

TITLE 175. STATE BOARD OF COSMETOLOGY AND BARBERING

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

Subchapter 3. Licensure of Schools

175:10-3-2. Initial inspection

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

(b) **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~~ area of 5' X 8' (40 square

feet) per student as necessary and adequate for the safe operation of the required minimum

equipment approved for the conducting of cosmetology or barber courses of training.

Space allotted to reception area, restrooms, lockers, vending machines, cosmetic and wig

displays, supply and storage and break room(s) are not included in the 5' X 8' work area

required for each student.

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

(C) 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.

175:10-3-16. 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.

(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" X 3"~~ 2" X 2" current full-face photograph of the applicant as requested on registration form. A current photograph is one taken within the last six months. No embellishments or filters of any kind that alter the face of the applicant.

(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.

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.

175:10-3-34. 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 measured in credits and ratio as recognized by the United States Department of Education or by a regional or national accreditation entity recognized by the United States Department of Education.)

(1) Theory (must be coordinated with each practical practice subject as is appropriate

throughout the course of training) 150 clock hours

(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, arching, waxing and/or other methods for

non-permanent hair removal) 160 clock hours

(4) Scalp treatments and shampooing/conditioning rinses 30 clock hours

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

300 clock hours

(6) Hair color tints and bleaching and other color treatments 170 clock hours

(7) Hair cutting and hair shaping with shears and thinning shears (scissors) razor and clipper

Clipper (includes beard) 180 clock hours

(8) Professional development, Establishment management and unassigned

hours for review, examinations, etc. 180 clock hours

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

(10) 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, arching, waxing and/or other methods for non-permanent hair removal) (60) clock hours

(6) Scalp treatments, shampooing/conditioning rinses 30 clock hours

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

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

(9) Hair cutting and hair shaping with shears and thinning shears (scissors) razor and clipper

(includes beard) 120 clock hours

(10) Professional development, Establishment management and unassigned hours for review,

examinations, etc. 100 clock hours

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

(12) Cosmetology related subjects 500 clock hours

(13) Total cosmetology hours 1500 hours

(c) **Minimum training supplies for private and public schools.** A Basic Cosmetology student minimum training supplies are required as follows:

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

(2) one (1) razor-type hair shaper and shaper blades

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

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

(5) one (1) cuticle scissors

(6) one (1) nail brush

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

(8) one (1) tweezer

(9) six (6) assorted hair brushes

(10) twelve (12) combs (including tail, all purpose and/or barber-type)

(11) one (1) curling iron

(12) one (1) shampoo cape

(13) appropriately disinfected set of manicuring implements for student training use on each

patron

(14) toe nail clipper

- (15) permanent wave rods
- (16) other hair restructuring supplies
- (17) an adequate supply of applicator bottles and chemical bowl and brush
- (18) an adequate supply of protective gloves (disposable)
- (19) an adequate supply of neck strips
- (20) an adequate supply of hair clippers
- (21) an adequately supplied products dispensary to appropriately train students in cosmetology classes
- (22) visual aid equipment in addition to the chalk or marker board

10-9-36 Examination for hairbraiding technician certification [NEW]

In order to be eligible for a hairbraiding technician certificate, a person shall:

- (a) be at least seventeen (17) years of age;
- (b) submit a completed application;
- (c) submit ~~2" X 3"~~ 2" X 2" current full-face photograph of the applicant as requested on registration form. A current photograph is one taken within the last six months. No embellishments or filters of any kind that alter the face of the applicant;
- (d) complete a safety and sanitation examination with a passing score of at least seventy-five percent (75%).
- (e) An applicant declaring a disability as defined by the American Disabilities Act (ADA) shall submit a written statement when requesting an oral examination or other special testing accommodation.

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

~~(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 been training trained in safety and disinfection procedures on the clinic services performed instruction under the direct supervision of a licensed instructor.~~

~~(b) **Curriculum requirements.** The 40 clock hour or curriculum is prescribed as follows:~~

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

—(1) Bacteriology, chemistry, shampooing, disinfection and sanitation (includes hair and scalp disorders) 10 clock hours

—(2) Hairbraiding/hairweaving safety (includes purpose and effect, procedures, repair, removal of weft, sizing and finishing, extension and maintenance/care of braids/weaves) 10 clock hours

—(3) Board rules, regulations and statutes 20 clock hours

—(4) Total hours 40 hours

(c) **Minimum training supplies.** A Hairbraiding Technician minimum training supplies are required as follows:

—(1) textbook or manual

—(2) four (4) hair brushes

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

—(4) hair extension material

—(5) one (1) comb-out cape

—(6) one (1) box of curl clips (100 per box)

—(7) an adequate supply of protective gloves (disposable)

—(8) an adequate supply of neck strips

—(9) visual aid equipment in addition to the chalk, marker board or acceptable

—alternative.

(d) Upon completion of the 40 hours of training, a passing score of 75% is required on the

—Board's written sanitation and safety examination to be eligible for certification.

Subchapter 7. Sanitation and Safety Standards for Cosmetology and barber Establishments, salons and Schools.

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 (16) clock hours in a given week.

(f) **Credit for model participation in a State Board practical examination.** A student may be given eight (8) clock hours for participation as a student model in a State Board practical examination.

(g) **Credit limit per day.** No student is permitted to receive more than eight (8) clock hours per day.

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

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

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

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

(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.

(g) **Monthly submission of hour reports.** ~~All schools shall be required to submit a report of student hours earned to the Board quarterly no later than January 10th, April 10th, July 10th, October 10th.~~ All clock hour schools shall be required to submit a report of all student hours earned to the board monthly and will be due by the 10th of the following month. All hours shall be submitted as follows: Private school hours must reflect day and evening classes, student's name, file/registration number, and accumulated hours received. Public school hours must reflect the instructor who teaches the program and program taught, whether day or evening class, student name, file/registration number, and hours received by student.

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

(a) **School Affidavit upon completion, withdrawal or termination.** School Affidavit shall be submitted within five (5) business days upon completion of a course (~~provided tuition is paid in full according to contractual agreement~~), 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) business days of the completion of course hours by a student ~~if tuition is paid in full to the school according to contractual agreement.~~ 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 if hours are completed ~~and tuition is paid in full according to contractual agreement.~~ School will notify the board of any unpaid balance on student affidavit.

Accumulated hours with an unpaid balance shall not constitute completed hours for the purpose of sitting for the examination.

(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 provided the tuition is paid in full according to contractual agreement.

175:10-3-71. Review hours

After a student registers for examination, he may register for non-required review hours not to exceed five hundred (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.

175:10-7-1. Cosmetology and ~~Barber~~ 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.

175:10-7-5. 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 manufacturer's directions. The items must stay immersed for full contact time according to manufacturer's instructions in order that item or surface stays moist with disinfection for all pathogens listed on the label to be effectively destroyed.
- (e) Combs may be disinfected in a cylinder jar by immersing in an EPA approved disinfectant prepared according to manufacturer's directions. The combs must stay immersed for full contact time according to manufacturer's directions. ~~The combs must stay immersed for full contact time according to manufacturer's instruction in order that item or surface stays moist with disinfection for all pathogens listed on the label to be effectively destroyed.~~
- (f) If an autoclave is used to sterilize items after disinfection, in order to destroy all microbial life (including spores), periodic testing and maintenance must be performed on system according to manufacturer's instructions.
- (g) All disinfected items must be stored in a dry/closed cabinet, drawer, or other closed/covered/light type container without fumes.

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~~ sanitary manner. 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)~~ (b) Student, instructor or other school personnel shall be not permitted to smoke in classroom or at work/styling station.
- ~~(d)~~ (c) Light fixtures shall be appropriately installed in order to provide adequate lighting in work areas.

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"~~ 2" X 2" 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.

(e) All persons practicing in a salon shall be required to have a current form of photo ID on their person and be prepared to produce it to the Inspector at time of inspection.

Subchapter 9. Licensure of Cosmetologists, Barbers and Related Occupations

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)~~ (1) 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)~~(h) 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~~ 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.

175:10-9-25. 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 at least 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)~~ (6) Barber – 75%

~~(8)~~ (7) Manicurist/Nail Technician Instructor – 75%

~~(9)~~ (8) Facial/Esthetics Instructor – 75%

~~(10)~~ (9) 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.

175:10-9-33. 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~~ a 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~~ a license after notice to apply, shall be required to first register for the appropriate examination. He shall be required to show proof of a specific number of current review hours, the same as is required for the renewal of an expired license which is expired for the same length of time as required in Title 59 O.S. Section 199.10 (D).

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

(a) Any person who is not a cosmetology or barber licensee in this state, and who demonstrates any cosmetic preparation for the public from open tester, sampler or other open container, is hereby declared to be a demonstrator and shall be required to obtain a license from the Board before making

the demonstrations.

(b) While the Board does not interfere with door-to-door individual one-on-one type cosmetic retail sales, any person who establishes a cosmetology 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 and where no open containers (testers, samplers, applications etc.) are used to demonstrate, the cosmetics may be exempt from cosmetology licensing requirements.

(h) Requirements for the issuance of a Demonstrators license are:

(1) One (1) current, 2" X 2" 3/4", 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 sanitizer must be available for use.

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.

(g) The provisions of this section applicable to licenses shall also apply to hairbraiding certificates.

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)~~ (15) Advanced Operator license (renewal only) - \$25.00
- ~~(17)~~ (16) Establishment license (initial) - \$45.00
- ~~(18)~~ (17) Establishment license (renewal) - \$30.00
- ~~(19)~~ (18) Cosmetic studio license (initial) - \$50.00

~~(20)~~(19) Cosmetic studio license (renewal) - \$30.00

~~(21)~~(20) Nail salon license (initial) - \$45.00

~~(22)~~(21) Nail salon license (renewal) - \$30.00

~~(23)~~(22) Reciprocity license - \$30.00

~~(24)~~(23) Reciprocity transfer of hours processing fee from out-of-state - \$30.00

~~(25)~~(24) Duplicate license (in case of loss or destruction of original license and/or renewal application) - \$5.00

~~(26)~~(25) Notary Fee - \$1.00

~~(27)~~(26) Certification of Records - \$10.00

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

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

(d) Waiver of fee for low-income individuals. Pursuant to the provisions of 59 O.S. § 4003A, upon presentation of satisfactory evidence that an applicant for initial licensure or certification, or that a licensee or certificate-holder seeking renewal, is a low-income individual, the Board shall grant a one-time one-year waiver of the fee for licensure, certification or renewal. A low-income individual is a person who is enrolled in a state or federal public assistance program, including, but not limited to, the Temporary Assistance for Needy Families, Medicaid or the Supplemental Nutrition Assistance Program, or whose household adjusted gross income is below one hundred forty percent (140%) of the federal poverty line. An applicant for licensure must provide documentation showing participation in one of the afore-mentioned programs or submit income tax returns showing income below the established threshold. The documentation must be current and must be issued by the federal or state entity administering the program. Copies of income tax returns must be from the most recent tax year prior to the date of licensure application.

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.