

The Oklahoma State Board of Cosmetology met at 10:00 a.m. on Monday, January 27, 2014 at 2401 NW 23rd Street, Suite 84, Oklahoma City, OK 73107 in the Testing Center in order to conduct a Special Meeting for the purpose of adopting proposed rules. The following persons were present:

BOARD MEMBERS

Ken Young, Board Chair
Max Thomas, Vice Chair
LaFaye Austin
Anthony Baldini
Rick Bennett
Pam Martin
Gretchen Payne
Matthew Smith
Janet Dale Webb

BOARD LEGAL ADVISORS

Kim Heaton, Assistant Attorney General
Marissa Lane, Assistant Attorney General

BOARD STAFF

Sherry Lewelling, Executive Director
Jennifer McRee, Principal Assistant

VISITORS

Darren Gibson

CALL TO ORDER

Chair Young called the meeting to order.

ROLL CALL

Quorum was established with roll call. The following persons answered roll call: Young, Thomas, Baldini, Bennett, Martin, Smith and Webb. (Austin and Payne arrived after roll call was taken)

CONSIDERATION/REVIEW OF PUBLIC COMMENTS REGARDING PUBLIC COMMENT

Chair Young stated that no comments were received at the public comment hearing on January 20, 2014. Ms. Lewelling had not received any written comments regarding the proposed rules.

Chair Young read the guidelines for procedures during the special meeting. He asked Ms. McRee to summarize each rule and the proposed changes.

A motion was made by Ms. Webb and seconded by Mr. Smith to approve the proposed New rule and amendments to **Rule #175:1-5-14** as recommended by the Board's legal advisors.

175:1-5-14. 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: \$50
- (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

VOTING: Thomas, yes; Baldini, yes; Austin, yes; Bennett, yes; Martin, yes; Payne, yes; Smith, yes; and Webb, yes.

Motion passed.

A motion was made by Ms. Payne and seconded by Ms. Webb to amend **Rule #175:10-3-1** as follows (with only change as previously submitted being in (B) the new language striking the / and replacing with the word or):

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

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

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

(A) **Letter of intent.** The applicant shall first submit a letter of intent to the Board of Cosmetology and Barbering and shall request Cosmetology or Barber 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 in full making note whether the school intends to operate as a secondary or post secondary establishment 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 or barbering 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 and Barbering 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~~ or barber 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~~ or barber 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 provided course(s) in ~~cosmetology~~ training and education designed to qualify a person who shall complete the public post secondary 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. File ~~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 publically 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.

(2) **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.

VOTING: Thomas, yes; Baldini, yes; Austin, yes; Bennett, yes; Martin, yes; Payne, yes; Smith, yes; and Webb, yes.

Motion passed.

A motion was made by Mr. Smith and seconded by Ms. Webb to amend **Rule #175:10-3-4** as follows (with only change as previously submitted to strike the word cosmetology in (b) which was a clerical error):

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 courses~~ course in accordance with Board rules, regulations and cosmetology and barber law.

VOTING: Thomas, yes; Baldini, yes; Austin, yes; Bennett, yes; Martin, yes; Payne, yes; Smith, yes; and Webb, yes.

Motion passed.

A motion was made by Ms. Webb and seconded by Mr. Baldini to amend **Rule #175:10-3-43** as follows (with only change previously submitted to add language in (b) (1) to include anatomy and physiology and delete language regarding hair and scalp disorders as recommended by Mr. Young):

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: (Note: Hours may be measured in credits and ratio is as recognized by the United States Department of Education as recognized by a national accreditation entity recognized by the United States Department of Education.)

(1) Bacteriology, chemistry, anatomy, physiology, sterilization and sanitation
(~~includes hair and scalp disorders~~)

100 clock hours

(A) Clock hours—100

(B) Credit hours—3

(2) Hairbraiding/hairweaving skills (includes shampooing, purpose and effect, procedures, repair, removal of weft, sizing and finishing, extension and maintenance/care of braids/weaves) 300 clock hours

~~(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 180 clock hours

~~(A) Clock hours—180~~

~~(B) Credit hours—6~~

(4) Board rules, regulations and statutes ~~Cosmetology rules, regulations and law~~ 30 clock hours

~~(A) Clock hours—30~~

~~(B) Credit hours—1~~

(5) Total hours 600 clock 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.

VOTING: Thomas, yes; Baldini, yes; Austin, yes; Bennett, yes; Martin, yes; Payne, yes; Smith, yes; and Webb, yes.

Motion passed.

A motion was made by Mr. Smith and seconded by Ms. Martin to amend **Rule #175:10-7-18** as follows (to add the word "after" to correct the clerical error in line (d) in order to read correctly):

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 or barbering 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.

(d) Implements and tools that cannot be sanitized must be disposed of after one use.

VOTING: Thomas, yes; Baldini, yes; Austin, yes; Bennett, yes; Martin, yes; Payne, yes; Smith, yes; and Webb, yes.

Motion passed.

A motion was made by Ms. Martin and seconded by Ms. Payne to approve **Rule #175:10-7-20** as follows (to correct the clerical error in (c) and change "a" to "an"):

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

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

(b) If a Board licensee, 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 an 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 an a ~~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.

VOTING: Thomas, yes; Baldini, yes; Austin, yes; Bennett, yes; Martin, yes; Payne, yes; Smith, yes; and Webb, yes.

Motion passed.

A motion was made by Mr. Baldini and seconded by Ms. Webb to approve **Rule #175:10-9-1** as follows (correcting the clerical error in (f) so the new language reads "is based on course of study as follows"):

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 ~~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 is based on course of study as follows ~~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 ~~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 (not required for barber or esthetician apprentices)
- (2) Adequately supplied dispensary to appropriately train apprentice in Cosmetology, barber, esthetician, manicuring, hairbraiding practices depending on

program;

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.

VOTING: Thomas, yes; Baldini, yes; Austin, yes; Bennett, yes; Martin, yes; Payne, yes; Smith, yes; and Webb, yes.

Motion passed.

A motion was made by Mr. Baldini and seconded by Mr. Bennett to approve **Rule #175:10-11-2** (as recommended by legal advisors to separate Cosmetology Fees in section (a) and Barber Fees in section (b)) as follows:

175:10-11-2. Cosmetology and Barber 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) Establishment ~~Cosmetology establishment~~ license (initial) - \$45.00
- (16) Establishment ~~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 is authorized the following license and penalty fees for Barber type licenses:

(1) Barber college - \$200 per year

(2) Barber apprentice - \$10 per year

(3) Barber examination fee - \$35- per exam

(4) Barber Instructor license fee - \$50 per year

(5) Barber Instructor examination Fee - \$50 per year

(6) Barber License fee - \$25 per year

(7) Barber license renewal after expiration \$50.00 per year

(8) Barber instructor license renewal after expiration \$75.00 per year

(c) (b) The Board shall charge a penalty fee of ten dollars (\$10.00) for the renewal of any cosmetology 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.

VOTING: Thomas, yes; Baldini, yes; Austin, yes; Bennett, yes; Martin, yes; Payne, yes; Smith, yes; and Webb, yes.

Motion passed.

A motion was made by Mr. Baldini and seconded by Ms. Martin to approve **Rule #175:10-13-1** (and add a comma after the word barber in line 1 of (4)) as follows:

175:10-13-1. Reciprocal license requirements

The Board, in accordance with the Oklahoma Cosmetology and Barbering 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, barber, nail technician, facialist, hairbraider, cosmetician, master cosmetology instructor, nail technician instructor, or facialist instructor and master barber 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 or barber 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

VOTING: Thomas, yes; Baldini, yes; Austin, yes; Bennett, yes; Martin, yes; Payne, yes; Smith, yes; and Webb, yes.

Motion passed.

A motion was made by Ms. Webb and seconded by Ms. Payne to capitalize the "E" in the word Establishment throughout all the rules proposed as recommended by legal advisors and to correct any clerical errors where needed and ensure new language is underlined and formatted as appropriate and approve the following rules as follows:

TITLE 175. STATE BOARD OF COSMETOLOGY AND BARBERING

175:1-1-1. Purpose

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

175:1-1-2. Definitions

The terms and phrases defined in the Oklahoma Cosmetology and Barbering 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 ~~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.

"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 or 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 ~~limited to photo studios and cosmetic studios.~~

“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, cosmetologist, 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 nonpermanent removal of hair from the human body without puncturing of the skin or the use of cosmetic preparations, antiseptics, tonics, lotions, or creams, or massaging, cleansing 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 practices 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 or colleges.

“Cosmetology or Barber school” means a ~~cosmetology~~ school or ~~cosmetology~~ 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 is 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 hour ratio 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 ~~is determined by using the ratio of thirty (30) clock hours equal to one (1) credit hour.~~

“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 ~~establishment 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 or barber salon or shop, cosmetic of other specialty shop/salon where any one or combination of cosmetology or barbering practices are performed by the public except that the term shall not include a cosmetology or barber 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 instructor in barbering or any practices thereof and trained in a school after November 1, 2013

“Master Cosmetology 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.

“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).

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

“Secondary institution” means a school licensed to teach students eligible for credit of 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 or 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 sanitizing agent used in a cosmetology school or Establishment establishment salon for the purpose of sanitizing and disinfecting combs, brushes and other non-metal tools and implements used in cosmetology training and practice.

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

(a) The Board is composed of eleven (11) ~~nine (9)~~ members appointed by the Governor to four (4) year staggered terms. Six (6) cosmetologist members are appointed, one (1) from each of six (6) congressional districts of the state. One (1) member is appointed to represent public cosmetology schools, one (1) to represent privately owned cosmetology schools, one (1) to

represent privately owned barber school, and one (1) is appointed as a lay/public member, one (1) barber member is appointed at large.

(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 and Barber 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 and barber Establishments and schools 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 and Barbering shall create positions, make appointments and fix salaries of officials and employees necessary to carry out the purposes of the Cosmetology and Barbering 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 and Barbering 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.

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

(a) The State Board of Cosmetology and Barbering may hold a hearing on any alleged violations of the Cosmetology and Barber 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.

175:1-5-4. Board sanctions

(a) If it is proven that violations of the Oklahoma Cosmetology and Barber 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 175:1-5-14

(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 or barbering 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/Barber 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/Barbering Cosmetology or other Board of any state which exercises authority and licensing over those persons involved in the teaching or practicing of cosmetology or barbering.

(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 and barber 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 and Barbering 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.

175:1-5-9. Appeals

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

CHAPTER 10. LICENSURE OF COSMETOLOGISTS, BARBERS, SCHOOLS AND RELATED ESTABLISHMENTS

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 and barber Establishments establishments and schools.

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 or barber 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 and Barbering rules, regulations and Cosmetology and Barber 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 and Barber Act and Board regulations.~~

~~(b)(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 or barber 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) ~~A 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 student) and separate restroom facilities for male and female students.~~

(D)The space plans must include, break area 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 or water cooler 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 the name of the school, location and space are approved.

~~(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 and educational 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.

PART 3. STUDENT REGISTRATION AND ENTRANCE REQUIREMENTS

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, Barber and Barber Instructor 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 and barber law and rules of the Board. All students shall be considered for enrollment in a cosmetology school. Admission to public schools is governed by applicable state and federal laws.

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

(a) At least six (6) copies of the Oklahoma Cosmetology/Barbering ~~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 or barbering.

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.~~

~~(12)~~ ~~(13)~~ Four (4) hair dryers - chair type (one for each additional 15 students or major fraction thereof)

~~(13)~~ ~~(14)~~ Twelve (12) blow-dryers (one for each additional 15 students or major fraction thereof)

~~(14)~~ ~~(15)~~ Twelve (12) curling irons (one for each additional 15 students or major fraction thereof)

~~(15)~~ ~~(16)~~ One (1) mannequin for each student

~~(16)~~ ~~(17)~~ Four hundred (400) permanent wave rods and other permanent wave supplies as necessary

~~(17)~~ ~~(18)~~ Twenty (20) work/styling stations with mirrors (one for each additional 5 students)

~~(18)~~ ~~(19)~~ Twenty (20) styling chairs (one for each additional 5 students)

~~(19)~~ ~~(20)~~ Five (5) covered waste receptacles

~~(20)~~ ~~(21)~~ One (1) large closed cabinet for clean towels

~~(21)~~ ~~(22)~~ Four (4) large covered receptacles for soiled towels (one for each additional 15 students or major fraction thereof)

~~(22)~~ ~~(23)~~ One (1) large dispensary cabinet

~~(23)~~ ~~(24)~~ Four (4) manicure tables and chairs considered adequate for patron service. A long narrow (18") folding table is acceptable for student practice. This is a requirement for a cosmetology school and not a barber school.

~~(24)~~ ~~(25)~~ One (1) covered hair pin or clipper container for each student. This is a requirement for a cosmetology school and not a barber school.

~~(25)~~ ~~(26)~~ Subscriptions to at least three (3) professional cosmetology related periodicals (electronic periodicals are acceptable)

~~(26)~~ ~~(27)~~ Four (4) heaters and irons and/or four (4) electric pressing combs

~~(27)~~ ~~(28)~~ Five (5) head forms

~~(27)~~ ~~(29)~~ Five (5) wigs ~~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 and barbering to each student enrolled in the school.

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 of study.

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: (Note: Hours may be measured in credits and ratio is as recognized by the United States Department of Education as recognized by a national accreditation entity recognized by the United States Department of Education.)

(1) Theory (must be coordinated with each practical practice subject as is appropriate throughout the course of training) 150 clock hours

~~(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) 90 clock hours

~~(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) 30 clock hours

~~(A) Clock hours—30~~

~~(B) Credit hours—1~~

(4) Scalp treatments 30 clock hours

~~(A) Clock hours—30~~

~~(B) Credit hours—1~~

(5) Shampooing/conditioning rinses 60 clock hours

~~(A) Clock hours—60~~

~~(B) Credit hours—2~~

(6) Hairstyling, including finger waving, the dressing of wigs, thermal and blow drying 390 clock hours

~~(A) Clock hours—390~~

~~(B) Credit hours—13~~

(7) Hair color tints and bleaching and other color treatments 120 clock hours

~~(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) 180 clock hours

~~(A) Clock hours—180~~

~~(B) Credit hours—6~~

(9) Lash and brow tinting and arching 30 clock hours

~~(A) Clock hours—30~~

~~(B) Credit hours—1~~

(10) Personality, shop management and unassigned hours for review, examinations, etc. 180 clock hours

~~(A) Clock hours—180~~

~~(B) Credit hours—6~~

(11) Hair restructuring/permanent waving and chemical hair relaxing 240 clock hours

~~(A) Clock hours—240~~

~~(B) Credit hours—8~~

(12) Total cosmetology hours 1500 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: (Note: Hours may be measured in credits and ratio is as recognized by the United States Department of Education as recognized by a national accreditation entity recognized by the United States Department of Education.)

(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. (Note: Hours may be measured in credits and ratio is as recognized by the United States Department of Education as recognized by a national accreditation entity recognized by the United States Department of Education.)

(3) Theory (must be coordinated with each practical practice subject as is appropriate throughout the course of training) 150 clock hours

~~(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) 60 clock hours

~~(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) 30 clock hours

~~(A) Clock hours—30~~

~~(B) Credit hours—1~~

(6) Scalp treatments 30 clock hours

~~(A) Clock hours—30~~

~~(B) Credit hours—1~~

(7) Shampooing/conditioning rinses 30 clock hours

~~(A) Clock hours—30~~

~~(B) Credit hours—1~~

(8) Hairstyling, including finger waving, the dressing of wigs, thermal and blow drying 180 clock hours

~~(A) Clock hours—180~~

~~(B) Credit hours—6~~

(9) Hair color tints and bleaching and other color treatments 90 clock hours

~~(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) 120 hours

~~(A) Clock hours—120~~

~~(B) Credit hours—4~~

(11) Lash and brow tinting and arching 30 clock hours

~~(A) Clock hours—30~~

~~(B) Credit hours—1~~

(12) Personality, shop management and unassigned hours for review, examinations, etc. 100 clock hours

~~(A) Clock hours—100~~

~~(B) Credit hours—3~~

(13) Hair restructuring/permanent waving and chemical hair relaxing 180 clock hours

~~(A) Clock hours—180~~

~~(B) Credit hours—6~~

(14) Cosmetology related subjects 500 clock hours

~~(A) Clock hours—500~~

~~(B) Credit hours—17~~

(15) Total cosmetology hours 1500 clock 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) six (6) assorted ~~twelve (12)~~ hair brushes

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

(K) one (1) box ~~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

175:10-3-37. Master cosmetology 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 cosmetology 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 cosmetology 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 Cosmetology Instructor course curriculum is prescribed as follows: (Note: Hours may be measured in credits and ratio is as recognized by the United States Department of Education as recognized by a national accreditation entity recognized by the United States Department of Education.)

(1) Orientation 60 clock hours

~~(A) Clock hours—60~~

~~(B) Credit hours—2~~

(2) Introduction to teaching and curriculum 120 clock hours

~~(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 330 clock hours

~~(A) Clock hours—330~~

~~(B) Credit hours—11~~

(4) Board rules, regulations and statutes Cosmetology Law, cosmetology school management and record keeping 90 clock hours

~~(A) Clock hours 90~~

~~(B) Credit hours 3~~

(5) Teaching - assisting in the classroom and clinic 150 clock hours

~~(A) Clock hours 150~~

~~(B) Credit hours 5~~

(6) Practice teaching - classroom and clinic 250 clock hours

~~(A) Clock hours 250~~

~~(B) Credit hours 9~~

(7) Total hours 1000 clock hours

~~(A) Clock hours 1000~~

~~(B) Credit hours 34~~

(b) Master Cosmetology 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 cosmetology instructor.

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

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

(1) textbook or manual

(2) workbook

(3) Board Statute, Rules and Regulations Book

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: (Note: Hours may be measured in credits and ratio is as recognized by the United States Department of Education as recognized by a national accreditation entity recognized by the United States Department of Education.)

(1) Bacteriology, sterilization and sanitation 40 clock hours

~~(A) Clock hours—40~~

~~(B) Credit hours—1~~

(2) Nail structure, composition, disorders and diseases 60 clock hours

~~(A) Clock hours—60~~

~~(B) Credit hours—2~~

(3) Manicuring and pedicuring (includes waxing or other non-permanent hair removal) 160 clock hours

~~(A) Clock hours—160~~

~~(B) Credit hours—6~~

(4) Artificial nails

~~(A) Clock hours—160~~

~~(B) Credit hours—6~~

(5) Nail art 60 clock hours

~~(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) 80 clock hours

~~(A) Clock hours—80~~

~~(B) Credit hours—2~~

(7) Board rules, regulations and statutes ~~Cosmetology law, rules and regulations~~ 40 clock hours

~~(A) Clock hours—40~~

~~(B) Credit hours—1~~

(8) Total hours 600 clock 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: (Note: Hours may be measured in credits and ratio is as recognized by the United States Department of Education as recognized by a national accreditation entity recognized by the United States Department of Education.)

(1) Bacteriology, sterilization, sanitation and safety 80 clock hours

~~(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) 180 clock hours

~~(A) Clock hours—180~~

~~(B) Credit hours—6~~

(3) Facials: (includes draping, manipulations, cleaning and toning; chemistry and light therapy and make-up) 200 clock hours

~~(A) Clock hours—200~~

~~(B) Credit hours—7~~

(4) Non-permanent hair removal: (includes methods and procedures and arching) 40 clock hours

~~(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) 60 clock hours

~~(A) Clock hours—60~~

~~(B) Credit hours—2~~

(6) Board rules, regulations and statutes ~~Cosmetology law, rules and regulations~~ 40 clock hours

~~(A) Clock hours—40~~

~~(B) Credit hours—1~~

(7) Total hours – 600 clock 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

175:10-3-41. 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 instructor.

(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: (Note: Hours may be measured in credits and ratio is as recognized by the United States Department of Education as recognized by a national accreditation entity recognized by the United States Department of Education.)

(1) Bacteriology, sterilization and sanitation 60 clock hours

~~(A) Clock hours—60~~

~~(B) Credit hours—2~~

(2) Make-up application (includes application of make-up, lipstick, eye shadow, eyeliner, mascara and rouge) 200 clock hours

~~(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) 200 clock hours

~~(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) 90 clock hours

~~(A) Clock hours—90~~

~~(B) Credit hours—3~~

(5) Board rules, regulations and statutes ~~Cosmetology rules, regulations and law~~ 50 clock hours

~~(A) Clock hours—50~~

~~(B) Credit hours—1~~

(6) Total hours 600 clock 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) eye shadow 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: (Note: Hours may be measured in credits and ratio is as recognized by the United States Department of Education as recognized by a national accreditation entity recognized by the United States Department of Education.)

(1) Orientation 60 clock hours

~~(A) Clock hours—60~~

~~(B) Credit hours—2~~

(2) Introduction to teaching and curriculum 120 clock hours

~~(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 330 clock hours

~~(A) Clock hours—330~~

~~(B) Credit hours—11~~

(4) Board rules, regulations and statutes Cosmetology Law, cosmetology school management and record keeping 90 clock hours

~~(A) Clock hours—90~~

~~(B) Credit hours—3~~

(5) Teaching - assisting in classroom and clinic 150 clock hours

~~(A) Clock hours—150~~

~~(B) Credit hours—5~~

(6) Practice teaching - classroom and clinic 250 clock hours

~~(A) Clock hours—250~~

~~(B) Credit hours—8~~

(7) Total hours 1000 clock 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

(3) Board Statute, Rules and Regulations Book

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: (Note: Hours may be measured in credits and ratio is as recognized by the United States Department of Education as recognized by a national accreditation entity recognized by the United States Department of Education.)

(1) Orientation 60 clock hours

~~(A) Clock hours—60~~

~~(B) Credit hours—2~~

(2) Introduction to teaching and curriculum 120 clock hours

~~(A) Clock hours—120~~

~~(B) Credit hours—4~~

(3) Course outlining and development; lesson planning; teaching techniques; teaching aids; developing, administering and grading examinations 330 clock hours

~~(A) Credit hours—330~~

~~(B) Credit hours—11~~

(4) Board rules, regulations and statutes ~~Cosmetology Law~~, cosmetology school management and record keeping 90 clock

hours

~~(A) Clock hours—90~~

~~(B) Credit hours—3~~

(5) Teaching - assisting in classroom and clinic 150 clock hours

~~(A) Clock hours—150~~

~~(B) Credit hours—5~~

(6) Practice teaching - classroom and clinic 250 clock hours

~~(A) Clock hours—250~~

~~(B) Credit hours—8~~

(7) Total hours 1000 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

(3) Board Statute, Rules and Regulations Book

175:10-3-45. Barber course entrance and curriculum requirements

(a) Entrance requirements. A Barber course entrance requirements are the same as for a Basic cosmetology 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 Barber student shall not be allowed to perform patron services until such time as he/she has received at least 150 clock 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.

(b) Curriculum requirements. The 1500 clock hour curriculum for the barber course is prescribed as follows: (Note: Hours may be measured in credits and ratio is as recognized by the United States Department of Education as recognized by a national accreditation entity recognized by the United States Department of Education.)

(1) Safe work practices, infection control, bacteriology, implements, tools, equipment, sterilization, sanitation and safety 155 clock hours

(2) Salesmanship, job search, shop management, history of barbering and professional image 175 clock hours

(3) Anatomy, physiology, chemistry, electricity and light therapy, properties and disorders of skin, scalp and hair, hair and scalp treatments 200 clock hours

(4) Facial massage and treatment 40 clock hours

(5) Haircutting and styling 580 clock hours

(6) Chemical relaxing, soft curl perms, permanent waving 95 clock hours

(7) Hair coloring 150 clock hours

(8) Men's hairpieces, mustache, beard design and shaving 65 clock hours

(9) Board rules, regulations and statutes 40 clock hours

(10) Total hours 1500 hours

(c) Minimum barber student kit contents.

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

- (A) one (1) approved text on theory of barbering
- (B) one (1) razor-type hair shaper and shaper blades
- (C) one (1) pair each hair cutting shears and thinning shears
- (D) one (1) tweezer
- (E) six (6) assorted hair brushes
- (F) twelve (12) combs (including rat-tail, color, regular and/or barber-type)
- (H) one (1) shampoo cape
- (I) 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) permanent wave rods
- (B) other hair restructuring supplies
- (C) an adequate supply of applicator bottles
- (D) an adequate supply of protective gloves (disposable)
- (E) an adequate supply of neck strips
- (F) an adequate supply of hair clippers
- (G) an adequately supplied products dispensary to appropriately train students in classes
- (H) visual aid equipment in addition to the chalk or marker board

175:10-3-46. Master Barber instructor course, entrance and curriculum requirements

(a) Entrance requirements.

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

- (A) hold an Oklahoma Barber license or be registered for the Barber examination. If any person enrolled prior to examination shall fail to appear or fail to pass the Barber exam, he/she shall immediately cease instructor training until such time as he shall again register for and show proof of achieving a passing score on the barber examination.
- (B) hold a High School Diploma or General Education Development Certificate.
- (C) file registration application for barber 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 Master Barber Instructor course curriculum is prescribed as follows: (Note: Hours may be measured in credits and ratio is as recognized by the United States Department of Education as recognized by a national accreditation entity recognized by the United States Department of Education.)

(1) Orientation 60 clock hours

(2) Introduction to teaching and curriculum 120 clock hours

(3) Course outlining and development; lesson planning; teaching techniques; teaching aids; developing and administering and grading examinations 330 clock hours

(4) Board rules, regulations and statutes, school management and record keeping 90 clock hours

(5) Teaching - assisting in the classroom and clinic 150 clock hours

(6) Practice teaching - classroom and clinic 250 clock hours

(7) Total hours 1000 clock hours

(b) Master Barber Instructor students are assigned practice in classes actually scheduled by the school. Practice teaching by barber instructor students will be in the barber course. Practice teaching must be supervised by a licensed Barber instructor.

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

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

(1) textbook or manual

(2) workbook

(3) Board Statute, Rules and Regulations Book

175:10-3-51. Approval for school

An initial license to open a cosmetology and/or barber 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 and barbering 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 courses of study ~~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.

175:10-3-55. 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 field of study ~~cosmetology~~ related field trip.** A student may be given credit for hours spent in a Board approved cosmetology/barber ~~cosmetology~~ related field trip provided:

- (1) the student is accompanied and observed by an ~~a~~ cosmetology instructor licensed by the Oklahoma State Board of Cosmetology and Barbering of Oklahoma.
- (2) credit for cosmetology/barber ~~cosmetology~~ related field trips shall not exceed seventy-two (72) total clock hours of the Basic Cosmetology/Barber ~~Cosmetology~~ course or more than sixteen clock hours in a given week.
- (3) credit for cosmetology or barbering related field trips shall not exceed twenty four (24) 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, Barber or Barber Instructor or more than sixteen clock hours in a given week.

(f) **Credit for model participation in a State 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.

175:10-3-60. 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 and Barbering Act.

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 rules and regulations is required to be posted in each school.

(b) School ~~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 an Establishment 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 or barbering.

(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.

175:10-3-67. 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.

175:10-3-71. Review hours

After a student registers for examination, he may register for non-required review hours not to exceed 500 clock or equivalent number of 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.

175:10-3-73. 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.

175:10-3-75. 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 copy of the student complaint procedures and process shall be posted in the school. 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. Complaints regarding financial aid do not fall under the jurisdiction of the Board. Students are referred to school's financial aid officer and/or their lending institution and/or federal financial office and/or school's accrediting commission to address complaint. If notification is received by the Board from the investigating authority that the school has been found to be in violation of federal regulations, the Board may take action pursuant to Title 59 O.S. § 199.6 or 199.11.

SUBCHAPTER 5. LICENSURE OF COSMETOLOGY AND BARBER ESTABLISHMENTS

175:10-5-1. Cosmetology and barber Establishment ~~establishment~~ ~~salon~~ license application; authorization to open pending first inspection

(a) The Board will issue an Establishment ~~a salon~~ license upon receipt of application for ~~salon~~ license, appropriate fee and notarized affidavit of applicant which reflects compliance with all

Establishment salon license requirements. Initial inspection will be conducted to confirm compliance of license requirements.

(b) In the event the Establishment establishment salon should fail to be approved at initial inspection, the Establishment 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 an Establishment a-salon changes, it will be considered a new Establishment salon and shall be required to comply with requirements for initial Establishment salon license.

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

(e) Establishment Salon owner is required to submit a salon name change affidavit when the Establishment salon name changes. No fee is required unless a new license with new Establishment salon name is requested.

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

(a) Each Establishment 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 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 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 establishment. A copy of the sanitary rules will be provided to each cosmetology Establishment establishment by the Board. The rules are required to be posted in each salon.

(d) Each Establishment salon owner and manager is responsible for the general and sanitary condition of the Establishment salon. Each owner and manager is responsible for assuring that each person employed and/or under his supervision and control in the Establishment salon, shall appropriately post a current, valid Oklahoma license or work permit before performing services to the public in the Establishment salon.

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

(a) No individual, company or corporation may operate an a cosmetology establishment without making application for an Establishment ~~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) ~~an a cosmetology~~ Establishment ~~establishment~~ license

(2) Board licensee ~~licensed cosmetologist~~ to perform cosmetology or barbering services

(c) No Establishment ~~salon~~ license is required if health care facilities offer limited cosmetology or barbering 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 barber 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)]

175:10-5-5. Display of barber pole

Only a licensed barber Establishment or an Establishment that employs licensed barbers may display a barber pole on the premise.

SUBCHAPTER 7. SANITATION AND SAFETY STANDARDS FOR COSMETOLOGY AND BARBER ESTABLISHMENTS, SALONS AND SCHOOLS

175:10-7-1. Cosmetology and barber Establishment ~~establishment~~ separate from residence or other business

No ~~cosmetology~~ Establishment ~~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. Establishment ~~Salon~~ must be separate from beauty supply house/business. Establishment ~~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. Establishment ~~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 Establishment ~~salon~~ operation. All doors and windows between residence/living quarters shall be kept closed during ~~cosmetology~~ Establishment ~~establishment~~ hours.

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

A cosmetologist may practice in a barber shop provided the Establishment ~~establishment~~ has been issued an appropriate Establishment license ~~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 Establishment ~~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 Establishments ~~salons~~ and schools shall be maintained in a clean manner.
- (g) Carpet is prohibited for use in work areas (shampoo and styling areas) of an Establishment ~~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.

175:10-7-7. 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 Board ~~cosmetology~~ licensee, student or apprentice on whom head lice or other communicable disease, infection, or condition is detected.

(e) The ~~cosmetology~~ Establishment ~~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.

175:10-7-12. 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.

175:10-7-17. 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 ~~establishment~~ may be required for inspection and identification purposes.

(b) Board Sanitation Rules shall be posted in each ~~cosmetology~~ Establishment ~~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.

175:10-7-19. Restroom areas

(a) Each ~~cosmetology~~ Establishment ~~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 ~~establishment~~ or school.

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

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

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

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 ~~establishments~~ licensed by the Board of Cosmetology and Barbering.

(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.

SUBCHAPTER 9. LICENSURE OF COSMETOLOGISTS, BARBERS AND RELATED OCCUPATIONS

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
- (6) Barber – 3000 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 student affidavit within five (5) days ~~course completion~~.

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 Establishment ~~salon~~ for inspection purposes.

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 applicable 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 and Barber 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 Cosmetology Instructor Course - 85%
 - (3) Manicurist Course - 75%
 - (4) Esthetician Course - 75%
 - (5) Cosmetician Course - 75%
 - (6) Hairbraiding Technician - 75%
 - (7) Barber – 75%
 - (7) Manicurist/Nail Technician Instructor - 85%
 - (8) Facial/Esthetics Instructor - 85%
 - (9) Master Barber Instructor 85%
- (h) A Cosmetologist, Manicurist, Esthetician, Cosmetician, Barber 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 equivalent number of 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 equivalent number of 3 credit hours of completion of the Instructor course.

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

An applicant may be issued a permit to work in a licensed ~~cosmetology~~ Establishment 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. An applicant registering for an instructor examination may be issued a permit to work in a license school or college, 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 instructor 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, Barber 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.

175:10-9-32. 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 equivalent number of 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 or barber school before being eligible to sit for the examination (Note: Hours may be measured in credits and ratio is as recognized by the United States Department of Education as recognized by a national accreditation entity recognized by the United States Department of Education.):

- (1) ~~Basic~~ Cosmetologist 120 clock hours
 - ~~(A) 120 clock hours~~
 - ~~(B) 4 credit hours~~
- (2) Manicurist 40 clock hours
 - ~~(A) 40 clock hours~~
 - ~~(B) 2 credit hours~~
- (3) Facialist 40 clock hours
 - ~~(A) 40 clock hours~~
 - ~~(B) 2 credit hours~~
- (4) Hairbraiding Technician 40 clock hours
 - ~~(A) 40 clock hours~~
 - ~~(B) 2 credit hours~~
- (5) Cosmetician 40 clock hours
 - ~~(A) 40 clock hours~~
 - ~~(B) 2 credit hours~~
- (6) Barber 120 clock hours
- ~~(6)~~ (7) Master Cosmetologist Instructor 120 clock hours
 - ~~(A) 120 clock hours~~
 - ~~(B) 4 credit hours~~
- ~~(7)~~ (8) Manicurist/Nail Technician Instructor 120 clock hours
 - ~~(A) 120 clock hours~~
 - ~~(B) 4 credit hours~~
- ~~(8)~~ (9) Facial/Esthetics Instructor 120 clock hours
 - ~~(A) 120 clock hours~~

~~(B) 4 credit hours~~

(9) Master Barber Instructor 120 clock 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).

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

(a) Any person who is not a cosmetology or barber 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 or barber services to the general public in a place other than an a cosmetology Establishment ~~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, Barber, Facial/Esthetics Instructor, Barber Instructor, Master Barber 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, Barber, Master Barber Instructor, Master Instructor, Barber 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 ~~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
- (4) Register and pass the Board's sanitation and safety examination

(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.

175:10-9-52. 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/barber association, cosmetology or barber school association, barber 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 Board licensee's ~~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 and

barbering. The person performing these services upon head/hair or the public consumer must be appropriately licensed as a Cosmetologist, Barber 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 ~~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 or barbering as described in subsection (a) of this rule or as otherwise defined in the Oklahoma Cosmetology and Barber Act.

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

(a) Any high fashion photography and similar cosmetology/barber ~~cosmetology~~ related business/Establishment ~~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 or barber services in such Establishment ~~establishment~~ shall be appropriately licensed by the Board.

175:10-9-55. Practices of cosmetology

(a) Only licensed Facialist/Estheticians, ~~and Cosmetologists or Barbers, as defined in Title 59 O.A. § 199.5 (5) and (10)~~ may perform threading ~~and body sugaring~~.

(b) Only a licensed Facialist/Esthetician or Cosmetologist may perform eyelash extensions.

(c) Only licensed Facialist/Estheticians, Cosmetologists or Barbers may perform body sugaring.

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

(a) All practitioner licenses issued under the provisions of the Cosmetology and Barbering 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) An A-cosmetology Establishment ~~establishment~~ license issued to a licensee ~~cosmetologist~~ shall expire on the last day of applicant's birthday month each year.

(c) An A-cosmetology Establishment ~~establishment~~ license issued to a non-Board licensee ~~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.

175:10-13-2. Credit allowed for ~~barber~~ barber/cosmetology crossover 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 three hundred (300) ~~seven hundred and fifty (750)~~ hours of training in a cosmetology school. Training shall be in accordance with a curriculum and schedule approved by the Board and developed specific to Cosmetology techniques including manicuring, pedicuring and Cosmetology/Barber law. Training evaluation and curriculum is approved at time of enrollment 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.~~

(b) A cosmetologist who holds a current Oklahoma cosmetology license in good standing, who shall apply to register for the Board's examination for a Barber license, may be eligible to sit for the examination upon showing proof of the completion of three hundred (300) hours of training in a barber school. Training shall be in accordance with a curriculum and schedule approved by the Board and developed specific to Barbering techniques including shaving and clipper cuts and Cosmetology/Barber law. Training evaluation and curriculum is approved at time of enrollment in a barber school.

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

(a) The Board's Inspector and/or its authorized representative shall have the authority and right to entry to Establishments ~~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 and barbering services are performed for the public.

(b) Inspectors shall list the names of persons working in each ~~cosmetology salon~~ Establishment 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 and Barbering 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).

SUBCHAPTER 17. EMERGENCY COSMETOLOGY AND BARBERING SERVICE

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

(a) A licensed cosmetologist or barber 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 licensee ~~cosmetologist~~ shall have his license in his possession when performing ~~cosmetology~~ services.

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

VOTING: Thomas, yes; Baldini, yes; Austin, yes; Bennett, yes; Martin, yes; Payne, yes; Smith, yes; and Webb, yes.

Motion passed.

Chair Young announced the Special meeting of the Board to be adjourned.

Special Board Meeting
January 27, 2014

Ken Young, Chair

Max Thomas, Vice Chair

LaFaye Austin

Anthony Baldini

Rick Bennett

Pamela Martin

Gretchen Payne

Matthew Smith

Janet Dale Webb