

WEST VIRGINIA
SECRETARY OF STATE

KEN HECHLER

ADMINISTRATIVE LAW DIVISION

Form #7

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OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

NOTICE OF AN EMERGENCY RULE

AGENCY: Board of Barbers and Beauticians TITLE NUMBER: 3

CITE AUTHORITY: W. Va. Code §30-27-1

EMERGENCY AMENDMENT TO AN EXISTING RULE: YES , NO

IF YES, SERIES NUMBER OF RULE BEING AMENDED: 2

TITLE OF RULE BEING AMENDED: Qualifications, Training, Examination
and Registration of Instructors in Barbering and Beauty Culture

IF NO, SERIES NUMBER OF RULE BEING FILED AS AN EMERGENCY: _____

TITLE OF RULE BEING FILED AS AN EMERGENCY: _____

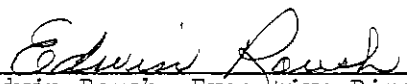
THE ABOVE RULE IS BEING FILED AS AN EMERGENCY RULE TO BECOME EFFECTIVE UPON FILING.

THE FACTS AND CIRCUMSTANCES CONSTITUTING THE EMERGENCY ARE AS FOLLOWS:

The amendments to this rule, "Qualifications, Training, Examination and Registration of Instructors in Barbering and Beauty Culture," 3 CSR 2: 1) insert a 250-hour student instructor curriculum which is being deleted from 3 CSR 1, "Curriculum and Minimum Requirements Subjects and Hour Schedule, Rules and Regulations for Schools of Beauty Culture Operation in West Virginia; Joint Barbers and Beauticians License"; 2) add various requirements for instructors; 3) add a requirement for an additional 100 hours training in permanent waving and an examination in order for barber instructors to qualify to teach permanent waving; and 4) make other minor "clean up" changes.

These amendments are part of a set of related amendments to five of the six rules of the Board of Barbers and Beauticians, all of which amendments taken together are designed to permit

Use Additional Sheets If Necessary.


Edwin Roush, Executive Director

CONTINUATION SHEET

FACTS AND CIRCUMSTANCES CONSTITUTING THE EMERGENCY RELATING TO THE FILING OF AN AMENDMENT TO WV 3 CSR 2, "Qualifications, Training, Examination and Registration of Instructors in Barbering and Beauty Culture"

schools of barbering to teach permanent waving and to establish safeguards to protect the public and students necessitated by this change. The set of amendments includes generally changes related to curriculum, instructor training, permanent waving conducted in barber shops, and school licensure requirements. (Some "clean-up" amendments are also included.) All five rules are being filed on an emergency basis.

Traditionally, West Virginia schools of barbering have not offered instruction in permanent waving to their students. Failure to provide this instruction has led to serious economic difficulties on the part of the schools. Not only is this an impediment to the recruitment of students by limiting future employment opportunities, but West Virginia students are at a disadvantage in applying for reciprocity in neighboring states. Schools have suffered economic losses due to the inability to offer permanent waving in their curriculum.

It is in the public interest to encourage the overall economy of the State. Therefore this rule is being filed on an emergency basis in order to prevent substantial harm to the public interest.

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SECRETARY OF STATE

[EMERGENCY]

TITLE 3

LEGISLATIVE RULES
BOARD OF BARBERS AND BEAUTICIANS

QUALIFICATIONS, TRAINING, EXAMINATION AND REGISTRATION
OF INSTRUCTORS IN BARBERING AND BEAUTY CULTURE

SERIES 2

1988

[EMERGENCY]
WEST VIRGINIA LEGISLATIVE RULES
BOARD OF BARBERS AND BEAUTICIANS

QUALIFICATIONS, TRAINING, EXAMINATION AND REGISTRATION
OF INSTRUCTORS IN BARBERING AND BEAUTY CULTURE

3 CSR 2

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[EMERGENCY]
TITLE 3
LEGISLATIVE RULES
BOARD OF BARBERS AND BEAUTICIANS

SERIES 2
QUALIFICATIONS, TRAINING, EXAMINATION AND REGISTRATION OF
INSTRUCTORS IN BARBERING AND BEAUTY CULTURE

§3-2-1. General

1.1. Scope - ~~These legislative---rules---establish~~ This legislative rule establishes the qualifications, training, examination and registration of instructors in barbering or beauty culture.

1.2. Authority - W. Va. Code §30-27-1. Related - §30-27-1 et seq.

1.3. Filing Date - June 10, 1988

1.4. Effective Date - June 10, 1988

~~1.5. Refiling Date - December 30, 1982~~

1.5. Supersession and Repeal of Former Rules - This rule supersedes and repeals "Qualifications, Training, Examination and Registration of Instructors in Barbering and Beauty Culture," Board of Barbers and Beauticians Legislative Rules, 3 CSR 2, filed August 3, 1972 and refiled on December 30, 1982.

§3-2-2. Application and Enforcement

2.1. Application - ~~These legislative rules apply~~ This rule applies to any person seeking licensure as an instructor in barbering or beauty culture.

2.2. Enforcement - Enforcement of ~~these legislative rules~~ this rule is vested in the ~~director of~~ the West Virginia Board of Barbers and Beauticians.

§3-2-3. Age Limit for Instructors - An applicant for registration as a student instructor in barbering or beauty culture must be at least eighteen (18) years of age, and to be eligible to apply for examination and registration as a regular instructor, must be at least twenty-one (21) years of age.

§3-2-4. Minimum Basic Educational Requirements

4.1. All applicants seeking registration as a student, or regular, instructor in barbering or beauty culture must have completed the twelfth grade of free school education, or its equivalent, as certified by the State Board of Education, or someone in authority to issue such record of education.

4.2. All applicants, before seeking registration as a student instructor must have been employed at least one (1) year in

a salon. The applicant must then complete an additional two hundred and fifty (250) hours instructor's training as shown in Table 3-2A at the end of this rule and pass an examination before the board. The curriculum shown in Table 3-2A must be taught by a regular instructor or an instructor certified with a degree in education.

4.3. All barber instructors must complete an additional one hundred (100) hours training in permanent waving and pass an examination before the Board in order to qualify to teach permanent waving in the barber schools. The curriculum, which is shown in Table 3-2B, must be taught by a regular beauty instructor or a qualified barber instructor.

4-2-4.4. During the period of training as student instructor, all applicants must complete a minimum of fifteen hours (15) college credits (a minimum of two hundred and fifty (250) clock hours) on assigned subjects or subjects having the equivalent subject content, as indicated under minimum college requirements in these regulations, this rule.

4-3-4.5. Applicants aspiring for registration as an instructor in beauty culture must during the prescribed training period, secure a hairstyling certificate from an advanced hairstyling school, approved by the Board, which certificate, or a copy thereof, shall become a part of the application for examination and/or registration as a regular instructor in beauty culture.

4-4-4.6. No applicant may secure student registration and/or renewal for a gross period of more than three (3) years. All applicants will secure the required and prerequisite training necessary to qualify for examination and registration during the three (3) year period, and must at all times during practice teaching be under the supervision of a regularly registered instructor.

§3-2-5. General Regulations

5.1. All applicants for registration as an instructor in barbering or beauty culture must have been graduated from a recognized school of barbering or beauty culture, as the case may be, and must be registered to practice his profession in this State. Junior-barbers-and--beauticians--may--qualify--as--student--instructors:---Provided--they--have--the--proper--qualifications--and--are--approved--for--such--training--by--the--Board-

5.2. It is the duty of all school owners who expect to employ a student instructor to interview properly the applicant and make a recommendation to the Board, in writing, giving their opinion of all such applicants, to accompany the application for student registration. Progress reports must be submitted, at least, annually on all student instructors employed in any barber or beauty school.

5.3. An applicant from another state, seeking registration as an instructor, may be considered eligible for registration by reciprocity: Provided, that the applicant has acquired training in another state equal to that prescribed in this State, and is otherwise able to meet the general requirements in effect at the time of making application for such registration.

5.4. An applicant, for registration as an instructor, who has practiced barbering or beauty culture for a period of five (5) years in the state prior to making application for such registration, who possesses the required college credits indicated in these regulations, this rule, and in the case of a beautician who has acquired an acceptable certificate in advanced hairstyling, may secure registration as a student instructor and qualify for examination as a regular instructor after serving two (2) years as a student instructor in a duly licensed school of barbering or beauty culture in this State.

5.5. An applicant meeting all requirements set forth in these regulations, this rule, who has been recorded as making good grades during the training period and has earned a recommendation from the school owner where employed, may be registered as a regular instructor without submitting to an examination, at the discretion of the Board at the end of the training period. Otherwise, all applicants will submit to the regular instructors examination to secure a certificate of registration.

5.6. An applicant, in order to renew a certificate of registration as an instructor, must have been employed full-time for at least three (3) consecutive months within the calendar year as an instructor in an approved school of barbering or beauty culture. In the event an applicant has not been so employed, such applicant shall submit to an examination before the Board and complete a six (6) month "In-Service" training program in a state-approved barber or beauty college.

5.7. The examination for instructors shall consist of a written, oral and demonstrative examination and shall include such subjects as the Board deems germane to the examination to determine the qualifications and fitness of an applicant to teach barbering or beauty culture.

5.8. Approved schools of advanced hairstyling will be those listed from time to time by the Board as being acceptable for advanced training in hairstyling. A list of all such approved schools will be furnished by the Board upon request. An advanced hairstyling certificate from a school not approved by the Board will not be acceptable as evidence in the proficiency of advanced hairstyling to make an applicant eligible for examination as an instructor.

5.9. All certificates, records or transcripts of training required to make an applicant eligible for examination, or registration as an instructor, submitted with an application becomes

become the property of the Board.

5.10. The certificate of registration as a student, or regular, instructor in barbering or beauty culture may be revoked by the Board for any reason specified in the law authorizing the Board to revoke, suspend or fail to renew the certificate of registration of a regular barber or beautician. Any such certificate of registration so revoked as a regular barber or beautician will automatically include the certificate of registration as instructor.

5.11. Any person whose certificate of registration as instructor has been suspended or revoked for good and sufficient reasons, including incompetency or gross neglect in teaching barbering or beauty culture, may at the discretion of the Board be entitled to practice barbering or beauty culture in this State, but will forfeit all rights to act in any capacity in connection with the teaching of barbering or beauty culture in this State.

5.12. Every person registered in any capacity as instructor in this State must keep his certificate of registration or renewal posted conspicuously in the school wherein he is employed.

5.13. No instructor shall teach any subject in any school of barbering or beauty culture not listed by the Board as a required subject in the curriculum governing the teaching of barbering or beauty culture in this State.

5.14. The fee for registration, or renewal, as a student instructor shall be fifty dollars (\$50.00). The examination, or reciprocity, fee for an applicant as instructor shall be the sum of twenty five dollars (\$25.00) plus the required fifty dollars (\$50.00) registration fee.

§3-2-6. Renewal of Instructors Certificate of Registration

6.1. All applicants desiring to renew a certificate of registration as instructor are required to submit evidence of having met the following qualifications. (Inactive status as an instructor does not exempt an applicant from complying with this regulation rule.)

6.1.1. Within each two (2) year period, acquire a minimum of three (3) hours additional credits in approved subjects relating to the art of teaching: Provided, That senior applicants who have renewed a certificate of registration as an instructor for seven (7) years over a nine (9) year period, shall be exempt. ~~from-complying--with-Part--(1)-of-this-regulation,--pertaining-to-additional-college--credits-for--teaching-~~ These credits may be obtained in any state college or university approved for the original training of instructors, or in seminars endorsed by the State Board of Barbers and Beauticians. Hours and credits earned for attending annual and semiannual seminars will be established

by the Board in cooperation with the State Supervisor of Trade and Industrial Education, State Department of Education and other agencies in or out of state where such seminars may be held.

6.1.2. Within each two (2) year period, renew the certificate indicating proficiency in advanced hairstyling, in an approved school of advanced hairstyling. (This applies to instructors in beauty culture only.)

6.1.3. Every person now registered as a regular instructor on the effective date of this regulation, rule, who has not been employed in an approved school of barbering or beauty culture for at least three (3) consecutive months within the calendar year, shall in order to renew the certificate of registration submit to an examination before the Board and complete a six (6) month "In-Service" training program in a state approved barber or beauty college.

6.2. All instructor's certificates of renewal expire with the calendar year.

6.3. The requirements indicated in ~~these--regulations~~ this rule for instructors in barbering and beauty culture represent the minimum standards for teacher training. In order to maintain well-trained teachers, an "In-Service" training program should be continued in the art of pedagogy.

§3-2-7. Minimum College Requirements for Instructors in Barbering and Beauty Culture in West Virginia

7.1. **Subjects and Required Hours:** (See Table 3-2A 3-2C found at the end of this regulation rule.)

A minimum of two hundred fifty (250) clock hours is required.

7.2. The first five (5) courses listed may be taken in any junior college, or degree-granting institution, approved by the State Board of Education. The courses may be taken either on campus or in extension. Students who satisfy the admission requirements of an institution and the prerequisites for a course may enroll for college credit. Students who do not meet the prerequisites for a course may audit the course. If the student takes work for credit, he will establish credit with the State Board of Barbers and Beauticians by having the transcript of the credit earned sent to the Board.

7.3. If a student audits a course, he shall be required to present a statement by the instructor of the course, indicating that the student has participated in all class activities and has performed satisfactorily. If a student audits a course, the instructor's statement shall indicate the number of clock hours for which the class was scheduled. The student shall be responsible for having the instructor send the above statement to the

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State Board of Barbers and Beauticians, thereby establishing credit for any course audited.

TABLE 3-2A*

<u>250 Hour Curriculum for Student-Instructors.</u>		<u>HOURS</u>
1.	Orientation	10
2.	Psychology of Student Training	15
3.	Introduction to Teaching	10
4.	Good Grooming and Personality Development	10
5.	Course Outlining and Development	15
6.	Lesson Planning	20
7.	Teaching Techniques (Methods)	30
8.	Teaching Aids - Audio-Visual Techniques	20
9.	Demonstration Techniques	20
10.	Examination and Analysis	20
11.	Classroom Management	15
12.	Record Keeping	10
13.	Teaching Observation	15
14.	Teacher Assistant	20
15.	Pupil Teaching (Practice Teaching)	20

*Table 3-2A is entirely new. Underlining of new text is omitted.

TABLE 3-2B*

100 Hour Curriculum for Barber Instructors to Qualify to Teach Permanent Waving

	<u>THEORY & LECTURE</u>	<u>DEMONSTRATION</u>	<u>PRACTICE</u>	<u>TOTAL HOURS</u>
1. Hair Structure	2			2
2. Chemistry: Physical & Chemical Action	4			4
3. Permanent Waving: Scalp & Hair Analysis	10	10	20	40
4. Razor Shaping & Procedures	4	4	10	18
5. Hairstyling	<u>10</u> 30	<u>8</u> 22	<u>18</u> 48	<u>36</u> 100

*Table 3-2B is entirely new. Underlining of new text is omitted.

TABLE 3-2A 3-2C

	<u>Semester Hours</u>	<u>Clock Hours</u>
*Psychology of Learning	2-3	30-45
*Methods of Teaching	2-3	30-45
*Audio-Visual Aids	2-3	30-45
*Public Speaking	2-3	30-45
English Composition	2-3	30-45
Summer Short Course		30
Seminars		<u>50</u>
	Total	230-305
*Required courses		