

TITLE 175. STATE BOARD OF COSMETOLOGY AND BARBERING

CHAPTER 1. ADMINISTRATIVE OPERATIONS

SUBCHAPTER 1. GENERAL PROVISIONS

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 and Barbering Law. The following rules and terms shall have the same meaning, unless the context clearly indicates otherwise:

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

“**Apprentice**” means a person who is engaged in learning the practice of cosmetology or barbering in a cosmetology or barber establishment. [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.

“**Barber/Barber Stylist**” means any person who engages in the practice of barbering.

“**Barber Establishment**” means an Establishment or place of business where one or more persons are engaged in the practice of barbering but shall not include barber schools or colleges.

“**Barbering**” means any one or combination of practices done upon the upper part of the human body for cosmetic purposes and when done for payment either directly or indirectly for the general public, constitutes the practice of barbering, to wit: shaving or trimming the beard or cutting the hair; giving facial or scalp massages or treatment with oils, creams, lotions or other preparations, either by hand or mechanical appliances; singeing, shampooing or applying lighteners or color to the hair, applying hair tonics; applying cosmetic preparations, antiseptics, powders, oils, clays or lotions to scalp, face, neck or upper part of the body; and removing superfluous hair from the face, neck or upper part of the body.

“**Barber school or college**” means an Establishment operated for the purpose of teaching barbering.

“**Board**” means the State Board of Cosmetology and Barbering.

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

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

“**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.

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

“Cosmetology” means any one or combination of practices generally and usually performed by and known as the occupation of beauticians, beauty culturists, beauty operators, cosmeticians, cosmetologists, or hairdressers, or any other person holding himself or herself out as practicing cosmetology by whatever designation and within the meaning of the Oklahoma Cosmetology and Barbering Act and in or upon whatever place or premises. Cosmetology shall include, but not 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, whether with hands or mechanical or electrical apparatus or appliances. Nothing in the Oklahoma Cosmetology and Barbering Act shall be construed to prohibit the use of hands or mechanical or electrical apparatus or appliances for the non permanent removal of hair from the human body without puncturing of the skin or the use of stimulating exercising, beautifying or similarly working the scalp, face, neck, arms or the manicuring of the nails of any person, exclusive of such of the foregoing practice as are within the scope of practice of the healing arts as provided by law.

“Cosmetology Establishment” means an Establishment or place of business where one or more persons are engaged in the practice of cosmetology but shall not include barber schools and colleges.

“Cosmetology or Barber school” means a school or department that is approved by the Board to conduct and provide cosmetology and/or barber training and education in Oklahoma. It means any place or premises where instruction in any or all the practices of cosmetology and or barbering are given. Any person, firm, institution or corporation, who holds himself, firm, institution or corporation who shall teach and train any other person or persons in any of the practices of cosmetology and/or barbering is hereby declared to be engaged in operating a cosmetology and/or barbering school, and shall be operating cosmetology and/or barbering school, and shall be subject to the provisions of the Oklahoma Cosmetology and Barbering Act. Licensed cosmetology and barbering schools may offer education to secondary and post secondary students in this state.

“Credit hour” means a unit of value awarded to a student for successful completion of a program, course or course lesson and credit to clock ration is as recognized by the United States Department of Education or a regional or national accreditation entity recognized by the United States Department of Education.

“Demonstrator” means a person who is not licensed in this state as a Cosmetologist, Barber 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.

“Dry sanitizer” means a clean, dry, closed (covered) cabinet, drawer, chest or other type container used in a cosmetology/barber Establishment school for the purpose of storing clean, dry disinfected ~~sanitized~~ combs, brushes and other implements without fumigant after the articles have been cleaned and disinfected ~~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 or barber shop, cosmetic or other speciality shop/salon where any one or combination of cosmetology or barbering practices are performed on the public except that the term shall not include a cosmetology or barbering 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.

“Hybrid learning” means courses that combine face-to-face classroom instruction with on-line computer based learning.

“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 Barber Instructor” means a person licensed by the Board who gives instruction in barbering or any practices thereof and trained in a school after November 1, 2014.

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

“Mobile Establishment” means a specialty Establishment that is operated in a self-contained, self-supporting, enclosed mobile unit.

“Post secondary institution” means a school licensed to teach students according to prescribed curriculum as in Title 59 O.S. § 199.7 (F) 1 Board rule 175:10-3-34(a).

“Secondary institution” means a school licensed to teach students eligible for credit for 500 hours of related subjects as prescribed in Title 59 O.S. § 199.7 (f)2 and in Board rule 175:10-3-34(b).

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

“Unassigned practice or clinic work” means a personal service of cosmetology or barber 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 disinfecting sanitizing agent used in a school or Establishment for the purpose of sanitizing and disinfecting combs, brushes and other non-metal tools and implements used in training and practice.

SUBCHAPTER 5. RULES OF PRACTICE

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.
- (5) Fines for citations for violations of the Cosmetology and Barber Act or Board rules as in Rule 175:1-5-15.

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

175:1-5-15. Schedule of fines

The fine schedule for citations issued by the Board for violations of the Cosmetology and Barber Act or rules promulgated thereunder shall be subject to the fines as follows providing each day a violation continues shall be a separate offense:

- (1) Engaging in barbering in any of the licensed practices without a license
 - (A) First: \$250
 - (B) Subsequent: \$500
- (2) Employing an unlicensed person to perform cosmetology or barbering (per person):
 - (A) First: \$250
 - (B) Subsequent: \$500
- (3) Allowing a barbering student or barber apprentice to work without direct supervision:
 - (A) First: \$50
 - (B) Subsequent: \$50
- (4) Training more than one apprentice per Establishment (fine per apprentice):
 - (A) First: \$50
 - (B) Subsequent: \$50
- (5) Operating a barber work station in violation of any general sanitation requirement as required by Board rule:
 - (A) First: \$50
 - (B) Subsequent: \$50
- (6) Failure to comply with a specific provision of the Cosmetology and Barber Act or Board rules by a person practicing on a work permit, apprentice, or any licensee of the Board:
 - (A) First: \$50
 - (B) Subsequent: \$50
- (7) Failure to comply with a specific provision of the Cosmetology and Barber Act or rules by an individual not licensed under the Act:
 - (A) First: \$250
 - (B) Subsequent: \$500
- (8) Operate a barber school without first obtaining a license from the Board:
 - (A) First \$250
 - (B) Subsequent: \$500
- (9) Operating a barber school that is not in compliance with Board rules for sanitation and safety:
 - (A) First: \$50

(B) Subsequent: \$50

(10) Operating a barber school without the appropriate number of licensed instructors:

(A) First \$50

(B) Subsequent \$50