

WEST VIRGINIA

SECRETARY OF STATE

KEN HECHLER

ADMINISTRATIVE LAW DIVISION

Form #1

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STATE OF WEST VIRGINIA
ADMINISTRATIVE LAW DIVISION

NOTICE OF PUBLIC HEARING ON A PROPOSED RULE

AGENCY: WV State Board of Barbers and Beauticians TITLE NUMBER: 3

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

AMENDMENT TO AN EXISTING RULE: YES X NO

IF YES, SERIES NUMBER OF RULE BEING AMENDED: 6

TITLE OF RULE BEING AMENDED: Minimum Curriculum for Schools of Barbering

IF NO, SERIES NUMBER OF NEW RULE BEING PROPOSED:

TITLE OF RULE BEING PROPOSED:

DATE OF PUBLIC HEARING: July 8, 1990 TIME: 1:00 p.m.

LOCATION OF PUBLIC HEARING: Conference Room C
Conference Center - Building 7
Capital Complex
Charleston, WV 25305

COMMENTS LIMITED TO: ORAL , WRITTEN , BOTH X

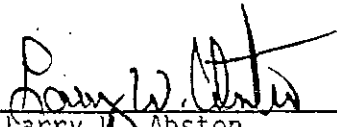
COMMENTS MAY ALSO BE MAILED TO THE FOLLOWING ADDRESS:

WV State Board of
Barbers and Beauticians
4860 Brenda Lane
Guthrie Center
Charleston, WV 25312

The Department requests that persons wishing to make comments at the hearing make an effort to submit written comments in order to facilitate the review of these comments.

The issues to be heard shall be limited to the proposed rule.

ATTACH A **BRIEF** SUMMARY OF YOUR PROPOSAL


Larry W. Absten,
Executive Director

FISCAL NOTE FOR PROPOSED RULES

Rule Title: Minimum Curriculum for Schools of Barbering

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.

Although there may be some increase in the Board's work load, existing funding is adequate.

3. Objectives of these rules:

The objective of this proposed rule is to delete outdated curriculum requirements and make other "clean up" changes.

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.

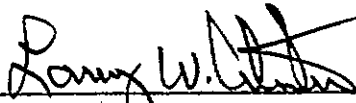
The elimination of the restriction for a school owner to be a licensed instructor will be less restrictive in the sale or acquisition of new or existing schools.

C. Economic Impact on Citizens/Public at Large.

None

Date 5/25/90

Signature of Agency Head or Authorized Representative



Larry W. Osten, Director
Board of Barbers and Beauticians

WEST VIRGINIA BOARD OF BARBERS AND BEAUTICIANS

RULE ABSTRACT

Title: Minimum Curriculum for Schools of Barbering

CSR Title & Series: 3 CSR 6

Type: Legislative

Summary: The proposed amendments: 1) delete requirement for school owner to be a licensed instructor. 2) delete obsolete curriculum and tables detailing said curriculum. 3) delete sections advocating purchase of educational materials from a particular source. 4) delete repeal of rule clause.

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

(PROPOSED)

TITLE 3

LEGISLATIVE RULES
BOARD OF BARBERS AND BEAUTICIANS

MINIMUM CURRICULUM FOR SCHOOLS OF BARBERING

SERIES 6

1990

For Public Hearing

July 8, 1990

(PROPOSED)

LEGISLATIVE RULES
BOARD OF BARBERS AND BEAUTICIANS

MINIMUM CURRICULUM FOR SCHOOLS OF BARBERING

3 CSR 6

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(PROPOSED)

TITLE 3
LEGISLATIVE RULES
BOARD OF BARBERS AND BEAUTICIANS

SERIES 6
MINIMUM CURRICULUM FOR SCHOOLS OF BARBERING

§3-6-1. General

1.1. Scope - This legislative rule established the minimum curriculum, equipment and operation for schools of barbering.

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. Notice of Public - June 8, 1990

1.6. Public Hearing - July 8, 1990

1.7. Approval Date - This rule was approved by the West Virginia Board of Barbers and Beauticians on

1.8. Supersession and Repeal of Former Rules - This rule supersedes and repeals "Minimum Curriculum for Schools of Barbering," Board of Barbers and Beauticians Legislative Rules, 3 CSR 2, filed June 27, 1989, and effective July 1, 1989.

§3-6-2. Application and Enforcement

2.1. Application - This rule applies to the owners and operators of schools of barbering or beauty culture.

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

§3-6-3. Schedule of Subjects and Hours

3.1. Minimum Curriculum for Barber License.

3.1.1. Every West Virginia school of barbering shall conduct a course of study consisting of at least ~~one thousand eight hundred~~ two thousand (2000) clock hours, divided as shown in Table 3-6A found at the end of this rule and subdivided at the discretion of the faculty of each school. On the first day of each month the school shall post on a bulletin board available to all students an accurate record of the number of hours devoted to the prescribed subjects during the previous month and the cumulative total of hours completed since the student's enrollment for each student by permit number. This record shall be left posted the entire month. The final

examination grade on each student shall be presented to each student upon graduation, and shall also be made a part of each student's application for examination before the West Virginia Board of Barbers and Beauticians.

3.1.2. A copy of this rule must be posted on a bulletin board.

3.2. Minimum Curriculum for Barber/Permanent Waving License - Every West Virginia school of barbering shall conduct a course of study consisting of at least two thousand (2000) hours for a barber/permanent waving license, divided as shown in ~~Table 3-6B~~ Table 3-6A found at the end of this rule and subdivided at the discretion of each school.

§3-6-4. Qualifications - A school owner, or any person who intends to own a school of barbering ~~must be registered within this State as an instructor and~~ will be required to submit to the West Virginia Board of Barbers and Beauticians satisfactory evidence as to the character of the person interested in managing and teaching in the school, literature and advertising material pertaining to the school, a copy of the contract to be signed by the prospective students and establish any necessary facts regarding the ownership of the school

§3-6-5. Classrooms, Equipment, and General Instructions

5.1. Each school of barbering shall have at least two (2) clinic rooms in use at all times, one (1) to be known as the junior or beginners department and the other as the senior department. All beginners will receive instructions in the junior department and will advance to the senior department when they have completed the minimum number of hours specified by the school. Both rooms shall be fully equipped and arranged in a manner to comply in every way and at all times with all the rules promulgated by the West Virginia Board of Barbers and Beauticians. There shall be a third room in every school of barbering where class study, examinations and lectures will be held. The minimum equipment with which a school will be permitted to operate is as follows:

- (a) Ten complete chair units consisting of one (1) chair, lavatory, and complete backstand, providing a proper cabinet for immediate linen supply and individual wet and dry sterilizers.
- (b) One (1) recognized textbook on barbering for each student;
- (c) Three (3) high frequency or violet ray outfits;
- (d) One (1) standard vibrator to each four (4) students enrolled;

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(e) One (1) ~~therapeutic therapeutic~~ lamp - infra-red, white and blue for every four (4) students enrolled;

(f) One (1) three-objective compound microscope with low, high and oil immersion objective (Bausch and Lomb, or Spencer and Zeiss, brand suggested); and such microscope slides on related sciences dealing with bacteria and human anatomy as may become available, and as specified in this rule or as the Board may approve and publish in a list from time to time;

(g) One (1) S.V.E. slide projector, model AK300 watt for 2x2 slides;

(h) One (1) radiant hy-flect glass beaded screen, model D.L., size 60"x60"; and such 2x2 Kodachrome and lantern slides on bacteriology, diseases of the skin and scalp, and anatomy, as may become available and as specified in this rule or as the Board may approve and publish in a list from time to time;

(i) Sufficient clean linen cabinet space;

(j) One (1) blackboard, not less than 5'x8' in size;

(k) One (1) large bulletin board, conspicuously located, for posting of rules and regulations, notices, etc.;

(l) One (1) set of record files;

(m) One (1) file for duplicate copies of reports sent to the office of the West Virginia Board of Barbers and Beauticians;

(n) One (1) set of books used solely for the records required by Section 8 of this rule.

5.2. The study and lecture room shall be quipped with the specified blackboard and charts showing illustrations of the skin, circulation of the blood, muscles and bones of the face, scalp, neck, arms and hands. This room shall be used for the sole purpose of giving scientific instructions to students.

5.3. Each school of barbering shall maintain a library of suitable reference books including those books as may be approved and published in a list by the Board from time to time.

5.4. The use of question-and-answer books in schools of barbering is strictly forbidden.

5.5. Each school of barbering shall hold regular classes for the teaching of both the theory and practice of all phases of barbering.

5.6. No one in any way connected with any school of barbering shall guarantee positions to students nor guarantee financial aid in equipping a barber shop.

5.7. Schools are urged not to advocate the use of any particular equipment. Students should be familiar with the different supplies and equipment used in barber shops.

5.8. Each school shall advertise only under the designation of a barber school, and shall display conspicuously at the entrance to said school a sign in plain, block, display lettering at least one (1) inch in height, as follows: "All Work In This School Done By Students Only."

5.9. When service prices are displayed, or in any manner advertised by a school of barbering, they must be followed by the words "STUDENT WORK" in lettering at least one-half (1/2) the size of the lettering used to display the price.

5.10. Instructors, as well as students, must during school hours be attired in washable coats, which must be kept clean and neat at all times.

5.11. All bottles and containers in use must be distinctly and correctly labeled, showing the intended use of the contents.

5.12. No student enrolled in a school of barbering shall be permitted to work upon a patron who is paying for the service or materials, until such student has been in attendance for a period of three hundred and fifty (350) hours.

5.13 Each senior student, before graduation, must act in the capacity of manager of the school for at least one (1) week; two (2) weeks if possible. He/she shall be in full charge of the clinical division of the school, under the supervision of the manager of the school, during that time.

5.14. The West Virginia Board of Barbers and Beauticians shall be furnished with a copy of the class schedule being used in each school of barbering, and copies of all advertising material and student contracts. At any time any changes may be made in any of the above, the Board shall be furnished with a copy of same, as revised.

5.15. In teaching the practical part of the training in schools of barbering, all schools will be governed by the "Schedule of Hours, Lecture, Demonstration, and Clinic Operations," shown in ~~Table 3-6C~~ Table 3-6B found at the end of this rule.

§3-6-6. Enrollment - The enrollment in a school of barbering shall not, at any time, exceed fifteen (15) students for each ten (10)

barber chairs in the school. This shall be construed to mean that enrollment shall not exceed one and one-half (1-1/2) students per chair.

§3-6-7. Attendance

7.1. All schools of barbering must establish regular school hours.

7.2. All schools shall require that all students attend classes at least eighty percent (80%) of the time enrolled in school. Attendance shall not be required to exceed eight (8) hours in any twenty-four (24) hour period, exclusive of the lunch period.

7.3. A minimum of five (5) recitations per week, of three (3) hours each, shall be given all students. These periods shall include lectures, class study and written examinations. All examination and other written papers shall be carefully graded and returned to the students in order that they may see their errors.

Note: Hours herein referred to shall mean full clock hours.

§3-6-8. Records

8.1. Daily Records - Each school shall keep a daily class record of each student, showing hours devoted to the respective subjects, number of clinical operations performed, the total number of hours in attendance, and days absent and present.

8.2. Monthly Records - A monthly record of the entire enrollment must be sent to the office of the West Virginia Board of Barbers and Beauticians on forms furnished to the schools for that purpose, showing the permit number of each student; the number of months each student has been reported for; a record of the days absent and present; hours devoted to each subject and number of clinical operations performed to date.

8.3. Permanent Records - A permanent record shall be compiled by the manager of each school from the daily class records. This record shall be kept up-to-date in a permanent file, and shall be subject to inspection at any time by any member of the West Virginia Board of Barbers and Beauticians, or any authorized representative.

8.4. Final - The manager of each school shall compile from his or her records a summary of each student's subjects, clinical operations, grades, hours and attendance which shall be presented to the student upon graduation, and which shall also be made a part of his application for licensure by examination. The manager must sign each copy of the required records and must certify that the record is correct and that the student has received a diploma from his or her school.

§3-6-9. Teaching Staff

9.1. No school will be permitted to open or operate with less than three (3) licensed senior instructors: Provided, that schools having a valid license as of the effective date of this rule shall employ a minimum of two (2) senior instructors. There must be one (1) senior or student instructor for every twenty (20) students, or reasonable average thereof, and an instructor shall be in the study and classrooms of the school at all hours and supervise all practice student work. Every instructor in a barber school shall devote his entire time, during school hours, to instruction and supervision of all practice student work, and shall not apply his time to the private or public practice of barbering for any reason.

9.2. There must be at least one (1) monthly illustrated or demonstrated lecture during the course of instruction, given by a duly licensed physician, or some person who has had special training in anatomy, hygiene, bacteriology, physiology, electricity and/or other science related to the study of barbering.

9.3. All students must be given a complete course in barbering as prescribed in this rule.

§3-6-10. Postgraduate

10.1. Postgraduate courses may be arranged at the discretion of the faculty of the school and may be open to students who have previously attended school, or who have been graduated from another school of barbering, and credit from previous training may apply to the ~~one thousand eight hundred (1800)~~ two thousand (2000) hours required for graduation. Upon entrance, students must present to the school manager credentials showing subjects studied and hours credit received, duly signed and certified by the manager of the school previously attended.

10.2. Private lessons may be given to registered barbers who are desirous of gaining more knowledge in any subject, or subjects, which they are already entitled to practice.

§3-6-11. Credits That May Be Accepted From Schools of Barbering Not Located in West Virginia - A student who has graduated from a recognized school of barbering not located in West Virginia can be given credit only for the amount of hours required for graduation under the regulations in that particular state. These hours may apply on the ~~one thousand eight hundred (1800)~~ two thousand (2000) hours required for graduation from a school in this State. All credits accepted under this rule must be duly certified to by the manager of the school the student attended and made a part of his or her application for examination as a barber in this State.

§3-6-12. List of Prescribed 2x2 Kodachrome Transparencies (Lantern Slides)

A partial list of Kodachrome slides, 2x2, 35 mm., prescribed for use in schools of barbering in West Virginia is shown in Table 3-6D Table 3-6C found at the end of this rule.

~~-----These slides may be purchased from Clay-Adams Company, Inc., 44 East 23rd Street, New York City 10, N.Y.~~

~~-----It is recommended that all schools write the Clay-Adams Company for the general catalogue on visual aids and complete listing of all medichrome slides.~~

§3-6-13. 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.

~~§3-6-14.-----Repeal of Rule - This rule automatically be repealed on July 1, 1991, unless extended prior to that date by an act of the Legislature.~~

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Table 3-6B. 6A. Minimum Curriculum for a Barber/Permanent License

SCIENTIFIC STUDY

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

DEMONSTRATION AND LECTURE ON SCIENTIFIC STUDY
(No Lecture on Saturday)

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

SUPERVISED PRACTICE

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

TABLE 3-6B- 6A. (Cont'd)

<u>ILLUSTRATED LECTURE AND DEMONSTRATIONS ON PRACTICAL WORK</u>	
<u>(No Demonstration or Lecture on Saturday)</u>	
1. Scalp treatments, shampooing	20 hrs.
2. Honing and stropping	5 hrs.
3. Shaving	10 hrs.
4. Facials, massage, packs	10 hrs.
5. Haircutting	10 hrs.
6. Hair tonics	5 hrs.
7. Haircoloring, bleaching	10 hrs.
8. Hairstyling, demonstrations	10 hrs.
9. Salesmanship	10 hrs.
10. Unassigned	<u>10 hrs.</u>
	100 hrs.

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 hrs.
Supervised Practice	1050 hrs.
Permanent Waving	<u>375 hrs.</u>
	2000 hrs.

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

Table 3-6D. 6C. Kodachrome Slide List

1. MS2-4	Chancre of the finger
2. MS2-9	Chancre of the lip
3. MS2-9.1	Syphillitis, primary-lip
4. MS2-31	Chancre of the face
5. MS2-33	Chancre of the mouth and face
6. MS2-47	Secondary syphillitis
7. MS2-58	Syphilitic alopecia
8. MS2-200.5	Acne vulgaris, face, male
9. MS2-200.6	Acne vulgaris, face, male
10. MS2-202	Alopecia areata
11. MS2-202.1	Alopecia capitis totalis
12. MS2-205A	Comedones
13. MS2-208A	Dermatitis seborrheica (impetigo sicca, face)
14. MS2-210F	Erysipelas - face
15. MS2-210H	Favus capitis
16. MS2-210.H.1	Favus capitis, close-up
17. MC-84.0	Herpes zoster (scalp and face, 10th day of eruption)
18. MS2-213	Herpes simplex - lip
19. MS2-213.1	Herpes simplex - face
20. MS2-216	Herpes zoster - close-up
21. MS2-216.3	Herpes zoster close-up, head lesion
22. MS2-219A	Impetigo contagiosa, face
23. MS2-221	Leprosy, face
24. MS2-225.2	Lupus erythematosus, face
25. MS2-242A	Rosacea, face
26. MS2-246	Sycosis vulgaris under chin
27. MS2-250-2	Tinea capitis
28. MS2-252	Vitiligo - hands
29. MS3-19	Acute eczema
30. MS3-19A	Acute eczema
31. MS3-20	Chronic eczema
32. MS3-21	Psoriasis - early
33. MSc-23	Pustular psoriasis
34. MS3-27	Pityriasis rubra pilaris
35. MS3-44	Acne varioliformis
36. MS3-67	Keratosis seborrheica
37. MS3-92	Herpes simplex
38. MS3-92a	Herpes simplex
39. MS3-93	Verruca plana
40. MS3-93a	Verruca plana
41. MS4-1	Ringworm of the scalp, clinical picture
42. MS4-2	Circinate lesion, clinical picture
43. MS4-3	Microsporum in hair
44. MS4-12	Nail lesion, clinical picture
45. MS4-13	Trichophyton in hair, endothrix
46. MS4-14	Trichophyton in hair, favus type
47. MS4-15	Trichophyton in the skin
48. MS4-26	Epidermophyton, clinical picture
49. MS4-43	Pityrosporum ovale in dandruff, scale
50. MS4-44	Pityrosporum ovale (In wort agar and oleic

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51. MS4-45	acid) Pityrosporum ovale (Microscopic of culture)
52. MS2-212	Hatband dermatitis
53. MC-81.0	Erysipelas (venenata face, 6th day of rash)
54. MC-82.0	Erysipelas (dermatitis venenata face, 6th day of rash)
55. MC-82.1	Erysipelas (close-up of face)
56. MC-90.0	Impetigo, lesion of face
57. MC-91.0	Impetigo, lesion of face
58. MC-92.1	Impetigo, close-up of face, chest, and abdomen
59. MS3-96	Impetigo contagiosa
60. Mc-83-0	Dermatitis venenata (face, 3rd day of rash)



STATE OF WEST VIRGINIA
DEPARTMENT OF HEALTH AND HUMAN RESOURCES

Building 3, Capitol Complex
Charleston, WV 25305

Gaston Caperton
Governor

June 5, 1990

The Honorable Ken Hechler
Secretary of State
State Capitol Complex
Building 1, Suite 157-K
Charleston, West Virginia 25305

Re: Legislative Rules for the West Virginia Board of
Barbers and Beauticians

Dear Secretary Hechler:

Enclosed are five separate amendments to existing legislative rules of the West Virginia Board of Barbers and Beauticians. I hereby approve these rules for filing.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Taunja".

Taunja Willis Miller, Secretary
Department of Health and Human
Resources

TWM/mt

cc: Larry W. Absten, Director
West Virginia Board of Barbers and Beauticians