

WEST VIRGINIA
SECRETARY OF STATE

KEN HECHLER

ADMINISTRATIVE LAW DIVISION

Form #3

Do Not Mark In this Box

FILED

**NOTICE OF AGENCY APPROVAL OF A PROPOSED RULE
AND
FILING WITH THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE**

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

CITE AUTHORITY W.Va. Code §30-27-1

AMENDMENT TO AN EXISTING RULE: YES NO

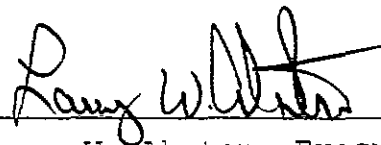
IF YES, SERIES NUMBER OF RULE BEING AMENDED: 6

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: _____

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.



Larry W. Absten, Executive Director

FISCAL NOTE FOR PROPOSED RULES

Rule Title: Minimum Curriculum for Schools of Barbering (3 CSR 6)

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The objective of this proposed rule is to delete outdated curriculum requirements and make other "clean up" changes.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

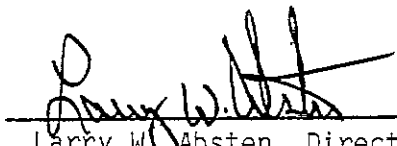
The elimination of the restriction for a school owner to be a licensed instructor will be less restrictive in the sale or acquisition of new or existing schools.

C. Economic Impact on Citizens/Public at Large.

None

Date 5/25/90

Signature of Agency Head or Authorized Representative



Larry W. Absten, Director
Board of Barbers and Beauticians

DATE: July 15, 1990

TO: LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

FROM: WV Board of Barbers and Beauticians

LEGISLATIVE RULE TITLE: Minimum Curriculum for Schools of Barbering. (3 CSR 6)

1. Authorizing statute(s) citation _____

W.Va. Code §30-27-1

2. a. Date filed in State Register with Notice of Hearing:

June 6, 1990

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

Notice was sent to schools of barbering and beauty culture and published in several newspapers.

c. Date of hearing (s): July 8, 1990

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)

f. Name and phone number of agency person to contact for additional information:

Larry W. Absten, Executive Director - 348-2924

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.

_____ N/A _____

b. Date of hearing: _____ N/A _____

c. On what date did you file in the State Register the findings and determinations required together with the reasons therefor?

_____ N/A _____

d. Attach findings and determinations and reasons:

Attached _____ N/A _____

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 Rules
Public Comments Received
Discussion and Response

Title: "Minimum Curriculum for Schools of Barbering", West Virginia Board of Barbers and Beauticians Legislative Rules, 3 CSR 6.

A public hearing regarding this rule was held on July 8, 1990, and was attended by thirteen people. Copies of comments are attached. Ms. Nancy Smith representing Little French Beauty Academy of Bluefield and Mr. Albert Ciamparella representing the West Virginia Cosmetology Association (WVCA) were speakers. For "proposed": 1) Strike-throughs indicate a deletion proposed for public hearing. 2) Underlining indicates new text which was proposed for public hearing. 3) Strike-throughs of underlined text indicate deletion of a proposed addition. 4) Double underlining indicates text added after the public hearing. 5) Restoration of text proposed to be deleted is shown by double underlining plus strike-throughs. 6) Deletion of existing text after the hearing is shown by strike-throughs enclosed in brackets.

(1) Comment (Nancy Smith): 3 CSR 6, Subsection 5.4. The use of question and answer books in schools of barbering is strictly forbidden. We think this subsection should be deleted because schools of beauty culture are permitted to use the books as study guides.

Response: The Board agrees and the restriction has been deleted.

(2) Comment (Nancy Smith): 3 CSR 6, Subsection 5.12. No student enrolled in a school of barbering shall be permitted to work upon a patron until such student has been in attendance for a period of three hundred fifty (350) clock hours. This should be reduced to three hundred (300) hours as it is in the beauty schools.

Response: The Board agrees and the three hundred fifty (350) hour requirement was reduced to three hundred (300) hours to ensure equality between the two curriculums.

(PROPOSED)

TITLE 3

LEGISLATIVE RULES
BOARD OF BARBERS AND BEAUTICIANS

MINIMUM CURRICULUM FOR SCHOOLS OF BARBERING

SERIES 6

1990

For Filing with the Legislative
Rule-Making Review Committee

(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 establishes 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 6, 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 August 6, 1990.

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~~ (~~1800~~) 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]~~ individual who intends to own a school of barbering ~~must-be-registered within-this-State-as an-instructor-and~~ ~~[will-be]~~ is required to submit to the West Virginia Board of Barbers and Beauticians satisfactory evidence as to the character and competency of the ~~[person]~~ individuals 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]~~ a minimum of 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;

(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 equipped 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.]~~ 5.4. Each school of barbering shall hold regular classes for the teaching of both the theory and practice of all phases of barbering.

[5-6-] 5.5. 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-] 5.6. 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-] 5.7. 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-] 5.8. 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-] 5.9. 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-] 5.10. All bottles and containers in use must be distinctly and correctly labeled, showing the intended use of the contents.

[5-12-] 5.11. 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-~~ three hundred (300) hours.

[5-13-] 5.12. 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-] 5.13. 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-] 5.14. 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 3-6E~~ 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 or her 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 Kodachrome slides.~~

§3-6-13. Administrative Due Process - Those ~~persons~~ individuals 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.~~

3 CSR 6

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)

ILLUSTRATED LECTURE AND DEMONSTRATIONS ON PRACTICAL WORK
(No Demonstration or Lecture on Saturday)

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 3-66. 6B. Schedule of Hours
Lecture, Demonstration and Clinic Operations
for
Schools of Barbering in West Virginia
Minimum Total Hours Practical Training = 1050

1050 Hours Clinical Practice Lecture and Demonstration	Lec. 4	Reg. Clin.	54 Days		54 Days		54 Days		54 Days							
			9 Weeks		9 Weeks		9 Weeks		9 Weeks							
			First Quarter	Second Quarter	Third Quarter	Fourth Quarter										
PRACTICAL SUBJECTS	Hrs.	No. C.Op.	Hrs. L-D	Hrs.	Hrs. Op.	Hrs. L-D	Hrs.	Hrs. Op.	Hrs. L-D	Hrs.	Hrs. Op.	Hrs. L-D	Hrs.	Hrs. Op.		
				10	50	3	13	3	13	2	12	2	12	2	12	10
				10	50	3	7	3	7	2	6	2	6	2	5	10
				10	-	3	4	3	4	2	4	2	4	2	3	-
				10	375	4	81	4	81	1	81	1	81	1	82	115
				10	75	3	25	3	25	2	20	2	20	2	10	13
				10	540	3	100	3	100	2	100	2	100	2	125	165
				10	100	3	25	3	25	2	25	2	25	2	7	25
				5	-	2	6	1	6	1	6	1	6	1	7	-
				5	-	2	3	1	3	1	3	1	3	1	2	-
				10	-	3	-	3	-	2	-	2	-	2	-	-
				10	-	3	-	3	-	2	-	2	-	2	-	-
				10	-	3	-	3	-	2	-	2	-	2	-	-
				10	-	3	-	3	-	2	-	2	-	2	-	-
				TOTAL UNITS	100	1190	32	239	30	234	19	231	19	307	19	246
TOTAL HOURS	-	-	271	-	264	-	250	-	265	-	-	-	-			

NOTE: The mark "—" means no assignment
L, Lec. = Lecture
Op. = Operations
E., Clin. = Clinic
D, Dem. = Demonstration
Hrs. = Hours
Reg. = Required

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	Syphillis, primary-lip
4. MS2-31	Chancre of the face
5. MS2-33	Chancre of the mouth and face
6. MS2-47	Secondary syphillis
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

3 CSR 6

- acid)
51. MS4-45 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)

PUBLIC HEARING

BARBERS AND BEAUTICIANS RULES

July 8, 1990

NAME ADDRESS GROUP REPRESENTED (IF ANY)

DO YOU WISH TO COMMENT (YES/NO)

Donald C. Cuddeback Box 126 Barber's Association Board

Ray R. Nichols Rt 21 Box 101 Barber's Association (shop)

Robert C. Longmire 4166 Kappa St W.D.C.A. YES

Francis D. Harris 119 N. Centre St International Bty Sch

James A. Platen 539 S. Super St Cross Lines, WV

W. J. Langley 311 Elm St B + B Bd

Gene Carl 2024 - Arthur Ave. Huntington - W.V. B + B Bd

John Benwickle 205 Forest Road B + B

John Chapman 412 E. 9th St Huntington, WV 25705 No

Jack Winters Hunt. W. 4th, W. 26. 25701 H.S.B.C. 10

Joe. Dorman Little French Beauty Academy Bldg W.V. No 11

James Smith 1324 WV 49322 Romney Dr. Cross Stone BOD of Barber's + Beauticians Yes 12

James W. Smith 49322 Romney Dr. Cross Stone BOD of Barber's + Beauticians Yes 13



LITTLE FRENCH *Beauty Academy*

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Of Beauty Culture
3230 East Cumberland Road
Bluefield, West Virginia 24701
Phone 304-325-3696

NANCY F. SMITH
President and Director
FRED PARSONS, SR.
Vice President
NITA S. BATES
Manager
MARQUETTA DOWNARD
Asst. Manager

Larry W. Absten, Executive Director
WV State Board of Barbers and Beauticians
4860 Brenda Lane
Guthrie Center
Charleston, WV 25312

Dear Mr. Absten:

I have enclosed comments on the following proposed legislative rules,
Series 1,2,3,5, and 6, by the WV State Board of Barbers and Beauticians.

Sincerely,

Nancy F. Smith

Director

NFS/mts



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To: W V State Board of Barbers & Beauticians

When: Public Hearing - July 8, 1990

Where: Conference Room C, Conference Center - Bldg. 7
Capital Complex Charleston, W V 24305

SERIES 1

Page 4 subsection 4.2

Under (j) Four (40) manicure tables.

Comment: (j) should be (04)

Under (L) One dip sterilizer for each booth & work table

(m) Dry Sterilizer, etc.

Comment:

Put the words and/or at the end of paragraph (L). Our Beauty Schools in the state have students assigned to dispensary using wet sterilizers and dry sterilization.

Page 8 Table 3 - 1A Min. Curriculum For a Beauticians License.

Comment:

Trimming Beards and Mustaches needs to be added to Beauty Culture curriculum.

Page 4

In series 2 subsection 5.12 - No instructor shall teach any subject in any school of barber or beauty culture not listed by the board as required subject in the curriculum - etc.

Comment:

Mustaches and Beards is a subject in the professional Barbers-Styling textbook. Since beauticians can now trim mustaches & beards - then students must be taught this subject. See Series 3 subsection 3.25 page 4- left out of these series are Beauticians can now trim mustaches & beards.



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Series 2

Page 1, subsection 3-2-3

Age limit for Instructors-Student Instructors must be at least 19 years of age. For Regular Instructors, must be at least 21 years of age.

Comment:

If a Student Instructor teaches 3 years before licensed as a Senior Instructor, the age should be 22 years of age.

Page 2, subsection 4.6

No applicant may secure licensure and/or renewal for a gross period of more than 5 years.

Comment:

What is the minimum time for applicant to secure the required training? I believe it should be 3 years after licensed as a Student Instructor, except for licensed beautician or barber who has worked in the field for 5 years then they will only have to have 2 years training as a Student Instructor and this is covered in Series 2, subsection 5.4, page 3.

Page 5, subsection 6.1.2

Within each 2 year period, renew the certificate indicating proficiency in advance hairstyling, etc.

Comment:

This applies to Senior Instructors in beauty culture only. Since Senior Barber Instructors teach permanent waving they need to have advanced styling also.



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SERIES 3

S 3-3-3 Sanitation and Operation Requirements

Page 1 subsection 3.1 Every barber/beauty shop, or school of barbering/beauty culture, shall at least ten days prior to opening return to the board the completed shop opening application and \$25.00 inspection fee, etc.

Comment:

Under State Law 30-27-8 3rd paragraph quote " The initial license fee for each school of barbering and each school of beauty culture shall be five hundred dollars and the annual renewal fee shall be two hundred fifty dollars to be paid in such manner as the board may prescribe, on or before January first of each year." These fees should be put into the above statement of subsection 3.1.

Page 3 Series 5 subsection 5.2 Time of filing-application for a licence shall be filed with the board at least 60 days prior to the board meeting at which the applicant is requested to be considered.

Page 3 subsection 3.15. The advertised price of a permanent wave must include a shampoo and all other preparations necessary prior to giving the wave and every act necessary to complete the permanent wave.

Comment:

If we are to give quality service, we need to include shampoo, cut and style in the permanent wave price. If the beauticians and barbers/permanent wavers of this state needs to make more money, they need to up the price of their perms.

We have been giving perms since the 30's with the shampoo, cut and style in the price of the perms-why change now?



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Series 5

S 3-5-6 Licenses

Page 4, subsection 6.3

Annual License Fee--~~Every~~ Every licensee shall annually upon or before the first day of January pay to the Board the sum of (\$250.00) two hundred fifty dollars as an annual license fee for the next succeeding fiscal year.

Comment:

Under State Law 30-27-8 3rd paragraph- The initial fee for each school of barbering and beauty culture is \$500.00. This fee should be included in this subsection 6.3 as Initial Fee and Annual License Fee.



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Series 6

Page 3, subsection 5.4

The use of questions and answer books in schools of barbering is strictly forbidden.

Comment:

We think they should delete this subsection because in the series I-curriculum for schools of beauty culture, we do not have this stipulation. We only use these question and answer books for the students to study by.

Page 4, subsection 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 (350) three hundred fifty hours.

Comment:

In the beauty schools, pre-clinic work is (300) three hundred hours. These hours should be equal with barber and beauty schools. We believe making it 300 hours with both types of schools would be best.

3 CSR 1

4.1 - page 3 - - line 4

The word "character" should be changed to read "competency."

Note: The Board of barbers & beauticians has the right and responsibility to judge competency of those they govern but certainly were not intended to have the right to judge character.

5.3 - pg 6 - para 3 - line 1

The word "demonstrator" should be defined so it does not allow for different meanings by sitting boards of the future.

Note: Rules and the Code that allow for different interpretations seem to be the trouble spots that need to be cleaned up!

ALBERT C. CAMPANELLA
41 ELKHORN ST
WELCH MO 64881

3 CSR 2

4.3 - pg 2

This rule is too weak. If instructors are to be allowed to teach a subject they should have a thorough background and knowledge base. 100 hours of training with only 46 of those hours dealing with permanent waving does not qualify an instructor to teach a class of 285 hours in permanent waving.

Note: The need for barbers to do permanent waving is a fact of life in this day of our industry - - the time has arrived and the Board should take all necessary action to put into the Code or Rule a curriculum for both the individuals who chose to practice barbering and the individuals who chose to do cosmetology. This curriculum should be the same. Barbers need to do the services to compete but have not wanted the title of beautician. Let the graduate select the title of their license to read either barber or cosmetologist.

4.5 - pg 2

If there is an advantage to securing a certificate from an advanced hairstyling school for the beautician instructor there surely is the same need for the barber instructor to secure the certificate now that they are required to teach 180 hours of hairstyling.

Note: Again this is proof that our industry should not be divided by curricula or education.

NOTE: This is the time to create ONE CURRICULUM FOR SCHOOLS OF BARBERING OR BEAUTY CULTURE TO BE ENTITLED SCHOOLS OF COSMETOLOGY, THUS THERE WILL BE NO NEED FOR SERIES 6.

3.1 - pg 1 - lines 4 and 5

CLEAN UP - beauty salons/schools should be added.

3.2 - line 1

Delete the word "toilets".

Note: The words bathrooms and toilets are now both the same in meaning.

3.2 - pg 2 - para 1

Is this rule legal?

Note: With the passage of the partition law it would seem this rule can not apply - with the law a beauty shop or barber shop could open a pet store in their business location.

3.3

Should be changed to read "hands should be kept clean at all times.

Note: A busy beautician shampoos the clients hair, rolls the hair with clean tools but is required by Rule/Code to cleanse their hands prior to washing the hair of the next client. During the winter months most busy hairdressers have clean, dry, cracked, bleeding hands and this rule mandates the hairdresser to wash those clean, dry, cracked, bleeding hands again before they shampoo the client. This Rule is not followed/obeyed.

3.6

The words "hands" and "or" should be deleted.

Note: When hairdressing or setting lotions are used the portion remaining on the hands is blotted on the towel. A towel, whose only purpose now is to catch any liquid from wet hair before it falls on the floor.

3.8

Delete - except last sentence.

Note: Now that barbers are doing perms the proper word is sink or shampoo bowl. These rules should be printed for 1990 not 1937.

3.9

QUESTION? Does this mean that in a residence a shop or salon toilet is to be used only by the clients?

3.12

Delete the word "needles".

3.13

Should be deleted.

Note: hands are also used to apply setting lotions, foams, etc.

3.14

Words "after each use" should be deleted.

Note: Time is money - lets hope the worker is to busy to waste this needless excercise.

3.15

Should be deleted.

Note: Since this Rule was established schools have taught and Boards have decreed the price of a perm must include a shampoo, haircut and finished set.

The act of Permanent waving is a chemical process that is completed with the cool water rinse.

Fashion and habit dicste that most heads of hair are shamp - ooded daily consquently many heads are not shampooed in the salon the day of the perm. Most styles are cut after the completed perm and many are not cut the day of the perm.

Let us not have a mandated Rule we can not obey.

3.19

Delète the second sentence.

Note: Again let us have Rules for 1990 - who today have cuspidors for use. The law seems to be moving to even stop the use of cigarettes in public places.