

TITLE 175. OKLAHOMA STATE BOARD OF COSMETOLOGY

RULES AND REGULATIONS

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[Source: Codified 12-31-91]

[Source: Amended: 7-1-93]

[Source: Amended 7-1-96]

[Source: Amended 7-26-99]

[Source: Amended: 8-19-99]

[Source: Amended 8-11-00]

[Source: Amended 7-1-03]

[Source: Amended 7-1-04]

[Source: Amended 7-1-07]

[Source: Amended 7-1-09]

[Source: Amended 7-1-2012]

COSMETOLOGY LAW

Cosmetology Law - Title 59 O.S. Sections 199.1 et seq

52-63

State of Oklahoma

Oklahoma State Board of Cosmetology

I, Sherry G. Lewelling, Executive Director and the members of the Oklahoma State Board of Cosmetology do hereby certify that the Oklahoma Cosmetology Law, Rules and Regulations printed in this revision are true and correct.

Rules and Regulations appearing in this revision affect the Cosmetology profession and licensees of the State of Oklahoma have been adopted and promulgated by the State Board of Cosmetology pursuant to authority vested by law.

This book is marked as an “unofficial” copy. The only “official” copy of the Board’s rules and regulations are on file with the Secretary of State, Office of Administrative Rules.

Sherry G. Lewelling, Executive Director

BOARD MEMBERS

Freda Poe, Chair

A. LaFaye Austin, Vice

Dianna Fisher

Bill Helton

Pamela Martin

Gretchen Payne

Max Thomas

Janet Dale Webb

Kenneth Young

TITLE 175. STATE BOARD OF COSMETOLOGY

CHAPTER 1. ADMINISTRATIVE OPERATIONS

SUBCHAPTER 1. GENERAL PROVISIONS

175:1-1-1. Purpose

This chapter provides information pertinent to member qualifications, agency structure and responsibilities of the Board of Cosmetology.

175:1-1-2. Definitions

The terms and phrases defined in the Oklahoma Cosmetology Act shall have the same meaning when applied in the rules which are herein set forth in this Chapter to substantiate the Cosmetology Law. The following rules and terms shall have the same meaning, unless the context clearly indicates otherwise:

“**Act**” means the Oklahoma Cosmetology Act.

“**Apprentice**” means a person who is engaged in learning the practice of cosmetology in a cosmetology salon. [Title 59 O.S. Section 199.1]

“**Assigned practice or clinic work**” means demonstrations and lesson practice in which services may be performed on patron, student or model on clinic floor in classroom for the benefit of student observation, notes, etc. The practice or demonstration shall be assigned by or with approval of the instructor in charge and materials/supplies used for the education demonstration are the responsibility of the school.

“**Clock hour**” means a measure of time determined to be sixty (60) minutes that a student spends in an educational or training activity.

“**Cosmetician**” means a person licensed by the Board to perform patron services limited to hair arranging and application of make-up, including, but not limited to using hairstyling tools and products. Services must be performed in a licensed establishment limited to photo studios and cosmetic studios.

“**Credit hour**” means a unit of value awarded to a student for successful completion of a program, course or course lesson and is determined by using the ratio of thirty (30) clock hours equal to one (1) credit hour.

“**Dry sanitizer**” means a clean, dry, closed (covered) cabinet, drawer, chest or other type container used in a cosmetology salon or school for the purpose of storing clean, dry sanitized combs, brushes and other implements without fumigant after the articles have been cleaned and sanitized in a wet sanitizer (or by other approved method in the case of metal implements).

“**Emergency circumstances**” means a serious injury, illness or death in the immediate family of applicant for registration, examination, licensure, etc.

“**Establishment**” means a place or premises, cosmetology salon, cosmetic or other speciality shop/salon where any one or combination of cosmetology practices are performed by the public except that the term shall not include a cosmetology school.

“**Esthetician/Facialist/Facial Operator**” means a person licensed by the Board to perform skin

care, make-up and hair removal services to the public provided the hair removal services shall not include electrolysis.

“Facial/Esthetics Instructor” means a person licensed by the Board as a qualified teacher of the art and science of skin care theory and practice.

“Hairbraiding Technician” means a person licensed by the Board to perform hairbraiding, hairweaving techniques, and hair extensions in a licensed cosmetology establishment.

“Manicurist/Nail Technician” means a person licensed by the Board to perform nail care services to the public in a place licensed by the Board where nail care/manicuring/pedicuring services may be performed.

“Manicurist/Nail Technician Instructor” means a person licensed by the Board as a qualified teacher of the art and science of nail technology theory and practice.

“Master Instructor” means a person licensed by the Board as a qualified teacher of cosmetology theory and practice.

“Operator/Cosmetologist” means a person licensed by the Board to perform cosmetology services to the public in a place licensed by the Board where cosmetology practice(s) may be performed.

“School” means a cosmetology school or cosmetology department that is approved by the Board to conduct and provide cosmetology training and education in Oklahoma.

“Student” means a person who is enrolled in a cosmetology school and appropriately registered with the Board for the purpose of being educated and trained in the practice of cosmetology.

“Unassigned practice or clinic work” means a personal service or cosmetology practice (on student on another etc.); which shall be elective practice which one student chooses to perform or to receive (routine shampoo not included); and in which school supplies may be used (i.e. bleach/color/perm, etc.); and which practice and service is not assigned by the instructor and/or performed for the benefit of a group of students who have been scheduled to observe as a classroom or clinic demonstration; and for which a reasonable cost for supplies used in the practice may be charged to the student receiving the unassigned services.

“Wet sanitizer” means a large, pan-type covered container which shall contain a liquid chemical sanitizing agent used in a cosmetology school or salon for the purpose of sanitizing and disinfecting combs, brushes and other non-metal tools and implements used in cosmetology training and practice.

SUBCHAPTER 3. BOARD STRUCTURE AND AGENCY ADMINISTRATION

175:1-3-1. Composition, powers and duties of Board

(a) The Board is composed of nine (9) members appointed by the Governor to four (4) year staggered terms. Six (6) members are appointed, one (1) from each of six (6) congressional districts of the state. One (1) member is appointed to represent public schools, one (1) to represent privately owned schools and one (1) is appointed as a lay/public member.

(b) The Board shall employ an Executive Director who shall be in charge of the Board office.

(1) The Executive Director shall devote entire time to the duties of the agency.

(2) The Executive Director shall hold a current Oklahoma Master Instructor license.

- (3) The Executive Director must be qualified by education and experience.
- (c) The Board elects a chair and vice chair from its membership in July each year.
 - (1) The chair presides over all Board meetings.
 - (2) The chair has the authority to call meetings if the need arises.
- (d) An Assistant Attorney General is assigned to the agency as liaison and serves as the Board's legal advisor.
- (e) In order to safeguard and protect the health and general welfare of the people of the State of Oklahoma, the Board has the power and duty to carry out the provisions of the Cosmetology Act 59 O.S. Section 199.1 et. seq. and to make and enforce all reasonable and necessary rules and regulations for that purpose. In addition to the general powers, the Board shall have the following powers and duties:
 - (1) The Board shall promulgate rules relating to the standards of sanitation which shall be observed and practiced by all cosmetology school and salons.
 - (2) Conduct examinations for licensure at such times and places determined by the Board.
- (f) The Board may exercise its official powers at any location in the State of Oklahoma.

175:1-3-2. Agency administration; description of agency

- (a) The State Board of Cosmetology shall create positions, make appointments and fix salaries of officials and employees necessary to carry out the purposes of the Cosmetology Act [59 O.S. Sections 199.1 et. seq] and the administration thereof.
- (b) The Board's Executive Director is in charge of the office and directly supervises all employees.
- (c) The office of the State Board of Cosmetology is located at 2401 N.W. 23rd Street, Suite 84, (Shepherd Mall) in Oklahoma City, Oklahoma 73107. Phone number (405) 521-2441. Fax number (405) 521-2440.
- (d) Board office hours are from 7:30 a.m. to 4:00 p.m. Monday through Friday inclusive except legal holidays established by statute or proclamation by the Governor. With Board approval, office hours are subject to change.
- (e) All application and other forms and instructions which pertain to a permit or license, shall be available at the Board's principal office during regular business hours.
- (f) All Board meetings are conducted at the Board's office location. Rule making and disciplinary hearings may be held in other locations if additional space is needed or if considered necessary for other legal valid reasons.

SUBCHAPTER 5. RULES OF PRACTICE

175:1-5-1. Setting hearings; hearing officer; Attorney General assistance

- (a) The State Board of Cosmetology may hold a hearing on any alleged violations of the Cosmetology Act [59 O.S. Section 199.1 et seq]. All hearings shall be conducted pursuant to the Administrative Procedures Act [75 O.S. 250 et seq.].
- (b) The Chair of the Board shall preside at all hearings and shall rule on all motions. If the Chair is unable to participate in the hearing, then the Vice-Chair shall preside. If the Vice-Chair is unable to

participate in the hearing, the Board shall elect from its membership an acting Chair solely for the purpose of conducting the hearing.

(c) The Board may request the Assistant Attorney General assigned to the Board to take part in the hearing proceedings as the Board deems necessary.

175:1-5-2. Unlawful acts; findings of fact [REVOKED]

175:1-5-3. Grounds for refusal, revocation or suspension of license or registration [REVOKED]

175:1-5-4. Board sanctions

(a) If it is proven that violations of the Oklahoma Cosmetology Act and Board rules and regulations have occurred, sanctions available to the Board are:

- (1) Revocation of license; or
- (2) Suspension of license; or
- (3) Refusal to issue license; or
- (4) Placing licensee on probation.

(b) Such matters of violation may be referred to the District Attorney or to the Attorney General for injunctive or other relief.

175:1-5-5. Complaint procedures; forms

(a) Complaint against any licensee and/or non-licensed person alleged to be practicing cosmetology shall be signed by person or persons making complaint or allegation. Complaint forms are available from the office of the Board. Complaint shall include the following information:

- (1) Name and address of person(s) against whom complaint is filed.
- (2) Detailed explanation of offense committed.
- (3) Name and address of person(s) filing complaint.

(b) All or portions of the information in complaints may in fact be privileged information.

(c) Board staff may investigate anonymous complaints to the extent required to protect public health and safety.

(d) Members of the public may obtain a consumer complaint form from the Board upon request.

175:1-5-6. Investigation of alleged violation

(a) Alleged violations are investigated by State Cosmetology Inspector/Examiners and findings are confirmed by written reports and depositions and other records. One or more Inspector/Examiners may be assigned to complete the investigatory process.

(b) All investigative files shall be confidential pursuant to 51 O.S. Sec 24A.12. However, the Board may provide information in the files to the following:

- (1) Any Board of Cosmetology or other Board of any state which exercises authority and licensing over those persons involved in the teaching or practicing of cosmetology.
 - (2) Any law enforcement agency which makes a proper showing that such information is necessary to conduct a pending investigation.
 - (3) Any person who has filed a complaint against a licensee, registrant, or other person may be notified of the final disposition of the matter upon request.
- (c) Reports are reviewed by the agency attorney and Executive Director. The Executive Director shall determine, in accordance with pertinent cosmetology law and Board rules and regulations, whether sufficient evidence exists to issue a formal Complaint and call for a disciplinary hearing before the Board.
- (d) It is the Board's responsibility to attempt an informal resolution of the matter, or terminate the investigation if it is determined that a violation of the Cosmetology Act [Title 59 O.S. Section 199.1 et. seq] or the Board's rules has not occurred, or if there is insufficient evidence to support the allegations in the complaint.

175:1-5-7. Disciplinary hearing

- (a) Notice in writing of disciplinary hearing date, including statement of allegations, shall be mailed to the person charged at least five (5) days before public hearing. Notice shall contain the following information:
- (1) Date, time and place of hearing;
 - (2) Description of alleged violations;
 - (3) Statement of legal authority and jurisdiction under which the hearing is to be held;
 - (4) Reference to the particular section of the statutes or rules allegedly violated.
- (b) The notice of hearing shall be sent to the last known address of the party involved by certified or registered mail with return receipt requested or delivered by personal service.
- (c) The Board shall have the power to subpoena witnesses and administer oaths or to subpoena documentary evidence in any case before it as provided for in the Administrative Procedures Act.
- (d) All final orders of the Board shall be public records.
- (e) All respondents shall be notified of the right to appear in person and to be represented by counsel. All respondents shall have the right to call and examine witnesses. Any person notified to appear will have the opportunity to appear and if no appearance is made, the proceedings may be held in his absence.
- (f) All hearings shall be open to the public in accordance with the State's Open Meeting Act [12 O.S. Section 301-314].

175:1-5-8. Board meeting; public notice and agenda; minutes available

- (a) The Board shall meet at its office for the transaction of Board business on the second Monday of January, March, May, July, September and November and at other times deemed advisable.
- (b) Advanced public notice shall specify the date, time and place of each Board meeting/hearing scheduled to be convened. The public notice shall be posted in prominent public view at the principal office of the Board and at such room or other place of such meeting/hearing.

(c) The posting of an agenda shall not preclude the public body from considering at its regularly schedule meeting any new business not known about or which could not have reasonably been foreseen prior to the time of posting of agenda.

(d) Upon request, minutes may be transcribed and made available at cost provided written request is made and fee prepaid by party making request.

175:1-5-9. Appeals

Appeals from orders/actions of the State Board of Cosmetology may be taken pursuant to the provisions of Section 199.3 (a) (b) (H) of 59 O.S., the Cosmetology Act, and the State's Administrative Procedures Act and other applicable law.

175:1-5-10. Findings of fact; license reinstatement

(a) All findings of fact shall be based on the evidence presented and on matter officially noticed. All final orders shall include findings of fact and conclusions of law, separately stated. Findings of fact, if set forth in the statutory language, shall be accompanied by a concise and explicit statement of the underlying facts supporting the findings. A copy of the order shall be delivered to each party involved and his attorney.

(b) Any person whose license or registration has been suspended or revoked, may after thirty (30) days, make application to the Board requesting reinstatement of the license or registration. Reinstatement of any such license or registration shall rest in the sound discretion of the Board.

175:1-5-11. State Board examination [REVOKED]

175:1-5-12. Reciprocity requirements [REVOKED]

175:1-5-13. Agency rulemaking

All rules shall be promulgated and submitted for gubernatorial and legislative approval in accordance with the Administrative Procedures Act and rules established for agency rulemaking. Adopted rules shall be filed with the Office of Administrative Rules in compliance with the applicable rule and law.

175:1-5-14. Revenue collected and deposited; reports [REVOKED]

SUBCHAPTER 7. BOARD RECORDS AND FORMS

175:1-7-2. License records and records of proceedings; open records; procedures for

public access

- (a) Records not confidential or privileged will be available for inspection and/or copying during regular business hours pursuant to the Open Records Act [Title 59 O.S. Section 24 A.1 - 24A.2].
- (b) Members of the public wishing to inspect records must schedule time with Board staff.
- (c) The Board may charge a reasonable copy and/or search fee of \$1.00 for the first page and .10 cents for each additional page for copies of open records.

175:1-7-3. Forms available from the Board

All official Board forms have been adopted in accordance with the Administrative Procedures Act. Interested persons may contact the Board in order to obtain a form from the Board.

CHAPTER 10. LICENSURE OF COSMETOLOGISTS, SCHOOLS AND RELATED ESTABLISHMENTS

SUBCHAPTER 1. GENERAL PROVISIONS

175:10-1-1. Purpose

The rules of this Chapter are established and herein set forth for the protection of the health and welfare of the general public as relates to sanitary and safety practices in cosmetology establishments and schools.

175:10-1-2. Definitions [REVOKED]

SUBCHAPTER 3. LICENSURE OF COSMETOLOGY SCHOOLS

PART 1. INITIAL SCHOOL LICENSING

175:10-3-1. Application for initial and renewal of school license

In order to be in compliance with current Cosmetology Act as pertains to public and privately owned cosmetology school and license issuance to cosmetology schools, the application procedures for an initial (new) cosmetology school are as follows:

(1) **Privately owned schools.** Any person, corporation or company, who proposes to provide cosmetology training courses designed to qualify persons who complete courses for a professional license to practice cosmetology, shall be required to obtain a license for the school from the Board.

(A) **Letter of intent.** The applicant shall first submit a letter of intent to the Board of Cosmetology and shall request Cosmetology School license application forms from the Board. The letter of intent shall state at least the full name, address and phone number of the applicant and the city where the proposed school is to be located. If the applicant proposes to assume ownership of an existing cosmetology school, the letter of intent shall specify the name and address of the existing cosmetology school.

(B) **Application form.** The license application form shall be completed and returned to the Board and shall contain the following information:

(i) A bona fide list of the names and addresses of no less than twenty-three (23) students who fully intend to enroll and attend cosmetology classes in the proposed cosmetology school at such time as school is appropriately licensed. The Board may require that the list be accompanied by a signed and notarized affidavit stating that the prospective student fully intends to enroll in, sign student contract with and regularly attend cosmetology classes in the proposed cosmetology school. The affidavit shall also state that the student fully intends to appropriately register with the State Board of Cosmetology prior to attending classes and that the student fully intends to complete the course requirements. Any advertisement for recruitment of students must state school is proposed to be open and shall not contain deceptive or misleading language and shall state that school has applied for licensure.

(ii) Proposed name and location (city, street and number), and a brief description of the building.

(iii) Name, address and phone number of the proposed owner(s). If a corporation, the name, address and phone number(s) of the officers and principal stockholders are required to be submitted.

(iv) Names of Oklahoma cosmetology license held and the file numbers of the persons to be the instructors of the proposed school and that of the manager, if other than the owner.

(C) **Initial license fee; expiration date.** Each initial public and privately owned cosmetology school shall be required to pay to the Board, the initial license fee of \$400.00. Each public and privately owned cosmetology school shall also pay the annual license renewal fee of \$125.00. Each cosmetology school license shall expire annually on June 30th. No provision is made for pro rata of any cosmetology license fee.

(D) **Surety bond.** A surety bond in the amount of two thousand dollars (\$2,000.00) for the first instructor and one thousand dollars (\$1,000.00) for each additional instructor is required to be submitted for cosmetology school license. The bond shall be in an amount sufficient to meet bonding requirements for all staff instructors and for each substitute instructor for the specific school in

which license application is made.

(E) **Financial statement.** A current financial statement of the license applicant, prepared by a Public Accountant or a Certified Public Accountant, is required to be submitted to the Board. The financial statement shall be prepared in accordance with generally accepted accounting principles and shall reflect the applicant's total property inventory, assets and liabilities which shall show a net worth of at least one hundred thousand dollars (\$100,000.00) for each cosmetology school owned. This amount must be sufficient to insure the safe and adequate training of the minimum number of twenty-three (23) students. Intangible assets will not be considered in net worth.

(F) **Proof of building lease or ownership.** Applicant must obtain a lease of at least one year or be owner of building in which school is proposed to operate. Month to Month lease is not acceptable. Applicant must submit a copy of lease agreement.

(2) **Public schools.** Any public school wherein administrator or other authorized person proposed to provide course(s) in cosmetology training and education designed to qualify a person who shall complete the course(s) for examination and licensure, shall follow instructions for license application procedures in (1) of this Section as may be applicable in requesting cosmetology school license application and approval from the Board.

(A) Names, address and phone number(s) of Public School Administrator and other supervisory person (Principal, Assistant Principal, Coordinator or Counselor), of school/

department and of each instructor proposed to teach in the cosmetology school shall be submitted to the Board. Cosmetology file number of the instructor(s) shall be submitted.

(B) Applicant shall provide to the Board a notarized affidavit stating source of sufficient bond coverage and that building wherein the cosmetology school is proposed to be conducted is publicly owned.

(C) Applicant shall provide phone numbers of public school main campus and cosmetology school facility and a brief general description of the facility location within campus and other building training sections and parking areas.

(3) **Privately owned school license renewal.** A privately owned cosmetology school license shall expire annually on June 30th. Renewal must be received by June 30th each year.

(A) Private school license renewal application, forms and instructions are mailed annually to schools by the Board. Forms include a surety bond renewal form, power-of-attorney and verification form.

(B) Fee of \$125.00 is required for school license renewal.

(4) **Public school license renewal.** A public school license shall expire annually on June 30th. Renewal must be received by June 30th each year.

(A) Public school license renewal application and invoice is mailed annually to schools.

(B) Fee of \$125.00 is required for school license renewal.

175:10-3-2. Initial inspection

(a) **Request for initial inspection.** Applicant must submit a written request for an initial Board consultation and inspection for approval of the location, building, parking, electrical facilities, plumbing facilities, construction and building codes for the proposed school. Applicant must provide city inspection certificate, fire department, electrical and plumbing certificates as applicable for the city or county where proposed school is located and other applicable zoning or construction documents the Board may require for approval.

(b) **Interview.** At the time of initial inspection consultation, the proposed owner(s) or the person(s) proposed to instruct and/or other person(s) who may be designated to manage the proposed cosmetology school will be interviewed. The person(s) will be requested to respond in writing to interview questionnaire for evaluation by the Board's authorized representative. Interview questionnaire will pertain to State Board of Cosmetology rules, regulations and Cosmetology law regarding school operations and record keeping. Response to the questionnaire and the personal interview is used by the Board as one indicator for determination regarding qualifications of the individual(s) to manage and/or teach cosmetology courses of study as prescribed in the Oklahoma Cosmetology Act and Board regulations.

(c) **Space/building requirements.** At the initial inspection, the Board's representative will consult with the proposed owner(s), instructor(s) and other person(s) designated by the license applicant as responsible for the proposed cosmetology school regarding the requirements necessary to the physical arrangements of the proposed building and space.

(1) **Lighting, ventilation, floors, available parking requirements.** Adequate lighting and ventilation; cleanable floor surfaces; parking facilities, and other building appointments as applicable in the specific plans and location, will be addressed in the initial consultation.

(2) **State and federal fire and safety codes compliance.** The proposed cosmetology school space must meet federal, state and local construction, electrical, plumbing, fire and safety codes. Proposed owner must show the Inspector proof of certification of compliance with applicable codes upon request. At least two point of ingress/egress for the building are required. In the event of multiple stories or building levels, fire escape(s) must be approved and appropriate exit signs must be posted for safe exit from the building.

(3) **Minimum building and student work space.**

(A) The proposed cosmetology school building space must contain a minimum of twenty-two hundred (2,200) square feet of floor space. The Board considers a working area of 5' X 8' (40 square feet) per student as necessary and adequate for the safe operation of the required minimum equipment approved for the conducting of cosmetology courses of training. Space allotted to reception area, restrooms, lockers, vending machines, cosmetic and wig displays, supply and storage and break room(s) are not included in the

5' X 8' work area required for each student.

(B) The proposed building space plans shall contain separate classroom setting large enough to accommodate at least fifteen (15) students in one group, one (1) mannequin table, one (1) chalk or marker board, three (3) manicure tables or one (1) narrow (18 inch) folding table satisfactory for manicure practice.

(C) The proposed cosmetology school plans shall contain a facial and skin care room

designed to provide maximum sanitation methods and privacy to patrons.
The space plans must include dressing rooms, student lounge and
locker space (one locker per student) and separate restroom facilities
for male and female students.

(4) Dispensary, drinking fountain, school reception area, wall and floor covering requirements.

- (A) A sanitary drinking fountain shall be provided, maintained and in good repair at all times.
- (B) Each cosmetology school shall have a dispensary room equipped with a sink plumbed with hot and cold water.
- (C) A school shall provide space for a reception area with seating capacity of no less than ten (10) persons.
- (D) Interiors of schools shall be maintained in a clean, sanitary condition, and in good repair.
 - (i) Floors in work areas (shampoo and styling areas) shall be covered with hard, cleanable surface of vinyl, linoleum or other impervious floor covering. Carpet is prohibited for use in cosmetology school work areas.
 - (ii) Walls and woodwork to a height of five (5) feet shall be painted or covered with easily cleaned and washable material.

175:10-3-3. Second inspection

- (a) A second Board inspection is in order once:
 - (1) the name of the school, location and space are approved.
 - (2) the prospective school owner(s), instructor(s) and/or other person(s), as applicable, have appropriately and satisfactorily responded to the inspector's interview and questionnaire as pertains to the State Board of Cosmetology law, rules and regulations .
- (b) The second inspection set forth in (a) of this Section will be conducted at such time as the Board is notified in writing that:
 - (1) the school has all equipment including student kits equipped with required minimum tools for training;
 - (2) approved textbooks and library reference materials are obtained;
 - (3) the minimum equipment is installed and operable; and
 - (4) the school license applicant is prepared to begin classes in compliance with Board rules, regulations and law.
- (c) Student kits shall be prepared and ready for approval at the second inspection.
- (d) All enrolled students shall be present and in appropriate uniform at time of second inspection and if all student registrations are complete, students may accumulate hours for the date of inspection provided all other license requirements are met.

175:10-3-4. Issuance of initial school license

- (a) An initial cosmetology school license may be issued upon satisfactory second inspection report and school bond in a form approved by the Office of the Attorney General.
- (b) Once the initial cosmetology school license is issued the school is approved to conduct cosmetology course in accordance with Board rules, regulations and cosmetology law.

175:10-3-5. Records submitted are property of Board

All records, reports and documents submitted to the Board shall become property of the Board.

PART 3. STUDENT REGISTRATION AND ENTRANCE REQUIREMENTS

175:10-3-15. Student registration; prerequisites [REVOKED]

175:10-3-16. Student entrance requirements

Student entrance requirements for the Basic Cosmetologist, Manicurist/Nail Technician, Cosmetician, Hairbraiding Technician and Esthetician/Facialist/Facial Operator courses are as follows:

(1) The student must:

(A) be at least 16 years of age by November 1st of the current year.

(B) submit completed student registration application accompanied by a fee of \$5.00 before attending classes.

(C) submit a copy of the completed student/school contract with the student registration application. The contract shall state cost of kit and how and when it is considered paid for and becomes the sole property of the student. If kit provision is a rental-depreciation or other agreement, contract will provide details of the agreement.

(D) submit proof of at least eighth grade education or equivalency or submit proof of having satisfactorily passed an ability to benefit exam.

(E) submit, if under 18 years of age, a photocopy of birth certificate or other legal proof of age.

(F) submit 2"X3" current full-face photograph of the applicant as requested on registration form.

A current photograph is one taken within the last six months.

(2) Each student shall be registered with the State Board of Cosmetology before attending school.

(3) Each student shall be provided with an approved textbook or manual upon commencing training.

(4) Each student must be provided a kit with minimum content requirements before commencing clinic training.

(5) All applicants who register with the Board as students or who apply for a cosmetology license will be considered without regard to race, sex, creed, color, religion, or national origin provided they have met all requirements of cosmetology law and rules of the Board. All students shall be considered for

enrollment in a cosmetology school. Admission to applicable state and federal laws.

public schools is governed by

PART 5. EQUIPMENT AND CURRICULUM REQUIREMENTS

175:10-3-30. Required library copies of cosmetology law/rules

(a) At least six (6) copies of the Oklahoma Cosmetology Law and Board rule book must be maintained in library of each cosmetology school and available to students. The books will be provided by the Board at a current cost of printing and delivery to each cosmetology school.

(b) Reference manuals or other material shall be kept current by replacement or supplement as pertains to all areas of the curriculum. Other library and reference books shall include a Collegiate Dictionary and an American Medical Dictionary. Each school shall maintain a quality reference library addressing various major subjects as pertain to the total field of cosmetology.

175:10-3-31. Training equipment requirements.

(a) The following minimum equipment is considered by the Board to be adequate for the appropriate and safe training of no more than thirty-seven (37) students. The minimum equipment shall be required for one (1) to and including thirty-seven (37) students.

- (1) One (1) school seal
- (2) One (1) Chart of Anatomy to include:
 - (A) bones
 - (B) muscles
 - (C) nerves
 - (D) circulatory system
 - (E) skin
- (3) One (1) blackboard
- (4) Three (3) large wet sanitizers (pan-type with covers)
- (5) One (1) large dry sanitizer with airtight cabinet (without fumigant) to keep instruments, combs, and brushes after they have been taken from wet sanitizer
- (6) One (1) small dry sanitizer for each student (closed dry cabinet, drawer or other covered box-type container)
- (7) One (1) container with cover for each student to store soiled brushes/combs etc. until such time as all items shall be cleaned and sanitized according to approved rules and methods
- (8) Four (4) shampoo basins equipped with shampoo sprays and connected with hot and cold water (one shampoo basin for each additional 15 students or major fraction thereof)
- (9) Four (4) shampoo chairs (one for each additional 15 students or major fraction thereof)
- (10) Two (2) facial chairs, considered adequate for patron service; reclining, styling or shampoo are acceptable for student practice (one for each additional 15 students or major fraction thereof)
- (11) One (1) facial supply cabinet (one for each additional 15 students or major fraction thereof)

- (12) One (1) therapeutic lamp with red lights installed for free use of hands.
 - (13) Four (4) hair dryers - chair type (one for each additional 15 students or major fraction thereof)
 - (14) Twelve (12) blow-dryers (one for each additional 15 students or major fraction thereof)
 - (15) Twelve (12) curling irons (one for each additional 15 students or major fraction thereof)
 - (16) One (1) mannequin for each student
 - (17) Four hundred (400) permanent wave rods and other permanent wave supplies as necessary
 - (18) Twenty (20) work/styling stations with mirrors (one for each additional 5 students)
 - (19) Twenty (20) styling chairs (one for each additional 5 students)
 - (20) Five (5) covered waste receptacles
 - (21) One (1) large closed cabinet for clean towels
 - (22) Four (4) large covered receptacles for soiled towels (one for each additional 15 students or major fraction thereof)
 - (23) One (1) large dispensary cabinet
 - (24) Four (4) manicure tables and chairs considered adequate for patron service. A long narrow (18") folding table is acceptable for student practice
 - (25) One (1) covered hair pin or clippie container for each student
 - (26) Subscriptions to at least three (3) professional cosmetology related periodicals
 - (27) Four (4) heaters and irons
 - (28) Five (5) head forms
 - (29) Five (5) wefts
- (b) Other additional equipment shall be required if the Board's Inspector shall show evidence that the need for additional equipment is necessary to the appropriate and safe training in all phases of cosmetology to each student enrolled in the school.

175:10-3-32. Minimum student kit contents [REVOKED]

175:10-3-33. Required textbooks

Textbooks must be approved by the Board that adequately covers the prescribed curricula and prepares students for State Board testing. Other textbooks and reference material may be used to enhance the cosmetology course.

175:10-3-34. Basic Cosmetologist course curriculum for privately owned and public schools

(a) **Privately owned cosmetology school.** The 1500 clock hour or 50 credit hour curriculum (pure cosmetology) is prescribed as follows:

- (1) Theory (must be coordinated with each practical practice subject as is appropriate throughout the course of training)
 - (A) Clock hours - 150
 - (B) Credit hours - 5
- (2) Manicuring and pedicuring (including sculptured nails and tips and other artificial nail

application procedures and care)

(A) Clock hours - 90

(B) Credit hours - 3

(3) Facials (skin care training includes make-up, waxing and/or other methods for non-permanent hair removal)

(A) Clock hours - 30

(B) Credit hours - 1

(4) Scalp treatments

(A) Clock hours - 30

(B) Credit hours - 1

(5) Shampooing/conditioning rinses

(A) Clock hours - 60

(B) Credit hours - 2

(6) Hairstyling, including finger waving, the dressing of wigs, thermal and blow drying

(A) Clock hours - 390

(B) Credit hours - 13

(7) Hair color tints and bleaching and other color treatments

(A) Clock hours - 120

(B) Credit hours - 4

(8) Hair cutting and hair shaping with shears and thinning shears (scissors) razor and clipper (includes beard)

(A) Clock hours - 180

(B) Credit hours - 6

(9) Lash and brow tinting and arching

(A) Clock hours - 30

(B) Credit hours - 1

(10) Personality, shop management and unassigned hours for review, examinations, etc.

(A) Clock hours - 180

(B) Credit hours - 6

(11) Hair restructuring/permanent waving and chemical hair relaxing

(A) Clock hours - 240

(B) Credit hours - 8

(12) Total cosmetology hours

(A) Clock hours - 1500

(B) Credit hours - 50

(b) **Public cosmetology school.** The 1500 clock hour or 50 credit hour curriculum (1000 hours pure cosmetology plus 500 hours of cosmetology related high school subjects) is prescribed for public school students in the following situations:

(1) Cosmetology students that are currently attending high school

(2) Persons that did not otherwise complete their cosmetology training while registered as a cosmetology student in high school.

(A) Students who shall qualify for training in this matter must complete 1000 clock hours or 33 credit hours in a Basic cosmetology course and 500 hours of approved related subjects. The

official high school transcript shall serve as documentation for the 500 hours of related instruction. The transcript must show passing grades in related subjects and completion of at least the first semester of the twelfth (12th) grade. Related subjects shall run concurrently with and shall be in no instance older than three (3) years at time of enrollment in a cosmetology school course. The curriculum as follows has a recommended completion time of two (2) school years.

(B) Adult students registered in a cosmetology school are not eligible to train under the 1000 hours pure cosmetology plus 500 hours of cosmetology related high school subjects unless qualified under (b) (1) and (2) of this rule.

- (3) Theory (must be coordinated with each practical practice subject as is appropriate throughout the course of training)
- (A) Clock hours - 150
 - (B) Credit hours - 5
- (4) Manicuring and pedicuring (including sculptured nails and tips and other artificial nail application procedures and care)
- (A) Clock hours - 60
 - (B) Credit hours - 2
- (5) Facials (skin care training includes make-up, waxing and/or other methods for non-permanent hair removal)
- (A) Clock hours - 30
 - (B) Credit hours - 1
- (6) Scalp treatments
- (A) Clock hours - 30
 - (B) Credit hours - 1
- (7) Shampooing/conditioning rinses
- (A) Clock hours - 30
 - (B) Credit hours - 1
- (8) Hairstyling, including finger waving, the dressing of wigs, thermal and blow drying
- (A) Clock hours - 180
 - (B) Credit hours - 6
- (9) Hair color tints and bleaching and other color treatments
- (A) Clock hours - 90
 - (B) Credit hours - 3
- (10) Hair cutting and hair shaping with shears and thinning shears (scissors) razor and clipper (includes beard)
- (A) Clock hours - 120
 - (B) Credit hours - 4
- (11) Lash and brow tinting and arching
- (A) Clock hours - 30
 - (B) Credit hours - 1
- (12) Personality, shop management and unassigned hours for review, examinations, etc.
- (A) Clock hours - 100
 - (B) Credit hours - 3

(13) Hair restructuring/permanent waving and chemical hair relaxing

(A) Clock hours - 180

(B) Credit hours - 6

(14) Cosmetology related subjects

(A) Clock hours - 500

(B) Credit hours - 17

(15) Total cosmetology hours

(A) Clock hours - 1500

(B) Credit hours - 50

(c) Minimum student kit contents for private and public schools.

(1) A Basic Cosmetology student kit minimum equipment is required as follows:

(A) one (1) approved text on theory of cosmetology

(B) one (1) razor-type hair shaper and shaper blades or razor hone

(C) one (1) pair each hair cutting shears and thinning shears

(D) one (1) cuticle nipper for finger nails and one (1) nipper for toe nails

(E) one (1) cuticle scissors

(F) one (1) nail brush

(G) one (1) nail file or package of emery boards

(H) one (1) tweezer

(I) twelve (12) hair brushes

(J) twelve (12) hard rubber combs or other good quality combs (shall include rat-tail, color, regular and/or barber-type)

(K) two (2) boxes of curl clips (100 per box)

(L) one (1) shampoo cape

(M) twelve (12) dozen hair styling rollers

(N) one (1) kit or tray to contain student personal training equipment

(2) In addition to the list of equipment in (1) of this Section the school shall immediately have available for student training:

(A) appropriately sanitized set of manicuring implements for student training use on each patron

(B) toe nail clipper

(C) permanent wave rods

(D) other hair restructuring supplies

(E) an adequate supply of applicator bottles

(F) an adequate supply of protective gloves (disposable)

(G) an adequate supply of neck strips

(H) an adequate supply of hair clippers

(I) an adequately supplied products dispensary to appropriately train students in cosmetology classes

(J) visual aid equipment in addition to the chalk or marker board

175:10-3-35. Training prior to clinic practice [REVOKED]

175:10-3-36. Credit for related high school subjects [REVOKED]

175:10-3-37. Master instructor course entrance and curriculum requirements

(a) Entrance requirements.

(1) Student registered in the master instructor course must:

(A) hold an Oklahoma Cosmetologist license or be registered for the Basic Cosmetologist examination. If any person enrolled prior to examination shall fail to appear or fail to pass Basic Cosmetologist, he/she shall immediately cease master instructor training until such time as he shall again register for and show proof of achieving a passing score on the cosmetologist examination.

(B) hold a High School Diploma or General Education Development Certificate.

(C) file registration application for master instructor course including fee of \$5.00 with the Board.

(2) Each student shall be provided with an approved textbook or manual before commencing training. (b) **Curriculum requirements.** The 1000 clock hour or 34 credit hour Master Instructor course curriculum is prescribed as follows:

(1) Orientation

(A) Clock hours - 60

(B) Credit hours - 2

(2) Introduction to teaching and curriculum

(A) Clock hours - 120

(B) Credit hours - 4

(3) Course outlining and development; lesson planning; teaching techniques; teaching aids; developing and administering and grading examinations

(A) Clock hours - 330

(B) Credit hours - 11

(4) Cosmetology Law, cosmetology school management and record keeping

(A) Clock hours - 90

(B) Credit hours - 3

(5) Teaching - assisting in the classroom and clinic

(A) Clock hours - 150

(B) Credit hours - 5

(6) Practice teaching - classroom and clinic

(A) Clock hours - 250

(B) Credit hours - 9

(7) Total hours

(A) Clock hours - 1000

(B) Credit hours - 34

(b) Master Instructor students are assigned practice in classes actually scheduled by the school. Practice teaching by master instructor students will be in the Basic, Manicurist/Nail Technician, Cosmetician,

Hairbraiding Technician and/or Esthetician/Facialist/Facial Operator course. Practice teaching must be supervised by a licensed master instructor.

(c) A master instructor student is not allowed to perform patron services. The master instructor student shall only demonstrate for or otherwise assist student under his supervision.

(d) **Minimum student kit contents.** A master instructor minimum kit equipment is required as follows:

- (1) textbook or manual
- (2) workbook

175:10-3-38. Manicurist/Nail Technician course entrance and curriculum requirements

(a) **Entrance requirements.** Manicurist/nail technician course entrance requirements are the same as for a Basic course student.

- (1) Each student shall be provided an approved textbook before commencing classroom training.
- (2) A manicurist/nail technician student shall not be allowed to perform patron services until such

time as he/she has received at least 80 clock hours or 2 credit hours of practice and classroom instruction under the direct supervision of a licensed instructor.

(3) Kit is required on or before completion of classroom training.

(4) If a licensed manicurist/nail technician registers for the Basic course, credit of 224 clock hours

or

8 credit hours is allowed.

(b) **Curriculum requirements.** The 600 clock hour or 20 credit hour curriculum is prescribed as follows:

(1) Bacteriology, sterilization and sanitation

(A) Clock hours - 40

(B) Credit hours - 1

(2) Nail structure, composition, disorders and diseases

(A) Clock hours - 60

(B) Credit hours - 2

(3) Manicuring and pedicuring (includes waxing or other non-permanent hair removal)

(A) Clock hours - 160

(B) Credit hours - 6

(4) Artificial nails

(A) Clock hours - 160

(B) Credit hours - 6

(5) Nail art

(A) Clock hours - 60

(B) Credit hours - 2

(6) Salon development (includes business administration and law; insurance; professional ethics; record keeping; business telephone techniques; salesmanship; displays and advertising;

hygiene and public health)

(A) Clock hours - 80

- (B) Credit hours - 2
- (7) Cosmetology law, rules and regulations
 - (A) Clock hours - 40
 - (B) Credit hours - 1
- (8) Total hours
 - (A) Clock hours - 600
 - (B) Credit hours - 20

(c) Minimum student kit contents.

- (1) A Manicurist/nail technician minimum kit equipment is required as follows:
 - (A) one (1) textbook or manual
 - (B) one (1) cuticle nipper for finger nails and one (1) nipper for toe nails
 - (C) one (1) cuticle scissor
 - (D) one (1) cuticle pusher
 - (E) one (1) nail brush
 - (F) one (1) nail file or package of emery boards
 - (G) artificial nail product and tools
 - (H) one (1) kit or tray to contain student personal training equipment
- (2) In addition to the list of equipment in (1) of this subsection, the school shall have immediately available for student training:
 - (A) appropriately sanitized set of manicuring implements for student use on each patron
 - (B) an adequate supply of protective gloves (disposable)
 - (C) visual aid equipment in addition to the chalk or marker board

175:10-3-39. Esthetician/Facialist/Facial Operator course entrance and curriculum requirements

(a) Entrance requirements. Esthetician/Facialist/Facial Operator course entrance requirements are the same as for a basic course student.

- (1) Each student shall be provided an approved textbook before commencing classroom training.
- (2) An esthetician/facialist/facial operator student shall not be allowed to perform patron services until such time as he/she has received at least 80 clock hours or 2 credit hours of practice and classroom instruction under the direct supervision of a licensed instructor.
- (3) Kit is required on or before completion of classroom training
- (4) If a licensed esthetician/facialist/facial operator registers for the basic cosmetologist course, credit of 224 clock hours or 8 credit hours is allowed.

(b) Curriculum requirements. The 600 clock hour or 20 credit hour curriculum is prescribed as follows:

- (1) Bacteriology, sterilization, sanitation and safety
 - (A) Clock hours - 80
 - (B) Credit hours - 3
- (2) Sciences: Histology, dermatology and physiology of the skin (includes structure and function of skin and glands; color and morphology)
 - (A) Clock hours - 180

- (B) Credit hours - 6
- (3) Facials: (includes draping, manipulations, cleaning and toning; chemistry and light therapy and make-up)
 - (A) Clock hours - 200
 - (B) Credit hours - 7
- (4) Non-permanent hair removal: (includes methods and procedures and arching)
 - (A) Clock hours - 40
 - (B) Credit hours - 1
- (5) Salon development: (includes business administration and law; insurance; professional ethics;

record keeping; business telephone techniques; salesmanship; displays and advertising; hygiene and public health)

- (A) Clock hours - 60
- (B) Credit hours - 2
- (6) Cosmetology law, rules and regulations
 - (A) Clock hours - 40
 - (B) Credit hours - 1
- (7) Total hours
 - (A) Clock hours - 600
 - (B) Credit hours - 20

(c) **Minimum student kit contents.**

- (1) An esthetician/facialist/facial operator kit equipment is required as follows:
 - (A) one (1) textbook or manual
 - (B) make-up with disposable applicators
 - (C) one (1) set of five (5) make-up brushes
 - (D) one (1) comb-out cape
 - (E) one (1) tweezer
 - (F) one (1) kit or tray to contain student personal training equipment
- (2) In addition to the list of equipment in (1) of this subsection, the school shall have immediately available for student training:
 - (A) an adequate supply of protective gloves (disposable)
 - (B) an adequately supplied dispensary with skin care products
 - (C) visual aid equipment in addition to the chalk or marker board

175:10-3-40. Curriculum and training requirements for all courses

- (a) Curriculum training shall include the study of electricity, safety measures and chemistry and must be carried through all classes in which it is used. Mannequin practice must be given to each student.
- (b) A student who has completed the training in the Basic course in a cosmetology school or as an apprentice who completed the course in a salon, must have had required amount of patron practice by working under actual cosmetology salon conditions to that he should be able to:
 - (1) perform any ordinary operation satisfactorily and in the same amount of time customarily

allotted to that operation in a cosmetology salon.

(2) conduct a consultation on any ordinary cosmetology subject and prescribe proper treatment.

(3) mix any preparation used in a cosmetology salon.

(c) Cosmetology salon management must include purchasing, price determination, selling, appointment scheduling, dispensing of supplies and personal management.

(d) The teaching of wig styling shall consist of training in the proper fitting, dressing, styling and arranging of wigs.

(e) State Cosmetology Law and Board rules and regulations must be taught in all courses.

(f) A school owner shall maintain an adequate dispensary room with supplies necessary for school operation and student training.

(g) A student enrolled in a school shall not be allowed to work on the public until such time as he has received at least 150 clock hours or 5 credit hours of training spent in classroom theory and in mannequin or student practice under the direct supervision of a licensed instructor.

(h) A Basic Cosmetology student who fails to complete the course and registers in the Manicurist, Cosmetician, Hairbraiding Technician or Facialist course may be credited with 10% of the previously accumulated hours.

(i) Cosmetology schools must teach the curriculum for each course approved by the Board. A copy of current curriculum must be on file with the Board. The curriculum must be proven by a schedule which must be posted, followed and made available to students. The schedule may be interrupted for a period not to exceed more than eight (8) hours per month for assembly purposes.

(j) If a school stays open more than eight (8) hours per day, a curriculum and schedule must be submitted to the Board covering extra hours.

(k) An evening school cannot be approved unless information as to the instructors in charge and a curriculum and schedule for each course to be taught is submitted to the Board before beginning evening classes. A student may attend both day and evening classes provided the entire time does not exceed eight (8) hours daily. A schedule must be submitted to each student training in such manner.

(l) Each manager, instructor or other person shall exercise the greatest care in keeping his person, all instruments used in school in the cleanest possible condition. Each must be knowledgeable of the more communicable diseases and the techniques necessary to prevent the transmission of disease.

175:10-3-41. Cosmetician course entrance and curriculum requirements

(a) **Entrance requirements.** Cosmetician course entrance requirements are the same as for a Basic course.

(1) Each student shall be provided an approved textbook or manual before commencing classroom training.

(2) A Cosmetician student shall not be allowed to perform patron services until such time as he/she has received at least 80 clock hours or 2 credit hours of practice and classroom instruction under the direct supervision of a licensed.

(3) Kit is required on or before completion of practice and classroom instruction hours.

(4) If a licensed Cosmetician registers for the Basic course, credit of 224 clock hours or 8 credit hours is allowed.

(b) **Curriculum requirements.** The 600 clock hour or 20 credit hour curriculum is prescribed as

follows:

- (1) Bacteriology, sterilization and sanitation
 - (A) Clock hours - 60
 - (B) Credit hours - 2
- (2) Make-up application (includes application of make-up, lipstick, eyeshadow, eyeliner, mascara and rouge)
 - (A) Clock hours - 200
 - (B) Credit hours - 7
- (3) Hair arranging (includes arranging of the hair using curling irons, hot rollers, combs, brushes and any necessary product and accessories)
 - (A) Clock hours - 200
 - (B) Credit hours - 7
- (4) Salon development (includes business administration and law, insurance, professional ethics, record keeping, business telephone techniques, salesmanship, displays, advertising, hygiene and public health)
 - (A) Clock hours - 90
 - (B) Credit hours - 3
- (5) Cosmetology rules, regulations and law
 - (A) Clock hours - 50
 - (B) Credit hours - 1
- (6) Total hours
 - (A) Clock hours - 600
 - (B) Credit hours - 20

(c) **Minimum student kit contents.**

- (1) A Cosmetician minimum kit equipment is required as follows:
 - (A) textbook or manual
 - (B) make-up with disposable applicators
 - (C) lipstick with disposable applicators
 - (D) eyeshadow with disposable applicators
 - (E) mascara with disposable applicators
 - (F) eyeliner with disposable applicators
 - (G) rouge/blush with disposable applicators
 - (H) 1 set of five (5) make-up brushes
 - (I) hairspray
 - (J) minimum of twelve (12) combs
 - (K) minimum of twelve (12) hairbrushes
 - (L) disposable make-up sponges
 - (M) hot rollers
 - (N) curling iron
 - (O) one (1) kit or tray to contain student personal training equipment
 - (P) one (1) comb-out cape
- (2) In addition to the list of equipment in (1) of this subsection, the school shall have immediately available for student training:

- (A) an adequate supply of protective gloves (disposable)
- (B) an adequate supply of neck strips
- (C) visual aid equipment in addition to the chalk or marker board.

175:10-3-42. Facial/Esthetics Instructor course entrance and curriculum requirements

(a) Entrance requirements.

- (1) Student registered in the facial esthetics instructor course must:
 - (A) hold an Oklahoma facial/esthetician license or be registered for the facial/esthetician examination. If any person enrolled prior to examination shall fail to appear or shall fail to pass facial test, he/she shall immediately cease facial/esthetics instructor training until such time as he shall again register for and show proof of achieving a passing score on the facial/esthetician examination.
 - (B) hold a high school diploma or General Education Development Certificate.
 - (C) file registration application for facial/esthetician instructor course including fee of \$5.00 with the Board.
- (2) Each student shall be provided with an approved textbook or manual before commencing training.
- (3) A person licensed as a Manicurist/Nail Technician Instructor and holds a current esthetician license may be eligible for Facial/Esthetics Instructor licensure by registering and passing

the

Facial/Esthetics Instructor practical examination.

(b) Curriculum requirements. The 1000 clock hour or 33 credit hour Facial/Esthetics Instructor course curriculum is prescribed as follows:

- (1) Orientation
 - (A) Clock hours - 60
 - (B) Credit hours - 2
- (2) Introduction to teaching and curriculum
 - (A) Clock hours - 120
 - (B) Credit hours - 4
- (3) Course outlining and development; lesson planning; teaching techniques; teaching aids; developing and administering and grading examinations
 - (A) Clock hours - 330
 - (B) Credit hours - 11
- (4) Cosmetology Law, cosmetology school management and record keeping
 - (A) Clock hours - 90
 - (B) Credit hours - 3
- (5) Teaching - assisting in classroom and clinic
 - (A) Clock hours - 150
 - (B) Credit hours - 5
- (6) Practice teaching - classroom and clinic
 - (A) Clock hours - 250
 - (B) Credit hours - 8

- (7) Total hours
 - (A) Clock hours - 1000
 - (B) Credit hours - 33

(c) **Minimum student kit contents.** A facial/esthetics instructor minimum kit equipment is required as follows:

- (1) textbook or manual
- (2) workbook

175:10-3-43. Hairbraiding Technician course entrance and curriculum requirements

(a) **Entrance requirements.** Hairbraiding Technician course entrance requirements are the same as for a Basic course pursuant to OAC 175:10-3-16.

- (1) Each student shall be provided an approved textbook or manual before commencing classroom training.
- (2) A Hairbraiding Technician student shall not be allowed to perform patron services until such time as he/she has received at least 80 clock hours or 2 credit hours of practice and classroom instruction under the direct supervision of a licensed Instructor.
- (3) Kit is required on or before completion of practice and classroom instruction hours.
- (4) If a licensed Hairbraiding Technician registers for the Basic course, credit of 224 clock hours

or 8

credit hours is allowed.

(b) **Curriculum requirements.** The 600 clock hour or 20 credit hour curriculum is prescribed as follows:

- (1) Bacteriology, chemistry, sterilization and sanitation (includes hair and scalp disorders)
 - (A) Clock hours - 100
 - (B) Credit hours - 3
- (2) Hairbraiding/hairweaving skills (includes purpose and effect, procedures, repair, removal of

weft,

sizing and finishing, extension and maintenance/care of braids/weaves)

- (A) Clock hours - 300
- (B) Credit hours - 10
- (3) Salon development (includes business administration and law, insurance, professional ethics, record keeping, business telephone techniques, salesmanship, displays, advertising, hygiene and

public health

- (A) Clock hours - 180
- (B) Credit hours - 6
- (4) Cosmetology rules, regulations and law
 - (A) Clock hours - 30
 - (B) Credit hours - 1
- (5) Total hours
 - (A) Clock hours - 600
 - (B) Credit hours - 20

(c) **Minimum student kit contents.**

(1) A Hairbraiding Technician minimum kit equipment is required as follows:

- (A) textbook or manual
- (B) four (4) hair brushes
- (C) four (4) hard rubber combs or other good quality combs (shall include rat-tail, color, regular and/or barber type)
- (D) hair extension material
- (E) one (1) comb-out cape
- (F) one (1) box of curl clips (100 per box)
- (G) one (1) kit or tray to contain student personal training equipment

(2) In addition to the list of equipment in (1) of this subsection, the school shall have immediately available for student training:

- (A) an adequate supply of protective gloves (disposable)
- (B) an adequate supply of neck strips
- (C) visual aid equipment in addition to the chalk, marker board or acceptable alternative.

175:10-3-44. Manicurist/Nail Technician Instructor course entrance and curriculum requirements

(a) **Entrance requirements.**

(1) Student registered in the manicurist/nail technician instructor course must:

(A) hold an Oklahoma manicurist/nail technician license or be registered for the manicurist examination. If any person enrolled prior to examination shall fail to appear or shall fail to pass manicurist test, he/she shall immediately cease manicurist/nail technician instructor training until such time as he/she shall again register for and show proof of achieving a passing score on the manicurist examination.

(B) hold a high school diploma or General Education Development Certificate.

(C) file registration application for manicurist/Nail Technician Instructor course including fee of \$5.00 with the Board.

(2) Each student shall be provided with an approved text book or manual before commencing training.

(3) A person licensed as a Facial/Esthetics Instructor and holds a current Manicurist license, may be eligible for Manicurist/Nail Technician Instructor licensure by registering and passing the Manicurist/Nail Technician Instructor practical examination.

(b) **Curriculum requirements.** The 1000 clock hour or 33 credit hour Manicurist/Nail Technician Instructor course curriculum is prescribed as follows:

(1) Orientation

(A) Clock hours - 60

(B) Credit hours - 2

(2) Introduction to teaching and curriculum

(A) Clock hours - 120

(B) Credit hours - 4

(3) Course outlining and development; lesson planning; teaching techniques; teaching aids;

developing, administering and grading examinations

(A) Credit hours - 330

(B) Credit hours - 11

(4) Cosmetology Law, cosmetology school management and record keeping

(A) Credit hours - 90

(B) Clock hours - 3

(5) Teaching - assisting in classroom and clinic

(A) Clock hours - 150

(B) Credit hours - 5

(6) Practice teaching - classroom and clinic

(A) Clock hours - 250

(B) Credit hours - 8

(7) Total hours

(A) Clock hours - 1000

(B) Credit hours - 33

(c) **Minimum student kit contents.** A manicurist/nail technician instructor minimum kit equipment is required as follows:

(1) textbook or manual

(2) workbook

PART 7. GENERAL OPERATIONS AND LICENSING REQUIREMENTS

175:10-3-50. Compliance with all requirements prior to licensing

School must be prepared to meet all requirements to teach a course before a license may be issued by the Board.

175:10-3-51. Approval for school

An initial license to open a cosmetology school is issued upon approval of location, equipment, schedule and curriculum.

175:10-3-52. Change of ownership or location

(a) No license is transferable. Any time a school changes ownership, the requirements for an original cosmetology license shall apply.

(1) Any school owner who contemplates selling or otherwise transferring ownership of his school shall notify the Board in writing of intent to do so. The selling or other transfer of ownership shall

not be considered consummated until such time as the application of the new proposed owner has

been approved by the Board and a new license is issued.

(2) Incorporation of a school shall require a copy of the Articles of Incorporation, a new school license application, the initial license fee of four hundred dollars (\$400.00) and a new sufficient surety bond shall be submitted to the Board immediately upon incorporation.

(b) Change of location of any cosmetology school shall require written notice be submitted to the Board no less than thirty (30) days prior to any change in order to be approved by the Board.

175:10-3-53. Instructors

(a) **Licensed instructors required; demonstrators and guest lecturers.** Teaching in a cosmetology school shall be done by licensed instructors only. Professional persons in fields related to cosmetology may lecture in cosmetology schools.

(b) **Product demonstration time allowed.** The total time given to product demonstrations or lecturers shall not exceed eight (8) hours per month in any one school.

(c) **Product demonstration by appropriately licensed person only.** No person may demonstrate a product in a cosmetology school unless the person is licensed by the Board.

(d) **List of substitute instructors.** Schools shall maintain a current list of substitute instructors.

(1) List of current instructors shall contain names, addresses and phone numbers in the event of emergencies, vacations, leaves, or absence to assure appropriate instruction for the number of students enrolled.

(2) Any substitute instructor in any cosmetology school shall possess a valid instructor license issued by the Board in order for hours of training to be credited to a student.

(e) **Owner instructors.** If the owner of a cosmetology school is the only instructor or one of the minimum number of instructors required for the number of students enrolled and registered in the school, the owner instructor shall devote full time to the instruction of cosmetology during school training hours.

(f) **Notice of change in instructor staff.** Each school owner is required to notify the Board in writing of any changes in cosmetology staff or instructors.

175:10-3-54. Instructor/student ratio

The (1) Instructor is required for the first fifteen (15) students and one (1) additional instructor is required for each group of fifteen (15) students or major fraction thereof as follows:

- (1) One instructor for 15 to and including 22 students.
- (2) Two instructors for 23 to and including 37 students.
- (3) Three instructors for 38 to and including 52 students.
- (4) Four instructors for 53 to and including 67 students.
- (5) Five instructors for 68 to and including 82 students.
- (6) Six instructors for 83 to and including 97 students, etc.

175:10-3-55. Student application and contracts

- (a) A new student application, contract and other required documents must be submitted before student commences training in any course. Student registration form must contain all applicable information including social security information.
- (b) A student must be given a copy of the student contract at enrollment time.
- (c) A copy of each student/school contract must be kept on file in the school.
- (d) A student/school contract shall not be changed after a copy is submitted to the Board unless a change in contract is initialed by each involved party. A copy of the initialed contract shall be given to student at time of any change and a copy submitted to the Board within five (5) days of a change, noted with revised date.
- (e) A student shall be registered in only one cosmetology school at any given time.

175:10-3-56. Student training; approved credits; credit limits

- (a) **Commencement of student training.** Student training shall be counted from the date on the student registration receipt. The postmark will determine the issuance date on the student registration receipt. The postmark will determine the issuance date on the registration receipt provided that all forms and affidavits required by the Board are complete and accurate in accordance with Board rules. A student registration for any course in a specific school is valid two (2) years.
- (b) If a school has an articulation agreement with a college or university, then the school shall notify a student prior to the student's registration of the following:
 - (1) the identity of the college or university with which the school has the agreement; and
 - (2) the number of credit hours that the college or university will accept pursuant to the articulation agreement.
- (c) The notice shall also include a disclaimer informing the student that there is no guarantee that colleges or universities that do not have an articulation agreement with the school will accept the credit hours. The notice to the student shall be prominently displayed in the student handbook.
- (d) **Direct instructor supervision required.** A student must train under the direct supervision of an instructor employed by the school at all times in order to be credited for hours by the Board.
- (e) **Credit for cosmetology related field trip.** A student may be given credit for hours spent in a Board approved cosmetology related field trip provided:
 - (1) the student is accompanied and observed by a cosmetology instructor licensed by the State of Oklahoma.
 - (2) credit for cosmetology related field trips shall not exceed seventy-two (72) total clock hours of the Basic Cosmetology course or more than sixteen clock hours in a given week.
 - (3) credit for cosmetology related field trips shall not exceed twenty-four (24) total clock hours of the Manicurist, Facial/Esthetics or Hairbraiding Technician course or more than sixteen clock hours in a given week.
 - (4) credit for cosmetology related field trips shall not exceed forty (40) total clock hours of the Master Instructor, Manicurist/Nail Technician Instructor or Facial/Esthetics Instructor course or more than sixteen clock hours in a given week.
- (f) **Credit for model participation in a Sate Board practical examination.** A student may be given

eight (8) clock hours for participation as a student model in a State Board practical examination.
(g) **Credit limit per day.** No student is permitted to receive more than eight (8) clock hours per day.

175:10-3-57. Extra Curricular duties performed by student [REVOKED]

175:10-3-58. Student supplies and student kit [REVOKED]

175:10-3-59. Curriculum and schedule [REVOKED]

175:10-3-60. Attendance and other records and requirements

(a) **Minimum attendance per week.** A part time schedule shall be submitted and approved by the Board. Student shall attend a clock hour school at least three (3) hours per day, five (5) days per week or a total of fifteen (15) hours per week.

(b) **Daily sign-in/time clock or other records maintained in a clock hour school.** In addition to maintaining a current record of student hours, clock hour schools shall keep a record of daily attendance. Students registered in a clock hour school shall sign or clock in and out of each class daily.

(c) **Credit hour records maintained in a credit hour school.** Credit hour schools shall maintain a current record of credit hours earned by each student.

(d) **Practical practice records.** Clock and credit hour schools shall maintain a record of clinic practical practices and theory credit or clock hours earned by each student.

(e) **Student hour retention.** School shall retain records of students for three (3) years.

(f) **Record availability.** All attendance and educational records shall be available during inspection or upon request of the Board as allowed under the Cosmetology Act.

175:10-3-61. School Affidavit; hours accumulated

(a) **School Affidavit upon completion, withdrawal or termination.** School Affidavit shall be submitted within five (5) days upon completion of a course, withdrawal, or other termination of a student for any reason (excused absence is an exception). The School Affidavit shall reflect the total number of clock or credit hours accumulated.

(b) **School Affidavit or hours completed to be submitted with examination registration.** The School Affidavit of completed hours of training must be submitted with examination registration.

(c) **Hours submitted upon course completion.** Accumulated student hours shall be submitted to the Board within five (5) days of the completion of course hours by a student. The school owner or instructor shall submit accumulated hours to the Board on Board approved School Affidavit to allow the student to be registered for examination and be issued a student work permit by the Board.

(d) **Refusal to submit student hours.** No school owner or instructor shall ever refuse to submit accumulated student hours.

(e) **Hours not to be adjusted as penalty for absence or rule infraction.** No school owner or instructor shall penalize a student by deducting hours from accumulated hours earned, nor shall hours be added to the total hours required for course completion as penalty for excessive student absence or other

school infraction.

(f) **Student copies of School Affidavit of completion.** A student who completes a specific course must be provided the School Affidavit of completion dated on the day of completion.

175:10-3-62. Patron services in school

(a) **Student not paid for clinic work.** A school may not offer to pay commission to a student for clinic work performed.

(b) **Prices for services.** All prices charged by the cosmetology school for clinic cosmetology services shall be conspicuously posted in the school clinic area.

(c) **Performing patron services in school.** An instructor in a cosmetology school shall not be allowed to perform patron service in the school. Appointment books and other records shall reflect the name of the patron and the student assigned to perform cosmetology services for the patron.

(d) **Student not called from theory hour of instruction.** A student shall not be called from any required instruction to perform practical services on the public.

175:10-3-63. School rules to be posted; specific and current

(a) A copy of the cosmetology school rule and regulations is required to be posted in each school.

(b) Cosmetology school rules shall define "Excused absence".

(c) School rules shall be specific regarding excessive absence and tardiness.

(d) Posted school rules shall be kept current. Any revised rules shall be submitted to the Board and students shall be apprised of revised rules and effective date at least two (2) weeks prior to planned effective date.

175:10-3-64. School uniform/dress code

(a) School rules shall be specific for student and student instructor uniform dress code requirements. The uniform dress code shall meet or exceed the Board rule requirements as pertain to professional uniform and safe and sanitary training practices. No hours shall be credited to any student who is not in uniform during classroom or clinic practical practice training. The Board minimum uniform dress code standards set forth as follows:

(1) Each instructor, student training in a cosmetology school or apprentice training in a salon shall be dressed in a washable tightly woven crisp fabric which shall readily shed hair clippings and/or other airborne particles.

(2) Tank or tube tops, sleeveless tops, high heels, and open toe footwear are considered by the Board to be unsafe and unsanitary attire for any cosmetology school student while training in the theory and practical practices of cosmetology.

(b) It shall be the responsibility of the managing cosmetology instructor of a cosmetology school to dismiss any student not in compliance with uniform dress code from clinic or theory class until such time as the student is in Board approved uniform dress code.

175:10-3-65. Class number not to exceed number for which school is approved [REVOKED]

175:10-3-66. Sanitation standards and Code of Ethics to be posted [REVOKED]

175:10-3-67. Student re-registration fee and transfer process

(a) **Student re-registration.** Each time a student registers, re-registers, or transfers, in addition to other requirements, the registration fee of \$5.00 must be submitted to the Board with registration application.

(b) **Student transfer.** A student shall not be allowed to transfer from one cosmetology school to another for a period of at least thirty (30) days from the date of withdrawal or other termination unless a notarized release agreement, signed by official of transferring school is received by the Board.

Withdrawal/termination date on school affidavit is required to be submitted within five (5) days of termination.

(c) **Out-of-state student transfer.** A student may transfer out-of-state hours provided the student submits the necessary proof of training to the Board for evaluation. Necessary papers will be forwarded upon request. The reciprocity processing fee for transfer of out-of-state hours is \$30.00.

175:10-3-68. Board review of failed final school examination; inspector review of failed practical theory work [REVOKED]

175:10-3-69. Student registration for examination upon course completion [REVOKED]

175:10-3-70. Student work permit [REVOKED]

175:10-3-71. Review hours

After a student registers for examination, he may register for non-required review hours not to exceed 500 clock or 17 credit hours. The non-required review hours remain on file but shall not be credited toward an examination. Review hours that are required for the applicant whose license has expired may be credited toward the appropriate examination as in Rule 175:10-9-33.

175:10-3-72. Failure to appear for examination; request to be excused. [REVOKED]

175:10-3-73. Alcoholic beverage/controlled substance prohibited in schools

It is prohibited by the Board for any cosmetology school instructor, student or school personnel to consume, serve or keep on school premises any beer, alcoholic beverage or other controlled substance during school training hours. This conduct shall be cause for possible suspension of registration and/or

license by the Board.

175:10-3-74. School to be separate from other business [REVOKED]

175:10-3-75. Truth in advertisement; notice of student practice

(a) A cosmetology school shall be forbidden to advertise by using knowingly false or deceptive statements in order to induce students to enroll in the school.

(b) All advertisements for clinic practice shall contain the statement “All work is performed by students”. The statement shall be required to be posted in a highly visible manner in the cosmetology school clinic area.

175:10-3-76. Student complaints

Each school shall have in place a student complaint process. The procedures for the complaint process shall be provided to the student in writing no later than the first day of class. A student who has exhausted the school’s complaint process may file a complaint with the Board. The Board shall investigate the complaint in the same manner as other complaints.

175:10-3-77. Non compliance with cosmetology law/rules

A school owner who fails or refuses to comply with the Act or Board rules is subject to disciplinary action by the Board.

175:10-3-78. Availability of records for Board inspection

All school records shall be available for inspection.

SUBCHAPTER 5. LICENSURE OF COSMETOLOGY ESTABLISHMENTS

175:10-5-1. Cosmetology salon license application; authorization to open pending first inspection

(a) The Board will issue a salon license upon receipt of application for salon license, appropriate fee and notarized affidavit of applicant which reflects compliance with all salon license requirements. Initial inspection will be conducted to confirm compliance of license requirements.

(b) In the event the salon should fail to be approved at initial inspection, the establishment may be required to close and cease to provide services to the public until applicant/establishment shall be in compliance of all license requirements.

(c) When the ownership of a salon changes, it will be considered a new salon and shall be required to comply with requirements for initial salon license.

- (d) Salon owner is required to submit a salon change of location affidavit when the location of a salon changes. No fee is required unless a new license with new address information is requested.
- (e) Salon owner is required to submit a salon name change affidavit when the salon name changes. No fee is required unless a new license with new salon name is requested.

175:10-5-2. Minimum equipment; sanitation standards; rule posted

- (a) Each salon shall have at least one (1) shampoo basin and shampoo chair and other equipment, implements and supplies adequate to provide cosmetology services in a sanitary and safe manner to the public. Clothing worn by licensee while performing services to the public shall be clean and shall be designed to reduce risk of exposure to electrical and/or chemical burns/cuts to the skin and the potential for transmitting germs/bacteria.
- (b) Each cosmetology establishment shall have in use at all times, at least one (1) dry and one (1) wet sanitizer for the purpose of sanitizing combs, brushes and other implements after each use.
- (c) Each cosmetology establishment shall be required to be in compliance with rules established by the Board relating to the standards of sanitation to be observed and practiced in each cosmetology establishment. A copy of the sanitary rules will be provided to each cosmetology establishment by the Board. The rules are required to be posted in each salon.
- (d) Each salon owner and manager is responsible for the general and sanitary condition of the salon. Each owner and manager is responsible for assuring that each person employed and/or under his supervision and control in the salon, shall appropriately post a current, valid Oklahoma license or work permit before performing services to the public in the salon.

175:10-5-3. Subdivided/subleased booth/work station [REVOKED]

175:10-5-4. Licensure requirements for health care facilities

- (a) No individual, company or corporation may operate a cosmetology establishment without making application for a salon license.
- (b) Health care facilities, such as hospitals, nursing or convalescent homes that offer cosmetology services to the public must have the following:
- (1) a cosmetology establishment license
 - (2) licensed cosmetologist to perform cosmetology services
- (c) No salon license is required if health care facilities offer limited cosmetology services for grooming and hygiene purposes to patrons and residents of the facility. Persons employed by the facility to perform limited cosmetology services must be a licensed cosmetologist or be authorized to practice the healing arts or nursing while engaged in the proper discharge of their professional duties. [Title 59 O.S. Section 199.6 (I)]

SUBCHAPTER 7. SANITATION AND SAFETY STANDARDS FOR COSMETOLOGY

ESTABLISHMENTS, SALONS AND SCHOOLS

175:10-7-1. Cosmetology establishment separate from residence or other business

No cosmetology establishment shall operate in a residence or beauty/barber supply house or other business unless a room or rooms are provided separate and apart from the residence/supply house business and with a separate entrance. Salon must be separate from beauty supply house/business. Salon area shall have separate entrance and must be identified/signed in order for the Board and consumers to determine specific area of inspection authority and responsibility. Salon area shall be separated by a solid divider, partition, wall, display counter or shelves. Divider wall must measure at least six (6) feet from floor to top in such manner as to assure compliance with Board standards of sanitation and safety for salon operation. All doors and windows between residence/living quarters shall be kept closed during cosmetology establishment hours.

175:10-7-2. Cosmetologists and Barbers working in same establishment; license

A cosmetologist may practice in a barber shop provided the establishment is licensed by the State Board of Cosmetology.

175:10-7-3. Adequate ventilation

All rooms must have good ventilation adequate to quickly rid immediate premises of fumes from cosmetic products (i.e. artificial nail products, bleach etc.) according to the city/state codes.

175:10-7-4. Furnishings; windows; ceilings; walls; floors

- (a) Furniture shall be of washable material and shall be kept clean. If upholstered furniture is used in the salon, it shall be covered with clean, washable slip covers. Breaks or cracks in leather or vinyl covered furniture must be repaired immediately.
- (b) Windows must be kept in a clean condition.
- (c) Each work/styling station shall be provided with adequate light and fixtures which shall be kept in a sanitary and safe condition.
- (d) Ceilings and walls shall be of an easily cleaned, smooth and unbroken surface.
- (e) Curtains, partitions or wall hangings shall be kept clean at all times.
- (f) Floors in salons and schools shall be maintained in a clean manner.
- (g) Carpet is prohibited for use in work areas (shampoo and styling areas) of a cosmetology salon or school.
- (h) Each work/styling station shall be provided with a waste container which shall be emptied and cleaned each day.

175:10-7-5. Sanitizer(s)

- (a) Every precaution shall be taken to prevent infection by sanitizing all cosmetology tools.

- (b) All items shall be cleaned/sanitized by removing all visible debris from an item or surface by using soap/water or a cleaning agent.
- (c) Items shall be rinsed thoroughly in plain water.
- (d) Items shall be placed in a wet sanitizer, which is a large, pan-type container which may be of plastic, enamel, stainless steel, or rubber and shall be fully immersed in an EPA approved disinfectant prepared according to manufacturer's directions. The items must stay immersed for full contact time according to manufacturer's instructions in order that item or surface stays moist with disinfection for all pathogens listed on the label to be effectively destroyed.
- (e) Combs may be disinfected in a cylinder jar by immersing in an EPA approved disinfectant prepared according to manufacturer's directions. The combs must stay immersed for full contact time according to manufacturer's directions. The combs must stay immersed for full contact time according to manufacturer's instruction in order that item or surface stays moist with disinfection for all pathogens listed on the label to be effectively destroyed.
- (f) If an autoclave is used to sterilize items after disinfection, in order to destroy all microbial life (including spores), periodic testing and maintenance must be performed on system according to manufacturer's instructions.
- (g) All disinfected and/or sterilized items must be stored in a dry/closed cabinet, drawer, or other closed/covered/light type container without fumes.

175:10-7-6. Sanitizing agents for use in cosmetology schools and related establishments

- (a) Disinfectants for use by cosmetology establishments and schools shall be used only if registered with the Environmental Protection Agency (EPA) for use as a disinfectant to achieve its intended purpose in accordance with the product label.
- (b) To sanitize and minimize corrosion of metal instruments, immerse and wipe thoroughly with an EPA approved disinfectant or spray with approved oil base sanitizer and store in a cabinet or closed container free from contamination between use and service for each patron.
- (c) All disinfection immersion liquid must be changed daily or sooner if visibly contaminated.
- (d) All customer contact items, including neck rests, arm rests and seats, must be cleaned and disinfected between customers.

175:10-7-7. Detection of head lice

- (a) If head lice is detected, the licensee, student or apprentice should not proceed with further services and shall wash and disinfect hands. Infected person should be referred to a physician or health clinic. The person should submit a statement, signed by a practicing physician, which states that he is no longer infected and is free from communicable episode before any cosmetology services are performed.
- (b) Appropriate action is to wipe down all exposed areas with an EPA registered lice killing product.
- (c) Exposed towels and other linen shall be sealed in a plastic bag until such time as they may be laundered.
- (d) The immediate referral to a physician or health clinic shall also apply to any cosmetology licensee, student or apprentice on whom head lice or other communicable disease, infection, or condition is detected.

(e) The cosmetology salon or school owner/manager shall be held responsible for assuring that no person performs cosmetology services in a licensed establishment or school when the owner/manager knows that any licensee, student, apprentice or patron is infected with head lice or other communicable disease. License may be subject to revocation or suspension in instance of noncompliance.

175:10-7-8. Manager/instructor/employee responsible for sanitary condition [REVOKED]

175:10-7-9. Shampoo area and equipment; plumbing [REVOKED]

175:10-7-10. Lighting fixtures [REVOKED]

175:10-7-11. Brushes and combs; rollers and clips; appropriate dispensers; product removal

- (a) Rollers and clips shall be cleaned and sanitized daily.
- (b) Placing combs or other articles to be used in the pocket of the uniform is prohibited.
- (c) An adequate daily supply of combs and brushes shall be available.
- (d) Lotions, powder or water shall be dispensed from shaker or bottle.
- (e) Creams and other semi-solid preparations shall be removed from containers with a spatula.

175:10-7-12. Towels

- (a) Clean towels shall be used for each patron.
- (b) Clean towels and other linens shall be kept in a closed area that is free from contamination.
- (c) A suitable hamper-type container shall be provided for soiled towels.
- (d) The headrest of the facial chair shall be covered with a clean towel for each patron.
- (e) An appropriate supply of clean towels, linens and neck strips shall be maintained in the cosmetology establishment.

175:10-7-13. Work/styling station and shampoo area sanitation and safety

- (a) Work/styling station and shampoo area shall be maintained in a neat and orderly manner at all times. Instruments, which have been used, shall not be placed on work station or on the floor. Loose/cut hair must be removed from styling/work station/chair and floor immediately after patron service is complete.
- (b) Consuming of food and/or beverage shall not be permitted at work/styling station or in classroom.
- (c) Student, instructor or other school personnel shall be not permitted to smoke in classroom or at work/styling station.
- (d) Light fixtures shall be appropriately installed in order to provide adequate lighting in work areas.

175:10-7-14. Manicuring station and equipment; methyl methacrylate (MMA) prohibited

- (a) Manicuring station and equipment shall be kept in a clean and sanitary condition at all times.

- (b) Manicuring bowls, brushes, and other washable items shall be cleaned and sanitized after each use and shall be kept in a closed area, free from contamination, when not in use.
- (c) Manicuring instruments, tweezers, and other non-metal implements shall be cleaned and sanitized. Implements shall be sanitized using an EPA registered product. Sanitized implements shall be stored in a sealed plastic bag or must remain in a dry closed/covered/light sanitizer (drawer, cabinet or box-type) until ready for use on next patron. At least two (2) sets of manicuring implements shall be maintained for each practicing manicurist in order that one set is appropriately sanitized for use on each patron.
- (d) Hot oil or lotion manicuring units shall be maintained in a safe, clean and sanitary condition. A disposable type liner shall be used in unit cup to hold lotion. The used liner and oil or lotion shall be disposed of immediately after use and shall not be reused.
- (e) Maximum precautionary, safe, sanitary and appropriate preparation and application shall be observed in sculptured nails, tips, and other artificial nail procedures. Each licensee shall be knowledgeable and alert to nail diseases and potential health hazards which may be present before or after artificial nail application. If evidenced prior to service, the licensee shall not proceed with application. If infection or other condition of disease is evidenced after application, the patron shall be referred to a physician or health clinic for appropriate treatment. No further manicuring services shall be performed until hands, nails, and/or fingers are free and clear of the disease or infection.
- (f) Each licensee shall be knowledgeable of product ingredients. If not listed on the product, the manufacturer should be contacted for content information. The use of methyl methacrylate (MMA) is prohibited.

175:10-7-15. Plumbing installation; electrical equipment; state and local code compliance

- (a) Sufficient hot and cold water shall be supplied for sanitary and safe conditions in all cosmetology establishments and schools. All plumbing installation shall conform to state and local plumbing codes and be in good repair at all times.
- (b) All electrical equipment shall be properly maintained and installed by a qualified electrician. All electrical equipment installation shall conform to state and local plumbing codes.

175:10-7-16. Clean professional attire [REVOKED]

175:10-7-17. License and other posting requirements

- (a) Licenses shall be posted in a place easily viewed by the public.
 - (1) Current 2" X 3" photo of licensee is required to be posted with each license or work permit.
 - (2) Student and apprentice registration receipts and student permits to work shall be posted conspicuously.
 - (3) Posting at individual work/styling station in an establishment may be required for inspection and identification purposes.
- (b) Board Sanitation Rules shall be posted in each cosmetology establishment.
- (c) Code of Ethics shall be posted in each cosmetology school.
- (d) Current inspection reports shall be posted in a place easily viewed by the public.

175:10-7-18. Sanitary precautions before and after each patron service

(a) The hands of the licensee, student or apprentice shall be washed and the integrity of the skin carefully examined before and after performing a cosmetology service for any person. If any abrasion, cut, scratch, open lesion or infection is evidenced, protective or disposable gloves shall be worn while performing cosmetology services in order to reduce risk or transmission of infectious bacteria/virus/disease.

(b) Styptic pencils and lump alum are prohibited. Liquid or powdered astringent shall be used to check bleeding and shall be applied with separate, clean, sterile gauze or cotton which shall be disposed of immediately after use.

(c) Any cosmetology licensee who can reasonably anticipate, as the result of performing any cosmetology service, contact with blood and other potentially infectious material, shall wear protective disposable gloves while performing the services. Gloves shall not be re-used and shall be disposed of properly immediately after use.

175:10-7-19. Restroom areas

(a) Each cosmetology establishment and school shall be required to maintain an adequate supply of disposable towels or electric hand dryers, and liquid or powder soap for the restroom areas at all time. Soap must be dispensed from a pump or other type dispenser. Bar soap is prohibited for use in a cosmetology establishment or school.

(b) E.P.A. approved disinfectant/germicidal products shall be used to clean restrooms in cosmetology establishments and schools.

175:10-7-20. Communicable/infectious diseases in evidence

(a) Cosmetology licensees shall use universal precautions (treat blood and other body fluids/materials as if infectious).

(b) If a cosmetologist, student or apprentice has reason to suspect that a patron is suffering from any communicable or infectious disease, the licensee's hands shall be washed and disinfected. Services shall be discontinued and patron referred to a physician.

(c) No person in charge of a cosmetology establishment or school, if knowingly infected with an infectious, contagious, communicable disease shall work in, nor shall he permit any person infected with communicable disease to work in cosmetology establishment or school.

(d) No licensee, student or apprentice shall massage any person when the surface to be massaged is inflamed or has open cuts, lesions or infection.

175:10-7-21. Appropriate cosmetic preparation application [REVOKED]

175:10-7-22. Use of glassware for serving beverages [REVOKED]

175:10-7-23. Student instruction includes proper use of equipment [REVOKED]

175:10-7-24. Electrical appliances, accessories and equipment [REVOKED]

175:10-7-25. Animals, birds, pets prohibited in cosmetology schools and related establishments

Animals, birds, and/or other pets shall be prohibited in a cosmetology establishment or school, unless otherwise provided by law. The use of fish or other animals in performing a cosmetology service in a cosmetology establishment or school, including but not limited to fish pedicures is prohibited.

175:10-7-26. Dermatitis resulting form use of cosmetology/cosmetic preparations [REVOKED]

175:10-7-27. Pre-disposition test required [REVOKED]

175:10-7-28. Product knowledge and procedures

All licensees shall be held individually liable for product knowledge. Maximum precautionary, safe, sanitary and appropriate preparation prior to service and application, as required by product label, shall be practiced at all times upon the public. For products that contain a requirement for a patch test, licensees may provide a consumer advisory that is clearly visible in the area of the application, or provide the client with a printed fact sheet with information that describes the label requirement for the patch test, or utilize a signed statement of release of liability regarding the patch test warning.

175:10-7-29. Facial procedures, devices and equipment

(a) Licensees are prohibited from performing facial procedures using cosmetic exfoliating substances or devices that effect more than the top layer (stratum corneum) or outer most layer of dead cells on the skin. Procedures which use any cosmetic exfoliation substance or device to remove viable (living) skin below the stratum corneum are deemed beyond the scope of practice of persons and establishments licensed by the Board of Cosmetology.

(b) Cosmetic exfoliating substances may include alpha hydroxyl acids (glycolic and lactic acids), beta hydroxyl acids, salicylic acid, Jessner's solutions, resorcinol and other substances intended to affect no more than the stratum corneum.

(c) Cosmetic exfoliating devices may include FDA (U.S. Food and Drug Administration) registered and/or approved devices, provided that such devices affect no more than the stratum corneum.

175:10-7-30. Pedicure equipment and procedures for cleaning and disinfecting after each client use

Pedicure equipment is a unit that holds water for a pedicure service, including whirlpool spas, 'pipe-less' units, footbaths, basins, tubs, sinks and bowls which shall be cleaned by scrubbing surface with a brush, using an enzymatic or surfactant detergent (soap) and water. After cleaning, pedicure equipment, tools and implements shall be disinfected by using an EPA-registered disinfectant as

prescribed in Board rule 175:10-7-6. Board rules regarding the cleaning and sanitizing of cosmetology tools and implements apply to all tools and implements used for pedicures. The Board recommends the use of NIC approved 'Cleaning and Disinfecting of Circulating and Non Circulating Tubs and Spa's For All Industry Modalities'.

175:10-7-31. Manicuring equipment

The use of the credo blade or knife is prohibited for use by licensees.

SUBCHAPTER 9. LICENSURE OF COSMETOLOGISTS AND RELATED OCCUPATIONS

PART 1. APPRENTICESHIP

175:10-9-1. Apprentice training

(a) An apprentice must train under the direct supervision of a currently licensed master instructor or an instructor that is licensed in the particular field of practice. Only one (1) apprentice per establishment shall be approved to be trained at any given time.

(b) A currently licensed instructor who wishes to train an apprentice shall make written application to the Board. The application shall include:

(1) Proof of need affidavit from the proposed apprentice. Proof of need is considered by the Board to be proof of dire financial circumstances of the apprenticeship applicant or proof of lack of cosmetology training available within a reasonable distance of residence of apprentice applicant.

(2) Apprenticeship inspection fee of \$20.00 (includes purchase of Rules, Regulations and Law book, apprentice registration and inspection fee) is required.

(c) An inspection will be made by the Board for approval of required equipment, textbooks, and theory tests.

(d) An interview will be conducted with the instructor and the proposed apprentice to assure that both parties fully understand the apprenticeship program.

(e) When all requirements are met, an equipment affidavit will be signed by the inspector and the instructor. Apprentice registration forms will be completed at time of inspection.

(f) Equipment required to train an apprentice shall include:

(1) One (1) facial chair (reclining styling or shampoo chairs are acceptable.

(2) One (1) therapeutic lamp with red lights or unit that provides multi-lamp or light-heat treatment, installed for free use of both hands.

(3) One (1) facial supply cabinet.

(4) One (1) work/styling station.

(5) One (1) mannequin.

(6) Other cosmetology establishment equipment as shall be required for course of training.

(g) Textbooks must be approved by the Board that adequately cover the prescribed curricula and prepares students for State Board testing. Other textbooks and reference material may be used to enhance the apprentice course.

(h) Reference and other library equipment include:

(1) Standard Dictionary

- (2) American Medical Dictionary
- (3) Subscription to at least one (1) professional magazine
- (i) Entrance requirements for apprentice training:
 - (1) Apprenticeship must be approved by the Board before apprentice attends class.
 - (2) Apprentice must be at least sixteen (16) years of age.
 - (3) Apprentice must show proof of at least 8th grade education or equivalency (8th grade diploma or transcript). The Board may accept a statement from a school official who states, upon interview with applicant, that applicant has the equivalency of at least 8th grade potential and ability to learn.
 - (4) Apprentice must be able to benefit from instruction.
 - (5) Apprentice must submit copy of birth certificate or other legal proof of age if under the age of 18 years of age.
- (j) Minimum content requirements for an apprentice kit are the same as for students registered in a cosmetology school.
- (k) In addition to requirements of a kit, the apprentice shall have available for apprentice training:
 - (1) At least one set of appropriately sanitized manicuring implements immediately available for use on each patron
 - (2) Adequately supplied dispensary to appropriately train apprentice in cosmetology practices; and
 - (3) Visual aid equipment in addition to the chalk or marker board.
- (l) Apprentice training may be approved for all courses except Instructor. Apprentice training may be approved for courses of review when required for expired license.
- (m) The instructor shall not charge the apprentice for training. The instructor may charge for cosmetology services rendered by the apprentice while in apprentice training.
- (n) If the apprentice performs extra curricular work for the shop owner for compensation, the work shall in no way interfere with the eight (8) hours per day of training for an apprentice.
- (o) The instructor shall instruct the apprentice in all subjects as outlined in the curricula prescribed by the Board to be taught in a cosmetology school. The instructor shall give the apprentice weekly tests and a final examination in both the practical skills and theory work.
- (p) Apprenticeship training shall be under the direct supervision of the approved licensed instructor at all times.

175:10-9-2. Number of clock hours credited for apprentice training

- (a) Apprentice course clock hours are as follows:
 - (1) Basic cosmetology - 3000 hours
 - (2) Manicurist/Nail Technician - 1200 hours
 - (3) Facial/Esthetics - 1200 hours
 - (4) Cosmetician - 1200 hours
 - (5) Hairbraiding Technician - 1200 hours
- (b) An apprentice who transfers to a cosmetology school shall be given 50% credit of the hours completed as an apprentice.

175:10-9-3. Failure to complete apprentice training

If an apprentice ceases training before completion of the course, the instructor shall submit to the Board the apprentice badge and course completion.

175:10-9-4. Apprentice badge and uniform

(a) An apprentice shall wear a lab coat and an apprentice badge at all times. The badge shall be issued by the Board and shall identify apprentice as a trainee and shall keep the apprentice registration receipt posted.

(b) Apprentice registration receipt shall be posted at all times.

175:10-9-5. Practical practice and attendance records

(a) Each apprentice shall maintain a record of each practical practice he performs during training on a form approved by the Board. The instructor shall initial each practice immediately after each is performed by the apprentice.

(b) Attendance reports shall be completed by both the instructor and the apprentice and maintained in the salon for inspection purposes.

175:10-9-6. Supervision; attendance record [REVOKED]

175:10-9-7. Completion of training; examination application and issuance of work permit

(a) At the completion of training, the instructor shall immediately submit the affidavit of hours completed.

(b) Upon Board receipt of affidavit of hours, a registration for examination form is mailed to the instructor for the apprentice. The examination registration requires completion by both the instructor and apprentice and must be immediately submitted to the Board. The Board shall issue a permit to work which shall be posted at work/styling station with current photo attached.

PART 3. STATE BOARD EXAMINATION

175:10-9-25. Examination form; administration and content of Board examination; passing score; disability accommodations; grade release reports

(a) The examination application shall be completed to include the School Affidavit of completion of hours and the examination fee of fifteen dollars (\$15.00).

(b) The Board shall conduct examinations for license at such times as the Board shall consider

necessary to reasonably accommodate applicants for the examination.

(c) Each applicant shall be required to take both written and practical portion of the State Board of Cosmetology examination.

(d) The written exam will test general knowledge of cosmetology. Textbooks approved by the Board will contain the subjects and examination questions and answers.

(e) The test for all instructor license examination candidates must include completion of student attendance record form, lesson plan preparation, class presentation and a written theory test and other cognate areas of teacher training. The instructor tests shall include questions pertaining to Oklahoma Cosmetology law and Board rules and regulations.

(f) When a live model is used, model must be sixteen (16) years of age.

(g) Minimum passing grades, on each portion of the examination, are as follows:

- (1) Basic Cosmetology Course - 75%
- (2) Master Instructor Course - 85%
- (3) Manicurist Course - 75%
- (4) Esthetician Course - 75%
- (5) Cosmetician Course - 75%
- (6) Hairbraiding Technician - 75%
- (7) Manicurist/Nail Technician Instructor - 85%
- (8) Facial/Esthetics Instructor - 85%

(h) A Cosmetologist, Manicurist, Esthetician, Cosmetician, or Hairbraiding Technician, declaring a disability, defined by the American Disabilities Act (ADA) shall submit a written statement when requesting an oral examination or other special testing accommodation. Such needs identification and request for special accommodation must be made at time of student enrollment with the Board or at the earliest time possible during course of training.

(i) Validity of disability must be established by the submission of a statement from a licensed health care professional qualified to diagnose the disability.

(j) Instructor license examination candidate declaring a disability shall be provided a distraction free space, test schedule variation and/or extended time to complete the test.

(k) State Board examination grades/scores will be provided to schools at least twice a year. The reports will be provided more frequently only as time and staff allows.

175:10-9-26. Pre-registration for Board examination

(a) Except in emergency circumstances, examination pre-registration will be recognized by the Board only as follows:

- (1) Application for examination pre-registration, including the School Affidavit which reflects the total accumulated hours of training as the date of application and shall reflect that applicant lacks 100 clock hours or 3 credit hours less of training required for course completion.
- (2) May of each year shall be considered the "school year end" for any pre-registration application for examination, therefore, April, May and June pre-registration eligibility is established.
- (3) A work permit shall not be issued to an applicant who is pre-registered before completion of training.

(4) School is required to submit School Affidavit immediately upon final completion of hours in order that the Board may issue a license.

(b) A student instructor may apply for examination registration within 100 clock hours or 3 credit – hours of completion of the Instructor course.

175:10-9-27. Minimum age; education license requirement [REVOKED]

175:10-9-28. Work permit; limitation

An applicant may be issued a permit to work in a licensed cosmetology establishment, under the direct supervision of an appropriately licensed individual, upon registration for the examination and course completion. The Board shall not issue a permit to work to an applicant for the Instructor’s examination nor to an applicant who is pre-registered before course completion.

175:10-9-29. Failure of instructor student to pass examination

- (a) Any instructor student enrolled and accumulating Instructor course hours who fails to pass the Cosmetologist, Manicurist or Esthetician examination, shall upon notice of the failure immediately cease instructor training until such time as the student passes the examination and applies for a license.
- (b) School shall notify Board when Instructor student resumes training.

175:10-9-30. Failure to apply for license upon passing examination

- (a) When an applicant is notified by the Board of passing the examination, application for license must be made within thirty (30) days. Previously issued work permit becomes void thirty (30) days from date of notice.
- (b) Applicant may continue to work under the student work permit until a license is issued if application for license is made within thirty (30) days of notice to apply.
- (c) An applicant who fails to apply for a license from sixty (60) days to one (1) year from date of notice to apply shall, in addition to the appropriate license fee, be required to pay a penalty of ten dollars (\$10.00).

175:10-9-31. Failure to appear for examination

(a) Excused from examination due to emergency circumstances.

(1) In order to be excused from examination, the applicant must notify the Board in writing within five (5) calendar days after the examination stating that the failure to appear was due to an emergency. Emergency circumstance is considered to be serious injury, illness or death in the immediate family of the applicant. Documentation, such as physician’s statement, may be required.

(2) If an applicant is excused from the examination, any previously issued work permit shall remain valid until the date of the next scheduled examination. The applicant shall not be required to pay any additional fee or submit another examination registration form.

(b) Un-excused from examination; work permit limitation.

An applicant who fails to appear for examination, without emergency excuse, or an applicant who fails to pass the examination for the second time, will not be issued any further work permit and any previously issued work permit will become immediately null. Applicant is required to re-register for examination with appropriate fee.

175:10-9-32. Failure to pass examination; re-taking failed portion; review hours

(a) An applicant who fails either the practical portion or the written theory examination may be re-scheduled for examination by submitting the appropriate registration application and fee to the Board. Applicant shall be scheduled to take only that portion of the examination failed.

(b) An applicant who has failed either the practical practice or the written theory examination four (4) times must first show proof of having completed 120 clock or 4 credit review hours in an approved Oklahoma cosmetology school before being eligible to re-register for the examination.

175:10-9-33. Review of hours required after failure to timely register for examination or to apply for license

(a) After one (1) year and up to five (5) years from date of the completion of a course of training, any applicant who fails to register for the examination or who fails to apply for his license after notice to apply, shall be required to show proof of no less than the following review hours in an approved Oklahoma cosmetology school before being eligible to sit for the examination:

- (1) Basic Cosmetologist
 - (A) 120 clock hours
 - (B) 4 credit hours
- (2) Manicurist
 - (A) 40 clock hours
 - (B) 2 credit hours
- (3) Facialist
 - (A) 40 clock hours
 - (B) 2 credit hours
- (4) Hairbraiding Technician
 - (A) 40 clock hours
 - (B) 2 credit hours
- (5) Cosmetician
 - (A) 40 clock hours
 - (B) 2 credit hours
- (6) Master Instructor
 - (A) 120 clock hours
 - (B) 4 credit hours
- (7) Manicurist/Nail Technician Instructor
 - (A) 120 clock hours
 - (B) 4 credit hours

- (8) Facial/Esthetics Instructor
 - (A) 120 clock hours
 - (B) 4 credit hours

(b) After five (5) years from date of the completion of a course or training, any applicant who shall fail to register for the examination or who shall fail to apply for his license after notice to apply, shall be required to first register for the appropriate examination. He shall be required to show proof of a specific number of current review hours, the same as is required for the renewal of an expired license which is expired for the same length of time as required in Title 59 O.S. Section 199.10 (D).

175:10-9-34. Review hours required after fourth examination failure [REVOKED]

175:10-9-35. Examination and review hour requirements for reinstatement of expired license [REVOKED]

PART 5. DEMONSTRATORS; COSMETIC STUDIOS; TRADE SHOWS; GUEST ARTISTS; WIG DRESSING; OTHER PRACTICES OF COSMETOLOGY

175:10-9-55. Practices of cosmetology

- (a) Only licensed Facialist/Estheticians and Cosmetologists, as defined in Title 59 O.S. § 199.1 (5) and (10) may perform threading and body sugaring.
- (b) Only a licensed Facialist/Esthetician or cosmetologist may perform eyelash extensions.

175:10-9-50. Demonstrator and cosmetic studio license requirements.

- (a) Any person who is not a cosmetology licensee in this state, and who demonstrates any cosmetic preparation for the public from open tester, sampler or other open container, is hereby declared to be a demonstrator and shall be required to obtain a license from the Board before making the demonstrations.
- (b) While the Board does not interfere with door-to-door individual one-on-one type cosmetic retail sales, any person who establishes a cosmetology business or represents himself to be providing facials or other cosmetology services to the general public in a place other than a cosmetology salon or school shall be required to obtain a license as is appropriate to the practice performed. Providing or performing a facial is a cosmetology practice which shall require a Facialist, Cosmetologist, Facial/Esthetics Instructor or Master Instructor license.
- (c) A person who provides a demonstration of the proper use and application of specific make-up and cosmetic technique and product information to students enrolled in modeling, charm or other self-improvement programs, shall be a licensed Cosmetologist, Cosmetician, Facial/Esthetics Instructor, Manicurist, Facialist, Master Instructor or Demonstrator as applies to a specific license held

and demonstration performed by the person. Techniques and products demonstration shall be restricted to personal self-improvement and individual modeling students and shall not be training to provide cosmetology services to others.

(d) A Cosmetic Studio is considered by the Board to be a place where licensed demonstrators give demonstrations for the sole purpose of advertising and selling cosmetics.

(e) Any Cosmetic Studio shall be required to be licensed by the Board and license shall expire and subject to renewal annually.

(f) Each Cosmetic Studio must prominently display an identifying sign in plain letters at least three (3) inches tall and one (1) inch wide. Failure to display such a sign will be considered as evidence of attempt to avoid inspection.

(g) A cosmetic counter or other establishment where cosmetic preparations may be sold but where cosmetics are in sealed containers and where no open containers (testers, samplers, applications etc.) are used to demonstrate, the cosmetics may be exempt from cosmetology licensing requirements.

(h) Requirements for the issuance of a Demonstrator's license are:

- (1) One (1) current, 2" X 3", full-face photo
- (2) Notarized application and affidavit
- (3) Fee of \$20.00

(i) Demonstrator license requirements shall be met before the demonstrator begins a demonstration. These requirements are established and must be met to ensure the identification of persons, products and locations where demonstrations are performed to the consuming public.

(j) The demonstration of eye lash and brow tints, hair tints and color rinses, permanent waves and hair relaxants, facial preparations or other preparations considered by the Board to require extensive knowledge, skill and training to ensure safe and proper usage, is hereby prohibited.

175:10-9-51. Sanitation standards applicable to cosmetic studios [REVOKED]

175:10-9-52. Trade show, special class, guest artist requirements

(a) The Board has established the following rules for guest artist appearances, a cosmetology related trade show, special class, seminar and/or conference.

(1) The Board may allow a trade show, special class or demonstration, not to exceed five (5) consecutive days in any six (6) month time frame, provided that the trade show, special class, or demonstration shall be sponsored by a cosmetology association, cosmetology school association or beauty supply house.

(2) An out-of-state or in-state technician, product sales person, demonstrator, color analyst, or other person who may be engaged to appear at any trade show, special class, seminar or conference shall be required to show proof of current license to practice cosmetology issued by the person's state, province, territory or country for inspection purposes.

(3) Notice is required for any trade show, special class, or other cosmetology platform demonstration of technique or product. The notice shall be submitted to the Board prior to scheduled performance, class, show or seminar and shall include details of location, date and time, and the name(s) of sponsor(s) and guest artist(s) scheduled to perform at or to conduct the

show. Advertising for trade show shall indicate that the show is limited to licensed cosmetologists and/or cosmetology students.

175:10-9-53. Wig dressing requirements

(a) The dressing, cleaning, styling, fitting or arranging of wig/wiglet/hair-piece of synthetic or human hair and the performing of these services to the public is a practice of cosmetology. The person performing these services upon head/hair or the public consumer must be appropriately licensed as a Cosmetologist or Instructor. The requirements for a Hairbraiding Technician at 175:10-3-43 do not apply to this sub-section.

(b) Wig dressing/cosmetology services must be performed in a licensed cosmetology school or establishment. Sanitation rules and regulations must be observed.

(c) Retailing of wig, wiglet or hairpiece is exempt from licensing requirements. However the seller shall not engage in the practice of cosmetology as described in subsection (a) of this rule or as otherwise defined in the Oklahoma Cosmetology Act.

**175:10-9-54. Cosmetology related high fashion photography or similar business/
establishment requirements**

(a) Any high fashion photography and similar cosmetology related business/establishment providing any one or combination of cosmetology services separately or in conjunction with photography or similar services to the public shall be appropriately licensed by the Board.

(b) Any employee or other person performing any one or combination of cosmetology services in such establishment shall be appropriately licensed by the Board.

SUBCHAPTER 11. LICENSE RENEWAL, FEES AND PENALTIES

175:10-11-1. Application for renewal of license

(a) All practitioner licenses issued under the provisions of the Cosmetology Act shall be issued for a period of one (1) year. The expiration date of the license shall be the last day of the applicant's birthday month.

(b) A cosmetology establishment license issued to a cosmetologist shall expire on the last day of applicant's birthday month each year.

(c) A cosmetology establishment license issued to a non-cosmetologist owner and a cosmetology school license, shall expire by June 30th each year.

(d) Application for renewal must be made on or before the last day of the applicant's birthday month or by June 30th as applicable and shall be accompanied by appropriate fees.

(e) One day following the expiration date of a license is considered to be the day a license becomes void, and a person practicing with the invalid license shall be considered to be practicing without the appropriate license.

(f) Each person holding a license shall notify the Board of any change in name and/or address within thirty (30) days after the change. Any name change shall require court or other legal documentation of the change before the change may be recognized and recorded in files of the Board.

175:10-11-2. Cosmetology license and penalty fees

(a) The Board is authorized the following license and penalty fees:

- (1) Student/Apprentice registration - \$5.00
- (2) Examination registration - \$15.00
- (3) Cosmetology school license (initial) - \$400.00
- (4) Cosmetology school license (renewal) - \$125.00
- (5) Master Instructor license - \$30.00
- (6) Facial/Esthetics Instructor license - \$30.00
- (7) Manicurist/Nail Technician Instructor license - \$30.00
- (8) Basic Cosmetology license - \$25.00
- (9) Manicurist license - \$25.00
- (10) Esthetician license - \$25.00
- (11) Cosmetician license - \$25.00
- (12) Hairbraiding Technician license- \$25.00
- (13) Demonstrator license - \$20.00
- (14) Advanced Operator license (renewal only) - \$25.00
- (15) Cosmetology establishment license (initial) - \$45.00
- (16) Cosmetology salon establishment license (renewal) - \$30.00
- (17) Cosmetic studio license (initial) - \$40.00
- (18) Cosmetic studio license (renewal) - \$30.00
- (19) Nail salon license (initial) - \$45.00
- (20) Nail salon license (renewal) - \$30.00
- (21) Reciprocity license - \$30.00
- (22) Reciprocity transfer of hours processing fee from out-of-state - \$30.00
- (23) Duplicate license (in case of loss or destruction of original license and/or renewal application) - \$5.00
- (24) Notary Fee - \$1.00
- (25) Certification of Records - \$10.00

(b) The Board shall charge a penalty fee of ten dollars (\$10.00) for the renewal of any license delinquent after two (2) months of expiration. This sub section also applies to any delinquent initial license application.

(c) All fees shall be submitted to the Board in the form of a cashier's check, money order or business check. Personal checks are not accepted by the Board.

Note: Statutory fee schedule can be referenced in Title 59 O.S., Section 199.14.

SUBCHAPTER 13. RECIPROCAL AND CROSSOVER LICENSING

175:10-13-1. Reciprocal license requirements

The Board, in accordance with the Oklahoma Cosmetology Statutes 59 O.S. Section 199.13, has ruled to accept any applicant on a license for comparable license basis from any state in which the applicant has met the license requirements.

(1) The Board may issue a reciprocity license for license without examination to any applicant who shall qualify and who shall submit the completed appropriate and required application and fees to the Board.

(A) The reciprocity license application shall be submitted on forms approved by the Board and shall include official certification of current license, training, testing, and educational records from the applicable State Board.

(B) The application shall also include the (first year) reciprocity license and processing fee of sixty dollars (\$60.00) plus the cost of the Oklahoma Board's Rules, Regulations and Law book. (The \$30.00 processing fee and book cost are non-refundable.)

(C) The reciprocity application shall require that the applicant submit a current full-face photograph of self with the license application, (photo must be approximately 2" X 3" in size and shall have the applicant's name printed on the back).

(2) Any non-English speaking reciprocity licensee or transfer of hours applicant must contact the Board's office concerning requirements for licensing and transfer of hours. After all papers have been completed and necessary documents attached, the applicant for reciprocity license must make an appointment and appear personally in the Board's office for an interview before reciprocity license may be considered.

(3) The Board may retain the right to require that any applicant for the Oklahoma Instructor license shall register for the Oklahoma Board's Instructor examination and show proof of scoring no less than 85% (on each portion of the examination, written and practical) if at any time the applicant shall fail to show proof of at least equivalent of high school education or if other circumstance of irregular or unusual nature is reflected in Instructor reciprocity application.

(4) Reciprocity is granted only to a licensed cosmetologist, nail technician, facialist, hairbraider, cosmetician, master instructor, nail technician instructor or facialist instructor from a state that issues a license.

(5) Reciprocity shall not be granted to an applicant from a state or foreign country that does not issue a license unless the following requirements are met:

(A) Show proof of attending a cosmetology school in state or country.

(B) Submit reciprocity application for license.

(C) Submit registration for examination form and show proof of scoring no less than 75% (on each portion of the examination, written and practical). If applicant should fail the examination, applicant must show proof of no less than 120 review hours in an Oklahoma school before being eligible to re-register and sit for the Oklahoma State Board of Cosmetology examination again. (\$15.00 re-registration fee required).

Applicant must then show proof of scoring no less than 75% (on each portion of the examination, written and practical) before being eligible for Oklahoma licensure by reciprocity.

(D) Submit fee of sixty dollars (\$60) plus cost of Rules, Regulations and Law Book,

plus examination fee of \$15.00.

(7) No temporary permit shall be issued to an out-of-state reciprocity applicant.

175:10-13-2. Credit allowed for barber training

(a) A barber who holds a current Oklahoma barber license in good standing, who shall apply to register for the Board's examination for a Basic Cosmetologist license, may be eligible to sit for the examination upon showing proof of the completion of seven hundred and fifty (750) hours of training in a cosmetology school.

(b) Training shall be in accordance with a curriculum and schedule approved by the Board and developed specific to manicuring, pedicuring, skin care, make-up, hair styling, color techniques, Cosmetology law and Board rules and regulations. Training evaluation and curriculum is approved at time of enrollment in a school of cosmetology.

SUBCHAPTER 15. INSPECTIONS, VIOLATIONS AND ENFORCEMENT

175:10-15-1. Board authority to enforce rules [REVOKED]

175:10-15-2. Board inspection of cosmetology establishments and schools

(a) The Board's Inspector and/or its authorized representative shall have the authority and right to entry to cosmetology salons and schools during reasonable business hours in order to perform inspection and investigatory duties necessary to the responsibility and functions of the Board. The inspection duties shall include all sanitation and licensing rules compliance as pertains to any licensed facility where cosmetology services are performed for the public.

(b) Inspectors shall list the names of persons working in each cosmetology salon and school, license type, file number and expiration date.

(c) Inspectors shall make inspections and investigations and shall file a report on any alleged violation and unlawful practice of the Oklahoma Cosmetology Act.

(d) Refusal to permit, or otherwise interfering with an inspection shall constitute cause for disciplinary action and could lead to revocation or suspension of license(s).

175:10-15-3. Refusal, revocation or suspension of license; reinstatement privilege [REVOKED]

175:10-15-4. Complaints; notice of violation; corrective measures [REVOKED]

SUBCHAPTER 17. EMERGENCY COSMETOLOGY SERVICE

175:10-17-1. Emergency cosmetology services; documentation required

(a) A licensed cosmetologist may perform cosmetology services for a person in the person's residence of the person in the event of an emergency. Emergency is considered to be serious injury or illness which causes the person to be residence bound.

(b) Appointment for emergency service must be booked from a licensed cosmetology establishment. A doctor's statement must be kept in the cosmetology establishment verifying that the person is residence bound or otherwise incapacitated.

(c) The cosmetology shall have his license in his possession when performing cosmetology services.

(d) Mobile, portable or other door-to-door cosmetology service is prohibited unless provided as emergency service as described in this sub-section.

**175:10-17-2. Mobile/portable cosmetology establishment/services not allowed
[REVOKED]**

**OKLAHOMA COSMETOLOGY LAW
TITLE 59
OKLAHOMA STATUTES**

SECTION 199.1 DEFINITIONS

As used in the Oklahoma Cosmetology Act:

1. **"Apprentice"** means a person who is engaged in learning the practice of cosmetology in a cosmetology salon;

2. **"Board"** means the State Board of Cosmetology;

3. **"Cosmetic studio"** means any place or premises where demonstrators give demonstrations, without compensation, for the purpose only of advertising and selling cosmetics;

4. **"Cosmetician"** means a person licensed by the Board to perform patron services limited to hair arranging and application of makeup, including, but not limited to, using hairstyling tools and products. Services must be performed in a licensed establishment limited to photo studios and cosmetic studios;

5. **"Cosmetology"** means any one or combination or practices generally and usually performed by and known as the occupation of beauticians, beauty culturists, beauty operators, cosmeticians, cosmetologists or hairdressers, or of any other person holding herself or himself out as practicing cosmetology by whatever designation and within the meaning of this Act and

in or upon whatever place or premises. Cosmetology shall include, but not be limited to, any one or combination of the following practices: bleaching, cleansing, curling, cutting, coloring, dressing, removing, singeing, styling, waving, or similar work, upon the hair of any person by any means, and with hands or mechanical or electrical apparatus or appliances. Nothing in this Act shall be construed to prohibit the use of any of said devices for the non-permanent removal of hair from the human body without puncturing the skin, or by the use of cosmetic preparations, antiseptics, tonics, lotions, or creams, massaging, cleansing, stimulating, exercising, beautifying, or similar work, the scalp, face, neck, arms, bust, or upper part of the body, or manicuring the nails of any person, exclusive of such of the foregoing practices as come within the scope of the practice of the healing arts as provided by the laws of this state;

6. **“Cosmetology salon”** means any place or premises where any of the practices of cosmetology are performed. The term “cosmetology salon” shall not include a cosmetology school or a cosmetic studio;

7. **“Cosmetology school”** means any place or premises where instruction in any or all the practices of cosmetology is given. Any person, firm, institution or corporation, who holds himself, herself or itself out as a school to teach and train, or any person, firm, institution or corporation who shall teach and train any other person or persons in any of the practices of cosmetology is hereby declared to be engaged in operating a cosmetology school, and shall be subject to the provisions of the Oklahoma Cosmetology Act;

8. **“Demonstrator”** means a person who is not licensed in this state as an operator or instructor and who demonstrates any cosmetic preparation. The person shall be required to obtain a Demonstrator license from the Board before making any such demonstrations;

9. **“Facial/Esthetics instructor”** means a person licensed by the Board as a qualified teacher of the art and science of facial and esthetics theory and practice;

10. **“Facial operator”** means any person who gives facials for compensation;

11. **“Hairbraiding technician”** means a person licensed by the Board to perform hairbraiding techniques, and hair extensions in a licensed cosmetology establishment;

12. **“Manicurist”** means a person who gives manicures, gives pedicures, or applies artificial nails;

13. **“Manicurist/Nail technician instructor”** means a person licensed by the Board as a qualified teacher of the art and science of nail technology theory and practice;

14. **“Master instructor”** means a person who gives instruction in cosmetology or any practices thereof;

15. **“Operator”** means any person who engages in, follows or performs any of the practices of cosmetology;

16. **“Public school”** means any state-supported institution conducting a cosmetology program; and

17. **“Student”** means a person who is enrolled in and attending a cosmetology school for the purpose of learning the practice of cosmetology.

SECTION 199.2 STATE BOARD OF COSMETOLOGY

- A. 1. There is hereby re-created, to continue til July 1, 2013, in accordance with

the provisions of the Oklahoma Sunset Law, a State Board of Cosmetology which shall be composed of nine (9) members to be appointed by the Governor and to serve at the pleasure of the Governor.

2. One member shall be appointed from each congressional district and the additional members shall be appointed at large. However, when congressional districts are redrawn each member appointed prior to July 1 of the year in which such modification becomes effective shall complete the current term of office and such modification becomes effective shall complete the current term of office and appointments made after July 1 of the year in which such modification becomes effective shall be based on the redrawn districts. Appointments made after July 1 of the year in which such modification becomes effective shall be from any redrawn district which are not represented by a board member until such time as each of the modified congressional districts are represented by a board member.

3. At the time of appointment, the members shall be citizens of this state, at least twenty-five (25) years of age, and shall be high school graduates. Six members shall, at the time of appointment, have had at least five (5) years' continuous practical experience in the practice of cosmetology in this state, one member shall be a lay person and one member shall be an administrator of a licensed private cosmetology school, and one member shall be an administrator of a public school licensed to teach cosmetology.

4. No two members shall be graduates of the same cosmetology school, nor shall they be organizers of or promote the organization of any cosmetic, beauty, or hairdressers' association. Each of the six cosmetology appointees shall continue to be actively engaged in the profession of cosmetology while serving.

5. If any member retires or ceases to practice his or her profession during the term of membership on the Board, such terms shall automatically cease and the Governor shall appoint a like-qualified person to fulfill the remainder of the term.

B. The terms of office for Board members shall be four (4) years ending June 30.

C. Each member shall serve until a successor is appointed and qualified.

D. Five members of the Board shall constitute a quorum for the transaction of business.

E. The Governor may remove any member of the Board at any time at the Governor's discretion. Vacancies shall be filled by the appointment by the Governor for the unexpired portion of the term.

F. The Board shall organize by electing from its membership a chair and vice-chair, each to serve a period of one (1) year. The presiding officer shall not be entitled to vote upon any question except in the case of a tie vote.

Members shall be reimbursed for their actual and necessary expenses as provided by the State Travel Reimbursement Act.

G. Within thirty (30) days after the end of each fiscal year, the Board shall make a full report to the Governor of all its receipts and expenditures, and also a full statement of its work during the year, together with such recommendations as the Board deems expedient.

H. The Board may expend funds for suitable office space for the transaction of its business. The Board shall adopt a common seal for the use of the executive director in

authenticating Board documents.

I. The Board shall meet at its office for the transaction of such business as may come before it on the second Monday in January, March, May, July, September, and November and at such other times as it may deem advisable.

**SECTION 199.3 POWERS OF BOARD - RULES AND REGULATIONS -
MEMBERS OF ARMED FORCES - SERIOUS ILLNESS**

A. In order to safeguard and protect the health and general welfare of the people of the State of Oklahoma, the State Board of Cosmetology is hereby vested with the powers and duties necessary and proper to enable it to fully and effectively carry out the provisions of the Oklahoma Cosmetology Act.

B. The Board shall have powers and duties to:

1. Promulgate rules pursuant to the Administrative Procedures Act relating to standards of sanitation which must be observed and practiced by all cosmetology schools and salons. The Board shall furnish copies of the rules to the owner or manager of each cosmetology school or cosmetology salon operating in this state. It shall be the duty of each owner or manager to post a copy of the rules in a conspicuous place in each of the establishments or schools;

2. Conduct examinations of applicants for certificates of registration as manicurists, cosmetologists, facial operators, hairbraiding technician, manicurist/nail technician instructor, facial/esthetics instructor, master instructor and cosmetician at such times and places determined by the Board. Applications for all examinations shall be made on forms approved by the Board;

3. Keep a record of all its proceedings. The Board shall keep a record of all applicants for certificates, licenses and permits, showing the name of the applicant, the name and location of the place of occupation or business, if any, and the residence address of the applicant, and whether the applicant was granted or refused a certificate, license or permit. The records of the Board shall be valid and sufficient evidence of matters contained therein, shall constitute public records. Records shall be open to public inspection at all reasonable times and subject to the Oklahoma Open Records Act;

4. Issue all certificates of registration, licenses, permits, notices and orders;

5. Establish limited speciality licenses for cosmetician, facial/esthetics instructor, hairbraiding technician and manicurist/nail technician instructor within the practice of cosmetology. The Board shall also promulgate rules for said specialty licenses, including but not limited to reduced curriculum requirements, as the Board may deem appropriate and necessary to further the purposes of the Oklahoma Cosmetology Act;

6. Make regular inspections of all cosmetology schools and cosmetology salons licensed to operate in this state, and reports thereof shall be kept and maintained in the office of the Board;

7. Make investigations and reports on all violations of the Oklahoma Cosmetology Act;

8. Take samples of beauty supplies for the purpose of chemical analysis; provided, that if the owner demands payment for the sample taken, payment at the regular retail price shall be

made;

9. Refuse, revoke, or suspend licenses, certificates of registration or permits after notice and an opportunity for a full hearing, pursuant to Article II of the Administrative Procedures Act, on proof of violation of any of these provisions or the rules established by the Board;

10. Enter into contracts necessary to implement or enforce the provisions of the Oklahoma Cosmetology Act or rules promulgated thereto; and

11. Apply to a court of competent jurisdiction for an order enjoining an unlicensed person from practicing cosmetology or holding himself or herself out as a practitioner of cosmetology. Injunctive relief granted by the court shall be without bond.

C. 1. Any person whose license, certificate or registration, or permit has been suspended or revoked may, after the expiration of thirty (30) days, make application to the Board for reinstatement thereof.

2. Reinstatement of any such license, certificate of registration, or permit shall rest in the sound discretion of the Board.

3. Any action of the Board in refusing, revoking, or suspending a license, certificate of registration, or permit may be appealed to the district court of the county of the appellant's residence pursuant to the Administrative Procedures Act.

D. 1. In any case where a licensee becomes a member of the Armed Forces of the United States, such license shall not lapse by reason thereof but shall be considered and held in force and effect without further payment of license fees during the period of service in the Armed Forces of the United States and for six (6) months after honorable release from the Armed Forces of the United States the licensee may resume practice pursuant to a license without other or further examination by notifying the Board in writing.

2. The period of time in which the licensee shall have been a member of the Armed Forces of the United States shall not be computed in arriving at the amount of fee or fees due or to become due by such licensee.

SECTION 199.4 EXECUTIVE DIRECTOR

The State Board of Cosmetology shall employ an executive director who shall be in charge of the office of the Board. The executive director shall have such qualifications as shall be established by rules of the Board; provided, the executive director shall not be actively engaged in the practice of cosmetology while serving as executive director. The executive director shall;

1. Devote his or her entire time to the duties of the office;
2. Receive salary and benefits as provided by law;
3. Keep and preserve all books and records pertaining to the Board;
4. Have authority, in the name of and in behalf of the Board, to issue all licenses, certificates of registration, permits, orders, and notices;
5. Have authority to collect all fees and penalties provided for by the Oklahoma Cosmetology Act;
6. Make quarterly reports to the Board of all monies collected and the sources from

which derived;

7. Have authority to approve payrolls and all claims for the Board;
8. Have authority to employ staff;
9. Keep a continuous inventory of all properties, excluding supplies, belonging to the Board;
10. Perform such other duties as may be directed by the Board.

SECTION 199.5 POSITIONS AND SALARIES

A. The State Board of Cosmetology shall create positions and fix the salaries of officials and employees necessary to carry out the purposes of the Oklahoma Cosmetology Act and the administration thereof.

B. The employees shall include not less than five nor more than nine cosmetology inspectors. Only licensed instructors shall be employed as a cosmetology inspector by the Board.

SECTION 199.6 UNLAWFUL ACTS

A. It shall be unlawful and constitute a misdemeanor, punishable upon conviction by a fine of not less than Fifty Dollars (\$50.00), nor more than One Hundred Fifty Dollars (\$150.00), or by imprisonment in the county jail for not more than thirty (30) days, or both such fine and imprisonment, for any person, firm, or corporation in this state to:

1. Operate or attempt to operate a cosmetology school or cosmetology salon without having obtained a license therefor from the State Board of Cosmetology;
2. Give or attempt to give instruction in cosmetology, without having obtained an instructor's license from the State Board of Cosmetology;
3. Practice or offer to practice cosmetology or manicuring without having obtained a license therefor from the State Board of Cosmetology;
4. Operate a cosmetic studio without having obtained a license therefore from the State Board of Cosmetology;
5. Demonstrate a cosmetic preparation without having obtained a demonstrator's license from the State Board of Cosmetology;
6. Permit any person in one's employ, supervision, or control to practice cosmetology unless that person has obtained an appropriate license from the State Board of Cosmetology;
7. Willfully violate any rule promulgated by the State Board of Cosmetology for the sanitary management and operation of a cosmetology school or cosmetology salon; or
8. Violate any of the provisions of the Oklahoma Cosmetology Act.

B. The provisions of the Oklahoma Cosmetology Act shall not apply to the following persons while such persons are engaged in the proper discharge of their professional duties;

1. Funeral directors;
2. Persons in the Armed Services;
3. Persons authorized to practice the healing arts or nursing; or
4. Regularly employed sales people working in retail establishments engaged in the

business of selling cosmetics in sealed packages.

**SECTION 199.7 BEAUTY SCHOOLS - ELIGIBILITY TO TAKE
EXAMINATION-APPLICATIONS**

A. Each cosmetology school shall be licensed annually by the State Board of Cosmetology. Application for the first year's license for a cosmetology school shall be accompanied by a fee of Four Hundred Dollars (\$400.00), which shall be retained by the Board if the application is approved and license is issued. The annual renewal license fee for cosmetology schools shall be One Hundred Twenty-five Dollars (\$125.00).

B. 1. No license or renewal thereof for a cosmetology school shall be issued unless the owner thereof furnishes to the Board a good and sufficient surety bond in the principal sum of Two Thousand Dollars (\$2,000.00) for the first instructor and additional One Thousand Dollars (\$1,000.00) for each additional instructor, executed by a surety company authorized to do business in this state, and conditioned on the faithful performance of the terms and conditions of all contracts entered into between the owner of said cosmetology school and all persons enrolling therein.

2. The surety bond shall be in a form approved by Attorney General and filed in the Office of the Secretary of State. Suit may be brought on said bond by any person injured by reason of the breach of the conditions thereof.

C. It shall be the duty of the owner or manager of a cosmetology school to enter into a written contract with all students before permitting students to attend any classes. Contracts shall be made out in triplicate, the original copy to be retained by the school, the duplicate to be given to the student, and the triplicate to be filed with the executive director of the Board.

D. No license for a cosmetology school shall be issued unless the owner thereof presents evidence satisfactory to the Board that the school has satisfactory facilities and equipment and has instructors qualified to give a course of study as provided in the Oklahoma Cosmetology Act.

E. There shall be included in the curriculum for cosmetology schools, courses of study in the theory of cosmetology and related theory, studies in manipulative practices, sterilization and sanitation, shop management, and such other related subjects as may be approved by the Board.

F. 1. The Board shall adopt a curriculum of required courses of instruction in theory and training of either one thousand five hundred (1,500) clock or an equivalent number of credit hours as recognized by the United States Department of Education or a regional or national accreditation entity recognized by the United States Department of Education in a basic course of cosmetology to be taught in all cosmetology schools in the state. The basic course shall be designed to qualify students completing the course to take the examination for an operator's license.

2. Students in vocational, trade, and industrial cosmetology classes in public schools shall qualify by completing one thousand (1,000) hours in a basic course of cosmetology and five hundred (500) hours of approved related subjects to be selected from, but not limited to, the following high school courses in a public school: psychology, biology, general science,

American history, art, typing I, typing II, business arithmetic, salesmanship, bookkeeping I, bookkeeping II, related mathematics, English II, English III and English IV.

G. 1. No person shall be eligible to give instruction in cosmetology unless the person is the holder of a current unrevoked instructor's license issued by the Board.

2. Each cosmetology school shall employ at least one instructor for the first fifteen students registered therein, and at least one additional instructor shall be employed for additional group of fifteen students, or major fraction thereof.

H. A cosmetology school may be operated in and as part of an accredited high school.

I. No cosmetology school owner or cosmetology salon owner shall charge students for cosmetic materials, supplies, apparatus or machines used by them in practice work, but students shall be required to furnish their own books and hand instruments of trade. A reasonable charge may be made by a cosmetology school for clinical work performed by students upon persons who are not students therein. No instructor shall be permitted to do professional or clinical work in a cosmetology school at any time.

J. No beauty shop shall ever be operated in or as part of a beauty school.

K. 1. Students shall:

- a. have an eighth-grade education or the equivalent thereof,
- b. be at least sixteen (16) years of age unless they are public or private school students who will be sixteen (16) years of age by November 1 of the year in which cosmetology instruction begins, and
- c. be of good moral and ethical character.

2. Credit shall not be given to any person by the Board or by a cosmetology school for hours spent in attending a cosmetology school unless the person has registered with the Board as a student prior to the attendance, except that a student who has attended a cosmetology school out of state may receive credit for such attendance for transfer upon proper certification as provided by rule of the Board.

3. No student shall be credited with more than eight (8) hours' attendance in a cosmetology school in any one (1) day.

4. No person shall be eligible to take the examination for an operator's license unless such person is at least seventeen (17) years of age or a high school graduate.

L. 1. No student shall be eligible to take the examination for an operator's license without furnishing to the Board the affidavit of the owner of the cosmetology school that said student has satisfactorily completed the requirements specified in paragraph 1 of subsection F of this section, except public and private school students who will complete the requirements specified in paragraph 2 of subsection F of this section by the close of the current year may take the examination next preceding the end of the school year.

2. Students who are eligible to take the examination shall be given an oral examination if requested by their instructor

M. No person shall be eligible to register for the examination for an instructor's license unless such person is a high school graduate, or obtained a General Equivalency Diploma (G.E.D.) as to which the applicant shall qualify by tests to be prescribed by the Board and conducted by qualified examiners selected by the Board, and has:

1. Satisfactorily completed all hours required for the appropriate specialty course and an

additional one thousand (1,000) instructor training hours or thirty-four (34) credit hours prescribed by the Board in a cosmetology school in this state; or

2. Completed all hours required for the appropriate specialty course, five hundred (500) instructor training hours, prescribed by the Board in a cosmetology school in this state and has been engaged in the practice of cosmetology for at least the preceding two (2) years.

N. The Board shall have the power to conduct examinations around the state at public locations including, but not limited to, technology center schools.

O. Each cosmetology school shall prominently display in a conspicuous place above or to the side of the entrance thereto a sign bearing the words "BEAUTY SCHOOL", which words shall be in plain letters at least three (3) inches high and at least one (1) inch wide.

SECTION 199.8 APPRENTICES

A. Each person training as an apprentice shall be required to have the same qualifications as a student for admission into a cosmetology school, and shall be registered with the State Board of Cosmetology before commencing the training.

B. No apprentice shall engage in any of the practices of cosmetology except under the immediate supervision of a licensed instructor in a cosmetology salon approved by the Board for apprentice training.

C. All apprentices must wear a badge which designates them as an apprentice and is furnished by the Board with the apprentice registration receipt.

D. Only one apprentice may be registered to receive training in a cosmetology salon at any one time.

E. Completion of three thousand (3,000) hours of apprentice training in a cosmetology salon is the equivalent of one thousand five hundred (1,500) hours training in a cosmetology school and shall entitle the apprentice to take an operator's examination.

SECTION 199.9 FACILITIES - LICENSE REQUIRED

A. The State Board of Cosmetology shall not issue a license for a cosmetology salon until an inspection has been made of the salon and equipment; including the sanitary facilities thereof. Temporary approval pending inspection may be made upon sworn affidavit by the license applicant that all requirements have been met. No license shall be issued for a cosmetology salon to be operated in a private home or residence unless the salon is located in a room or rooms not used or occupied for residential purposes.

B. 1. Except as otherwise provided in the Oklahoma Cosmetology Act, it shall be unlawful for any person to practice cosmetology in any place other than a licensed barber shop, cosmetology salon, or cosmetology school licensed by the Board.

2. A licensed manicurist may practice in a licensed barber shop and in an emergency such as illness, invalidism, or death, a licensed operator may perform cosmetology services for a person by appointment in a place other than a licensed beauty shop or beauty school.

C. A person licensed as an operator may perform cosmetology services in a barber shop. A person licensed as a barber may perform barbering services in a cosmetology salon. Any salon which provides both cosmetology and barbering services must obtain a license from the Board.

SECTION 199.10 EXPIRATION AND RENEWAL OF LICENSES

A. All licenses issued under the provisions of the Oklahoma Cosmetology Act shall be issued for a period of one (1) year. The expiration date of the license shall be the last day of the month in which the applicant's birthday falls.

B. Application for renewal must be made on or before the last day of the month in which the applicant's birthday falls, and shall be accompanied by the appropriate fees.

C. Any person who fails to renew the license within the required time, may make application for renewal at any time within five (5) years from the expiration date of the license by paying the regular renewal license fee and a late fee of Ten Dollars(\$10.00), which becomes due two (2) months after the expiration date.

D. Any person who fails to renew within the required time may make application with subsequent renewal and penalty fees.

E. Before person may take an examination to renew an expired license after a period of five (5) years, such person shall, after registering for examination, register in a cosmetology school for the given number of review hours in accordance with the following timetable and schedule based upon the number of years the license has expired, and upon the type of license held.

License Type	Number of Years License Expired Licence Expired	Review Hours Required
Basic Cosmetologist	5 years	250 hours
	10 years	500 hours
	15 years or more	1000 hours
Cosmetician	5 years	120 hours
	10 years	200 hours
	15 years or more	250 hours
Manicurist	5 years	120 hours
	10 years	200 hours
	15 years or more	250 hours
Facial Operator	5 years	120 hours
	10 years	200 hours
	15 years or more	250 hours

Hairbraiding Technician	5 years	120 hours
	10 years	200 hours
	15 years or more	250 hours
Master Instructor	5 years	200 hours
	10 years	300 hours
	15 years or more	400 hours
Facial/Esthetics Instructor	5 years	200 hours
	10 years	300 hours
	15 years or more	400 hours
Manicurist/Nail Technician Instructor	5 years	200 hours
	10 years	300 hours
	15 years or more	400 hours

F. Each person holding a license shall notify the Board of any change in the mailing address of such person within thirty (30) days after any change.

SECTION 199.11 DENIAL OF LICENSE, CERTIFICATE OR REGISTRATION

The State Board of Cosmetology is hereby authorized to deny, revoke, suspend, or refuse to renew any license, certificate, or registration that it is authorized to issue under the Oklahoma Cosmetology Act for any of the following causes:

1. Conviction of a felony as shown by a certified copy of the record of the court;
2. Gross malpractice or gross incompetence;
3. Fraud practiced in obtaining a license or registration;
4. A license or certificate holder's continuing to practice while afflicted with an infectious, contagious, or communicable disease;
5. Habitual drunkenness or addiction to use of habit forming drugs;
6. Advertising by means of statements known to be false or deceptive;
7. Continued or flagrant violation of any rules of the Board, or continued practice by an operator in a cosmetology salon wherein violations of the rules of the Board are being committed within the knowledge of the operator;
8. Failure to display license or certificate as required by the Oklahoma Cosmetology Act;
9. Continued practice of cosmetology after expiration of a license therefore;
10. Employment by a salon owner or manger of any person to perform any of the practices of cosmetology who is not duly licensed to perform the services; or
11. Practicing cosmetology in an immoral or unprofessional manner.

**SECTION 199.12 REPEALED BY LAWS 1980, CHAPTER 68, SECTION 1,
EMERGENCY EFFECTIVE APRIL 10, 1980**

SECTION 199.13 DISPENSING WITH EXAMINATION IN CERTAIN CASES

A. The State Board of Cosmetology may issue a reciprocity license without examination to an otherwise qualified applicant if:

1. The applicant has complied with the requirements of another state, territory or foreign country or province;

2. The applicant holds a current license from a state, territory, or foreign country or province whose the requirements for registration are substantially equal to those in force in this state at the time of filing application for a reciprocity license; and

3. The applicant has continuously engaged in the practices or occupation for which a reciprocity license is applied for at least three (3) years immediately prior to such application.

B. The Board may issue a license without examination to an otherwise qualified applicant from a state, territory or foreign country or province that does not license practitioners if applicant can show adequate proof of having engaged in the practice or occupation for which a license is applied for at least three (3) years immediately prior to such application.

C. An applicant for an instructor's license without examination shall possess the equivalent of a high school education.

D. Payment of the reciprocity fee shall constitute payment of the first annual license fee.

E. The Board may establish by rule any administrative or other fees associated with processing application for licensure without examination.

SECTION 199.14 FEES

A. The following fees shall be charged by the State Board of Cosmetology:

Registration as an apprentice or student	
\$ 5.00	
Examination for license	\$ 15.00
Cosmetology school license (initial)	\$ 400.00
Cosmetology school license (renewal).....	\$ 125.00
Renewal Advanced Operator license (annual)	\$ 25.00
Facial Operator license (annual)	\$ 25.00
Operator license (annual)	\$ 25.00
Manicurist license (annual)	\$ 25.00
Facial/Esthetics Instructor license (annual)	\$ 30.00
Cosmetician license (annual)	\$ 25.00
Hairbraiding Technician (annual)	\$ 25.00
Manicurist/Nail Technician Instructor (annual)	\$ 30.00
Demonstrator license (annual)	\$ 20.00
Master Instructor license (annual)	\$ 30.00
Cosmetology salon license (initial)	\$ 45.00

Cosmetology salon license (renewal)	\$ 30.00
Cosmetic Studio license (initial).....	\$ 50.00
Cosmetic Studio license (renewal)	\$ 30.00
Reciprocity license (initial).....	\$ 30.00
Reciprocity processing fee.....	\$ 30.00
Duplicate license (in case of loss or destruction of original).....	\$ 5.00
Notary fee.....	\$ 1.00
Certification of Records	\$ 10.00

B. In addition to the fees specified in subsection A of this section, the Board shall charge a total penalty Ten Dollars (\$10.00), as provided for in Section 199.10 of this title.

C. Any person licensed as an advanced operator prior to July 1, 1985, may renew the advanced cosmetologist license annually by payment of the fee required by this section and by being in compliance with the rules promulgated by the State Board of Cosmetology.

**SECTION 199.15 STATE COSMETOLOGY FUND -
REPORT OF FEES AND PENALTIES - CHARGES AGAINST FUND**

A. There is hereby created in the State Treasury for the Oklahoma State Board of Cosmetology a revolving fund to be designated the State Cosmetology Fund. The fund shall be a continuing fund not subject to fiscal year limitations and shall consist of all fees and penalties collected pursuant to the Oklahoma Cosmetology Act or rules promulgated thereto and any other funds obtained or received by the State Board of Cosmetology pursuant to the Oklahoma Cosmetology Act. All monies accruing to the credit of said fund are hereby appropriated and may be budgeted and shall be expended by the Board for the purposes of implementing, administering and enforcing the Oklahoma Cosmetology Act. Expenditures from the fund shall be made upon warrants issued by the State Treasurer against claims filed as prescribed by law with the Director State Finance for approval and payment.

B. At the close of each fiscal year the Board shall pay into the General Revenue Fund of the state ten percent (10%) of the gross fees and penalties so charged, collected and received by the Board. Other than the ten percent (10%) all fees and penalties charged and monies collected and received, are hereby dedicated, appropriated and pledged to the accomplishment and fulfillment of the purposes of the Oklahoma Cosmetology Act.

C. All expenses, per diem, salaries, wages, travel, rents, printing, supplies, maintenance, and other costs incurred by the Board in the performance of its duty and in accomplishment and fulfillment of the purposes of the Oklahoma Cosmetology Act shall be a proper charge against and paid from the State Cosmetology Fund. In no event shall any claim or obligation accrue against the State of Oklahoma nor against the Cosmetology Fund in excess of the ninety percent (90%) or the amount of fees and penalties collected and paid in to the Treasury pursuant to the provisions of the Oklahoma Cosmetology Act.