

**WEST VIRGINIA**  
**SECRETARY OF STATE**

**KEN HECHLER**

**ADMINISTRATIVE LAW DIVISION**

Form #2

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1991 JUN 17 PM 1:57  
OFFICE OF WEST VIRGINIA  
SECRETARY OF STATE

**NOTICE OF A COMMENT PERIOD ON A PROPOSED RULE**

AGENCY: WV BOARD OF BARBERS AND BEAUTICIANS TITLE NUMBER: 3

RULE TYPE: LEGISLATIVE; CITE AUTHORITY §30-27-1

AMENDMENT TO AN EXISTING RULE: YES  NO

IF YES, SERIES NUMBER OF RULE BEING AMENDED: \_\_\_\_\_

TITLE OF RULE BEING AMENDED: \_\_\_\_\_

IF NO, SERIES NUMBER OF NEW RULE BEING PROPOSED: 4

TITLE OF RULE BEING PROPOSED: LICENSING AND MINIMUM CURRICULUM

REQUIREMENTS FOR BARBERS, COSMETOLOGISTS, MANICURISTS, SHOPS AND  
SCHOOLS OF BARBERING AND COSMETOLOGY

IN LIEU OF A PUBLIC HEARING, A COMMENT PERIOD HAS BEEN ESTABLISHED DURING WHICH ANY INTERESTED PERSON MAY SEND COMMENTS CONCERNING THESE PROPOSED RULES. THIS COMMENT PERIOD WILL END ON JULY 22, 1991 AT 4:30 PM. ONLY WRITTEN COMMENTS WILL BE ACCEPTED AND ARE TO BE MAILED TO THE FOLLOWING ADDRESS.

BOARD OF BARBERS AND BEAUTICIANS  
GUTHRIE CENTER  
4860 BRENDA LANE  
CHARLESTON, WV 25312

THE ISSUES TO BE HEARD SHALL BE LIMITED TO THIS PROPOSED RULE.

*Taunja Willis Miller*  
Taunja Willis Miller, Secretary

ATTACH A **BRIEF** SUMMARY OF YOUR PROPOSAL

3.70

FISCAL NOTE FOR PROPOSED RULES

FILED

Rule Title: LICENSING AND MINIMUM CURRICULUM REQUIREMENTS FOR BARBERS, COSMETOLOGISTS, MANICURISTS, SHOPS AND SCHOOLS OF BARBERING AND COSMETOLOGY

1991 JUN 17 PM 1:57

OFFICE OF WEST VIRGINIA SECRETARY OF STATE

Type of Rule:  Legislative  Interpretive  Procedural

Agency BOARD OF BARBERS & BEAUTICIANS Address 4860 BRENDA LANE, GUTHRIE CENTER, CHARLESTON, WV 25312

1. Effect of Proposed Rule	ANNUAL		FISCAL YEAR		
	Increase	Decrease	Current	Next	Thereafter
Estimated Total Cost	\$	\$	\$ 0	\$ 0	\$ 0
Personal Services					
Current Expense					
Repairs and Alterations					
Equipment					
Other					

2. Explanation of above estimates.

The proposed rule will not affect current or future budgets.

3. Objectives of these rules: The proposed rule 1) consolidates all curriculum and licensing requirements under one rule 2) includes curriculum and licensing requirements for manicurists and stipulates fees for the various types of licenses.

4. Explanation of Overall Economic Impact of Proposed Rule.

A. Economic Impact on State Government.

NONE

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

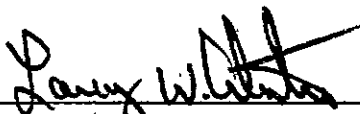
NONE

C. Economic Impact on Citizens/Public at Large.

NONE

Date 6/12/91

Signature of Agency Head or Authorized Representative

  
\_\_\_\_\_  
LARRY W. ABSTEN, DIRECTOR  
BOARD OF BARBERS AND BEAUTICIANS

WEST VIRGINIA BOARD OF BARBERS AND BEAUTICIANS

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RULE ABSTRACT

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OFFICE OF WEST VIRGINIA  
SECRETARY OF STATE

Title: Licensing and Minimum Curriculum Requirements for Barbers, Cosmetologists, Manicurists, Shops and Schools of Barbering and Cosmetology

CSR Title & Series: 3 CSR 4

Type: Legislative

Summary: Series 4 is a new rule which: 1) consolidates all licensing and curriculum requirements for Barbers, Cosmetologists, Barber and Beauty Shops and Schools of Barbering and Cosmetology. 2) includes curriculum and licensing requirements for manicurists which were not included in previous regulations. 3) stipulates licensing fees for all individual licenses, shop and school licenses.

For further information contact: West Virginia Board of Barbers and Beauticians, Guthrie Center, 4860 Brenda Lane, Charleston, West Virginia, 25312. Telephone: 348-2924.

(PROPOSED)

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TITLE 3  
LEGISLATIVE RULES  
BOARD OF BARBERS AND BEAUTICIANS

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SECRETARY OF STATE

SERIES 4  
LICENSING AND MINIMUM CURRICULUM REQUIREMENTS  
FOR BARBERS, COSMETOLOGISTS, MANICURISTS, SHOPS  
AND SCHOOLS OF BARBERING AND COSMETOLOGY

§3-4-1. General

1.1. Scope - This legislative rule establishes minimum licensing and curriculum requirements for barbers, cosmetologists, manicurists and schools of barbering and cosmetology operating in West Virginia.

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

1.3. Filing Date -

1.4. Effective Date -

1.5. Approval Date -

§3-4-2. Application and Enforcement

2.1. Application - This rule applies to owners and operators of schools of barbering and cosmetology. Persons seeking licensure in barbering, cosmetology, manicuring or a joint barber/cosmetology license and owners of barber and beauty shops.

2.2. Enforcement - The enforcement of this rule is vested with the West Virginia Board of Barbers and Beauticians.

§3-4-3. Schedule of Subjects and Hours

3.1. Minimum Curriculum for Cosmetology License

3.1.1. Every West Virginia school of cosmetology shall conduct a course of study consisting of a minimum of two thousand (2000) clock hours, divided as shown in Table 3-4A. at the end of this rule.

3.1.2. A copy of this rule must be posted on a bulletin board available to all students.

3.1.3. The objectives of this cosmetology curriculum are to train students in all phases of cosmetology to adequately pass the Board examination and to attain successful employment in the

cosmetology industry.

3.2. Curriculum for Barbers to Obtain a Cross-Over Cosmetologist License - The curriculum for a barber to adequately pass the cosmetologist examination in order to obtain a cross-over cosmetologist license is shown in Table 3-4B found at the end of this rule. An individual must have completed the two thousand (2,000) hours of barber's training prior to taking the three hundred (300) hours cosmetology cross-over license training. An individual who has completed the barber's training may, however, take the cosmetology cross-over training prior to taking the barber examination. Upon completing both sets of training requirements, the individual must then submit to both the two thousand (2,000) hours barber examination and the three hundred (300) hours cosmetology examination. Out-of-state applicants shall be considered on an individual basis. Requirements of less than two thousand (2,000) hours barber's training are usually accepted if supplemented by one (1) year of practical experience for every three hundred (300) hours of schooling not to exceed one thousand (1,000) hours.

3.2.1. Barbers desiring a cross-over license and having graduated with the one thousand eight hundred (1,800) hours curriculum must take a cross-over curriculum of five hundred (500) hours as shown in Table 3-4C. found at the end of this rule.

3.2.2. The cross-over curriculum from barbering to cosmetology shall be taught in all approved West Virginia Schools of Cosmetology.

3.2.3. Notwithstanding any law to the contrary or interpretation of law to the contrary, any licensed cosmetologist may trim beards or mustaches.

3.3. Curriculum for Cosmetologists to Obtain a Cross-Over Barber License - The curriculum for a cosmetologist to adequately pass the barber examination in order to obtain a cross-over barber license is shown in Table 3-4D. found at the end of this rule. Individuals must have completed two thousand (2,000) hours of cosmetologist's training prior to taking the three hundred (300) hours barber cross-over license training. An individual who has completed the cosmetologist's training may, however, take the barber cross-over training prior to taking the cosmetology examination. Upon completing both sets of training requirements, the individual must then submit to both the two thousand (2,000) hours cosmetology examination and the three hundred (300) hours barber examination. Out-of-state applicants shall be considered on an individual basis. Requirements substantially equal are accepted. Requirements of less than two thousand (2,000) hours cosmetologist's training are usually

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accepted if supplemented by one (1) year of practical experience for every three hundred (300) hours of schooling not to exceed one thousand (1,000) hours.

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

3.5. Persons who have completed the cross-over curriculum from barbering to cosmetology or cosmetology to barbering shall be issued a joint Barber/Cosmetology license. The annual fee for said license shall be twenty-five dollars (\$25.00).

**§3-4-4. Licensing Requirements for Shops and Schools of Barbering or Cosmetology**

4.1. Every barber and beauty shop or school of barbering and cosmetology, shall at least ten (10) days prior to opening, return to the Board the completed applicable opening application and twenty-five dollars (\$25.00) inspection fee. The initial license fee for each school of barbering or cosmetology shall be five hundred dollars (\$500.00). The annual renewal fee for such schools shall be two hundred fifty dollars (\$250.00) to be paid in such manner as the Board may prescribe on or before January first of each year.

**§3-4-5. Licensing Requirements for Manicurists**

**5.1. Minimum Requirements for Manicuring Licensure**

5.1.1. Every West Virginia school of cosmetology shall conduct a course of study consisting of a minimum of four hundred (400) clock hours divided as shown in Table 3-4E. at the end of this rule.

**§3-4-6. Licensing Requirements for Barbers**

**6.1. Minimum Curriculum for Barber Permanent Wave License**

6.1.1. Every West Virginia school of barbering shall conduct a course of study consisting of at least two thousand (2,000) clock hours divided as shown in Table 3-4F. found at the end of this rule and subdivided at the discretion of the faculty of each school.

6.1.2. Every West Virginia school of barbering and cosmetology shall conduct a course of study consisting of a minimum of three hundred seventy five (375) clock hours divided as shown in Table 3-4G. found at the end of this rule. This course is designed to enable those persons who previously graduated with one thousand eight hundred (1,800) hours of barber training to acquire their barber perm license. Said license will permit those persons to perform permanent waving and hair coloring services.

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6.1.3. The objectives of this barbering curriculum are to train students in all phases of barbering to adequately pass the Board examination and to attain successful employment in the barbering profession.

§3-4-7. Administrative Due Process - Those persons adversely affected by the enforcement of this rule shall have the right to request a contested case hearing in a manner pursuant to the provisions of Chapter 29A, Article 5, of the West Virginia Code.

§3-4-8. Severability - If any provision of this rule or the application thereof to any person or circumstance shall be held invalid, such invalidity shall not affect the provisions or applications of this rule which can be given effect without the invalid provision or application, and to this end the provisions of this rule are declared to be severable.

\*\*Series 4 is entirely new. Therefore, strike throughs and underscoring of new text have been omitted.

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Table 3-4A. Minimum Curriculum for a Cosmetology License

	<u>LECTURE</u>	<u>DEMON- STRATION</u>	<u>MANIKIN PRACTICE</u>	<u>CLINIC</u>	<u>TOTAL HOURS</u>
Ethics, Personal Hygiene, Visual Poise and Personality Development	10				10
Sanitation, Sterilization and Bacteriology	15	5			20
Shampooing and Rinsing	5	2	1		8
Hair and Scalp Treatment	6	1	3		10
Manicuring and First Aid	3	1			4
Haircutting	5	5	10		20
Hairstyling	10	10	30		50
Permanent Waving	15	10	40		65
Safety Precautions	10				10
Salesmanship and Merchandising	10				10
Wiggery and Hair Pieces	2	1	4		7
Review for Clinic Floor		5			5
Facials, Massage, Paks and Eyebrow Arching	5	3	3		11
Chemical Hair Relaxing and Hair Straightening	8	7	10		25
Hair Coloring and Lightening	<u>20</u>	<u>20</u>	<u>5</u>		<u>45</u>
SUB TOTAL First 300 Hours	124	70	106		300

TABLE 3-4A. Minimum Curriculum for a Cosmetology License (Cont'd.)

<u>SUPERVISED CLINIC PRACTICE</u>					
	<u>LECTURE</u>	<u>DEMON- STRATION</u>	<u>MANIKIN PRACTICE</u>	<u>CLINIC</u>	<u>TOTAL HOURS</u>
Sanitation, Sterilization and Bacteriology				60	60
Shampooing and Rinsing				37	37
Hair and Scalp Treatment				40	40
Manicuring and First Aid		2		31	33
Haircutting		13		300	313
Beard & Mustache Shaping	5	15		40	60
Hairstyling		13		400	413
Permanent Waving		20		200	220
Wiggery and Hair Pieces		2			2
Merchandising				20	20
Unassigned				7	7
Facials, Massage, Paks and Eyebrow Arching				44	44
Chemical Hair Relaxing and Hair Straightening				65	65
Hair Coloring and Lightening	<u>      </u>	<u>13</u>	<u>      </u>	<u>155</u>	<u>168</u>
SUB TOTAL	5	78		1399	1482

TABLE 3-4A. Minimum Curriculum for a Cosmetology License (Cont'd.)

	<u>LECTURE</u>	<u>DEMON- STRATION</u>	<u>MANIKIN PRACTICE</u>	<u>CLINIC</u>	<u>TOTAL HOURS</u>
Nail disorders	3				3
Chemistry	15				15
Skin, Scalp and Hair Disorders	9				9
Electricity, Light Therapy	12				12
Anatomy and Cells	20				20
State Laws and Regulations	20				20
Beauty Salon Management	25				25
Dispensary				80	80
Appointment Desk	1	2		16	19
Job Placement	<u>10</u>	<u>—</u>	<u>—</u>	<u>5</u>	<u>15</u>
SUB TOTAL	115	2		101	218
TOTAL					2000

SUMMARY

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

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Table 3-4B. Curriculum requirements for barbers with 2,000 hour barber/permanent wave training to obtain a cross-over cosmetology license.

	<u>LECTURE</u>	<u>DEMON- STRATION</u>	<u>CLINIC PRACTICE</u>	<u>CLINIC</u>	<u>TOTAL HOURS</u>
Manicuring & Disorders	3	2		5	10
Hairdressing	15	10	30	75	130
Haircutting	10	10	20	40	80
Makeup	3	2		5	10
Haircoloring & Lightening	20	20		15	55
Dispensary	—	—	—	<u>15</u>	<u>15</u>
TOTALS	51	44	50	155	300

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TABLE 3-4C. Curriculum Requirements for Barbers to Obtain a Cross-Over Cosmetologist License

	<u>LECTURE</u>	<u>DEMON- STRATION</u>	<u>CLINIC PRACTICE</u>	<u>CLINIC</u>	<u>TOTAL HOURS</u>
Manicuring & Disorders	3	2		5	10
Hairdressing	15	10	30	75	130
Permanent Waving & Haircutting	30	30	60	160	280
Makeup	3	2		5	10
Haircoloring & Lightening	20	20		15	55
Dispensary	—	—	—	<u>15</u>	<u>15</u>
TOTALS	71	64	90	275	500

TABLE 3-4D. Curriculum Requirements for Cosmetologists to Obtain a Cross-Over Barber License.

	<u>LECTURE</u>	<u>DEMON STRATION</u>	<u>CLINIC PRACTICE</u>	<u>CLINIC</u>	<u>TOTAL HOURS</u>
Mustaches & Beards	4	2		21	27
Haircutting	10	10		85	105
Hairstyling	10	15		65	90
Honing, Stropping & Shaving	8	8		37	53
Hair Pieces	<u>10</u>	<u>10</u>	<u>5</u>	—	<u>25</u>
TOTALS	42	45	5	208	300

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TABLE 3-4E. Minimum Curriculum Requirements for a Manicuring License

Personal Hygiene	Lecture	Demonstration	Clinic	Total
Ethics	10	0	0	= 10
Visual Poise				
Personal Development				
Sanitation				
Sterilization	15	5	120	= 140
Bacteriology				
First Aid	1	1	4	= 6
Manicuring	3	3	90	= 96
Nail Disorders	3		0	= 3
State Law	20	0	0	= 20
Unassigned	0	0	25	= 25
Advanced Nail	<u>25</u>	<u>25</u>	<u>50</u>	= <u>100</u>
TOTAL	77	34	289	= 400

TABLE 3-4F. Minimum Curriculum for a Barber/Permanent Waving License

SCIENTIFIC STUDY

1. Shop Management, business law, ethics	100 hours
2. Bacteriology, sanitation, disease of skin	125 hours
3. Cells, anatomy	20 hours
4. Skin and appendages, biochemistry of hair	60 hours
5. Implements, honing, stropping, use and care	10 hours
6. Haircutting procedures, history of barbering	20 hours
7. Electricity, light therapy	5 hours
8. Theory of massage, tonics	5 hours
9. Haircoloring, effects on hair	5 hours
10. Barber law and regulations, salesmanship	50 hours
11. Theory of hair styling, methods	<u>75 hours</u>
	475 hours

DEMONSTRATION AND LECTURE ON SCIENTIFIC STUDY  
(NO LECTURE ON SATURDAY)

1. Shop management, business law, ethics, salesmanship	25 hours
2. Bacteriology, sanitation, disease	10 hours
3. Cells, skin and appendages, biochemistry of hair	10 hours
4. Implements, honing, stropping, use and care	5 hours
5. Haircutting procedures, history of barbering	10 hours
6. Electricity, light therapy	5 hours
7. Theory of massage, tonics	5 hours
8. Haircoloring, effects on hair	10 hours
9. Use of audio visual aids for selling merchandise	10 hours
10. Shop arrangement, display of merchandise	<u>10 hours</u>
	100 hours

SUPERVISED PRACTICE

1. Scalp treatments, shampooing	75 hours
2. Honing and stropping	15 hours
3. Shaving	100 hours
4. Facials, massage, packs	50 hours
5. Haircutting	450 hours
6. Hair tonics	10 hours
7. Haircoloring, bleaching	30 hours
8. Hairstyling, methods	200 hours
9. Use of implements	<u>20 hours</u>
	950 hours

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TABLE 3-4F. Minimum Curriculum for a Barber/Permanent Waving License, (Cont'd.)

ILLUSTRATED LECTURE AND DEMONSTRATIONS 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.	Haircoloring, bleaching	10 hours
8.	Hairstyling, demonstrations	10 hours
9.	Salesmanship	10 hours
10.	Unassigned	<u>10 hours</u>
		100 hours

PERMANENT WAVING

	<u>LECTURE</u>	<u>DEMONSTRATION</u>	<u>MANIKIN PRACTICE</u>	<u>TOTAL CLINIC</u>	<u>HOURS</u>
1. Permanent Waving	15	30	40	200	285
2. Chemical Hair Relaxing and Hair Straightening	8	7	10	65	90
	<u>23</u>	<u>37</u>	<u>50</u>	<u>265</u>	<u>375</u>

SUMMARY

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

A student must perform a minimum of twenty-five (25) hairstyles before graduation.

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TABLE 3-4G. 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>TOTAL CLINIC</u>	<u>HOURS</u>
1. Permanent Waving	15	30	40	145	230
2. Haircoloring	5	10	10	30	55
3. Chemical Hair Relaxing and Hair Straightening	8	7	10	65	90
	<u>28</u>	<u>47</u>	<u>60</u>	<u>240</u>	<u>375</u>