



**WEST VIRGINIA
SECRETARY OF STATE**

MAC WARNER

ADMINISTRATIVE LAW DIVISION

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OFFICE OF
WEST VIRGINIA SECRETARY OF STATE

**FORM 6 -- NOTICE OF FINAL FILING AND ADOPTION OF A LEGISLATIVE RULE AUTHORIZED
BY THE WEST VIRGINIA LEGISLATURE**

AGENCY **Barbers And Cosmetologists**
RULE TYPE **Legislative** AMENDMENT TO EXISTING RULE **Yes** TITLE-SERIES **3-02**
RULE NAME **Qualifications, Training, Examination and Certification of Instructors in Barbering and
Cosmetology**
CITE AUTHORITY **§30-27**

HOUSE OR SENATE BILL NUMBER **2219** SECTION **3** PASSED ON **04/25/2017**

THIS RULE IS FILED WITH THE SECRETARY OF STATE. THIS RULE BECOMES EFFECTIVE ON THE
FOLLOWING DATE

Friday, May 12, 2017

THIS RULE SHALL TERMINATE AND HAVE NO FURTHER FORCE OF EFFECT FROM THE
FOLLOWING DATE

Wednesday, May 12, 2027

**Charles E Persinger -- By my signature, I certify that I am the person authorized to file legislative rules, in
accordance with West Virginia Code §29A-3-11 and §39A-3-2.**



Title-Series: 3-02



Rule Id: 10139



Document: 49348

TITLE 3
LEGISLATIVE RULE
BOARD OF BARBERS AND COSMETOLOGISTS

SERIES 2
QUALIFICATIONS, TRAINING, EXAMINATION AND
CERTIFICATION OF INSTRUCTORS IN BARBERING, HAIR STYLING, NAIL TECHNOLOGY, AESTHETICS AND
COSMETOLOGY

§ 3-2-1. General.

1.1. Scope. -- This legislative rule establishes the qualifications, training, examination, and certification instructors in schools of barbering, hairstyling, nail technology, aesthetics or cosmetology.

1.2. Authority. -- §§ 30-27-6 and 30-27-16 *et seq.*

1.3. Filing Date. -- May 12, 2017.

1.4. Effective Date. -- May 12, 2017.

1.5. Sunset Provision: This rule shall terminate and have no further force or effect on May 12, 2027.

§ 3-2-2. General Qualifications for Certification as an Instructor.

2.1. An individual seeking certification must:

2.1.a. Have successfully passed a “teaching techniques” course at a post-secondary education level.

2.1.b. Be of good moral character and of temperate habits;

2.1.c. Have a high school diploma, GED, or “ability to benefit” test approved by the United States Department of Education;

2.1.d. Have graduated from a recognized school of barbering, hair styling, aesthetics, nail technology or cosmetology;

2.1.e. Have submitted an application to the Board with the appropriate fees;

2.1.f. Have passed an examination approved by the Board consisting of an NIC Instructor exam, and WV State Law exam with at least an 80% pass percentage.

2.1.g. Submit an application to the Board;

2.1.h. Pay applicable certification, examination and registration fees.

§ 3-2-3. Renewal of Certification as an Instructor.

3.1. Continuing education requirements must be completed in order to receive certificate renewal.

3.2. The renewal requirements for instructors represent minimum standards for teacher training. In order to maintain well-trained teachers, the Board recommends that an "In-Service" training program be conducted in both the schools of barbering and of beauty culture in the art of teaching.

3.3. The applicant for renewal must submit the appropriate fee as specified in 3 CSR 6.

§ 3-2-4. Reciprocity.

4.1. An applicant from another state seeking certification as an instructor is eligible for certification by reciprocity if the applicant has acquired training in another state equal to the requirements established in this rule for the respective certificate requested; and has passed an NIC Instructor exam and WV State law exam with at least 80% pass percentage. Provided, that the state in which said applicant is certified extends the same privilege to certified instructors from this state.

§ 3-2-5. Revocation of Certificate.

5.1. The certificate of an instructor in barbering or beauty culture may be revoked or suspended by the Board for any reason specified in W. Va. Code § 30-27-1 *et seq.*

5.2. Any person who is certified as an instructor has been suspended or revoked may at the discretion of the Board, be entitled to continue to practice barbering or cosmetology.

§ 3-2-6. Administrative Due Process.

6.1. Those persons adversely affected by the enforcement of this rule have the right to request a hearing in a manner pursuant to the provisions of W. Va. Code § 30-27-1 *et seq.*