attempting; the regulation attempts to designate Cosmetology as a sort of umbrella degree covering everything. In effect, this proposal reduces the licenses to a mathematical formula, as follows:

Cosmetology = General Information + Manicuring + Aesthetics + Barbering + Permanent Waving

1800 hours = 100 hours + 300 hours + 500 hours + 700 hours + 200 Hours

It looks as if it was compiled by a fifth grader, placing exaggerated and unwarranted focus on symmetry. It looks mathematically pretty without any regard to the realities of actual education.

This proposal relegates and demeans barbering as a mere hair-styling component of cosmetology, diminishes the skill and education required by cosmetologists to learn hair styling and chemical techniques, and not as the separate and independent field with deep traditions and practices distinct from cosmetology. Obviously, the person who wrote this has no knowledge of either barbering or cosmetology.

For instance, under this proposal schools will have a mere 2 ½ weeks to teach permanent waves, chemical relaxing and hair coloring; permanent waving alone is traditionally a 6 week course. As mentioned before, when you eliminate 5/6 of the training in permanent waving, both students and their future customers will suffer.

But other numbers don't add up in this proposal. Explain, if you can, why in this proposal, barber students are required to take 3 hours of something called "Introduction to Barber Permanent Waving" which does not include anything about permanent waving? Why does the 400 hour manicuring course consist of 397 hours, or the 1800 hour cosmetology course consist of 1794 hours? Further, an 800 hour barber need only take 800 more hours to get an 1800 license in cosmetology after only taking 1600 hours, though I assume that is merely a typo from the obvious rush job on this proposal.

The history of barbering in West Virginia, which seems totally lost on the present board, is that before cosmetologists were admitted, it was the board of barbers. This proposal to reduce and dismiss barbers as mere hairdressers, a small subpart of cosmetology is a great insult to those barbers who generously shared their board with the cosmetologists. This seems to be a concerted

effort to eliminate barbering as a profession by a board which was established to promote barbering as a profession; instead, they should be trying to grow the profession.

Oddly enough, the ultimate effect of this proposal, if passed, would backfire. This proposed regulation will all but eliminate cosmetologists, not barbers. By forcing the cosmetology and barber training into the same mold, the same hours and the same focus, they become essentially the same training. There will be very little difference between the training a barber gets and the training a cosmetologist gets under this proposal.

Most cosmetology students want to spend as little time as possible studying nails or skin care. I've heard a numerous students state that they "just want to do hair" and they don't really want to nails or make-up. If the training is the same, and you can get a barber permanent waving license in 6 months, few people will bother going the full year in order to get the cosmetology license. The choice to get out in half the time with the same training, is a no-brainer, the barbering program will be overflowing.

The essence of this proposal comes down to this: lower quality education as schools are forced to teach to the licensing test combined with a rapid licensing in half the time as a barber. The phrase that comes to mind is something I learned when getting my MBA describing an unethical practice of callously pushing people into stock trading based on commissions called "churn 'em and burn 'em." That is what cosmetology/barbering education will become. Push them through as fast as you can to get the money without regard to what they actually learn.

Finally, as we eliminate and minimize the training of barbers and cosmetologists, we eliminate the rationale for licensing altogether. If the legislature decides that little or no training is needed to be a barber or hair stylist, then why bother licensing them. If there is no need for licensing, then there is no need for yet another state board wasting taxpayer money. It is better to have no standards than minimal standards with excessive regulation. Schools could then compete on the merit of their education and reputation rather than being restricted and prohibited from actually teaching by minimalist standards.

Minimalist standards hamstring schools by implying that higher standards of a school are excessive at the same time the agency ties the hand of the school in costly red tape. If you are



Earl Ray Tomblin
Governor

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Stephen Hall,
3215 Bradley Rd.
Huntington, WV 25704

July 26th, 2011

Thank you for your letter, concerning the Board proposal.

As to your first concern of the hour reductions in the programs, in no way does reducing the number of hours of training equal to the lowering of academic standards. These changes are to help West Virginia citizens earn a career and get to work.

As for your comment about West Virginia graduates being able to go anywhere in the country many states have canceled reciprocity due to the high level of fraudulent documentation. Therefore, many states require re-testing of all individuals out of state, which cancels your second concern.

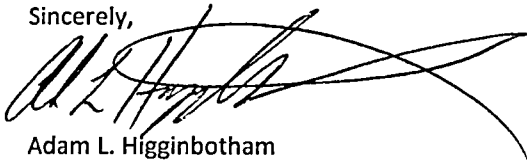
As to your third concern about financial aid, I understand you are the financial aid administrator for your mother's school and have a direct personal concern for the reduction of hours, but these changes would benefit West Virginia as a whole since students would be working and contributing to society earlier under this proposal.

As for your concern about continuing education, continuing education is designed for individuals to further their education once basics are taught in school. Therefore it is a requirement for renewing a license for all Chapter 30 Boards that passed many years ago to ensure licensed professions are updated on new issues within their licensee's profession.

As to your fifth concern over the typo, I can assure you, a fifth grader did not compile this letter. By reducing the number of hours, and allowing students to obtain a career more easily without breaking the bank, in no way, shape, or form, indicates the need of eliminating a licensing board. It is amazing that an individual that works in the industry as a financial aid administrator believes that taxpayers pay for the state board. We are a standalone board that operates on our licensing revenue.

I hope I have answered all of your questions.

Sincerely,



Adam L. Higginbotham