



NOTICE OF TEXT

[Authority G.S. 150B-21.2(c)]

OAH USE ONLY

VOLUME:

ISSUE:

CHECK APPROPRIATE BOX:

- Notice with a scheduled hearing
 Notice without a scheduled hearing
 Republication of text. Complete the following cite for the volume and issue of previous publication, as well as blocks 1 - 4 and 7 - 13. If a hearing is scheduled, complete block 5.
Previous publication of text was published in Volume: Issue:

1. Rule-Making Agency: NC Board of Cosmetic Art Examiners

2. Link to agency website pursuant to G.S. 150B-19.1(c): www.nccosmeticarts.com

3. Proposed Action -- Check the appropriate box(es) and list rule citation(s) beside proposed action:

ADOPTION:

READOPTION with substantive changes:

READOPTION without substantive changes: 21 NCAC 14H .0504, 21 NCAC 14H .0505, 21 NCAC 14T .0607, 21 NCAC 14T .0608, 21 NCAC 14T .0609, 21 NCAC 14T .0610, 21 NCAC 14T.0705

AMENDMENT: 21 NCAC 14H.0404, 21 NCAC 14T.0201, 21 NCAC 14T .205, 21 NCAC 14T .0305, 21 NCAC 14T .0601, 21 NCAC 14T.0602, 21 NCAC 14T .0603, 21 NCAC 14T .0604, 21 NCAC 14T.0605, 21 NCAC 14T .0606, 21 NCAC 14T.0612, 21 NCAC 14T.0701,

REPEAL:

4. Proposed effective date: October 1, 2015

5. Is a public hearing planned? Yes No

If yes: Public Hearing date: June 30, 2015

Public Hearing time: 9:00am

Public Hearing Location: 1207 Front Street Suite 110 Raleigh, NC 27609

6. If no public hearing is scheduled, provide instructions on how to demand a public hearing:

7. Explain Reason For Proposed Rule(s): These rule changes fulfill a statutory requirement for re-review and address curriculum changes and space requirement reductions.

8. Procedure for Subjecting a Proposed Rule to Legislative Review: If an objection is not resolved prior to the adoption of the rule, a person may also submit written objections to the Rules Review Commission. If the Rules Review Commission receives written and signed objections in accordance with G.S. 150B-21.3(b2) from 10 or more persons clearly requesting review by the legislature and the Rules Review Commission approves the rule, the rule will become effective as provided in G.S. 150B-21.3(b1). The Commission will receive written objections until 5:00 p.m. on the day following the day the Commission approves the rule. The Commission will receive those objections by mail, delivery service, hand delivery, or facsimile transmission. If you have any further questions concerning the submission of objections to the Commission, please call a Commission staff attorney at 919-431-3000.

Rule(s) is automatically subject to legislative review. Cite statutory reference:

9. The person to whom written comments may be submitted on the proposed rule(s):

Name: Stefanie Kuzdrall

Address: 1207 Front Street Suite 110 Raleigh, NC 27609

Phone (optional):

Fax (optional):

E-Mail (optional):

10. Comment Period Ends: August 14, 2015

11. Fiscal impact (check all that apply).

If this form contains rules that have different fiscal impacts, list the rule citations beside the appropriate impact.

- State funds affected
- Environmental permitting of DOT affected
Analysis submitted to Board of Transportation
- Local funds affected
- Substantial economic impact (\geq \$1,000,000)
- Approved by OSBM
- No fiscal note required by G.S. 150B-21.4
- No fiscal note required by G.S. 150B-21.3A(d)(2)

12. Rule-making Coordinator: Stefanie Kuzdrall

Address: 1207 Front Street Suite 110 Raleigh, NC 27609

Phone: 919-715-0018

E-Mail: skuzdrall@nccosmeticarts.com

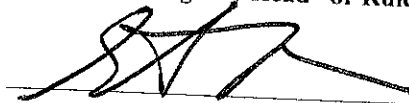
Agency contact, if any:

Phone:

E-mail:

13. The Agency formally proposed the text of this rule(s) on Date:

14. Signature of Agency Head* or Rule-making Coordinator:



*If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.

Typed Name: Stefanie Kuzdrall

Title: Rule-making Coordinator

1 **21 NCAC 14H .0504 SYSTEMS OF GRADING BEAUTY ESTABLISHMENTS IS PROPOSED FOR**
 2 **READOPTION AS FOLLOWS:**
 3

4 **21 NCAC 14H .0504 SYSTEMS OF GRADING BEAUTY ESTABLISHMENTS**

5 The system of grading the sanitary rating of cosmetic art schools and shops based on the rules set out in this
 6 subchapter shall be as follows, setting out areas to be inspected and considered, and the maximum points given for
 7 compliance:

Sanitation	Point Value
Each licensee and student shall wash his or her hands with soap and water or an equally effective cleansing agent immediately before and after serving each client.	2
Each licensee and student shall wear clean garments and shoes while serving patrons.	2
The cosmetic art facility shall be kept clean.	3
Waste material shall be kept in receptacles with a disposable liner. The area surrounding the waste receptacles shall be maintained in a sanitary manner.	4
All doors and windows shall be kept clean.	2
Furniture, equipment, floors, walls, ceilings and fixtures shall be clean and in good repair.	3
Clean protective capes, drapes, linens, and towels shall be used for each patron.	3
After a cape, drape, linen, or towel has been in contact with a patron's skin, it shall be placed in a clean, closed container until laundered with soap and hot water and dried in a heated dryer.	5
Any paper or nonwoven protective drape or covering shall be discarded after one use.	2
There shall be a supply of clean protective drapes, linens and towels at all times.	2
Clean drapes, capes, linens, and towels shall be stored in a clean area.	5
Bathroom facilities shall be kept cleaned.	3
All implements shall be washed with warm water and a cleaning solution and scrubbed to remove debris and dried.	2
All implements shall be disinfected.	10
All disinfected electrical implements shall be stored in a clean area.	2
Disposable and porous implements and supplies shall be discarded after use or upon completion of the service.	10
Any product that comes into contact with the patron shall be discarded upon completion of the service.	3
Disinfected implements shall be kept in a clean closed cabinet or clean closed container and shall not be stored with any implement or item that has not been disinfected.	10
Lancets, disposable razors, and other sharp objects shall be disposed in puncture-resistant containers.	1
The presence of animals or birds. Fish in an enclosure and animals trained for the purpose of accompanying disabled persons are exempt.	1
All creams, lotions, wax, cosmetics, and other products dispensed to come in contact with patron's skin shall be kept in clean, closed containers and dispensed in a sanitary manner. No product dispensed in portions shall be returned to the container.	10

After each patron's use each whirlpool or footspa shall be cleaned and disinfected.	10
The water in a vaporizer machine shall be emptied daily and the unit disinfected daily.	2
The area where services are performed that come in contact with the patron's skin including chairs, tables, and beds shall be disinfected between patrons.	3

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History Note: Authority G.S. 88B-2; 88B-4; 88B-14; 88B-23; 88B-26;
Eff. April 1, 2012;
Amended Eff. October 1, 2015;
Amended Eff. August 1, 2014.

1 **21 NCAC 14H .0505** **RULE COMPLIANCE AND ENFORCEMENT MEASURES IS PROPOSED FOR**
2 **READOPTION AS FOLLOWS:**

3 **21 NCAC 14H .0505** **RULE COMPLIANCE AND ENFORCEMENT MEASURES**

4 (a) The use of or possession of the following products or equipment in a school or shop shall result in civil penalty
5 in the amount of three hundred dollars (\$300.00) per container of product or piece of equipment:

- 6 (1) Methyl Methacrylate Liquid Monomer a.k.a. MMA; or
7 (2) razor-type callus shavers designed and intended to cut growths of skin including skin tags, corns,
8 and calluses.

9 (b) The use of or possession of the following in a school or shop shall result in civil penalty in the amount of one
10 hundred dollars (\$100.00) per use or possession:

- 11 (1) animals including insects, fish, amphibians, reptiles, birds, or non-human mammals to perform
12 any service; or
13 (2) variable speed electrical nail file on the natural nail unless it has been designed for use on the
14 natural nail.

15 (c) The action of any student or licensee to violate the Board rules in the following manner shall result in civil
16 penalty in the amount of one hundred dollars (\$100.00) per instance of each action:

- 17 (1) use of any product, implement, or piece of equipment in any manner other than the product's,
18 implement's, or equipment's intended use as described or detailed by the manufacturer;
19 (2) treatment of any medical condition unless referred by a physician;
20 (3) use of any product that will penetrate the dermis;
21 (4) provision of any service unless trained prior to performing the service;
22 (5) performance of services on a client if the licensee has reason to believe the client has any of the
23 following:
24 (A) fungus, lice, or nits;
25 (B) inflamed infected, broken, raised, or swollen skin or nail tissue in the area to be worked
26 on; or
27 (C) an open wound or sore in the area to be worked on; or
28 (6) alteration of or duplication of a license issued by the Board;
29 (7) advertisement or solicitation of clients in any form of communication in a manner that is false or
30 misleading; or
31 (8) use of any FDA rated Class II device without the documented supervision of a licensed physician.

32 (d) The failure to record the date and time of each cleaning and disinfecting of a footspa in a cosmetic art school or
33 shop as required by this Subchapter including the date, time, reason, and name of the staff member who performed
34 the cleaning or the failure to keep or make such record available for at least 90 days upon request by either a patron
35 or inspector shall result in civil penalty in the amount of twenty-five dollars (\$25.00) per footspa.

36 (e) The failure to clean and disinfect a footspa in a cosmetic art shop or school as required by this Subchapter shall
37 result in civil penalty in the amount of one hundred dollars (\$100.00) per footspa.

- 1 (f) The failure to maintain in a cosmetic art shop and school antiseptics, gloves or finger guards, and sterile
2 bandages available to provide first aid shall result in civil penalty in the amount of twenty-five dollars (\$25.00) per
3 item.
- 4 (g) The failure to maintain a sink with hot and cold running water in the clinic area, separate from restrooms, shall
5 result in civil penalty in the amount of one hundred dollars (\$100.00).
- 6 (h) The failure to provide ventilation at all times in the areas where patrons are serviced in cosmetic art shops shall
7 result in civil penalty in the amount of twenty-five dollars (\$25.00).
- 8 (i) The failure to screen all doors and windows open for ventilation shall result in civil penalty in the amount of
9 twenty-five dollars (\$25.00).
- 10 (j) The failure to maintain equipment and supplies necessary to perform any cosmetic art service offered in the shop
11 shall result in civil penalty in the amount of one hundred dollars (\$100.00).
- 12 (k) The failure to maintain a sanitation grade of 80 percent or higher shall result in a civil penalty in the amount of
13 two hundred dollars (\$200.00).
- 14 (l) Repeated violations of the rules in this Subchapter exceeding three written notifications of any one rule
15 documented to any one individual, shop, or school shall result in a mandatory disciplinary hearing in accordance
16 with 21 NCAC 14C.

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18 *History Note: Authority G.S. 88B-2; 88B-4; 88B-14; 88B-23; 88B-24; 88B-26; 88B-27; 88B-29;*
19 *Eff. April 1, 2012;*
20 *Readoption Eff. October 1, 2015;*
21 *Amended Eff. August 1, 2014.*
22

1 21 NCAC 14T .0205 NATURAL HAIR CARE SCHOOLS IS PROPOSED FOR AMENDMENT AS
2 FOLLOWS:

3 21 NCAC 14T .0205 NATURAL HAIR CARE SCHOOLS

4 Natural Hair Care Styling Schools must have the following physical departments: Advanced Clinic Department - a
5 minimum clinic floor of 600 square feet which shall accommodate a maximum of 16 enrolled advanced students.
6 Schools must provide an additional 7.5 square feet on the clinic floor for each enrolled advanced student over 16.
7

8 *History Note: Authority G.S. 88B-2; 88B-4; 88B-16; 88B-17;*

9 *Eff. January 1, 2012;*

10 *Amended Eff. October 2, 2015; October 1, 2012.*

1 21 NCAC 14T .0305 EQUIPMENT FOR NATURAL HAIR CARE STYLING SCHOOLS IS
2 PROPOSED FOR AMENDMENT AS FOLLOWS:

3 21 NCAC 14T .0305 EQUIPMENT FOR NATURAL HAIR CARE STYLING SCHOOLS

4 (a) The ~~beginner practice~~ department in a natural hair care styling school must be equipped with the following:

- 5 (1) ~~One shampoo bowl and chair. Each side approach shampoo bowl must be at least 40 inches apart,~~
6 ~~center of bowl to center of bowl; free standing shampoo bowls must be at least 31 inches apart,~~
7 ~~center of bowl to center of bowl;~~
8 (2)(1) Styling equipment for the purpose of natural hair care;
9 (3)(2) Visual aids;
10 (4)(3) One mannequin practice table/stand to accommodate each student.

11 (b) The ~~advanced clinic~~ department in a natural hair care styling school must be equipped with the following:

- 12 (1) Two shampoo bowls and chairs. Each side approach shampoo bowl must be 40 inches apart
13 center of bowl to center of bowl; free standing shampoo bowls must be 31 inches apart center of
14 bowl to center of bowl;
15 (2) Eight stations. A station shall include one mirror and one hydraulic chair;
16 (3) ~~Two~~ One hooded floor type dryers; and
17 (4) Styling equipment for the purpose of natural hair care.

18 (c) The ~~advanced clinic~~ department in a natural hair care styling school must be equipped with the following if there
19 are more than 16 enrolled advanced students:

- 20 (1) One station for each additional two students; a station shall include one mirror and one hydraulic
21 chair;
22 (2) ~~One hooded dryer for each additional 10 students; and~~
23 (3) ~~One shampoo bowl for each additional 10 students.~~
24

25 *History Note: Authority G.S. 88B-2; 88B-4; 88B-16; 88B-17;*
26 *Eff. January 1, 2012;*
27 *Amended Eff. October 1, 2015; October 1, 2012.*
28

1 21 NCAC 14T .0601 COSMETIC ART CURRICULA IS PROPOSED FOR AMENDMENT AS
2 FOLLOWS:

3 SECTION .0600 - CURRICULA
4

5 21 NCAC 14T .0601 COSMETIC ART CURRICULA

6 (a) Cosmetic art schools must develop and submit to the Board a curriculum of each discipline to be taught at the
7 school. The curriculum, once approved by the Board's standards listed in Rules .0602-.0610 of this Section must be
8 adhered to and lessons developed from the approved curriculum.

9 (b) Before a student may perform a live model service the student must pass the respective mannequin service
10 evaluation plan and blood exposure and disinfection procedure evaluation plan. ~~move from the beginner department~~
11 ~~to the advanced, the minimum requirements shall be met.~~

12 (c) Performances shall be defined as the systematic completion of the steps for safe and effective cosmetic art
13 services to a client.

14 (d) All cosmetic art students shall receive training on Material Safety Data Sheets prepared by the manufacturer on
15 all products used by the school's students in performances.

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17 *History Note: Authority G.S. 88B-2; 88B-4; 88B-16; 88B-17;*

18 *Amended Eff. October 1, 2015;*

19 *Eff. January 1, 2012.*
20

1 21 NCAC 14T .0602 COSMETOLOGY CURRICULUM IS PROPOSED FOR AMENDMENT AS
 2 FOLLOWS:

3 21 NCAC 14T .0602 COSMETOLOGY CURRICULUM

4 (a) To meet the approval of the Board, a cosmetologist training course shall consist of 1500 hours of instruction in
 5 theory and practical application, divided as follows:
 6

Theory	Hours	Performances
Beginners: Professional image, sanitation, bacteriology, disinfection, first aid, anatomy, electricity, chemistry, professional ethics, draping, shampooing, roller sets, pin curls, ridge curls with C shaping, fingerwaves, braids, artificial hair, up-styles, blowdrying brush control, blowdrying with curling iron, pressing or thermal, hair cutting, partings, perm wraps, relaxer sectioning, color application sectioning, scalp treatments, manicures, pedicures, and artificial nails.	300	
Advanced: Styles and techniques of cosmetology services including arranging, dressing, curling, waving; cutting techniques and implements including razors, clippers, thinning shears, and shears, cleansing, cutting, singeing, bleaching, or coloring hair; esthetics and manicuring; and business management and salon business.	1200	
Performance Requirements		Performances
Scalp and hair treatments		40.5
Fullhead fingerwave and style		40.5
Fullhead pincurl and style		40.5
Hair styling - sets, blowdrying, thermal press or flat iron, and artificial hair		170
Haircuts		85
Chemical reformation or permanent waving and relaxers		35
Temporary color		2
Color application - semi, demi, permanent color, and hair lightening		40
Multidimensional color - low or high lighting, cap, or bleach		25
Lash and brow color		2
Nail care - manicures and pedicures		15
Artificial nails sets		10
Facials with surface manipulations		10

Makeup application		2
Hair removal – removal – razor, cream, waxing, or tweezing		5

1 (b) ~~A minimum of 300 hours of theory shall be required prior to conducting live model performances on the public.~~
2 Performances shall be defined as the systematic completion of the steps for safe and effective cosmetic art services
3 to a client.

4 (c) Certification of performance completions shall be required on the graduation form and application for the Board
5 examination.

6 (d) Sharing of performance completions shall not be allowed.

7 (e) Credit for a performance shall be given to only one student.

8 (f) A "nail set" means one hand including all four fingers and thumb.

9

10 *History Note: Authority G.S. 88B-4; 88B-16;*

11 *Eff. January 1, 2012;*

12 *Amended Eff. October 1, 2015; January 1, 2015; June 1, 2013; October 1, 2012.*

13

1 21 NCAC 14T .0603 APPRENTICE COSMETOLOGY CURRICULUM IS PROPOSED FOR
 2 AMENDMENT AS FOLLOWS:

3 21 NCAC 14T .0603 APPRENTICE COSMETOLOGY CURRICULUM

4 (a) To meet the approval of the Board, an apprentice cosmetologist training course shall consist of 1200 hours of
 5 instruction in theory and practical application, divided as follows:
 6

Theory	Hours	Performances
Beginners: Professional image, sanitation, bacteriology, disinfection, first aid, anatomy, electricity, chemistry, professional ethics, draping, shampooing, roller sets, pin curls, ridge curls with C shaping, fingerwaves, braids, artificial hair, up-styles, blowdrying brush control, blowdrying with curling iron, pressing or thermal, hair cutting, partings, perm wraps, relaxer sectioning, color application sectioning, scalp treatments, manicures, pedicures, and artificial nails.	300	
Advanced: Styles and techniques of cosmetology services including arranging, dressing, curling, waving; cutting techniques and implements including razors, clippers, thinning shears, and shears, cleansing, cutting, singeing, bleaching, or coloring hair; esthetics and manicuring; and business management and salon business.	900	
Performance Requirements		Performances
Scalp and hair treatments		84
Fullhead fingerwave and style		63
Fullhead pincurl and style		63
Hair styling - sets, blowdrying, thermal press or flat iron, and artificial hair		136
Haircuts		68
Chemical reformation or permanent waving and relaxers		27
Temporary color		1
Color application - semi, demi, permanent color, and hair lightening		19
Multidimensional color - low or high lighting, cap, or bleach		8
Lash and brow color		1
Nail care - manicures and pedicures		12
Artificial nails sets		8

Facials with surface manipulations		7
Makeup application		1
Hair removal – removal – razor, cream, waxing, or tweezing		3

1 ~~(b) A minimum of 300 hours of theory shall be required prior to conducting live model performances on the public.~~

2 Performances shall be defined as the systematic completion of the steps for safe and effective cosmetic art services
3 to a client.

4 (c) Certification of performance completions shall be required on the graduation form and application for the Board
5 examination.

6 (d) Sharing of performance completions shall not be allowed.

7 (e) Credit for a performance shall be given to only one student.

8 (f) A "nail set" means one hand including all four fingers and thumb.

9
10 *History Note: Authority G.S. 88B-4; 88B-16;*

11 *Eff. January 1, 2012;*

12 *Amended Eff. October 1, 2015; January 1, 2015; June 1, 2013; September 1, 2012.*

13

21 NCAC 14T .0604 ESTHETICS CURRICULUM IS PROPOSED FOR AMENDMENT AS
FOLLOWS:

21 NCAC 14T .0604 ESTHETICS CURRICULUM

(a) To meet the approval of the Board, an esthetician training course shall consist of at least 600 hours of instruction in theory and practical application, divided as follows:

Theory and Performance Requirements	Hours	Performances
Beginners: anatomy or physiology, hygiene, disinfection, first aid, chemistry, draping, facial or body treatment (cleansing, manipulations, masks), hair removal, basic dermatology, machines, electricity, apparatus, aromatherapy, nutrition, and make-up or color theory,	40	
Advanced: Styles and techniques of esthetics services including facials, makeup application, performing skin care, hair removal, eyelash extensions, and applying brow and lash color; business management; and professional ethics	560	
Performance Requirements		Performances
Facials Manual (skin analysis, cleansing, surface manipulations, packs, and masks)		40
Facials Electronic (the use of electrical modalities, including dermal lights, and electrical apparatus for facials and skin care including galvanic and faradic)		30
Eyebrow arching		20
Hair removal (hard wax, soft wax, and depilatories)		30
Makeup application (skin analysis, complete and corrective makeup)		30
Eyelash extensions		10
Brow and lash color		10

~~(b) A minimum of 40 hours of theory shall be required prior to conducting live model performances on the public.~~
Performances shall be defined as the systematic completion of the steps for safe and effective cosmetic art services to a client.

(c) Certification of performance completions shall be required on the graduation form and Board's application for the examination.

(d) Sharing of performance completions shall not be allowed.

(e) Credit for a performance shall be given to only one student.

*History Note: Authority G.S. 88B-2; 88B-4; 88B-16; 88B-17;
Eff. January 1, 2012;*

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Amended Eff. January 1, 2015; August 1, 2014.

1 **21 NCAC 14T .0605 MANICURING CURRICULUM IS PROPOSED FOR AMENDMENT AS**
 2 **FOLLOWS:**

3 **21 NCAC 14T .0605 MANICURING CURRICULUM**

4 (a) To meet the approval of the Board, a manicurist training course shall consist of at least 300 hours of instruction
 5 in theory and practical application, divided as follows:
 6

Theory and Performance Requirements	Hours	Performances
Beginners: Manicuring theory, disinfection, first aid, trimming, filing, shaping, decorating, arm and hand manipulation, sculptured and artificial nails; and pedicuring	25	
Advance: Styles and techniques for the care, treatment, and decoration of fingernails, toenails, cuticles, nail extensions and artificial nails; electric file; business management; and professional ethics	275	
Performance Requirements		Performances
Manicures including trimming, filing, shaping, decorating, and arm and hand manipulations		15
Applications or repair of sculptured or artificial nail sets		20
Pedicures		10

7
 8 (b) ~~A minimum of 25 hours of theory shall be required prior to conducting live model performances on the public.~~
 9 Performances shall be defined as the systematic completion of the steps for safe and effective cosmetic art services

10 to a client. (c) Certification of performance completions shall be required on the graduation form and Board's
 11 application for the examination.

12 (d) Sharing of performance completions shall not be allowed.

13 (e) Credit for a performance shall be given to only one student.

14 (f) A "nail set" means one hand including all four fingers and thumb.

15
 16 *History Note: Authority G.S. 88B-2; 88B-4; 88B-16; 88B-17;*

17 *Eff. January 1, 2012;*

18 *Amended Eff. October 1, 2015; January 1, 2015; August 1, 2014.*
 19

1 **21 NCAC 14T .0606 NATURAL HAIR CARE CURRICULUM IS PROPOSED FOR AMENDMENT**
 2 **AS FOLLOWS:**

3 **21 NCAC 14T .0606 NATURAL HAIR CARE CURRICULUM**

4 (a) To meet the approval of the Board, a natural hair care styling training course shall consist of 300 hours of
 5 instruction in theory and practical application, divided as follows:
 6

Theory	Hours	Performances
Beginners: Sanitation, bacteriology, disinfection, first aid, shampooing, draping, anatomy, disorders of the hair and scalp, and client consultation.	25	
Advanced: Styles and techniques of natural hair styling including twisting, wrapping, extending, locking, blowdry and thermal iron; and business management; and professional ethics.	275	
Performance Requirements		Performances
Braids		10
Twists		10
Knots		5
Corn rows		5
Hairlocking		10
Artificial hair and decorations		10
Blow dry and thermal iron		10
Braid Removal		10

7
 8 (b) ~~A minimum of 25 hours of theory shall be required prior to conducting live model performances on the public.~~
 9 Performances shall be defined as the systematic completion of the steps for safe and effective cosmetic art services
 10 to a client. (c) Certification of performance completions shall be required on the graduation form and Board's
 11 application for the Board examination.

12 (d) Sharing of performance completions shall not be allowed unless the live model service consists of 20 or more
 13 lengths of hair.

14 (e) Credit for a performance shall be given to only one student.

15 (f) A performance shall consist of 10 or more lengths of hair.

16
 17 *History Note: Authority G.S. 88B-2; 88B-4; 88B-16;*
 18 *Eff. January 1, 2012;*
 19 *Amended Eff. October 1, 2015; January 1, 2015; August 1, 2014; June 1, 2013.*
 20

1 21 NCAC 14T .0607 COSMETOLOGY TEACHER TRAINEE CURRICULUM IS PROPOSED FOR
2 READOPTION AS FOLLOWS:

3 21 NCAC 14T .0607 COSMETOLOGY TEACHER TRAINEE CURRICULUM

4 (a) To meet the approval of the Board, a cosmetologist teacher training course must consist of at least 800 hours of
5 instruction in theory and practical application, divided as follows:

Requirement Description	Hours
Theory: observation theory, motivation, business management, student relations, teaching techniques, preparing lesson plans, facilitating student shop internship, preparing class lectures and presentations, preparing examinations, grading and G.S. 88B and the rules of the Board	150
Practical Application: Conducting theory classes from prepared lessons, preparing and giving examinations and giving practical demonstrations	650

6
7 (b) A minimum of 150 hours of theory is required prior to trainees' being permitted to instruct in a cosmetic art
8 classroom.

9
10 *History Note: Authority G.S. 88B-2; 88B-4; 88B-16; 88B-17;*

11 *Amended Eff. October 1, 2015;*

12 *Eff. January 1, 2012.*

1 **21 NCAC 14T .0608 ESTHETIC TEACHER TRAINEE CURRICULUM IS PROPOSED FOR**
2 **READOPTION AS FOLLOWS:**

3 **21 NCAC 14T .0608 ESTHETIC TEACHER TRAINEE CURRICULUM**

4 (a) To meet the approval of the Board, under the standards set out in these Rules an esthetician teacher training
5 course must consist of at least 650 hours of instruction in theory and practical application, divided as follows:

Requirement Description	Hours
Theory: observation theory, motivation, business management, student relations, teaching techniques, preparing lesson plans, preparing class lectures and presentations, preparing examinations, grading and G.S. 88B and the rules of the Board	120
Practical Application: Conducting theory classes from prepared lessons, preparing and giving examinations and giving practical demonstrations	530

6
7 (b) A minimum of 120 hours of theory is required prior to trainees' being permitted to instruct in a cosmetic art
8 classroom.

9
10 *History Note: Authority G.S. 88B-2; 88B-4; 88B-16; 88B-17;*
11 *Readoption Eff. October 1, 2015;*
12 *Eff. January 1, 2012.*
13

1 21 NCAC 14T .0609 MANICURIST TEACHER TRAINEE CURRICULUM IS PROPOSED FOR
2 READOPTION AS FOLLOWS:

3 21 NCAC 14T .0609 MANICURIST TEACHER TRAINEE CURRICULUM

4 (a) To meet the approval of the Board, under the standards set out in these Rules a manicurist teacher training
5 course must consist of at least 320 hours of instruction in theory and practical application, divided as follows:

Requirement Description	Hours
Theory: observation theory, motivation, business management, student relations, teaching techniques, preparing lesson plans, grading, preparing class lectures and presentations, preparing examinations and G.S. 88B and the rules of the Board	115
Practical Application: Conducting theory classes from prepared lessons, preparing and giving examinations and giving practical demonstrations	205

6
7 (b) A minimum of 115 hours of theory is required prior to trainees' being permitted to instruct in a cosmetic art
8 classroom.

9
10 *History Note: Authority G.S. 88B-2; 88B-4; 88B-16; 88B-17;*
11 *Readoption Eff. October 1, 2015;*
12 *Eff. January 1, 2012.*
13

1 21 NCAC 14T .0610 NATURAL HAIR CARE TEACHER CURRICULUM IS PROPOSED FOR
2 READOPTION AS FOLLOWS:

3 21 NCAC 14T .0610 NATURAL HAIR CARE TEACHER CURRICULUM

4 (a) To meet the approval of the Board, under the standards set out in these Rules natural hair care teacher training
5 course must consist of at least 320 hours of instruction in theory and practical application, divided as follows:

Requirement Description	Hours
Theory: observation theory, motivation, business management, student relations, teaching techniques, preparing lesson plans, grading, preparing class lectures and presentations, preparing examinations and GS 88B and the rules of the Board	115
Practical Application: Conducting theory classes from prepared lessons, preparing and giving examinations and giving practical demonstrations	205

6
7 (b) A minimum of 115 hours of theory is required prior to trainees' being permitted to instruct in a cosmetic art
8 classroom.

9

10 *History Note: Authority G.S. 88B-2; 88B-4; 88B-16; 88B-17;*

11 *Readoption Eff. October 1, 2015;*

12 *Eff. January 1, 2012.*

13

1 21 NCAC 14T .0612 INSTRUCTION GUIDELINES IS PROPOSED FOR AMENDMENT AS FOLLOWS:

2 21 NCAC 14T .0612 INSTRUCTION GUIDELINES

3 (a) The hours earned in the advanced clinic department must be devoted to study and performance completions.

4 (b) Work in the advanced clinic department may be done on the public. ~~Cosmetology and apprentice students with fewer~~
5 ~~than 300 hours, esthetician students with fewer than 75 hours, and manicurist and natural hair care students with fewer~~
6 ~~than 60 hours shall not work in this department and are not allowed to work on the public except shampoo and scalp~~
7 ~~manipulations.~~

8 (c) All work done by students on the public must be checked by the cosmetic art teacher as the work is being performed
9 and after the service has been completed so that the teacher may point out errors to the student in order that the errors
10 may be corrected.

11 (d) Cosmetic art students shall receive training on theory of any cosmetic art service prior to performing that service.

12 (e) Theory work shall include lectures on theory subjects as well as demonstrations, questions and answers on textbooks,
13 written examinations, and in-class practice of procedures and methods.

14 (f) Cosmetic art teacher trainees must be enrolled in school to earn hours.

15 (g) Cosmetic art schools must supply each student with a copy of the North Carolina Cosmetic Art Act, Board rules, and
16 the student handbook.

17 (h) All of the work outlined in the ~~beginners' practice~~ department and the advanced clinic department shall be given to
18 the students through practical demonstrations and lectures, questions and answers on textbooks, and written exam.

19 (i) A minimum of 10 percent of scheduled attendance time each week will be spent on theory instruction, questions and
20 answers on textbooks, and the administration of a written exam to full time students.

21 (j) All papers shall be graded and returned to the students.

22 (k) Cosmetic art students shall receive training and practice only in the discipline in which they are enrolled.

23 (l) All live model performances on the public must be done in the advanced clinic department. Mannequin performances
24 and live model performances on other students may be performed in the advanced clinic department or in an advanced
25 clinic department classroom or room within the school with the required space and equipment for practice.

26 (m) Textbooks shall not be used more than five years after original publication date.

27 (n) Schools must provide textbooks and supplementary educational materials and equipment to students.

28
29 *History Note: Authority G.S. 88B-4; 88B-16;*

30 *Eff. January 1, 2012;*

31 *Amended Eff. October 1, 2015; June 1, 2013; October 1, 2012.*

32

1 21 NCAC 14T .0701 SCHOOL OPERATIONS/LICENSURE MAINTENANCE IS PROPOSED FOR
2 AMENDEMENT AS FOLLOWS:

3 SECTION .0700 - SCHOOL LICENSURE, OPERATIONS, CLOSING AND RELOCATING SCHOOLS
4

5 21 NCAC 14T .0701 SCHOOL OPERATIONS/LICENSURE MAINTENANCE

6 (a) No individual shall be given credit for any hours earned in a cosmetic art school before the date the school is
7 granted a license, before the student is enrolled, or after graduation or withdrawal of the student without a new
8 enrollment.

9 (b) All Cosmetic Art schools shall submit hours of operation per cosmetic art discipline to the Board. Any changes
10 to the hours of operation shall be submitted to the Board. A school will be considered open by the Board when
11 cosmetic art instruction, services, or performances are provided.

12 (c) Students may be required to clean and disinfect work areas, reception areas, implements, and the dispensary.
13 Students shall not be required to perform regular maintenance.

14 (d) All cosmetic art schools shall adhere to all Board sanitation regulations located in 21 NCAC 14H Sanitation.

15 (e) Cosmetic art schools may permit students to leave the cosmetic art school during instructional time to visit on
16 campus libraries and other educational resource rooms such as computer labs for research and study under the
17 supervision of a cosmetic art instructor.

18 (f) Cosmetic art schools shall use the following grading scale as a minimum for passing grades:

Grade A	100-90
Grade B	80-89
Grade C	70-79
Grade F (Fail)	0-69

19 (g) Cosmetic art schools shall not graduate any student who has not met the minimum school and Board
20 requirements for graduation.

21 (h) Examinations shall be administered in all subjects of the cosmetic art curriculum.

22 (i) Students present at school shall be supervised by a cosmetic art teacher at all times. If a guest lecturer is leading
23 a class, at least one cosmetic art teacher must be present in the lecture.

24 (j) All cosmetic art schools shall provide:

25 (1) One teacher for every 25 students enrolled in the beginner practice department;

26 (2) One teacher for every 20 students during practical work on live models in the advanced clinic
27 department; and

28 (3) Cosmetic art teachers at a ratio of 1:25 teacher to teacher trainees; or

29 (A) one teacher and up to 25 beginner practice cosmetic art students and 5 teacher trainees; or

30 (B) one teacher and up to 20 cosmetic art students in practice on the clinic floor and 5 teacher
31 trainees.

32 (k) In theory classes, the teacher-student ratio may exceed the ratios established in this Rule.

33 (l) The teacher student ratios established in this Rule shall be adhered to when schools are in operation.

1 (m) A teacher may administer instruction to up to 10 students enrolled in ~~beginner~~ practice and ~~advanced~~ clinic
2 departments at the same time. A teacher shall not administer instruction to more than 10 students enrolled in
3 ~~beginner practice and advanced clinic~~ departments at the same time.

4 (n) At no time can any one teacher be simultaneously responsible for students in a theory class and students in
5 practice on the clinic floor.

6 (o) In cases of change in teaching staff, the school shall notify the Board of the change in writing prior to beginning
7 instruction. A change in teaching staff includes any substitution for the regularly scheduled teacher and any change,
8 scheduled or otherwise, in the list of teachers last given to the Board.

9 (1) All courses in a cosmetic art school shall be taught by a licensed cosmetology teacher, except as
10 follows:

11 (A) manicuring courses may be taught by either a licensed cosmetology teacher or a licensed
12 manicurist teacher;

13 (B) natural hair care courses may be taught by either a licensed cosmetology teacher or a
14 licensed natural hair care teacher;

15 (C) esthetics courses may be taught by either a licensed cosmetology teacher or a licensed
16 esthetician teacher.

17 (2) A licensed cosmetologist not licensed as a cosmetology teacher may substitute for a cosmetology,
18 esthetician, natural hair care or manicurist teacher; a licensed manicurist not licensed as a
19 manicurist teacher may substitute for a manicurist teacher; a licensed natural hair care specialist
20 not licensed as a natural hair care teacher may substitute for a natural hair care teacher; and a
21 licensed esthetician not licensed as an esthetician teacher may substitute for an esthetician teacher.

22 (p) In no event may any cosmetic art licensee substitution last for more than 15 consecutive working days per year
23 per teacher. If any teacher substitution is 16 consecutive days or longer, the school shall provide a new cosmetic art
24 teacher.

25 (q) Enrolled students may earn a maximum of 10 hours per day per discipline of cosmetic art and a maximum of 48
26 hours per week per discipline. A student enrolled in more than one cosmetic art discipline may not earn hours or
27 complete performances concurrently.

28 (r) A cosmetic art student must complete at least 1/3 of the minimum required hours in the cosmetic art school
29 certifying his or her application for the state board examination.

30 (s) Upon written petition by the student and the school, the Board shall make an exception to the requirements set
31 forth in Paragraph (r) of this Rule if the student shows that circumstances beyond the student's control prohibited
32 him or her from completing a minimum of 1/3 hours at the school certifying his or her application.

33 (t) The Board shall certify student hours for any North Carolina cosmetic art school that is closed. The Board shall
34 not certify student hours between any North Carolina open cosmetic art schools. The Board shall certify student
35 hours earned at North Carolina cosmetic art schools to other state boards and schools open outside of the state of
36 North Carolina as set forth in Rule .0502 of this Subchapter.

37

1 *History Note: Authority G.S. 88B-2; 88B-4; 88B-16;*
2 *Eff. February 1, 2012;*
3 *Amended Eff. October 1, 2015; August 1, 2014; June 1, 2013; October 1, 2012*
4

**21 NCAC 14T .0705 SCHOOL PERFORMANCE REQUIREMENTS IS PROPOSED FOR
READOPTION AS FOLLOWS:**

21 NCAC 14T .0705 SCHOOL PERFORMANCE REQUIREMENTS

- (a) Each cosmetic art school shall meet or exceed a program completion rate of at least 50 percent during any five year period and shall meet or exceed a student pass rate on state licensure examinations of at least 70 percent during any two year period.
- (b) The school shall allow the teachers to have the opportunity to prepare for class, evaluate students' progress in the course, counsel students individually, and participate in activities of continuing education.
- (c) Cosmetic art schools shall provide to substitutes copies of lesson plans and the performance evaluation plan for the successful grading of clinical performances.
- (d) School attendance policies shall give appropriate performances attendance credit for all hours attended.
- (e) If a graduate meets all the financial, hours, academic, and performance requirements, the school shall provide the student with the examination application.
- (f) Cosmetic art schools shall maintain current bond according to G.S. 88B-17 and shall submit certification of renewal or new bond prior to expiration of the bond approved by the Board.
- (g) At the time of renewal, each school shall submit to the Board financial records of prepaid tuition and a letter signed by an authorized representative of the school documenting the calculations made and the method of computing the amount of the bond for the preceding year. Each school shall maintain and submit to the Board proof of bond in an amount of ten thousand dollars (\$10,000), or equivalent to prepaid tuition received during the previous year, whichever is greater.

*History Note: Authority G.S. 88B-2; 88B-4; 88B-16; 88B-17;
Eff. January 1, 2012;
Readoption Eff. October 1, 2015;
Amended Eff. January 1, 2015; September 1, 2012.*