TITLE 175. OKLAHOMA STATE BOARD OF COSMETOLOGY AND BARBERING

RULES AND REGULATIONS

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COSMETOLOGY AND BARBERING LAW

Cosmetology Law - Title 59 O.S. Sections 199.1 et seq **60-74**

State of Oklahoma

Oklahoma State Board of Cosmetology and Barbering

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

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

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

Sherry G. Lewelling, Executive Director

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Anthony Baldini, Vice Chair
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Dianna Fisher
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TITLE 175. STATE BOARD OF COSMETOLOGY AND BARBERING

CHAPTER 1. ADMINISTRATIVE OPERATIONS

SUBCHAPTER 1. GENERAL PROVISIONS

175:1-1-1. Purpose

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

175:1-1-2. Definitions

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

"**Act**" means the Oklahoma Cosmetology and Barbering Act.

"**Apprentice**" means a person who is engaged in learning the practice of cosmetology or barbering in a cosmetology or barber establishment. [Title 59 O.S. Section 199.1]

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

"Barber/Barber Stylist" means any person who engages in the practice of barbering.

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

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

"Barber school or college" means an Establishment operated for the purpose of teaching barbering.

"Board" means the State Board of Cosmetology and Barbering.

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

"Cosmetic studio" means any place or premises where demonstrators give demonstrations,

without compensation, for the purpose only of advertising and selling cosmetics.

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

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

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

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

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

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

"Demonstrator" means a person who is not licensed in this state as a Cosmetologist, Barber or Instructor and who demonstrates any cosmetic preparation. The person shall be required to obtain a Demonstrator license from the Board before making any such demonstrations.

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

"Emergency circumstances" means a serious injury, illness or death in the immediate family

of applicant for registration, examination, licensure, etc.

"Establishment" means a place or premises, cosmetology salon or barber shop, cosmetic or other specialty shop/salon where any one or combination of cosmetology or barbering practices are performed on the public except that the term shall not include a cosmetology or barbering school.

"Esthetician/Facialist/Facial Operator" means a person licensed by the Board to perform skin care, make-up and hair removal services to the public provided the hair removal services shall not include electrolysis.

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

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

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

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

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

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

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

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

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

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

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

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

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

SUBCHAPTER 3. BOARD STRUCTURE AND AGENCY ADMINISTRATION

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

(a) The Board is composed of eleven (11) 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, and 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.

(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.

SUBCHAPTER 5. RULES OF PRACTICE

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.

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

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

175:1-5-4. Board sanctions

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

(1) Revocation of license; or
(2) Suspension of license; or
(3) Refusal to issue license; or
(4) Placing licensee on probation.
(5) Fines for citations for violations of the Cosmetology and Barber Act or Board rules as in Rule 175:1-5-15.

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

175:1-5-5. 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 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/Barber 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.

175:1-5-7. Disciplinary hearing

(a) Notice in writing of disciplinary hearing date, including statement of allegations, shall be mailed to the person charged at least five (5) days before public hearing. Notice shall contain the following information:

(1) Date, time and place of hearing;
(2) Description of alleged violations;
(3) Statement of legal authority and jurisdiction under which the hearing is to be held;
(4) Reference to the particular section of the statutes or rules allegedly violated.

(b) The notice of hearing shall be sent to the last known address of the party involved by certified or registered mail with return receipt requested or delivered by personal service.
(c) The Board shall have the power to subpoena witnesses and administer oaths or to subpoena documentary evidence in any case before it as provided for in the Administrative Procedures Act.
(d) All final orders of the Board shall be public records.
(e) All respondents shall be notified of the right to appear in person and to be represented by counsel. All respondents shall have the right to call and examine witnesses. Any person notified to appear will

have the opportunity to appear and if no appearance is made, the proceedings may be held in his absence.
(f) All hearings shall be open to the public in accordance with the State's Open Meeting Act [12 O.S. Section 301-314].

175:1-5-8. Board meeting; public notice and agenda; minutes available
(a) The Board shall meet at its office for the transaction of Board business on the second Monday of January, March, May, July, September and November and at other times deemed advisable.
(b) Advanced public notice shall specify the date, time and place of each Board meeting/hearing scheduled to be convened. The public notice shall be posted in prominent public view at the principal office of the Board and at such room or other place of such meeting/hearing.
(c) The posting of an agenda shall not preclude the public body from considering at its regularly scheduled meeting any new business not known about or which could not have reasonably been foreseen prior to the time of posting of agenda.
(d) Upon request, minutes may be transcribed and made available at cost provided written request is made and fee prepaid by party making request.

175:1-5-9. Appeals
Appeals from orders/actions of the State Board of Cosmetology 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.

175:1-5-10. Findings of fact; license reinstatement
(a) All findings of fact shall be based on the evidence presented and on matter officially noticed. All final orders shall include findings of fact and conclusions of law, separately stated. Findings of fact, if set forth in the statutory language, shall be accompanied by a concise and explicit statement of the underlying facts supporting the findings. A copy of the order shall be delivered to each party involved and his attorney.
(b) Any person whose license or registration has been suspended or revoked, may after thirty (30) days, make application to the Board requesting reinstatement of the license or registration. Reinstatement of any such license or registration shall rest in the sound discretion of the Board.

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

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

175:1-5-13. Agency rulemaking

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

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

175:1-5-15. Schedule of fines

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

(1) Engaging in barbering in any of the licensed practices without a license
- (A) First: $250
- (B) Subsequent: $500

(2) Employing an unlicensed person to perform cosmetology or barbering (per person):
- (A) First: $250
- (B) Subsequent: $500

(3) Allowing a barbering student or barber apprentice to work without direct supervision:
- (A) First: $50
- (B) Subsequent: $50

(4) Training more than one apprentice per Establishment (fine per apprentice):
- (A) First: $50
- (B) Subsequent: $50

(5) Operating a barber work station in violation of any general disinfection 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 disinfection 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

SUBCHAPTER 7. BOARD RECORDS AND FORMS

175:1-7-1. Applications/documents submitted become property of the board
(a) All applications to the board and accompanying documentation records submitted to the board shall become the property of and shall be retained by the board.
(b) All applications for registration, examination, license and other applications shall be made on forms approved by the board. Approved forms are available from the board.

175:1-7-2. License records and records of proceedings; open records; procedures for public access
(a) Records not confidential or privileged will be available for inspection and/or copying during regular business hours pursuant to the Open Records Act [Title 59 O.S. Section 24 A.1 - 24A.2].
(b) Members of the public wishing to inspect records must schedule time with Board staff.
(c) The Board may charge a reasonable copy and/or search fee of $1.00 for the first page and .10 cents for each additional page for copies of open records.

175:1-7-3. Forms available from the Board
All official Board forms have been adopted in accordance with the Administrative Procedures Act. Interested persons may contact the Board in order to obtain a form from the Board.

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

SUBCHAPTER 1. GENERAL PROVISIONS

175:10-1-1. Purpose
The rules of this Chapter are established and herein set forth for the protection of the health and welfare of the general public as relates to sanitary and safety practices in cosmetology and barber Establishments and schools.

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

SUBCHAPTER 3. LICENSURE OF SCHOOLS

PART 1. INITIAL SCHOOL LICENSING

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

In order to be in compliance with current Cosmetology 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 school, the letter of intent shall specify the name and address of the existing school.

(B) **Application form.** The license application form shall be completed in full making note whether the school intends to operate as a secondary/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 classes in the proposed cosmetology or barbering 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 classes in the proposed 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 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 school shall also pay the annual license renewal fee of $125.00. Each school license shall expire annually on June 30th. No provision is made for pro rata of any 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 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 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 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 school shall be submitted to the Board. 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 school is proposed to be conducted is publicly owned.

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

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

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

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

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

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

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

175:10-3-2. Initial inspection

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

(b) **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 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 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 school building space must contain a minimum of twenty-two hundred (2,200) square feet of floor space. The Board considers a working are 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) The proposed school plans shall contain a facial and skin care room designed to provide maximum sanitation methods and privacy to patrons.

(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 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 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.

(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, 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.

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

(a) An initial 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 school license is issued the school is approved to conduct courses in accordance with Board rules, regulations and cosmetology and barber law.

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

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

PART 3. STUDENT REGISTRATION AND ENTRANCE REQUIREMENTS

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

175:10-3-16. Student entrance requirements

Student entrance requirements for the Basic Cosmetologist, Manicurist/Nail Technician, Cosmetician, Hairbraiding Technician, 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 Board 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 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 school. Admission to public schools is governed by applicable state and federal laws.

PART 5. EQUIPMENT AND CURRICULUM REQUIREMENTS

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

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

Board at a current cost of printing and delivery to each 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) Four (4) hair dryers – hood or chair type
(13) Twelve (12) blow-dryers (one for each additional 15 students or major fraction thereof)
(14) Twelve (12) curling irons (one for each additional 15 students or major fraction thereof)
(15) One (1) mannequin for each student
(16) Four hundred (400) permanent wave rods and other permanent wave supplies as necessary
(17) Twenty (20) work/styling stations with mirrors
(18) Twenty (20) styling chairs
(19) Five (5) covered waste receptacles
(20) One (1) large closed cabinet for clean towels

(21) Four (4) large covered receptacles for soiled towels (one for each additional 15 students or major fraction thereof)
(22) One (1) large dispensary cabinet
(23) 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) One (1) covered hair pin or clippie container for each student. This is a requirement for a cosmetology school and not a barber school.
(25) Subscriptions to at least three (3) professional cosmetology related periodicals (electronic periodicals are acceptable)
(26) Four (4) heaters and irons and/or four (4) electric pressing combs
(27) Five (5) head forms
(28) Five (5) wefts

(b) Other additional equipment shall be required if the Boards 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.

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

175:10-3-33. Required textbooks

Textbooks must be approved by the Board that adequately covers the prescribed curricula and prepares students for State Board testing. Other textbooks and reference material may be used to enhance the 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 curriculum (pure cosmetology) is prescribed as follows: (Note: Hours may be measure in credits and ratio is as recognized by the United States Department of Education as recognized by a national accreditation entity as 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
(2) Manicuring and pedicuring (including sculptured nails and tips and other artificial nail application procedures and care) 90 clock hours
(3) Facials (skin care training includes make-up, waxing and/or other methods for non-permanent hair removal) 30 clock hours
(4) Scalp treatments 30 clock hours
(5) Shampooing/conditioning rinses 60 clock hours
(6) Hairstyling, including finger waving, the dressing of wigs, thermal and blow drying 390 clock hours
(7) Hair color tints and bleaching and other color treatments 120 clock hours
(8) Hair cutting and hair shaping with shears and thinning shears (scissors) razor and clipper (includes beard) 180 clock hours

(9) Lash and brow tinting and arching 30 clock hours
(10) Professional development, Establishment management and unassigned hours for review, examinations, etc. 180 clock hours
(11) Hair restructuring/permanent waving and chemical hair relaxing 240 clock hours
(12) Total cosmetology hours 1500 hours

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

(1) Cosmetology students that are currently attending high school, parochial, private school or a home school.

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

(A) Students who shall qualify for training in this matter must complete 1000 clock hours in a Basic cosmetology course and 500 hours of approved related subjects. The official parochial, private school or home school high school transcript shall serve as documentation for the 500 hours of related instruction. The transcript must show passing grades in related subjects and completion of at least the first semester of the twelfth (12th) grade. Related subjects shall run concurrently with and shall be in no instance older than three (3) years at time of enrollment in a cosmetology school course. The curriculum as follows has a recommended completion time of two (2) school years.

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

(3) Theory (must be coordinated with each practical practice subject as is appropriate throughout the course of training) 150 clock hours
(4) Manicuring and pedicuring (including sculptured nails and tips and other artificial nail application procedures and care) 60 clock hours
(5) Facials (skin care training includes make-up, waxing and/or other methods for non-permanent hair removal) 30 clock hours
(6) Scalp treatments 30 clock hours
(7) Shampooing/conditioning rinses 30 clock hours
(8) Hairstyling, including finger waving, the dressing of wigs, thermal and blow drying 180 clock hours
(9) Hair color tints and bleaching and other color treatments 90 clock hours
(10) Hair cutting and hair shaping with shears and thinning shears (scissors) razor and clipper (includes beard) 120 clock hours
(11) Lash and brow tinting and arching 30 clock hours
(12) Professional development, Establishment management and unassigned hours for review, examinations, etc. 100 clock hours
(13) Hair restructuring/permanent waving and chemical hair relaxing 180 clock hours
(14) Cosmetology related subjects 500 clock hours
(15) Total cosmetology hours 1500 hours

(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 hair brushes
(J) twelve (12) combs (including tail, all purpose and/or barber-type)
(K) one (1) box 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 disinfected set of manicuring implements for student training use on each patron
(B) toe nail clipper
(C) permanent wave rods
(D) other hair restructuring supplies
(E) an adequate supply of applicator bottles
(F) an adequate supply of protective gloves (disposable)
(G) an adequate supply of neck strips
(H) an adequate supply of hair clippers
(I) an adequately supplied products dispensary to appropriately train students in cosmetology classes
(J) visual aid equipment in addition to the chalk or marker board

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

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

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

(a) **Entrance requirements.**

(1) Student registered in the master cosmetology 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 Master Cosmetology Instructor course curriculum is prescribed as follows:

(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) Cosmetology Law, cosmetology 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 hours

(c) Master Cosmetology Instructor students are assigned practice in classes actually scheduled by the school. Practice teaching by master cosmetology 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.

(d) 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.

(e) **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 of practice and classroom instruction under the direct supervision of a licensed instructor.

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

(b) **Curriculum requirements.** The 600 clock hour curriculum is prescribed as follows: (Note: Hours may be measure in credits and ratio is as recognized by the United States Department of Education as recognized by a national accreditation entity as recognized by the United States Department of Education.)

(1) Bacteriology, disinfection and sanitation 40 clock hours
(2) Nail structure, composition, disorders and diseases 60 clock hours
(3) Manicuring and pedicuring (includes waxing or other non-permanent hair removal) 160 clock hours
(4) Artificial nails 160 clock hours
(5) Nail art 60 clock hours
(6) Establishment 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
(7) Board rules, regulations and statutes 40 clock hours
(8) Total hours 600 hours

(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 disinfected 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 of practice and classroom instruction under the direct supervision of a licensed instructor.

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

(b) **Curriculum requirements.** The 600 clock 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, disinfection, sanitation and safety 80 clock hours

(2) Sciences: Histology, dermatology and physiology of the skin (includes structure and function of skin and glands; color and morphology) 180 clock hours
(3) Facials: (includes draping, manipulations, cleaning and toning; chemistry and light therapy and make-up 200 clock hours
(4) Non-permanent hair removal: (includes methods and procedures and arching) 40 clock hours
(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
(6) Board rules, regulations and statutes 40 hours
(7) Total hours 600 hours

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

(1) An esthetician/facialist/facial operator kit equipment is required as follows:
(A) one (1) textbook or manual
(B) make-up with disposable applicators
(C) one (1) set of five (5) make-up brushes
(D) one (1) comb-out cape
(E) one (1) tweezer
(F) one (1) kit or tray to contain student personal training equipment

(2) In addition to the list of equipment in (1) of this subsection, the school shall have immediately available for student training:
(A) an adequate supply of protective gloves (disposable)
(B) an adequately supplied dispensary with skin care products
(C) visual aid equipment in addition to the chalk or marker board

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

(a) Curriculum training shall include the study of electricity, safety measures and chemistry and must be carried through all classes in which it is used. Mannequin practice must be given to each student.
(b) A student who has completed the training in the Basic courses in a cosmetology and/or barbering school or as an apprentice who completed the course in an Establishment, must have had required amount of patron practice by working under actual cosmetology/barbering Establishment conditions to that he should be able to:
(1) perform any ordinary operation satisfactorily and in the same amount of time customarily allotted to that operation in an Establishment.
(2) conduct a consultation on any ordinary cosmetology or barbering subject and prescribe proper treatment.
(3) mix any preparation used in an Establishment.
(c) Establishment management must include purchasing, price determination, selling, appointment scheduling, dispensing of supplies and personal management.
(d) The teaching of wig styling and hairpieces shall consist of training in the proper fitting, dressing, styling and arranging of wigs and hairpieces.
(e) State Cosmetology and Barbering Law and Board rules and regulations must be taught in all

courses.
(f) A school owner shall maintain an adequate dispensary room with supplies necessary for school operation and student training.
(g) A student enrolled in a school shall not be allowed to work on the public until such time as he has received at least 150 clock hours or equivalent number of credit hours of training spent in classroom theory and in mannequin or student practice under the direct supervision of a licensed instructor.
(h) A Basic Cosmetology or Barber student who fails to complete the course and registers in the Manicurist, Cosmetician, Hairbraiding Technician or Facialist course may be credited with 10% of the previously accumulated hours. A Manicurist, Cosmetician, Hairbraiding Technician, Facialist or Barber student who fails to complete the course and registers in the Basic Cosmetology or Barber course may be credited with 10% of the previously accumulated hours.
(i) If a person who holds a current Board license and registers in any course other than a Master Instructor course, credit of 224 clock hours is allowed.
(j) Cosmetology and Barber schools must teach the curriculum for each course approved by the Board. A copy of current curriculum must be on file with the Board. The curriculum must be proven by a schedule which must be posted, followed and made available to students. The schedule may be interrupted for a period not to exceed more than eight (8) hours per month for assembly purposes.
(k) If a school stays open more than eight (8) hours per day, a curriculum and schedule must be submitted to the Board covering extra hours.
(l) An evening school cannot be approved unless information as to the instructors in charge and a curriculum and schedule for each course to be taught is submitted to the Board before beginning evening classes. A student may attend both day and evening classes provided the entire time does not exceed eight (8) hours daily. A schedule must be submitted to each student training in such manner.
(m) Each manager, instructor or other person shall exercise the greatest care in keeping his person, all instruments used in school in the cleanest possible condition. Each must be knowledgeable of the more communicable diseases and the techniques necessary to prevent the transmission of disease.

175:10-3-41. Cosmetician course entrance and curriculum requirements
(a) **Entrance requirements.** Cosmetician course entrance requirements are the same as for a Basic course.

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

(2) A Cosmetician student shall not be allowed to perform patron services until such time as he/she has received at least 80 clock hours 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 600 clock 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, disinfection and sanitation 60 clock hours

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

(3) Hair arranging (includes arranging of the hair using curling irons, hot rollers, combs, brushes and any necessary product and accessories) 200 clock hours
(4) Establishment development (includes business administration and law, insurance, professional ethics, record keeping, business telephone techniques, salesmanship, displays, advertising, hygiene and public health) 90 clock hours
(5) Board rules, regulations and statutes 50 clock hours
(6) Total hours 600 hours

(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 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

(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, cosmetology school management and record keeping 90 clock hours

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

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

(7) Total hours 1000 hours

(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

175:10-3-43. 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 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 600 clock hour or curriculum is prescribed as follows: (Note: Hours may be measure in credits and ratio is as recognized by the United States Department of Education as recognized by a national accreditation entity as recognized by the United States Department of Education.)

(1) Bacteriology, chemistry, shampooing, disinfection and sanitation (includes hair and scalp disorders) 100 clock hours

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

(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

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

(5) Total hours 600 hours

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

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

(A) textbook or manual

(B) four (4) hair brushes

(C) four (4) hard rubber combs or other good quality combs (shall include rat-tail, color, regular and/or barber type)

(D) hair extension material

(E) one (1) comb-out cape

(F) one (1) box of curl clips (100 per box)

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

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

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

(B) an adequate supply of neck strips

(C) visual aid equipment in addition to the chalk, marker board or acceptable alternative.

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

(a) **Entrance requirements.**

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

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

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

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

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

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

(b) **Curriculum requirements.** The 1000 clock hour Manicurist/Nail Technician Instructor course curriculum is prescribed as follows: (Note: Hours may be measure in credits and ratio is as recognized by the United States Department of Education as recognized by a national accreditation entity as 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, administering and grading examinations 330 clock hours
(4) Board rules, regulations and statutes, cosmetology school management and record keeping 90 clock hours
(5) Teaching - assisting in classroom and clinic 150 clock hours
(6) Practice teaching - classroom and clinic 250 clock hours
(7) Total hours 1000 hours

(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 been trained in safety and disinfection procedures on the clinic services performed 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, disinfection 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) **Public barber school.** The 1500 clock hour curriculum (1000 hours pure barber plus 500 hours of barber related high school subjects) is prescribed for public school, parochial school, private school or

home schooled students in the following situations:

(1) Barber students that are currently attending high school, parochial, private school or a home school.

(2) Persons that did not otherwise complete their barber training while registered as a barber student in high school, parochial school, or a home school .

(A) Students who shall qualify for training in this matter must complete 1000 clock hours in a Basic barber course and 500 hours of approved related subjects. The official parochial, private school or home school 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 barber school course. The curriculum as follows has a recommended completion time of two (2) school years.

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

(d) **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 tail, all purpose 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

PART 7. GENERAL OPERATIONS AND LICENSING REQUIREMENTS

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

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

175:10-3-51. Approval for school

An initial license to open a cosmetology 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 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 school shall be done by licensed instructors only. Professional persons in fields related to cosmetology and barbering may lecture in 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 school shall posses 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 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 student during school training hours.

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

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

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

(1) One instructor for 15 to and including 22 students.

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

(b) One instructor student in training shall count as an instructor toward the required ratio of instructor to student provided the school has notified the Board in writing if the instructor student in training is to be counted toward the required ratio of instructor student. The written notification must indicate that the change in instructors is an instructor student in training.

(c) The instructor student in training shall be easily recognized by the Inspector.

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 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 related field trip.** A student may be given credit for hours spent in a Board approved cosmetology/barber related field trip provided:

(1) the student is accompanied and observed by an instructor licensed by the Oklahoma State Board

of Cosmetology and Barbering.
(2) credit for cosmetology/barber related field trips shall not exceed seventy-two (72) total clock hours of the Basic Cosmetology/Barber course or more than sixteen clock hours in a given week.
(3) credit for cosmetology related field trips shall not exceed twenty-four (24) total clock hours of the Manicurist, Facial/Esthetics or Hairbraiding Technician course or more than sixteen clock hours in a given week.
(4) credit for cosmetology related field trips shall not exceed forty (40) total clock hours of the Master Instructor, Manicurist/Nail Technician Instructor or Facial/Esthetics Instructor course, 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.

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

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

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

175:10-3-60. Attendance and other records and requirements
(a) **Minimum attendance per week.** A part time schedule shall be submitted and approved by the Board. Student shall attend a clock hour school at least three (3) hours per day, five (5) days per week or a total of fifteen (15) hours per week.
(b) **Daily sign-in/time clock or other records maintained in a clock hour school.** In addition to maintaining a current record of student hours, clock hour schools shall keep a record of daily attendance Students registered in a clock hour school shall sign or clock in and out of each class daily.
(c) **Credit hour records maintained in a credit hour school.** Credit hour schools shall maintain a current record of credit hours earned by each student.
(d) **Practical practice records.** Clock and credit hour schools shall maintain a record of clinic practical practices and theory credit or clock hours earned by each student.
(e) **Student hour retention.** School shall retain records of students for three (3) years.
(f) **Record availability.** All attendance and educational records shall be available during inspection or upon request of the Board as allowed under the Cosmetology and Barbering Act.

175:10-3-61. School Affidavit; hours accumulated
(a) **School Affidavit upon completion, withdrawal or termination.** School Affidavit shall be submitted within five (5) days upon completion of a course, withdrawal, or other termination of a student for any reason (excused absence is an exception). The School Affidavit shall reflect the total

number of clock or credit hours accumulated.
(b) **School Affidavit or hours completed to be submitted with examination registration.** The School Affidavit of completed hours of training must be submitted with examination registration.
(c) **Hours submitted upon course completion.** Accumulated student hours shall be submitted to the Board within five (5) days of the completion of course hours by a student. The school owner or instructor shall submit accumulated hours to the Board on Board approved School Affidavit to allow the student to be registered for examination and be issued a student work permit by the Board.
(d) **Refusal to submit student hours.** No school owner or instructor shall ever refuse to submit accumulated student hours.
(e) **Hours not to be adjusted as penalty for absence or rule infraction.** No school owner or instructor shall penalize a student by deducting hours from accumulated hours earned, nor shall hours be added to the total hours required for course completion as penalty for excessive student absence or other school infraction.
(f) **Student copies of School Affidavit of completion.** A student who completes a specific course must be provided the School Affidavit of completion dated on the day of completion.

175:10-3-62. Patron services in school
(a) **Student not paid for clinic work.** A school may not offer to pay commission to a student for clinic work performed.
(b) **Prices for services.** All prices charged by the school for clinic services shall be conspicuously posted in the school clinic area.
(c) **Performing patron services in school.** An instructor in a 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 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 school rule and regulations is required to be posted in each school.
(b) 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 school or apprentice training in an Establishment 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 student while training in the theory and practical practices of cosmetology or barbering.

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

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

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

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

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

(b) **Student transfer.** A student shall not be allowed to transfer from one school to another for a period of at least thirty (30) days from the date of withdrawal or other termination unless a notarized release agreement, signed by official of transferring school is received by the Board. Withdrawal/termination date on school affidavit is required to be submitted within five (5) days of termination.

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

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

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

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

175:10-3-71. Review hours

After a student registers for examination, he may register for non-required review hours not to exceed 500 clock or credit hours. The non-required review hours remain on file but shall not be credited

toward an examination. Review hours that are required for the applicant whose license has expired may be credited toward the appropriate examination as in Rule 175:10-9-33.

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

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

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

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

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

(a) A 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 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.

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

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

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

All school records shall be available for inspection.

175:10-3-79. Hybrid learning in all courses

(a) A school must submit a curriculum and schedule for students utilizing hybrid learning.
(b) School must show proof that hybrid learning activities are continuously monitored by the school and the process must be formally approved by the Board.
(c) Credit for hybrid learning is limited to 10% of the theory related hours of training in any given course.
(d) A record of students actively participating in hybrid learning activities must be maintained in the school and available for inspection purposes.
(e) Equipment and materials necessary for participation in hybrid learning shall be made available to students or specified in school/student agreement.

SUBCHAPTER 5. LICENSURE OF COSMETOLOGY AND BARBER ESTABLISHMENTS

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

(a) The Board will issue an Establishment license upon receipt of application for license, appropriate fee and notarized affidavit of applicant which reflects compliance with all Establishment license requirements. Initial inspection will be conducted to confirm compliance of license requirements.
(b) In the event the Establishment should fail to be approved at initial inspection, the Establishment may be required to close and cease to provide services to the public until applicant/establishment shall be in compliance of all license requirements.
(c) When the ownership of an Establishment changes, it will be considered a new Establishment and shall be required to comply with requirements for initial Establishment license.
(d) Establishment owner is required to submit a Establishment change of location affidavit when the location of a Establishment changes. No fee is required unless a new license with new address information is requested.
(e) Establishment owner is required to submit a Establishment name change affidavit when the Establishment name changes. No fee is required unless a new license with new Establishment name is requested.

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

(a) Each Establishment shall have at least one (1) shampoo basin and shampoo chair and other equipment, implements and supplies adequate to provide 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 Establishment shall have in use at all times, at least one (1) dry and one (1) wet sanitizer for the purpose of disinfecting combs, brushes and other implements after each use.

(c) Each Establishment shall be required to be in compliance with rules established by the Board relating to the standards of sanitation and disinfection to be observed and practiced in each Establishment. A copy of the sanitary and disinfection rules will be provided to each Establishment by the Board. The rules are required to be posted in each Establishment.
(d) Each Establishment owner and manager is responsible for the general and sanitary condition of the Establishment. Each owner and manager is responsible for assuring that each person employed and/or under his supervision and control in the Establishment, shall appropriately post a current, valid Oklahoma license or work permit before performing services to the public in the Establishment.

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

175:10-5-4. Licensure requirements for health care facilities
(a) No individual, company or corporation may operate a cosmetology establishment without making application for an Establishment license.
(b) Health care facilities, such as hospitals, nursing or convalescent homes that offer services to the public must have the following:
(1) an Establishment license
(2) board licensee to perform cosmetology or barbering services
(c) No Establishment 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 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, DISINFECTION AND SAFETY STANDARDS FOR ESTABLISHMENTS AND SCHOOLS

175:10-7-1. Cosmetology and barber Establishment separate from residence or other business
No 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 must be separate from beauty supply house/business. Establishment 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 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 operation. All doors and windows between residence/living quarters shall be kept closed during Establishment hours.

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

Cosmetologists and Barbers may practice in the same Establishment and the Establishment must be issued an appropriate license by the State Board of Cosmetology and Barbering.

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, 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 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 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. Disinfectants required for use in schools and related establishments

(a) Every precaution shall be taken to prevent infection by disinfecting all tools.
(b) All items shall be cleaned and disinfected 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 manufacturers 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 manufacturers directions. The combs must stay immersed for full contact time according to manufacturers directions. The combs must stay immersed for full contact time according to manufacturers 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 items must be stored in a dry/closed cabinet, drawer, or other closed/covered/light type container without fumes.

175:10-7-6. Disinfecting agents for use in schools and related establishments
(a) Disinfectants for use by Establishments and schools shall be used only if registered with the Environmental Protection Agency (EPA) for use as a disinfectant to achieve its intended purpose in accordance with the product label.
(b) To disinfect and minimize corrosion of metal instruments, immerse and wipe thoroughly with an EPA approved disinfectant or spray with approved oil base disinfectant and store in a cabinet or closed container free from contamination between use and service for each patron.
(c) All disinfection immersion liquid must be changed daily or sooner if visibly contaminated.
(d) All customer contact items, including neck rests, arm rests and seats, must be cleaned and disinfected between customers.

175:10-7-7. Detection of head lice
(a) If head lice is detected, the licensee, student or apprentice should not proceed with further services and shall wash and disinfect hands. Infected person should be referred to a physician or health clinic. The person should submit a statement, signed by a practicing physician, which states that he is no longer infected and is free from communicable episode before any 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 licensee, student or apprentice on whom head lice or other communicable disease, infection, or condition is detected.
(e) The Establishment or school owner/manager shall be held responsible for assuring that no person performs services in a licensed Establishment or school when the owner/manager knows that any licensee, student, apprentice or patron is infected with head lice or other communicable disease. License may be subject to revocation or suspension in instance of noncompliance.

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

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

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

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

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

175:10-7-12. Towels
(a) Clean towels shall be used for each patron.
(b) Clean towels and other linens shall be kept in a closed area that is free from contamination.
(c) A suitable hamper-type container shall be provided for soiled towels.
(d) The headrest of the facial chair shall be covered with a clean towel for each patron.
(e) An appropriate supply of clean towels, linens and neck strips shall be maintained in the Establishment.

175:10-7-13. Work/styling station and shampoo area condition and safety
(a) Work/styling station and shampoo area shall be maintained in a neat and orderly manner at all times. Instruments, which have been used, shall not be placed on work station or on the floor. Loose/cut hair must be removed from styling/work station/chair and floor immediately after patron service is complete.
(b) Consuming of food and/or beverage shall not be permitted at work/styling station or in classroom.
(c) Student, instructor or other school personnel shall be not permitted to smoke in classroom or at work/styling station.
(d) Light fixtures shall be appropriately installed in order to provide adequate lighting in work areas.

175:10-7-14. Manicuring station and equipment; methyl methacrylate (MMA) prohibited
(a) Manicuring station and equipment shall be kept in a clean and disinfected condition at all times.
(b) Manicuring bowls, brushes, and other washable items shall be cleaned and disinfected after each use and shall be kept in a closed area, free from contamination, when not in use.
(c) Manicuring instruments, tweezers, and other non-metal implements shall be cleaned and disinfected. Implements shall be sanitized using an EPA registered product. Disinfected implements shall be stored in a sealed plastic bag or must remain in a dry closed/covered/light drawer, cabinet or box-type container until ready for use on next patron. At least two (2) sets of manicuring implements shall be maintained for each practicing manicurist in order that one set is appropriately disinfected for use on each patron.
(d) Hot oil or lotion manicuring units shall be maintained in a safe, clean and disinfected condition. A disposable type liner shall be used in unit cup to hold lotion. The used liner and oil or lotion shall be disposed of immediately after use and shall not be reused.
(e) Maximum precautionary, safe, disinfection and appropriate preparation and application shall be observed in sculptured nails, tips, and other artificial nail procedures. Each licensee shall be knowledgeable and alert to nail diseases and potential health hazards which may be present before or

after artificial nail application. If evidenced prior to service, the licensee shall not proceed with application. If infection or other condition of disease is evidenced after application, the patron shall be referred to a physician or health clinic for appropriate treatment. No further manicuring services shall be performed until hands, nails, and/or fingers are free and clear of the disease or infection.
(f) Each licensee shall be knowledgeable of product ingredients. If not listed on the product, the manufacturer should be contacted for content information. The use of methyl methacrylate (MMA) is prohibited.

175:10-7-15. Plumbing installation; electrical equipment; state and local code compliance
(a) Sufficient hot and cold water shall be supplied for disinfection and safe conditions in all Establishments and schools. All plumbing installation shall conform to state and local plumbing codes and be in good repair at all times.
(b) All electrical equipment shall be properly maintained and installed by a qualified electrician. All electrical equipment installation shall conform to state and local codes.

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

175:10-7-17. License and other posting requirements
(a) Licenses shall be posted in a place easily viewed by the public.
(1) Current 2" X 3" photo of licensee is required to be posted with each license or work permit.
(2) Student and apprentice registration receipts and student permits to work shall be posted conspicuously.
(3) Posting at individual work/styling station in an Establishment may be required for inspection and identification purposes.
(b) Board Sanitation and Disinfection Rules shall be posted in each Establishment.
(c) Code of Ethics shall be posted in each school.
(d) Current inspection reports shall be posted in a place easily viewed by the public.

175:10-7-18. Disinfection 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 service for any person. If any abrasion, cut, scratch, open lesion or infection is evidenced, protective or disposable gloves shall be worn while performing 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 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 disinfected must be disposed of after one use.

175:10-7-19. Restroom areas

(a) Each 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 Establishment or school.

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

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

(a) 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 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 Establishment or school.

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

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

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

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

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

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

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

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

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

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

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

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

(a) Licensees are prohibited from performing facial procedures using cosmetic exfoliating substances or devices that effect more than the top layer (stratum conium) 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 conium are deemed beyond the scope of practice of persons and 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 conium.

(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 conium.

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

Pedicure equipment is a unit that holds water for a pedicure service, including whirlpool spas, 'pipe-less' units, footbaths, basins, tubs, sinks and bowls which shall be cleaned by scrubbing surface with a brush, using an enzymatic or surfactant detergent (soap) and water. After cleaning, pedicure equipment, tools and implements shall be disinfected by using an EPA-registered disinfectant as prescribed in Board rule 175:10-7-6. Board rules regarding the cleaning and disinfecting of cosmetology tools and implements apply to all tools and implements used for pedicures. The Board recommends the use of NIC approved "Cleaning and Disinfecting of Circulating and Non Circulating Tubs and Spa's For All Industry Modalities".

175:10-7-31. Manicuring equipment

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

SUBCHAPTER 9. LICENSURE OF COSMETOLOGISTS, BARBERS AND RELATED OCCUPATIONS

PART 1. APPRENTICESHIP

175:10-9-1. Apprentice training

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

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

(1) Proof of need affidavit from the proposed apprentice. Proof of need is considered by the Board to be proof of dire financial circumstances of the apprenticeship applicant or proof of lack of 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:

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

(2) One (1) facial supply cabinet.

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

(4) One (1) mannequin.

(5) Other 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 school.
(k) In addition to requirements of a kit, the apprentice shall have available for apprentice training:
(1) At least one set of appropriately disinfected 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 practices, 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 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 school. The instructor shall give the apprentice weekly tests and a final examination in both the practical skills and theory work.
(p) Apprenticeship training shall be under the direct supervision of the approved licensed instructor at all times.

175:10-9-2. Number of clock hours credited for apprentice training
(a) Apprentice course clock hours are as follows:
(1) Basic cosmetology - 3000 hours
(2) Manicurist/Nail Technician - 1200 hours
(3) Facial/Esthetics - 1200 hours
(4) Cosmetician - 1200 hours
(5) Hairbraiding Technician - 1200 hours
(6) Barber – 3000 hours
(b) An apprentice who transfers to a 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.

175:10-9-4. Apprentice badge and uniform
(a) An apprentice shall wear a lab coat and an apprentice badge at all times. The badge shall be issued by the Board and shall identify apprentice as a trainee and shall keep the apprentice registration receipt posted.
(b) Apprentice registration receipt shall be posted at all times.

175:10-9-5. Practical practice and attendance records
(a) Each apprentice shall maintain a record of each practical practice he performs during training on a form approved by the Board. The instructor shall initial each practice immediately after each is performed by the apprentice.
(b) Attendance reports shall be completed by both the instructor and the apprentice and maintained in the Establishment for inspection purposes.

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

175:10-9-7. Completion of training; examination application and issuance of work permit
(a) At the completion of training, the instructor shall immediately submit the affidavit of hours completed.
(b) Upon Board receipt of affidavit of hours, a registration for examination form is mailed to the instructor for the apprentice. The examination registration requires completion by both the instructor and apprentice and must be immediately submitted to the Board. The Board shall issue a permit to work which shall be posted at work/styling station with current photo attached.

PART 3. STATE BOARD EXAMINATION

175:10-9-25. Examination form; administration and content of Board examination passing score; disability accommodations; grade release reports
(a) The examination application shall be completed to include the School Affidavit of completion of hours and the examination fee.
(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 examination.
(d) The written exam will test general knowledge. 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 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) Cosmetology - 75%

(2) Master Instructor – 75%
(3) Manicurist - 75%
(4) Esthetician - 75%
(5) Cosmetician - 75%
(6) Hairbraiding Technician - 75%
(7) Barber – 75%
(8) Manicurist/Nail Technician Instructor – 75%
(9) Facial/Esthetics Instructor – 75%
(10) Master Barber Instructor 75%

(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 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 credit hours of completion of the Instructor course.

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

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

An applicant may be issued a permit to work in a licensed 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 who is pre-registered before course completion. An applicant registering for an instructor examination may be issued a permit to work in a licensed 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.

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

(a) When an applicant is notified by the Board of passing the examination, application for license must be made within thirty (30) days. Previously issued work permit becomes void thirty (30) days from date of notice.

(b) Applicant may continue to work under the student work permit until a license is issued if application for license is made within thirty (30) days of notice to apply.

(c) An applicant who fails to apply for a license from sixty (60) days to one (1) year from date of notice to apply shall, in addition to the appropriate license fee, be required to pay a penalty of ten dollars ($10.00).

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

(a) **Excused from examination due to emergency circumstances.**

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

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

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

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

175:10-9-32. Failure to pass examination; re-taking failed portion; review hours
(a) An applicant who fails either the practical portion or the written theory examination may be re-scheduled for examination by submitting the appropriate registration application and fee to the Board. Applicant shall be scheduled to take only that portion of the examination failed.
(b) An applicant who has failed either the practical practice or the written theory examination four (4) times must first show proof of having completed 120 clock or equivalent number of credit review hours in an approved Oklahoma 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) Cosmetologist 120 clock hours
(2) Manicurist 40 clock hours
(3) Facialist 40 clock hours
(4) Hairbraiding Technician 40 hours
(5) Cosmetician 40 clock hours
(6) Barber 120 clock hours
(7) Master Cosmetologist Instructor 120 clock hours
(8) Manicurist/Nail Technician Instructor 120 clock hours
(9) Facial/Esthetics Instructor 120 clock hours
(10) 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).

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

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

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

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 retails sales, any person who establishes a cosmetology or barber business or represents himself to be providing facials or other cosmetology or barber services to the general public in a place other than an Establishment or school shall be required to obtain a license as is appropriate to the practice performed. Providing or performing a facial is a practice which shall require a Facialist, Cosmetologist, Barber, Facial/Esthetics Instructor, Barber, 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 services to others.

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

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

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

(g) A cosmetic counter or other Establishment where cosmetic preparations may be sold but where cosmetics are in sealed containers ad 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 Demonstrators 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.
(k) Applicators are single use items and are to be disposed of after each use.
(l) Disposable items must be stored in a closed container, drawer or cabinet except for those used for the days use.
(m) Brushes shall be disinfected after each client use.
(n) Disinfection and safety standards must be followed at all times.
(o) Disinfectants must be used only if registered with the Environmental Protection Agency (EPA) for use as a disinfectant to achieve its intended purpose in accordance with the product label.
(p) All customer contact items and work area must be cleaned and disinfected between clients.
(q) Creams and other semi-solid preparations shall be removed from containers with a disposable spatula.
(r) The hands of the licensee shall be washed and the integrity of the skin carefully examined before and after a demonstration.
(s) Hand santizer must be available for use.

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

175:10-9-52. Trade show, special class, guest artist requirements
(a) The Board has established the following rules for guest artist appearances, a cosmetology related trade show, special class, seminar and/or conference.

(1) The Board may allow a trade show, special class or demonstration, not to exceed five (5) consecutive days in any six (6) month time frame, provided that the trade show, special class, or demonstration shall be sponsored by a cosmetology association, cosmetology 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 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 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 and/or 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 services must be performed in a licensed school or Establishment. Sanitation rules and regulations must be observed.
(c) Retailing of wig, wiglet or hairpiece is exempt from licensing requirements. However the seller shall not engage in the practice of cosmetology or barbering as described in subsection (a) of this rule or as otherwise defined in the Oklahoma Cosmetology and Barbering Act.

175:10-9-54. Cosmetology and barber_related high fashion photography or similar Establishment requirements

(a) Any high fashion photography and similar cosmetology/barber related business/Establishment providing any one or combination of 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 shall be appropriately licensed by the Board.

175:10-9-55. Practices of cosmetology and barbering

(a) Only licensed Facialist/Estheticians, Cosmetologists or Barbers may perform threading.
(b) Only a licensed Facialist/Esthetician or Cosmetologist may perform eyelash extensions.
(c) Only licensed Facialist/Estheticians, Cosmetologists or Barbers may perform body sugaring.

SUBCHAPTER 11. LICENSE RENEWAL, FEES AND PENALTIES

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

(a) All practitioner licenses issued under the provisions of the Cosmetology 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 Establishment license issued to a licensee shall expire on the last day of applicant's birthday month each year.
(c) An Establishment license issued to a non-Board licensee owner and a 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.

SUBCHAPTER 11. LICENSE RENEWAL, FEES AND PENALTIES

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 - $35.00
(3) Cosmetology and barber school license (initial) - $400.00
(4) Cosmetology and barber school license (renewal) - $125.00
(5) Master Cosmetology Instructor license - $50.00
(6) Master Barber Instructor license - $50.00
(7) Facial/Esthetics Instructor license - $30.00
(8) Manicurist/Nail Technician Instructor license - $30.00
(9) Cosmetology license - $25.00
(10) Barber license - $25.00
(11) Manicurist license - $25.00
(12) Esthetician license - $25.00
(13) Cosmetician license - $25.00
(14) Hairbraiding Technician license- $25.00
(15) Demonstrator license - $20.00
(16) Advanced Operator license (renewal only) - $25.00
(17) Establishment license (initial) - $45.00
(18) Establishment license (renewal) - $30.00
(19) Cosmetic studio license (initial) - $50.00
(20) Cosmetic studio license (renewal) - $30.00
(21) Nail salon license (initial) - $45.00
(22) Nail salon license (renewal) - $30.00
(23) Reciprocity license - $30.00
(24) Reciprocity transfer of hours processing fee from out-of-state - $30.00
(25) Duplicate license (in case of loss or destruction of original license and/or renewal application) - $5.00
(26) Notary Fee - $1.00
(27) Certification of Records - $10.00

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

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

SUBCHAPTER 13. RECIPROCAL AND CROSSOVER LICENSING

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 for applicants from other states in accordance with the following requirements:

(1) The applicant for license as a cosmetologist, manicurist, facialist, hairbraiding technician or barber:

(A) must have met the requirements for the same licensure in another state

(B) must hold a current license from another state as verified by a valid certification

(C) must have successfully passed Oklahoma's state rules, regulations and law test administered by the Board

(2) If an applicant for a license as a cosmetologist, manicurist, facialist, hairbraiding technician or barber is from another territory, province, or foreign county that does not issue a license after required occupational training, but can provide sufficient proof that he or she has continuously engaged in the practices or occupation at issue in the reciprocity license application for at least three years immediately prior to such application, the Board may approve the reciprocity license if there is sufficient proof that applicant has at least an eighth grade education , and the applicant has passed Oklahoma's state rules, regulations and law test administered by the Board.

(3) If an applicant for a license as an instructor is from another territory, province, or foreign county, that does not issue a license after required occupational training, but can provide sufficient proof that he or she has continuously engaged in the practices or occupation at issue in the reciprocity license application for at least three years immediately prior to such application, the Board may approve the reciprocity license if there is sufficient proof that applicant has at least a high school education, and the applicant has passed Oklahoma's state rules, regulations and law test administered by the Board.

(4) Any non-English speaking reciprocity licensee or transfer of hours applicant, and transfer of hours applicant must contact the Board's office concerning requirements for licensing and transfer of hours.

(5) After the application is complete, all required documents are attached, and the application is filed, each applicant for reciprocity license must make an appointment and appear personally in the Board's office for an interview before the reciprocity license may be considered.

(6) The applicant from a foreign country, territory or providence may be required to provide evidence that documents have been certified as valid by a creditable agency as recognized by the Board. Validation of documents is at applicant's expense.

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

175:10-13-2. Credit allowed for 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 written examination upon showing proof of the completion of three hundred (300)

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) A cosmetologist who holds a current Oklahoma cosmetology license in good standing, who shall apply to register for the Boards examination for a Barber license, may be eligible to sit for the written 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.

SUBCHAPTER 15. INSPECTIONS, VIOLATIONS AND ENFORCEMENT

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

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

(a) The Board's Inspector and/or its authorized representative shall have the authority and right to entry into Establishments 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 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).

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

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

SUBCHAPTER 17. EMERGENCY COSMETOLOGY AND BARBERING SERVICE

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

(a) A licensed cosmetologist or barber may perform services for a person in the persons 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 Establishment. A doctors statement must be kept in the Establishment verifying that the person is residence bound or otherwise incapacitated.
(c) The licensee shall have his license in his possession when performing services.
(d) Door-to-Door cosmetology or barbering service is prohibited unless provided as emergency service as described in this sub-section.

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

175:10-17-3. Mobile Establishments; limited provisions
A license for a mobile Establishment may be issued provided the unit meets the following requirements:

(1) Is an enclosed mobile unit that is self supporting and self-contained with the ability to operate without having to connect to any outside utilities
(2) Establishment does not provide chemical services
(3) Furniture is anchored to the mobile unit
(4) No part of the mobile unit can be used for living or sleeping quarters at any time
(5) Establishment has hot and cold running water and if the fresh water holding tank is depleted, establishment shall not operate.
(6) Establishment shall not operate while unit is in motion or moving
(7) Signage must be displayed on the exterior of both sides of the unit
(8) Records shall be maintained within the mobile unit regarding appointments, itineraries, and schedules and made available at time of inspection
(9) Board licensees shall post individual licenses as required in Board Rule 175:10-7-17
(10) Board established disinfection and safety standards shall be followed at all times the Establishment is providing services
(11) Owner shall provide to the Board a quarterly itinerary and schedule of places the mobile unit shall be operating no later than the 10th of the months of January, March, June, September and December. Itinerary and schedule shall include a list of licensees who shall be providing services in the unit.

CHAPTER 15 – BARBERS [REVOKED]

SUBCHAPTER 1 GENERAL PROVISONS [REVOKED]

175:15-1-1. Purpose [REVOKED]

175:15-1-2. Definitions [REVOKED]
175:15-1-3. State Barber Advisory Board duties [REVOKED]

SUBCHAPTER 3 EXAMINATIONS [REVOKED]

175:15-3-1. Format [REVOKED]
175:15-3-2 Scoring [REVOKED]
175:15-3-3. Examination prerequisite [REVOKED]
175:15-3-4. Fee forfeiture [REVOKED]
175:15-3-5. Standard [REVOKED]

SUBCHAPTER 5. LICENSING [REVOKED]

175:15-5-1. License required [REVOKED]
175:15-5-2. Licensing fees [REVOKED]
175:15-5-3. Right to entry [REVOKED]
175:15-5-4. License posting [REVOKED]
175:15-5-5. Work station sanitation [REVOKED]
175:15-5-6. Expiration and renewal of license [REVOKED]
175:15-5-7. New shop requirements [REVOKED]
175:15-5-8. Barber apprentice and graduate-apprentice employment [REVOKED]
175:15-5-9. Reciprocal barber license [REVOKED]

SUBCHAPTER 7 GENERAL SANITATION [REVOKED]

175:15-7-1. Patron contact equipment [REVOKED]
175:15-7-2. Sanitizers [REVOKED]
175:15-7-3. Lighting and ventilation [REVOKED]
175:15-7-4. Walls, ceiling, floors and equipment [REVOKED]
175:15-7-5. Towels [REVOKED]
175:15-7-6. Water supply [REVOKED]
175:15-7-7. Toilets [REVOKED]
175:15-7-8. Health of personnel [REVOKED]
175:15-7-9. Cleanliness of personnel [REVOKED]
175:15-7-10. Food and drink restricted [REVOKED]
175:15-7-11. Air removal of hair from patron [REVOKED]
175:15-7-12. Objectionable establishment [REVOKED]
175:15-7-13. Head lice [REVOKED]
175:15-7-14. Prohibited products [REVOKED]
175:15-7-15. Kiosk Style Barber Shop [REVOKED]
175:15-7-16. Product safety and consumer advisory [REVOKED]

SUBCHAPTER 9. BARBER SCHOOL AND COLLEGE REQUIREMENTS [REVOKED]

175:15-9-1. License required [REVOKED]

175:15-9-2. School license application [REVOKED]
175:15-9-3. Inspection of a new barber schools or colleges [REVOKED]
175:15-9-4. Number instructors required [REVOKED]
175:15-9-5. Supervised practice [REVOKED]
175:15-9-6. Required chairs [REVOKED]
175:15-9-7. Entrance requirements [REVOKED]
175:15-9-8. Law and rules available; services rendered [REVOKED]
175:15-9-9. Barber school equipment [REVOKED]
175:15-9-10. Chair requirements [REVOKED]
175:15-9-11. Curriculum for students [REVOKED]
175:15-9-12. Instructors course curriculum [REVOKED]

SUBCHAPTER 11 BARBER SCHOOL OR COLLEGE MANAGEMENT REQUIREMENTS [REVOKED]

175:15-11-1. Approved nontransferable license [REVOKED]
175:15-11-2. Instructors [REVOKED]
175:15-11-3. School or college rules [REVOKED]
175:15-11-4. Local compliance [REVOKED]
175:15-11-5. Staff changes [REVOKED]
175:15-11-6. Instructors are not allowed to render services [REVOKED]
175:15-11-7. Reserve substitute instructors [REVOKED]
175:15-11-8. Substitute instructors license [REVOKED]
175:15-11-9. Premises [REVOKED]
175:15-11-10. Credit hours [REVOKED]
175:15-11-11. Daily class records [REVOKED]
175:15-11-12. Records available from daily time clock [REVOKED]
175:15-11-13. School transfer [REVOKED]
175:15-11-14. Out of state class hours not transferred [REVOKED]

SUBCHAPTER 13 REGULATORY ENFORCEMENT [REVOKED]

175:15-13-1. Grounds for suspension or revocation [REVOKED]
175:15-13-2. Reapplication after suspension or revocation [REVOKED]

APPENDIX A – BARBER CURRICUM AND HOURS [REVOKED]
APPENDIX B. BARBER INSTRUCTOR CURRICULUM AND HOURS [REVOKED]
APPRENDIX C – BARBER APPRENTICE CURRICULUM AND HOURS [REVOKED]

OKLAHOMA COSMETOLOGY AND BARBER LAW
TITLE 59
OKLAHOMA STATUTES

SECTION 199.1 DEFINITIONS

As used in the Oklahoma Cosmetology and Barber Act:

1. "Apprentice" means a person who is engaged in learning the practice of cosmetology or barbering in a cosmetology or barbering establishment salon;
2. "Barber or Barber Stylist" means any person who engages in the practice of barbering;
3. "Barbering" means any one or any combination of the following practices, when 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;

4. "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;
5. "Barber school" or "barber college" means an establishment operated for the purpose of teaching barbering;
6. "Board" means the State Board of Cosmetology and Barbering;
7. "Cosmetic studio" means any place or premises where demonstrators give demonstrations, without compensation, for the purpose only of advertising and selling cosmetics;
8. "Cosmetician" means a person licensed by the Board to perform patron services limited to hair arranging and application of makeup, including, but not limited to, using hairstyling tools and products. Services must be performed in a licensed establishment.
9. "Cosmetology" means any one or combination or practices generally and usually performed by and known as the occupation of beauticians, beauty culturists, beauty operators, cosmeticians, cosmetologists or hairdressers, or of any other person holding herself or himself out as practicing cosmetology by whatever designation and within the meaning of the Oklahoma Cosmetology and Barbering Act and in or upon whatever place or premises. Cosmetology shall include, but not be limited to, any one or combination of the following practices: bleaching, cleansing, curling, cutting, coloring, dressing, removing, singeing, styling, waving, or similar work, upon the hair of any person by any means, and with hands or

mechanical or electrical apparatus or appliances. Nothing in the Oklahoma Cosmetology and Barbering Act shall be construed to prohibit the use of any of said devices for the non-permanent removal of hair from the human body without puncturing the skin, or by the use of cosmetic preparations, antiseptics, tonics, lotions, or creams, massaging, cleansing, stimulating, exercising, beautifying, or similar work, the scalp, face, neck, arms, bust, or upper part of the body, or manicuring the nails of any person, exclusive of such of the foregoing practices as come within the scope of the practice of the healing arts as provided by the laws of this state;

10. "Cosmetology establishment" means an establishment or place of business where one or more persons ware engaged in the practice of cosmetology but shall not include cosmetology schools or colleges;

11. "Cosmetology or barber school/college" means any place or premises where instruction in any or all the practices of cosmetology or barbering is given. Any person, firm, institution or corporation, who holds himself, herself or itself out as a school to teach and train, or any person, firm, institution or corporation who shall teach and train any other person or persons in any of the practices of cosmetology or barbering is hereby declared to be engaged in operating a cosmetology and/or barber school, and shall be subject to the provisions of the Oklahoma Cosmetology Act. Licensed cosmetology and/or barber schools may offer education to secondary and post secondary students in the state;

12. "Demonstrator" means a person who is not licensed in this state as an operator or instructor and who demonstrates any cosmetic preparation. The person shall be required to obtain a Demonstrator license and pass a state written exam relating to general safety and sanitation from the Board before making any such demonstrations;

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

14. "Facialist/Esthetician" means any person who gives facials for compensation;

15. "Hairbraiding technician" means a person licensed by the Board to perform hairbraiding techniques, and hair extensions in a licensed cosmetology establishment;

16. "Hybrid learning" means courses that combine face-to-face classroom instruction with on-line, computer-based learning;

17. "Manicurist/Nail technician" means a person who gives manicures, gives pedicures, or applies artificial nails;

18. "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;

19. "Master barber instructor" means a person who gives instruction in barbering or any practices thereof;

20. "Master cosmetology instructor" means a person who gives instruction in cosmetology or any practices thereof;

21. "Post secondary institution" means a school licensed to teach students according to prescribed curriculum as in paragraph 1 of subsection F of Section 199.7 of this title and in Board rule 175:10-3-34(a);

22. "Public school" means any state-supported institution conducting a cosmetology program;

23. "Secondary institution" means a school licensed to teach students eligible for credit of

five hundred (500) hours of related subjects as prescribed in paragraph 2 of subsection F of Section 199.7 of this title and in Board rule 175:10-3-34 (b); and

24. "Student" means a person who is enrolled in and attending a cosmetology school for the purpose of learning the practice of cosmetology or barbering.

SECTION 199.2 STATE BOARD OF COSMETOLOGY AND BARBERING

1. There is hereby re-created, to continue until July 1, 2017, in accordance with the provisions of the Oklahoma Sunset Law, a State Board of Cosmetology and Barbering which shall be composed of eleven (11) members to be appointed by the Governor and to serve at the pleasure of the Governor.

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

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

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

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

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

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

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

E. The Governor may remove any member of the Board at any time at the Governor's

discretion. Vacancies shall be filled by the appointment by the Governor for the unexpired portion of the term.

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

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

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

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

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

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

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

B. The Board shall have powers and duties to:

1. Promulgate rules pursuant to the Administrative Procedures Act relating to standards of sanitation which must be observed and practiced by all cosmetology and barber establishments, cosmetology or barber schools, master cosmetology instructors, master barber instructors, barbers, apprentices, students and board licensees. The Board shall furnish copies of the rules to the owner or manager of each cosmetology and barber establishments, cosmetology or barber schools, master cosmetology instructors, master barber instructors, barbers, apprentices, students, and board licensees. The Board shall furnish copies of the rules to the owner or manager of each cosmetology school, barber school and cosmetology and barber school and cosmetology and barber establishment operating in this state. It shall be the duty of each owner or manager to post a copy of the rules in a conspicuous place in each of the establishments or schools;

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

3. Keep a record of all its proceedings. The Board shall keep a record of all applicants for certificates, licenses and permits, showing the name of the applicant, the name and location of the place of occupation or business, if any, and the residence address of the applicant, and

whether the applicant was granted or refused a certificate, license or permit. The records of the Board shall be valid and sufficient evidence of matters contained therein, shall constitute public records. Records shall be open to public inspection at all reasonable times and subject to the Oklahoma Open Records Act. Notwithstanding any other provision of law to the contrary, records and information obtained in connection with an investigation of alleged violations, including complaints, identity of a complainant, investigative reports, and documentation or images generated or received during the course of an investigation, shall be confidential and shall not be subject to disclosure;

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

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

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

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

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

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

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

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

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

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

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

D. 1. In any case where a licensee becomes a member of the Armed Forces of the United Sates, such license shall not lapse by reason thereof but shall be considered and held in force and effect without further payment of license fees during the period of service in the Armed

Forces of the United States and for six (6) months after honorable release from the Armed Forces of the United States the licensee may resume practice pursuant to a license without other or further examination by notifying the Board in writing.

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

SECTION 199.4 EXECUTIVE DIRECTOR

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

1. Devote his or her entire time to the duties of the office;
2. Receive salary and benefits as provided by law;
3. Keep and preserve all books and records pertaining to the Board;
4. Have authority, in the name of and in behalf of the Board, to issue all licenses, certificates of registration, permits, orders, and notices;
5. Have authority to collect all fees and penalties provided for by the Oklahoma Cosmetology and Barbering Act;
6. Make quarterly reports to the Board of all monies collected and the sources from which derived;
7. Have authority to approve payrolls and all claims for the Board;
8. Have authority to employ staff;
9. Keep a continuous inventory of all properties, excluding supplies, belonging to the Board;
10. Perform such other duties as may be directed by the Board.

SECTION 199.5 POSITIONS AND SALARIES

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

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

SECTION 199.6 UNLAWFUL ACTS

A. The State Board of Cosmetology and Barbering is hereby authorized to promulgate rules for governing the examination and licensure of cosmetologists, manicurists, nail technicians, estheticians, cosmeticians, hair braiding technicians, master cosmetology instructors, manicurist

instructors, esthetics instructors, barbers, and master barber instructors. The Board is hereby authorized to promulgate rules to govern the sanitary operation of cosmetology and barbering establishments and to administer fines not to exceed Fifty Dollars ($50.00) for those licensed and not to exceed Five Hundred Dollars ($500.00) for those not licensed. Each day a violation continues shall be construed as a separate offense.

B. The State Board of Cosmetology and Barbering shall have the power and duty to implement rules of the Board, to issue and renew licenses, to inspect cosmetology and barbering establishments and schools, and to inspect the sanitary operating practices of cosmetology and barbering licensees, including sanitary conditions of cosmetology and barbering establishments and schools.

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

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

D. The State Board of Cosmetology and Barbering shall have the authority to levy administrative fines not to exceed Five Hundred Dollars ($500.00) for persons practicing cosmetology or barbering without a license, and for owners of licensed establishments who allow unlicensed individuals to practice cosmetology or barbering without a license in their establishment. Each day a violation continues shall be a separate offense. The administrative fine shall not exceed a total of Five Hundred Dollars ($500.00).

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

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

business of selling cosmetics in sealed packages.

SECTION 199.7 SCHOOLS - ELIGIBILITY TO TAKE EXAMINATION-APPLICATIONS

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

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

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

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

D. A school licensed or applying for licensure shall maintain recognition as an institution of post secondary study by meeting the following conditions:

1. The school shall admit as a regular student only an individual who has earned a recognized high school diploma, or who is beyond the age of compulsory high school attendance;

2. The school shall be licensed by name, or in the case of an applicant, shall apply for licensure by name, to offer one or more training programs beyond the secondary level.

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

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

G. 1. The Board shall adopt a curriculum of required courses of instruction in theory and training of either one thousand five hundred (1,500) clock or an equivalent number of credit

hours as recognized by the United States Department of Education or a regional or national accreditation entity recognized by the United States Department of Education in a basic course to be taught in all cosmetology or barbering schools in the state. The basic cosmetology or barbering course shall be designed to qualify students completing the course to take the examination for a license.

2. Cosmetology and barber students in vocational, trade, and industrial cosmetology and barbering classes in public schools, parochial, private schools or home schools shall qualify by completing one thousand (1,000) hours in a basic course of cosmetology or barbering and five hundred (500) hours of approved related subjects to be selected from, but not limited to, the following high school courses in a public school, parochial, private or home school: psychology, biology, general science, American history, art, typing I, typing II, business arithmetic, salesmanship, bookkeeping I, bookkeeping II, related mathematics, English II, English III and English IV.

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

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

3. Students utilizing hybrid learning programs are included in the total student number as referenced in the ratio in paragraph 2 of this section.

I. A cosmetology or barbering school may be operated in and as part of an accredited high school.

J. No cosmetology or barber school owner or an establishment owner shall charge students or apprentices for cosmetic materials, supplies, apparatus or machines used by them in practice work. A reasonable charge may be made by a cosmetology school or barber school for clinical work performed by students upon persons who are not students therein. No instructor shall be permitted to do professional or clinical work in a cosmetology or barber school at any time.

K. No cosmetology or barber establishment shall ever be operated in or as part of a school.

L. 1. Students shall:

a. have an eighth-grade education or the equivalent thereof, and

b. be at least sixteen (16) years of age unless they are public or private school students who will be sixteen (16) years of age by November 1 of the year in which cosmetology or barbering instruction begins.

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

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

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

M. 1. No student shall be eligible to take the examination for Board issued license without

furnishing to the Board the affidavit of the owner of the cosmetology or barber school that said student has satisfactorily completed the requirements specified in paragraph 1 of subsection F of this section, except public and private school students who will complete the requirements specified in paragraph 2 of subsection F of this section by the close of the current year may take the examination next preceding the end of the school year.

2. Students who are eligible to take the examination shall be given an oral examination if requested by their instructor and proof of qualifying disability is proven.

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

1. Satisfactorily completed all hours required for the appropriate specialty course and an additional one thousand (1,000) instructor training hours or equivalent number of credit hours as recognized by the United States Department of Education or as recognized by a national accreditation entity prescribed by the Board in a school in this state;

2. Completed all hours required for the appropriate specialty course, three hundred (300) instructor training hours, prescribed by the Board in a school in this state and has been engaged in the practice for at least the preceding two (2) years.

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

P. Each cosmetology or barbering school shall prominently display in a conspicuous place above or to the side of the entrance thereto a sign identifying it as an institute of learning. Wording on sign shall be in plain letters at least three (3) inches high and at least one (1) inch wide.

SECTION 199.8 APPRENTICES

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

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

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

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

E. Completion of three thousand (3,000) hours of apprentice training in a cosmetology or barbering establishment is the equivalent of one thousand five hundred (1,500) hours training in a cosmetology or barber school and shall entitle the apprentice to take the examination.

SECTION 199.9 FACILITIES - LICENSE REQUIRED

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

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

2. In an emergency such as illness, invalidism, or death, a licensed operator may perform cosmetology or barbering services for a person by appointment in a place other than a licensed cosmetology or barber establishment or cosmetology or barber school.

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

SECTION 199.10 EXPIRATION AND RENEWAL OF LICENSES

A. All licenses issued under the provisions of the Oklahoma Cosmetology 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 month in which the applicant's birthday falls.

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

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

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

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

License Type	Expired Five Years or More	Review Hours Required
Basic Cosmetologist		250 hours
Barber		250 hours
Master Cosmetology Instructor		100 hours
Master Barber Instructor		100 hours
Facial/Esthetics Instructor		100 Hours

Manicurist/Nail Technician Instructor	100 Hours
Manicurist	100 Hours
Facial Operator	100 Hours
Cosmetician	100 Hours
Hairbraiding Technician	100 Hours

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

SECTION 199.11 DENIAL OF LICENSE, CERTIFICATE OR REGISTRATION

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

1. Conviction of a felony crime within the five (5) preceding years that substantially relates to the practice of cosmetology or poses a reasonable threat to the public safety;
2. Gross malpractice or gross incompetence;
3. Fraud practiced in obtaining a license or registration;
4. A license or certificate holder's continuing to practice while afflicted with an infectious, contagious, or communicable disease;
5. Habitual drunkenness or addiction to use of habit forming drugs;
6. Advertising by means of statements known to be false or deceptive;
7. Continued or flagrant violation of any rules of the Board, or continued practice by an operator in a cosmetology or barber establishment wherein violations of the rules of the Board are being committed within the knowledge of the licensee;
8. Failure to display license or certificate as required by the Oklahoma Cosmetology and Barbering Act;
9. Continued practice of cosmetology or barbering after expiration of a license therefore;
10. Employment by a salon or barber establishment owner or manger of any person to perform any of the practices of cosmetology or barbering who is not duly licensed to perform the services; or
11. Practicing cosmetology or barbering in an immoral or unprofessional manner;
12. Unsanitary operating practices or unsanitary conditions of a school or establishment; or
13. Unsanitary operating practices of a licensee.

(B) As used in this section:

1. "Substantially relates" means the nature of criminal conduct, for which the person was convicted, has a direct bearing on the fitness or ability to perform one or more of the duties or responsibilities necessarily related to the occupation; and
2. "Poses a reasonable threat" means the nature of criminal conduct, for which the person was convicted, involved an act or threat of harm against another and has a bearing on the fitness or ability to serve the public or with others in the occupation.

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

SECTION 199.13 DISPENSING WITH EXAMINATION IN CERTAIN CASES

A. The State Board of Cosmetology and Barbering may issue a reciprocity license to an otherwise qualified applicant if:

1. The applicant has complied with the requirements of another state, territory or province and applicant holds a current license as verified by certification; and

2. The applicant successfully passes Oklahoma's state rules, regulations and law test administered by the Board.

B. The Board may issue a license without examination to an applicant from a foreign country or territory if:

1. The applicant is otherwise qualified and possesses a current license issued in that foreign country or territory; or

2. The applicant is otherwise qualified and does not possess a current license issued in that foreign country or territory, but can show he or she has continuously engaged in the practices or occupation for which a reciprocity license is applied for at least three (3) years immediately prior to such application.

The applicant from a foreign country or territory applying for a cosmetology, manicurist, facialist, hairbraiding technician or barber license shall successfully pass Oklahoma's state rules, regulations and law test administered by the Board and shall possess the equivalent of at least an eighth grade education.

The applicant from a foreign country or territory applying for a master instructor's license shall successfully pass Oklahoma's state rules, regulations and law test administered by the Board and shall posses the equivalent of a high school education.

The applicant from a foreign country may be required to provide evidence that documents have been verified as valid by a creditable agency as recognized by the Board.

C. The applicant from a foreign country or territory who is otherwise qualified, but who possesses a current license issued in that foreign country or territory must take examinations, both practical and written. To be issued a license if the applicant cannot show that he or she has been continuously engaged in the practices or occupation for which a reciprocity license is applied for at least three (3) years immediately prior to such application and shall successful pass Oklahoma's state rules, regulations and law test administered by the Board.

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

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

SECTION 199.14 FEES

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

Registration as a student $5.00
Examination for license $35.00
Cosmetology and Barber school license (initial) $400.00
Cosmetology and Barber school license (renewal) $125.00
Apprentice Registration ..... $ 10.00
Renewal Advanced Operator license (annual) ..... $ 25.00
Facial Operator license (annual) ..... $ 25.00
Cosmetology license (annual) ..... $ 25.00
Barber license (annual) ..... $ 25.00
Manicurist license (annual) ..... $ 25.00
Facial/Esthetics Instructor license (annual) ..... $ 30.00
Cosmetician license (annual) ..... $ 25.00
Hairbraiding Technician license (annual) ..... $ 25.00
Manicurist/Nail Technician Instructor license (annual) ..... $ 30.00
Demonstrator license (annual) ..... $ 20.00
Master Cosmetology Instructor license (annual) ..... $ 50.00
Master Barber Instructor license (annual) ..... $ 50.00
Cosmetology establishment license (initial) ..... $ 45.00
Cosmetology establishment license (renewal) ..... $ 30.00
Barber establishment license (initial) ..... $ 45.00
Barber establishment license (renewal) ..... $ 30.00
Cosmetic Studio license (initial) ..... $ 50.00
Cosmetic Studio license (renewal) ..... $ 30.00
Reciprocity license (initial) ..... $ 30.00
Reciprocity processing fee ..... $ 30.00
Duplicate license (in case of loss or destruction of original) ..... $ 5.00
Notary fee ..... $ 1.00
Certification of Records ..... $ 10.00

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

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

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

A. There is hereby created in the State Treasury for the Oklahoma State Board of Cosmetology and Barbering a revolving fund to be designated the State Cosmetology and Barbering Fund. The fund shall be a continuing fund not subject to fiscal year limitations and shall consist of all fees and penalties collected pursuant to the Oklahoma Cosmetology and Barbering Act or rules promulgated thereto and any other funds obtained or received by the State Board of Cosmetology and Barbering pursuant to the Oklahoma Cosmetology and Barbering Act. All

monies accruing to the credit of said fund are hereby appropriated and may be budgeted and shall be expended by the Board for the purposes of implementing, administering and enforcing the Oklahoma Cosmetology and Barbering Act. Expenditures from the fund shall be made upon warrants issued by the State Treasurer against claims filed as prescribed by law with the Director State Finance for approval and payment.

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

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