



NOTICE OF TEXT

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

OAH USE ONLY

VOLUME:

ISSUE:

CHECK APPROPRIATE BOX:

- Notice with a scheduled hearing
- Notice without a scheduled hearing
- Republication of text. Complete the following cite for the volume and issue of previous publication, as well as blocks 1 - 4 and 7 - 14. If a hearing is scheduled, complete block 5.
Previous publication of text was published in Volume: Issue:

1. Rule-Making Agency:
2. Link to agency website pursuant to G.S. 150B-19.1(c):
3. Proposed Action -- Check the appropriate box(es) and list <u>rule citation(s)</u> beside proposed action: <input type="checkbox"/> ADOPTION: <input type="checkbox"/> AMENDMENT: <input type="checkbox"/> REPEAL: <input type="checkbox"/> READOPTION <u>with</u> substantive changes: <input type="checkbox"/> READOPTION <u>without</u> substantive changes: <input type="checkbox"/> REPEAL through READOPTION:
4. Proposed effective date:
5. Is a public hearing planned? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes: Public Hearing date: Public Hearing time: Public Hearing location:
6. If no public hearing is scheduled, provide instructions on how to demand a public hearing:

7. Explain Reason For Proposed Rule(s):

8. Procedure for Subjecting a Proposed Rule to Legislative Review: If an objection is not resolved prior to the adoption of the rule, a person may also submit written objections to the Rules Review Commission. If the Rules Review Commission receives written and signed objections in accordance with G.S. 150B-21.3(b2) from 10 or more persons clearly requesting review by the legislature and the Rules Review Commission approves the rule, the rule will become effective as provided in G.S. 150B-21.3(b1). The Commission will receive written objections until 5:00 p.m. on the day following the day the Commission approves the rule. The Commission will receive those objections by mail, delivery service, hand delivery, or facsimile transmission. If you have any further questions concerning the submission of objections to the Commission, please call a Commission staff attorney at 984-236-1850.

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

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

Name:

Address:

Phone (optional):

Fax (optional):

E-Mail (optional):

10. Comment Period Ends:

11. Fiscal impact. Does any rule or combination of rules in this notice create an economic impact? Check all that apply.

- State funds affected
- Local funds affected
- Substantial economic impact (\geq \$1,000,000)
- Approved by OSBM
- No fiscal note required

12. Rule-making Coordinator:

Phone:

E-Mail:

Additional agency contact, if any:

Phone:

E-mail:

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

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

—  —

Typed Name:

Title:

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

1 21 NCAC 14H .0505 Rule Compliance and Enforcement Measures is proposed for Repeal:

2 **21 NCAC 14H .0505 RULE COMPLIANCE AND ENFORCEMENT MEASURES**

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

5 ~~(1) Methyl Methacrylate Liquid Monomer a.k.a. MMA; or~~

6 ~~(2) razor type callus shavers designed and intended to cut growths of skin including skin tags, corns,~~
7 ~~and calluses.~~

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

10 ~~(1) animals including insects, fish, amphibians, reptiles, birds, or non human mammals to perform~~
11 ~~any service; or~~

12 ~~(2) variable speed electrical nail file unless it has been designed for use on the natural nail.~~

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

15 ~~(1) use of any product, implement, or piece of equipment in any manner other than the product's,~~
16 ~~implement's, or equipment's intended use as described or detailed by the manufacturer;~~

17 ~~(2) treatment of any medical condition unless referred by a physician;~~

18 ~~(3) use of any product that will penetrate the dermis;~~

19 ~~(4) provision of any service unless trained prior to performing the service;~~

20 ~~(5) performance of services on a client if the licensee has reason to believe the client has any of the~~
21 ~~following:~~

22 ~~(A) fungus, lice, or nits;~~

23 ~~(B) inflamed infected, broken, raised, or swollen skin or nail tissue in the area to be worked~~
24 ~~on; or~~

25 ~~(C) an open wound or sore in the area to be worked on;~~

26 ~~(6) alteration of or duplication of a license issued by the Board;~~

27 ~~(7) advertisement or solicitation of clients in any form of communication in a manner that is false or~~
28 ~~misleading; or~~

29 ~~(8) use of any FDA rated Class II device without the documented supervision of a licensed physician.~~

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

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

1 ~~(f) The failure to maintain in a cosmetic art shop and school antiseptics, gloves or finger guards, and sterile~~
2 ~~bandages available to provide first aid shall result in civil penalty in the amount of twenty five dollars (\$25.00) per~~
3 ~~item.~~

4 ~~(g) The failure to maintain a sink with hot and cold running water in the clinic area, separate from restrooms, shall~~
5 ~~result in civil penalty in the amount of one hundred dollars (\$100.00).~~

6 ~~(h) The failure to provide ventilation at all times in the areas where patrons are serviced in cosmetic art shops shall~~
7 ~~result in civil penalty in the amount of twenty five dollars (\$25.00).~~

8 ~~(i) The failure to maintain equipment and supplies necessary to perform any cosmetic art service offered in the shop~~
9 ~~shall result in civil penalty in the amount of one hundred dollars (\$100.00).~~

10 ~~(j) The failure to maintain a sanitation grade of 80 percent or higher shall result in a civil penalty in the amount of~~
11 ~~two hundred dollars (\$200.00).~~

12 ~~(k) Repeated violations of the rules in this Subchapter exceeding three written notifications of any one rule~~
13 ~~documented to any one individual, shop, or school shall result in a mandatory disciplinary hearing in accordance~~
14 ~~with 21 NCAC 14C.~~

15
16 *History Note: Authority G.S. 88B-2; 88B-4; 88B-14; 88B-23; 88B-24; 88B-26; 88B-27; 88B-29;*

17 *Eff. April 1, 2012;*

18 *Amended Eff. August 1, 2014;*

19 *Readopted Eff. January 1, 2016;*

20 *Amended Eff. March 1, 2019; March 1, 2018*

21 *Repealed Eff. April 1, 2023.*

1 21 NCAC 14A .0101 DEFINITIONS is proposed for amendment as follows:

2 **CHAPTER 14 – BOARD OF COSMETIC ART EXAMINERS**

3
4 **SUBCHAPTER 14A – DEPARTMENTAL RULES**

5
6 **SECTION .0100 – ORGANIZATION RULES**

7
8 **21 NCAC 14A .0101 DEFINITIONS**

9 In addition to the definitions set forth in G.S. 88B-2, the following definitions apply in this Chapter:

- 10 (1) "Beauty Establishment" refers to both cosmetic art schools and cosmetic art shops.
- 11 (2) "Clean" is the removal of visible and surface debris, washing with soap and water, detergent or
12 chemical cleaner that prepares non-porous items for disinfection and reduces the number and
13 slows the growth of pathogens on both porous and non-porous surfaces. Cleaning does not make
14 multi-use items safe for use.
- 15 (3) "Contact time" is the amount of moist contact time required for a disinfectant to be effective
16 against the pathogens on the manufacturers label. Clean items or surfaces must remain immersed,
17 or visibly wet if using sprays or wipes, for full contact time to be effective.
- 18 (4) "Cosmetology School" is any cosmetic art school that teaches cosmetic art as defined by G.S.
19 88B-2(5), but is not solely a manicurist or an esthetics school.
- 20 (5) "Cosmetology Student" is a student in any cosmetic art school whose study is the full curriculum.
- 21 (6) "Disinfect" is the process of making a non-porous item safe for use that includes the use of a
22 chemical intended to kill or denature a bacteria, virus or fungus. Items to be disinfected must be
23 cleaned prior to disinfection. UV light is not acceptable for disinfection.
- 24 (7) "Disinfectant" is an EPA registered bactericidal, virucidal and fungicidal disinfectant that is
25 approved for use in beauty salon or salon settings, following instruction label for dilution ratio and
26 contact time, or an EPA registered Sodium Hypochlorite 5.25 percent or higher (household
27 bleach) with instructions for disinfection, diluted as instructed on the label and observing the
28 contact time listed on the manufacturers label. Bleach must be active (not expired) with a
29 manufacture date of less than 6 months prior to use.
- 30 (8) "Esthetician School" is any cosmetic art school that teaches only the cosmetic art of skin care.
- 31 (9) "Esthetician Student" is a student in any cosmetic art school whose study is limited to the
32 esthetician curriculum set forth in 21 NCAC 14T .0604.
- 33 (10) "Licensing cycle" shall be as follows:
- 34 (a) for cosmetologists, the licensing cycle is a three-year period beginning on the first day of
35 October and ending on the third following first day of October and continuing thereafter
36 in three year intervals;

1 (b) for estheticians, natural hair care specialists and manicurists, the licensing cycle is one
2 year in length beginning on the first day of October and ending on the next first day of
3 October;

4 (c) for teachers, the licensing cycle is a two-year period beginning on the first day of October
5 of an even-numbered year and ending on the next first day of October of the next even-
6 numbered year.

7 (11) "Manicurist School" is a cosmetic art school that teaches only the cosmetic art of manicuring.

8 (12) "Manicurist Student" is a student in any cosmetic art school whose study is limited to the
9 manicurist curriculum set forth in 21 NCAC 14T .0605.

10 (13) "Non-porous" is a material that has no pores and does not allow for liquids to be absorbed or pass
11 through. Common non-porous materials include glass, metal, and plastic.

12 (14) "Porous" is a material that has minute spaces or holes through which liquid or air may pass such as
13 paper, foam, and wood. Porous may also be called permeable, penetrable, or cellular.

14 (15) "Renewal period" for individual licensees is a three-month period beginning on the first day of
15 July and ending on the first day of October of a renewal year. The "renewal period" for salon
16 licensees is a two-month period beginning on the first day of December and ending on the first day
17 of February of a renewal year.

18 (16) "Sterilize" is the eradication of all microbial life through the use of heat, steam, or chemical
19 sterilants. Autoclaves and or dry heat sterilizers used to sterilize must be spore tested through an
20 independent lab every 30 days. Autoclaves or dry heat sterilizers used to sterilize must be FDA
21 approved and used only as instructed by the manufacturer. Spore testing results and maintenance
22 records must be kept onsite for 12 months.

23 (17) "Successful Completion" is the completion of an approved cosmetic art curriculum with a
24 minimum grade of "C" or 70 percent, whichever is deemed as passing by the cosmetic art school.

25 (18) "Rasp" is a coarse file or metal tool with a roughened surface. A tool with a blade designed to cut
26 or slice is not a rasp.

27 (19) "Natural Hair Care School" is a cosmetic art school that teaches only the cosmetic art of natural
28 hair care.

29 (20) "Natural Hair Care Student" is a student in any cosmetic art school whose study is limited to the
30 natural hair care curriculum set forth in 21 NCAC 14T .0606.

31
32
33 *History Note: Authority G.S. 88B-2; 88B-4;*
34 *Eff. February 1, 1976;*
35 *Amended Eff. June 1, 1993; October 1, 1991; May 1, 1991; January 1, 1989;*
36 *Temporary Amendment Eff. January 1, 1999;*

1
2
3
4
5
6

*Amended Eff. October 1, 2012; July 1, 2010; December 1, 2008; May 1, 2005; December 1, 2004;
May 1, 2004; February 1, 2004; April 1, 2001; August 1, 2000;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January
13, 2015;
Amended Eff. April 1, 2023; March 1, 2022; September 1, 2018; March 1, 2018.*

21 NCAC 14H .0201 Application for Shop License is proposed for amendment as follows:

SECTION .0200 - SHOP LICENSING AND PHYSICAL DIMENSIONS

21 NCAC 14H .0201 APPLICATION FOR SHOP LICENSE

- (a) Rules in this Subchapter apply to all cosmetic art shops making initial application to operate a cosmetic art shop after the effective date of these Rules.
- (b) Shops licensed prior to March 1, 2012 may choose to comply with Rules .0202, .0203(c), .0204 and .0301 of this Subchapter.
- (c) Shops licensed prior to March 1, 2012 must comply with Rules .0201, .0203(a)-(b), .0302-.0304 and Sections .0400 and .0500 of this Subchapter.
- (d) Shops licensed prior to March 1, 2012 that make any structural changes must come into compliance with all rules in this Subchapter.
- (e) Persons desiring to open a cosmetic art shop in the State of North Carolina shall make application to the North Carolina State Board of Cosmetic Art Examiner on the Board's application form. Persons desiring to change ownership of a cosmetic art shop, relocate or reopen a shop ~~which has been closed more than 90 days~~ shall make application to the North Carolina State Board of Cosmetic Art Examiner on the Board's application form.

History Note: Authority G.S. 88B-2; 88B-4; 88B-14; 88B-22;

Eff. April 1, 2012;

Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 13, 2015

Amended Eff. April 1, 2023.

1 21 NCAC 14H .0203 Newly Established Shops is proposed for amendment as follows:

2

3 **21 NCAC 14H .0203 NEWLY ESTABLISHED SHOPS**

4 (a) ~~A~~ All cosmetic art ~~shop~~ shops shall be separate and apart from any building or room used for any other business
5 or purpose, separated by a solid wall of at least seven feet in height and must have a separate outside entrance.

6 (b) A newly established cosmetic art shop, shall be separate and apart from any building or room used for living,
7 dining or sleeping and shall be separate and apart from any other room used for any other purpose by a solid wall of
8 ceiling height, making separate and apart rooms used for a cosmetic art shop. All entrances to the cosmetic art shop
9 shall be through solid, full length doors installed in solid walls of ceiling height.

10 (c) A residential cosmetic art shop shall furnish bathroom facilities separate and apart from the residence.

11 (d) An entrance to a cosmetic art shop from a passageway, walkway or mall area used only for access to the shop,
12 or to the shop and other businesses, may be open.

13

14 *History Note: Authority G.S. 88B-2; 88B-4; 88B-14;*

15 *Eff. April 1, 2012;*

16 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January*
17 *13, 2015;*

18 *Amended Eff. April 1, 2023.*

19

1 21 NCAC 14H .0401 Licensees and Students is proposed for amendment as follows:

2 **SECTION .0400 - INFECTION CONTROL PROCEDURES AND PRACTICES**

3
4 **21 NCAC 14H .0401 LICENSEES AND STUDENTS**

5 (a) For purposes of this Section, sanitation, as described in G.S. 88B, is defined as "infection control."

6 (b) Notwithstanding Rule .0201 in this Subchapter, this Rule applies to licensees and students in practice in
7 cosmetic art schools and shops.

8 (c) Each licensee and student shall wash his or her hands with soap and water immediately after using the restroom.
9 Each licensee and student shall wash his or her hands with soap and water or use of a 62 percent to 70 percent
10 alcohol-based hand sanitizer immediately before and after serving each ~~client~~ client and at any point that the student
11 or licensees hands become contaminated.

12 (d) Each licensee and student shall wear clean garments and shoes while serving patrons.

13 (e) Licensees or students shall not use or possess in a cosmetic art school or shop any of the following:

14 (1) Methyl Methacrylate Liquid Monomer, a.k.a. MMA;

15 (2) razor-type callus ~~shavers~~ shavers, hollow needles, or blades ~~blades; designed and intended to cut~~
16 ~~skin and skin growths of skin including skin tags, corns, and calluses;~~

17 ~~(3) FDA rated Class III or greater devices;~~

18 ~~(4)~~(3) carbolic acid (phenol) over two percent strength;

19 ~~(5)~~(4) animals including insects, fish, amphibians, reptiles, birds, or non-human mammals to perform
20 any service; or

21 ~~(6)~~ a variable speed electrical nail file unless it has been designed for use on a natural nail.

22 (f) A licensee or student shall not:

23 (1) use any product, implement, or piece of equipment in any manner other than the product's,
24 implement's, or equipment's intended use as described or detailed by the manufacturer;

25 (2) treat any medical condition unless referred by a physician;

26 (3) provide any service unless it falls within the license definition listed in G.S. 88B-2 and unless
27 trained prior to performing the service;

28 (4) perform services on a client if the licensee has reason to believe the client has any of the
29 following:

30 (A) fungus, lice, or nits;

31 (B) an inflamed, infected, broken, raised, or swollen skin or nail tissue in the area to be
32 worked on; or

33 (C) an open wound or sore in the area to be worked on;

34 (5) alter or duplicate a license issued by the Board;

35 (6) advertise or solicit clients in any form of communication in a manner that is false or ~~misleading;~~
36 misleading. A violation of this prohibition is considered practicing or attempting to practice by
37 fraudulent misrepresentation is set forth in 21 NCAC 14P .0108;

- 1
- 2 (7) ~~use any FDA rated Class II device without the documented supervision of a licensed physician;~~
- 3 ~~cut or remove growths of skin including freckles, moles, warts, skin tags, corns, and calluses;~~
- 4 (8) use any product or device that will penetrate the dermis;
- 5 (9) make any statement to a member of the public, either verbally or in writing, stating or implying
- 6 any action is required or forbidden by Board rules when such action is not required or forbidden
- 7 by Board rules. A violation of this prohibition is considered practicing or attempting to practice by
- 8 fraudulent misrepresentation is set forth in 21 NCAC 14P .0108;
- 9 (10) Make any statement to a member of the public either verbally or in writing, stating or implying the
- 10 licensee or student has completed training, licensure or certification that the licensee/student does
- 11 not hold or has not completed or not recognized by the Board or NC General Statutes. A violation
- 12 of this prohibition is considered practicing or attempting to practice by fraudulent
- 13 misrepresentation as set forth in 21 NCAC 14P .0108;

14

15 ~~(10)~~(11) use or possess any product banned by the FDA. A list of banned products is available at

16 www.fda.gov; or

17 ~~(11)~~(12) use or possess any machine for a cosmetic art service that is not classified by the FDA. Machines

18 that do not require classification by the FDA are exempt from this regulation.

19 (g) In using a disinfectant, the user shall wear any personal protective equipment, such as gloves, recommended by

20 the manufacturer in the Safety Data Sheet.

21 (h) Licensees may only perform services specifically designated within their licensure field as defined by G.S. 88B-

22 2.

23

24 *History Note: Authority G.S. 88B-2; 88B-4; 88B-14; 88B-24;*

25 *Eff. April 1, 2012;*

26 *Amended Eff. August 1, 2014; March 1, 2013;*

27 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January*

28 *13, 2015;*

29 *Amended Eff. April 1, 2023; September 1, 2020; October 1, 2019; March 1, 2019; March 1, 2018.*

30

21 NCAC 14H .0402 Cosmetic Art Shops and Schools is proposed for amendment as follows:

21 NCAC 14H .0402 COSMETIC ART SHOPS AND SCHOOLS

- (a) Notwithstanding Rule .0201 in this Subchapter, this Rule applies to all cosmetic art schools and shops. A cosmetic art school or shop shall be kept clean.
- (b) Waste material shall be kept in receptacles with a disposable liner. The area surrounding the waste receptacles shall be maintained in a sanitary manner.
- (c) All doors and windows shall be kept clean.
- (d) Furniture, equipment, floors, walls, ceilings and fixtures must be clean and in good repair.
- (e) Work surfaces used for resting dirty implements during service performances must be disinfected before and after each service or be protected by a discardable or disinfectable barrier. Any barrier used for this purpose must be discarded, disinfected or laundered before and after each service.
- ~~(e)~~(f) Animals or birds shall not be in a cosmetic art shop or school. Fish in an enclosure and animals trained for the purpose of accompanying disabled persons are exempt from the prohibition in this Paragraph.
- ~~(f)~~ (g) Cosmetic art shops and schools shall display the name of the shop or school and the suite number at ~~designate~~ the entrance by a sign or lettering.
- ~~(g)~~ (h) The owner of a cosmetic art shop or school shall not post any sign that states or implies that some action is required or forbidden by Board rules when such action is not required or forbidden by Board rules. A violation of this prohibition is considered practicing or attempting to practice by fraudulent misrepresentation.

History Note: Authority G.S. 88B-2; 88B-4; 88B-14; 88B-24;

Eff. April 1, 2012;

Amended Eff. March 1, 2013;

Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 13, 2015;

Amended Eff. April 1, 2023.

1 **21 NCAC 14H .0403 DISINFECTION PROCEDURES IS PROPOSED FOR AMENDMENT AS**
2 **FOLLOWS:**

3 **21 NCAC 14H .0403 DISINFECTION PROCEDURES**

4 (a) Disinfectant, as applicable in this Subchapter, is defined as a disinfectant that is EPA registered as effective
5 against:

- 6 (1) bacteria including Staphylococcus aureus, MRSA and pseudomonas aeruginosa;
- 7 (2) viruses including HIV, Hepatitis B and C;
- 8 (3) fungi including Trichophyton mentagrophytes; and
- 9 (4) human coronavirus.

10 (b) Disinfectants that meet the requirements of Subparagraph (a)(1), (2), and (3) of this Rule may be used if they are
11 listed on EPA list N as effective against pathogen SARS-CoV-2.

12 (c) Infection Control rules that apply to towels and cloths are as follows:

- 13 (1) clean protective capes, drapes, linens, and towels shall be used for each patron;
- 14 (2) after a protective cape has been in contact with a patron's neck it shall be placed in a clean, closed
15 container until laundered with soap and hot water and dried in a heated dryer. Capes that cannot be
16 laundered and dried in a heater dryer may be disinfected in accordance with the manufacturer
17 directions; and
- 18 (3) after a drape, linen, or towel has been in contact with a patron's skin it shall be placed in a clean,
19 ~~covered~~ container until laundered with soap and hot water and dried in a heated dryer. ~~A covered~~
20 ~~container may have an opening so soiled items may be dropped into the container.~~

21 (d) Any paper or nonwoven protective drape or covering shall be discarded after one use.

22 (e) There shall be a supply of clean protective drapes, linens and towels at all times. Wet towels used in services
23 must be prepared fresh each day. Unused, prepared wet towels must be laundered daily.

24 (f) Clean drapes, capes, linens, towels and all other supplies shall be stored in a clean area.

25 (g) Bathroom facilities must be kept clean.

26 (h) All implements shall be cleaned and disinfected after each use in the following manner:

- 27 (1) They shall be washed with warm water and a cleaning solution and scrubbed to remove debris and
28 dried.
- 29 (2) They shall be disinfected with: ~~with either:~~
 - 30 (A) —disinfectant that is mixed and used according to the manufacturer's directions. They shall
31 be rinsed with hot tap water and dried with a clean towel before their next use. They shall
32 be stored in a clean, closed cabinet or container until they are needed. ~~needed; or~~
 - 33 (B) —by UV C, ultraviolet germicidal irradiation ~~used in accordance with the manufacturer's~~
34 ~~directions.~~
- 35 (3) If the implement is shears, a razor, not immersible, ~~or is not disinfected by UV C irradiation,~~ it
36 shall be cleaned by wiping it with a clean cloth moistened or sprayed with a disinfectant used in
37 accordance with the manufacturer's directions.

- 1 (i) All disinfected non-electrical implements shall be stored in a clean, closed cabinet or clean, closed container.
- 2 (j) All disinfected electrical implements shall be stored in a clean area separate from other clean implements.
- 3 (k) Disposable and porous implements and supplies must be discarded after use or upon completion of the service.
- 4 (l) Product that comes into contact with the patron must be discarded upon completion of the service.
- 5 (m) Containers with open faces may be covered or closed with plastic wrapping. Disinfected implements must not
- 6 be stored with any implement or item that has not been disinfected. Implements that have not been disinfected must
- 7 be stored in a container and labeled as soiled.
- 8 (n) Lancets, disposable razors, and other sharp objects shall be disposed in puncture-resistant containers.
- 9 (o) All creams, lotions, wax, cosmetics, and other products dispensed to come in contact with patron's skin must be
- 10 kept in clean, closed containers, and must conform in all respects to the requirements of the Federal Food, Drug, and
- 11 Cosmetic Act as set forth in PL 75-717.52 accessible at www.fda.gov. Any product apportioned for use and
- 12 removed from original containers must be distributed in a sanitary manner that prevents contamination of product or
- 13 container. Any product dispensed in portions into another container must be dispensed into a clean container and
- 14 applied to patrons by means of a disinfected or disposable implement or other clean methods. Any product
- 15 dispensed in portions not dispensed into another container must be used immediately and applied to patrons by
- 16 means of a disinfected or disposable implement or other clean methods. No product dispensed in portions may be
- 17 returned to the original container.
- 18 (p) As used in this Rule whirlpool or footspa means any basin using circulating water.
- 19 (q) After use by each patron each whirlpool or footspa must be cleaned and disinfected as follows:
- 20 (1) all water must be drained and all debris removed from the basin;
- 21 (2) the basin must be disinfected by filling the basin with water and circulating a surfactant or
- 22 enzymatic soap with a disinfectant used according to manufacturer's instructions through the unit
- 23 for 10 minutes;
- 24 (3) the basin must be drained and rinsed with clean water; and
- 25 (4) the basin must be wiped dry with a clean towel.
- 26 (r) At the end of the day each whirlpool or footspa must be cleaned and disinfected as follows:
- 27 (1) the screen must be removed and all debris trapped behind the screen removed;
- 28 (2) the screen and the inlet must be washed with surfactant or enzymatic soap or detergent and rinsed
- 29 with clean water;
- 30 (3) before replacing the screen it must be totally immersed in disinfectant in accordance to the
- 31 manufacturer's instructions;
- 32 (4) the inlet and area behind the screen must be cleaned with a brush and surfactant soap and water to
- 33 remove all visible debris and residue; and
- 34 (5) the spa system must be flushed with low sudsing surfactant or enzymatic soap and warm water for
- 35 at least 10 minutes and then rinsed and drained.
- 36 (s) A record must be made of the date and time of each cleaning and disinfecting as required by this Rule including
- 37 the date, time, reason, and name of the staff member who performed the cleaning. This record must be made for

1 each whirlpool or footspa and must be kept and made available for at least 90 days upon request by either a patron
2 or inspector.

3 (t) The water in a vaporizer machine must be emptied daily and the unit disinfected daily after emptying.

4 (u) The area where services are performed that come in contact with the patron's skin including treatment chairs,
5 treatment tables, and beds shall be disinfected between patrons.

6 (v) A manufacturers label for all products, cleaners, and disinfectant concentrate must be available at all times. If a
7 concentrate bottle is emptied, it must remain available until a new bottle is available.

8 (w) When mixed disinfectant concentrate is placed in a secondary container such as a spray bottle, tub or jar, that
9 container must be labeled to indicate what chemical is in the container. SDS sheets must be available for all
10 disinfectants in use at all times.

11 (x) Disinfectants must be stored and disposed of in accordance with all local, State, and federal requirements.

12 (y) The cabinet and supplies of a towel warmer machine must be emptied daily and the unit dried daily after
13 emptying.

14

15 *History Note: Authority G.S. 88B-2; 88B-4; 88B-14;*

16 *Eff. April 1, 2012;*

17 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January*
18 *13, 2015;*

19 *Amended Eff. April 1, 2023; September 1, 2021; September 1, 2020; October 1, 2019; March 1,*
20 *2018.*

21

1 21 NCAC 14H .0501 INSPECTION OF COSMETIC ART SHOPS is proposed for amendment as follows:

2 **SECTION .0500 - ENFORCEMENT, MAINTENANCE OF LICENSURE**

3
4 **21 NCAC 14H .0501 INSPECTION OF COSMETIC ART SHOPS**

5 (a) A newly established cosmetic art shop, ~~a shop which has been closed for more than 90 days~~, or a shop which has
6 changed ownership must file an application for licensure with the Board prior to opening. A newly established
7 cosmetic art shop, ~~a shop which has been closed for more than 90 days~~, a shop which has changed ownership or a
8 shop which has been operating without a license shall be inspected before a license will be issued.

9 (b) Each cosmetic art shop must pass inspection by an agent of the Board pursuant to this Subchapter. Inspections
10 shall be conducted annually and may be conducted without notice.

11 (c) Mobile cosmetic art shops and schools are prohibited.

12
13
14 *History Note: Authority G.S. 88B-2; 88B-4; 88B-14; 88B-27;*

15 *Eff. April 1, 2012;*

16 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January*
17 *13, 2015*

18 *Amended Eff. April 1, 2023.*

19

1 21 NCAC 14H .0503 SANITARY RATINGS AND POSTING OF RATINGS is proposed for amendment as
2 follows:

3 **21 NCAC 14H .0503 SANITARY RATINGS AND POSTING OF RATINGS**

4 (a) The sanitary rating of a beauty establishment shall be based on a system of grading outlined in this Subchapter.
5 Based on the grading, all establishments shall be rated in the following manner:

- 6 (1) all establishments receiving a rating of at least 90 percent or more shall be awarded a grade A;
- 7 (2) all establishments receiving a rating of at least 80 percent, and less than 90 percent, shall be
8 awarded grade B;
- 9 (3) all establishments receiving a rating of at least 70 percent or more, and less than 80 percent shall
10 be awarded grade C;
- 11 (4) any cosmetic art shop or school with a sanitation grade of ~~70 percent~~ or below 70 percent shall be
12 awarded a failed inspection notice.

13 (b) Every beauty establishment shall be given a sanitary rating. A cosmetic art school shall be graded no less than
14 three times a year, and a cosmetic art shop shall be graded once a year.

15 (c) The sanitary rating or failed inspection notice given to a beauty establishment shall be posted in plain sight near
16 the front entryway at all times.

17 (d) All new establishments must receive a rating of at least 90 percent before a license will be issued.

18 (e) The operation of a cosmetic art shop or school which fails to receive a sanitary rating of at least 70 percent
19 (grade C) shall be sufficient cause for revoking or suspending the license.

20 (f) A re-inspection for the purpose of raising the sanitary rating of a beauty establishment shall not be given within
21 30 days of the last inspection unless the rating at the last inspection was less than 80 percent.

22 ~~(g) A whirlpool and footspa sanitation record must be kept on each whirlpool and footspa for inspection on a form
23 provided by the Board.~~

24 (h) All cosmetic art shops and schools with a failed inspection report shall be sufficient cause for the immediate
25 suspension of licensure. All cosmetic art shops and schools with a failed inspection report must close until the
26 sanitation conditions have improved to be awarded a passing grade.

27 ~~(i) Mobile cosmetic art shops and schools are prohibited.~~

28 (j) A copy of the itemized and graded inspection report must be provided to the operator at the time of the
29 inspection.

31 *History Note: Authority G.S. 88B-2; 88B-4; 88B-14; 88B-26; 88B-27;*

32 *Eff. April 1, 2012;*

33 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January*
34 *13, 2015;*

35 *Amended Eff. April 1, 2023.*

36

1 21 NCAC 14H .0504 SYSTEMS OF GRADING BEAUTY ESTABLISHMENTS is proposed for amendment
 2 as follows:

3 **21 NCAC 14H .0504 SYSTEMS OF GRADING BEAUTY ESTABLISHMENTS**

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

Sanitation	Point Value
Each licensee and student shall wash his or her hands with soap and water or hand sanitizer with the active ingredient of 70 percent alcohol or higher before and after serving each client.	2
Each licensee and student shall wear clean garments and shoes while serving patrons.	2
The cosmetic art facility shall be kept clean.	3
Waste material shall be kept in receptacles with a disposable liner.	4
All doors and windows shall be kept clean.	2
Furniture, equipment, floors, walls, ceilings and fixtures shall be clean and in good repair.	3
Clean protective capes, drapes, linens, and towels shall be used for each patron.	3
After a cape, drape, linen, or towel has been in contact with a patron's skin, it shall be placed in a clean, closed container until laundered with soap and hot water and dried in a heated dryer.	5
Any paper or nonwoven protective drape or covering shall be discarded after one use.	2
There shall be a supply of clean protective drapes, linens and towels at all times.	2
Clean drapes, capes, linens, and towels shall be stored in a clean area.	5
Bathroom facilities shall be kept clean.	3
All implements shall be washed with warm water and a cleaning solution and scrubbed to remove debris and dried.	2
All implements shall be disinfected per Rule .0403 of this Subchapter.	10
All disinfected electrical implements shall be stored in a clean area.	2
Disposable and porous implements and supplies shall be discarded after use or upon completion of the service.	10
Any product that comes into contact with the patron shall be discarded upon completion of the service.	3
Disinfected implements shall be kept in a clean closed cabinet or clean closed container and shall not be stored with any implement or item that has not been disinfected.	10
Lancets, disposable razors, and other sharp objects shall be disposed in puncture-resistant containers.	1
The presence of animals or birds shall be prohibited as set forth in Rule .0402 of this Subchapter. Fish in an enclosure and animals trained for the purpose of accompanying disabled persons are exempt.	1
All creams, lotions, wax, cosmetics, and other products dispensed to come in contact with patron's skin shall be kept in clean, closed containers and dispensed with a clean implement. No product dispensed in portions shall be returned to the container.	10

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

1
2
3
4
5
6
7

History Note: Authority G.S. 88B-2; 88B-4; 88B-14; 88B-23; 88B-26;
Eff. April 1, 2012;
Amended Eff. August 1, 2014;
Readopted Eff. January 1, 2016;
Amended Eff. April 1, 2023; September 1, 2018.

1 **21 NCAC 14P .0105 RENEWALS; EXPIRED LICENSES; LICENSES REQUIRED** is proposed for
2 amendment as follows:

3 **21 NCAC 14P .0105 RENEWALS; EXPIRED LICENSES; LICENSES REQUIRED**

4 (a) The presumptive civil penalty for operating a cosmetic art shop/school with an expired license or temporary
5 permit is:

- | | | | |
|---|-----|-------------|----------|
| 6 | (1) | 1st offense | \$100.00 |
| 7 | (2) | 2nd offense | \$250.00 |
| 8 | (3) | 3rd offense | \$500.00 |

9 (b) The presumptive civil penalty for practicing cosmetology, manicuring, esthetics, or natural hair care with an
10 expired license is:

- | | | | |
|----|-----|-------------|----------|
| 11 | (1) | 1st offense | \$ 50.00 |
| 12 | (2) | 2nd offense | \$100.00 |
| 13 | (3) | 3rd offense | \$250.00 |

14 (c) The presumptive civil penalty for allowing an apprentice or someone with a temporary permit to practice
15 cosmetic art without direct supervision is:

- | | | | |
|----|-----|-------------|----------|
| 16 | (1) | 1st offense | \$100.00 |
| 17 | (2) | 2nd offense | \$300.00 |
| 18 | (3) | 3rd offense | \$500.00 |

19 (d) The presumptive civil penalty for practicing in a cosmetic art shop with an apprentice license or a temporary
20 permit without direct supervision is:

- | | | | |
|----|-----|-------------|----------|
| 21 | (1) | 1st offense | \$100.00 |
| 22 | (2) | 2nd offense | \$300.00 |
| 23 | (3) | 3rd offense | \$500.00 |

24 (e) The presumptive civil penalty for teaching with an expired license is:

- | | | | |
|----|-----|-------------|----------|
| 25 | (1) | 1st offense | \$100.00 |
| 26 | (2) | 2nd offense | \$250.00 |
| 27 | (3) | 3rd offense | \$500.00 |

28 (f) The presumptive civil penalty for allowing a North Carolina cosmetic art graduate without a temporary permit to
29 practice cosmetic art without direct supervision is:

- | | | | |
|----|-----|--------------------|-----------------|
| 30 | (1) | <u>1st offense</u> | <u>\$100.00</u> |
| 31 | (2) | <u>2nd offense</u> | <u>\$300.00</u> |
| 32 | (3) | <u>3rd offense</u> | <u>\$500.00</u> |

33 (g) The presumptive civil penalty for practicing in a cosmetic art shop with as a North Carolina cosmetic art
34 graduate without a temporary permit is:

- | | | | |
|----|-----|--------------------|-----------------|
| 35 | (1) | <u>1st offense</u> | <u>\$100.00</u> |
| 36 | (2) | <u>2nd offense</u> | <u>\$300.00</u> |
| 37 | (3) | <u>3rd offense</u> | <u>\$500.00</u> |

1
2
3
4
5
6
7
8
9
10
11
12
13

History Note: Authority G.S. 88B-4; 88B-7; 88B-11; 88B-12; 88B-14; 88B-21; 88B-22; 88B- 23(a); 88B-24; 88B-29;
Temporary Adoption Eff. January 1, 1999;
Eff. August 1, 2000;
Amended Eff. September 1, 2011; December 1, 2008; September 1, 2006; February 1, 2004;
August 1, 2002; April 1, 2001;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 13, 2015;
Amended Eff. April 1, 2023; December 1, 2016.

21 NCAC 14P .0106 LICENSES REQUIRED is proposed for amendment as follows:

21 NCAC 14P .0106 LICENSES REQUIRED

(a) The presumptive civil penalty for practicing cosmetic art without a license is:

- | | | |
|-----|-------------|----------|
| (1) | 1st offense | \$200.00 |
| (2) | 2nd offense | \$250.00 |
| (3) | 3rd offense | \$500.00 |

(b) The presumptive civil penalty for performing services which the practitioner is not licensed to perform is:

- | | | |
|-----|-------------|----------|
| (1) | 1st offense | \$100.00 |
| (2) | 2nd offense | \$250.00 |
| (3) | 3rd offense | \$500.00 |

(c) The presumptive civil penalty for practicing cosmetic art teaching without a license is:

- | | | |
|-----|-------------|----------|
| (1) | 1st offense | \$250.00 |
| (2) | 2nd offense | \$350.00 |
| (3) | 3rd offense | \$500.00 |

(d) The presumptive civil penalty for allowing an individual to perform services which the practitioner is not licensed to perform is:

- | | | |
|------------|--------------------|-----------------|
| <u>(1)</u> | <u>1st offense</u> | <u>\$100.00</u> |
| <u>(2)</u> | <u>2nd offense</u> | <u>\$250.00</u> |
| <u>(3)</u> | <u>3rd offense</u> | <u>\$500.00</u> |

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

Temporary Adoption Eff. January 1, 1999;

Eff. August 1, 2000;

Amended Eff. April 1, 2011; July 1, 2010; December 1, 2008; August 1, 2002;

Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 13, 2015;

Amended Eff. April 1, 2023.

21 NCAC 14P .0108 REVOCATION OF LICENSES AND OTHER DISCIPLINARY MEASURES IS PROPOSED FOR AMENDMENT AS FOLLOWS:

21 NCAC 14P .0108 REVOCATION OF LICENSES AND OTHER DISCIPLINARY MEASURES

(a) The presumptive civil penalty for allowing unlicensed practitioners to practice in a licensed cosmetic art shop is:

- | | | |
|-----|-------------|--|
| (1) | 1st offense | \$500.00 <u>per unlicensed practitioner</u> |
| (2) | 2nd offense | \$750.00 <u>per unlicensed practitioner</u> |
| (3) | 3rd offense | \$1000.00 <u>per unlicensed practitioner</u> |

(b) The presumptive civil penalty for practicing cosmetology, natural hair care, manicuring or esthetics with a license issued to another person is:

- | | | |
|-----|-------------|------------|
| (1) | 1st offense | \$500.00 |
| (2) | 2nd offense | \$800.00 |
| (3) | 3rd offense | \$1,000.00 |

(c) The presumptive civil penalty for altering a license, permit or authorization issued by the Board is:

- | | | |
|-----|-------------|-----------|
| (1) | 1st offense | \$500.00 |
| (2) | 2nd offense | \$800.00 |
| (3) | 3rd offense | \$1000.00 |

(d) The presumptive civil penalty for submitting false or fraudulent documents is:

- | | | |
|-----|-------------|------------|
| (1) | 1st offense | \$500.00 |
| (2) | 2nd offense | \$800.00 |
| (3) | 3rd offense | \$1,000.00 |

(e) The presumptive civil penalty for refusing to present photographic identification is:

- | | | |
|-----|-------------|----------|
| (1) | 1st offense | \$100.00 |
| (2) | 2nd offense | \$250.00 |
| (3) | 3rd offense | \$500.00 |

(f) The presumptive civil penalty for permitting an individual to practice cosmetic art with an expired license is:

- | | | |
|-----|-------------|----------|
| (1) | 1st offense | \$ 50.00 |
| (2) | 2nd offense | \$100.00 |
| (3) | 3rd offense | \$250.00 |

(g) The presumptive civil penalty for practicing or attempting to practice by fraudulent misrepresentation is:

- | | | |
|-----|-------------|-----------|
| (1) | 1st offense | \$500.00 |
| (2) | 2nd offense | \$800.00 |
| (3) | 3rd offense | \$1000.00 |

(h) The presumptive civil penalty for the illegal use or possession of equipment in a cosmetic art shop or school is:

- | | | |
|-----|-------------|-----------|
| (1) | 1st offense | \$300.00 |
| (2) | 2nd offense | \$500.00 |
| (3) | 3rd offense | \$1000.00 |

History Note: Authority G.S. 88B-4; 88B-24; 88B-29;
Temporary Adoption Eff. January 1, 1999;
Eff. August 1, 2000;
Amended Eff. June 1, 2013; September 1, 2012; September 1, 2011; July 1, 2010; December 1,
2008; January 1, 2006; April 1, 2004; August 1, 2002; April 1, 2001;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January
13, 2015;

Amended Eff. April 1, 2023.

1 **21 NCAC 14P .0111 ESTABLISHMENT OF COSMETIC ART SCHOOLS IS PROPOSED FOR**
2 **AMENDMENT AS FOLLOWS:**

3 **21 NCAC 14P .0111 ESTABLISHMENT OF COSMETIC ART SCHOOLS**

4 (a) The presumptive civil penalty for failure to provide minimum floor space or equipment and supplies as required
5 by ~~Subchapters 14G, 14J, and Subchapter 14T~~ is:

- | | | | |
|---|-----|-------------|----------|
| 6 | (1) | 1st offense | \$200.00 |
| 7 | (2) | 2nd offense | \$350.00 |
| 8 | (3) | 3rd offense | \$500.00 |

9 (b) The presumptive civil penalty for failure to provide instruction at a ratio required in 21 NCAC 14T .0701 is:

- | | | | |
|----|-----|-------------|--------------------|
| 10 | (1) | 1st offense | warning (\$100.00) |
| 11 | (2) | 2nd offense | \$250.00 |
| 12 | (3) | 3rd offense | \$500.00 |

13 (c) The presumptive civil penalty for failure to report a change in the teaching staff as required in 21 NCAC 14T
14 .0701 is:

- | | | | |
|----|-----|-------------|-------------------|
| 15 | (1) | 1st offense | warning (\$50.00) |
| 16 | (2) | 2nd offense | \$100.00 |
| 17 | (3) | 3rd offense | \$200.00 |

18 (d) The presumptive civil penalty for failure to submit an application for the approval of a school in the case of a
19 change of location or ownership as required in in 21 NCAC 14T .0706 is:

- | | | | |
|----|-----|-------------|--------------------------------|
| 20 | (1) | 1st offense | \$100.00 -\$500.00 |
| 21 | (2) | 2nd offense | \$200.00 -\$750.00 |
| 22 | (3) | 3rd offense | \$500.00 -\$1000.00 |

23

24 *History Note: Authority G.S. 88B-4(2); 88B-16; 88B-29;*

25 *Temporary Adoption Eff. January 1, 1999;*

26 *Eff. August 1, 2000;*

27 *Amended Eff. September 1, 2012; July 1, 2010; February 1, 2004;*

28 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January*
29 *13, 2015;*

30 *Amended Eff. April 1, 2023; December 1, 2016.*

31

1 21 NCAC 14P .0113 OPERATIONS OF SCHOOLS OF COSMETIC ART is proposed for amendment as
2 follows:

3 **21 NCAC 14P .0113 OPERATIONS OF SCHOOLS OF COSMETIC ART**

4 (a) The presumptive civil penalty for failure to record student's hours of daily attendance per 21 NCAC 14T .0502
5 is:

- | | | | |
|---|-----|-------------------------|--------------------|
| 6 | (1) | 1 st offense | warning (\$100.00) |
| 7 | (2) | 2 nd offense | \$200.00 |
| 8 | (3) | 3 rd offense | \$300.00 |

9 (b) The presumptive civil penalty for failure to report withdrawal or graduation of a student per 21 NCAC 14T
10 .0502 is:

- | | | | |
|----|-----|-------------|-------------------|
| 11 | (1) | 1st offense | warning (\$50.00) |
| 12 | (2) | 2nd offense | \$100.00 |
| 13 | (3) | 3rd offense | \$200.00 |

14 (c) The presumptive civil penalty for failure to submit student enrollments per 21 NCAC 14T .0502 is:

- | | | | |
|----|-----|-------------|-------------------|
| 15 | (1) | 1st offense | warning (\$50.00) |
| 16 | (2) | 2nd offense | \$100.00 |
| 17 | (3) | 3rd offense | \$200.00 |

18 (d) The presumptive civil penalty for failure to display a copy of the Infection Control rules is:

- | | | | |
|----|-----|-------------------------|-------------------|
| 19 | (1) | 1 st offense | warning (\$50.00) |
| 20 | (2) | 2 nd offense | \$100.00 |
| 21 | (3) | 3 rd offense | \$200.00 |

22 (e) The presumptive civil penalty for failure to post consumer sign "Cosmetic Art School - Work Done Exclusively
23 by Students" per 21 NCAC 14T .0201 is:

- | | | | |
|----|-----|-------------------------|-------------------|
| 24 | (1) | 1 st offense | warning (\$50.00) |
| 25 | (2) | 2 nd offense | \$100.00 |
| 26 | (3) | 3 rd offense | \$200.00 |

27 (f) The presumptive civil penalty for allowing a cosmetic art shop to operate within a cosmetic art school per 21
28 NCAC 14T .0201 is:

- | | | | |
|----|-----|-------------------------|----------|
| 29 | (1) | 1 st offense | \$200.00 |
| 30 | (2) | 2 nd offense | \$400.00 |
| 31 | (3) | 3 rd offense | \$600.00 |

32 (g) The presumptive civil penalty for a cosmetic art school that is not separated from a cosmetic art shop or other
33 business by a solid wall, floor to ceiling, with a separate entrance and a door that stays closed at all times per 21
34 NCAC 14T .0201 is:

- | | | | |
|----|-----|-------------------------|----------|
| 35 | (1) | 1 st offense | \$200.00 |
| 36 | (2) | 2 nd offense | \$400.00 |
| 37 | (3) | 3 rd offense | \$600.00 |

1 (h) The presumptive civil penalty for failure to have any student wear the required school uniform or identification
2 per 21 NCAC 14T .0613 is:

- 3 (1) 1st offense warning (\$50.00)
- 4 (2) 2nd offense \$100.00
- 5 (3) 3rd offense \$200.00

6 (i) The presumptive civil penalty for failure to renew or file school bond or bond alternative per G.S. 88B-17 is:

- 7 (1) 1st offense \$200.00
- 8 (2) 2nd offense \$400.00
- 9 (3) 3rd offense \$600.00

10 (j) The presumptive civil penalty for failure to maintain the student permanent file with required documents per 21
11 NCAC 14T .0502 is:

- 12 (1) 1st offense warning (\$50.00)
- 13 (2) 2nd offense \$100.00
- 14 (3) 3rd offense \$200.00

15 (k) The presumptive civil penalty for failure to maintain records of daily hours of attendance documents per 21
16 NCAC 14T .0502 is:

- 17 (1) 1st offense warning (\$50.00)
- 18 (2) 2nd offense \$100.00
- 19 (3) 3rd offense \$200.00

20 (l) The presumptive civil penalty for failure to maintain records of performances documents per 21 NCAC 14T
21 .0502 is:

- 22 (1) 1st offense warning (\$50.00)
- 23 (2) 2nd offense \$100.00
- 24 (3) 3rd offense \$200.00

25 (m) The presumptive civil penalty for allowing an unlicensed individual to instruct cosmetic art per 21 NCAC 14T
26 .0701 is:

- 27 (1) 1st offense \$500.00
- 28 (2) 2nd offense \$750.00
- 29 (3) 3rd offense \$1000.00

30 (n) The presumptive civil penalty for failure to track and record the student progression in an online education
31 course per 21 NCAC 14T .0502 is:

- 32 (1) 1st offense warning (\$50.00)
- 33 (2) 2nd offense \$100.00
- 34 (3) 3rd offense \$200.00

35 (o) The presumptive civil penalty for allowing more than 50 percent for teachers and 30 percent of all other courses
36 to be done through online education per 21 NCAC 14T .0502 is:

- 37 (1) 1st offense warning (\$50.00)

1 (2) 2nd offense \$100.00

2 (3) 3rd offense \$200.00

3 (p) The presumptive civil penalty for failure to administer education as required in 21 NCAC 14T .0612 (c) is: a test
4 ~~at the end of each online education course in person at the school per 21 NCAC 14T .0611 is:~~

5 (1) 1st offense warning (\$50.00)

6 (2) 2nd offense \$100.00

7 (3) 3rd offense \$200.00

8 (q) The presumptive civil penalty altering the format, school name or school code on a Board form per 21 NCAC
9 14T .0502 is:

10 (1) 1st offense warning (\$50.00)

11 (2) 2nd offense \$100.00

12 (3) 3rd offense \$200.00

13

14 *History Note: Authority G.S. 88B-4; 88B-16; 88B-17; 88B-29;*

15 *Temporary Adoption Eff. January 1, 1999;*

16 *Eff. August 1, 2000;*

17 *Amended Eff August 1, 2014; September 1, 2012; July 1, 2010; December 1, 2008; April 1, 2004;*

18 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January*
19 *13, 2015;*

20 *Amended Eff. April 1, 2023; October 1, 2019; December 1, 2016.*

21

1 **21 NCAC 14P .0116 CIVIL PENALTY PROCEDURES IS PROPOSED FOR AMENDMENT AS**
2 **FOLLOWS:**

3 **21 NCAC 14P .0116 CIVIL PENALTY PROCEDURES**

4 (a) Citations. The Board, through its duly authorized representatives, shall issue a citation with respect to any
5 violation for which a civil penalty may be assessed. Each citation shall be in writing and shall describe the nature of
6 the violation, including a reference to the specific provision alleged to have been violated. The civil penalty, if any,
7 shall attach at the time the citation is written. The citation shall include an order to correct any condition or
8 violation which lends itself to corrections, as determined by the Board.

9 (b) Correction of Violation. Any licensee who has been issued a warning citation must present written proof
10 satisfactory to the Board, or its executive director, that the violation has been corrected. This provision applies only
11 to a licensee's first violation in any one year period for a violation with a first offense warning penalty. Proof of
12 correction shall be presented to the Board, through its executive director, within 30 days of the date the warning
13 citation was issued. The Board may extend for a reasonable period, the time within which to correct the warning
14 citation in case of a death or hospitalization. Notices of correction filed after the prescribed date shall not be
15 acceptable and the civil penalty shall be paid.

16 (c) Contested Case. Persons to whom a notice of violation or a citation is issued and a civil penalty assessed, may
17 contest the civil penalty by filing written notice with the Board. The Board shall institute a contested case by
18 sending a notice of hearing pursuant to G.S. 150B, Article 3A. The issuance of notice of hearing shall stay the civil
19 penalty until the Board renders a final agency decision in the contested case.

20 (d) Final Agency Decision. The Board, after the hearing has been concluded, may affirm, reduce, or dismiss the
21 charges filed in the notice of hearing or any penalties assessed. In no event shall the civil penalty be increased.

22 (e) Failure to File. If no written notice contesting the civil penalty is filed as set forth in Paragraph (c), the civil
23 penalty becomes a final agency decision.

24 (f) Any offender who has not committed a previously cited offense for which a civil penalty has been assessed for a
25 three year period after the last penalty payment is complete shall have his record of the specific offense cleared. The
26 next subsequent violation shall be treated as a first offense.

27
28 *History Note: Authority G.S. 88B-4; 88B-29;*
29 *Temporary Adoption Eff. January 1, 1999;*
30 *Eff. August 1, 2000;*
31 *Amended Eff. August 1, 2002;*
32 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January*
33 *13, 2015;*
34 *Amended Eff. April 1, 2023.*
35

1 **21 NCAC 14P .0117** **RULE COMPLIANCE AND ENFORCEMENT MEASURES IS PROPOSED FOR**
2 **AMENDEMENT AS FOLLOWS:**

3 **21 NCAC 14P .0117** **RULE COMPLIANCE AND ENFORCEMENT MEASURES**

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

7 (1) Methyl Methacrylate Liquid Monomer a.k.a. MMA; or

8 (2) razor-type callus shavers, hollow needles or blades.

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

11 (1) animals including insects, fish, amphibians, reptiles, birds, or non-human mammals to perform
12 any service; or

13 (2) variable speed electrical nail file unless it has been designed for use on the natural nail.

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

16 (1) use of any product, implement, or piece of equipment in any manner other than the product's,
17 implement's, or equipment's intended use as described or detailed by the manufacturer;

18 (2) treatment of any medical condition unless referred by a physician;

19 (3) use of any product or device that will penetrate the dermis;

20 (4) provision of any service unless trained prior to performing the service;

21 (5) performance of services on a client if the licensee has reason to believe the client has any of the
22 following:

23 (A) fungus, lice, or nits;

24 (B) inflamed infected, broken, raised, or swollen skin or nail tissue in the area to be worked
25 on; or

26 (C) an open wound or sore in the area to be worked on;

27 (6) alteration of or duplication of a license issued by the Board;

28 (7) advertisement or solicitation of clients in any form of communication in a manner that is false or
29 misleading; or

30 (8) cut skin growths of skin including skin tags, corns, and calluses.

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

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

1 (f) The failure to maintain in a cosmetic art shop and school antiseptics, gloves or finger guards, and sterile
2 bandages available to provide first aid shall result in civil penalty in the amount of twenty-five dollars (\$25.00) per
3 item.

4 (g) The failure to maintain in a cosmetic art shop or school a sink with hot and cold running water separate from
5 restrooms, shall result in civil penalty in the amount of one hundred dollars (\$100.00).

6 (h) The failure to provide ventilation at all times in the areas where patrons are serviced in cosmetic art shops and
7 schools shall result in civil penalty in the amount of twenty-five dollars (\$25.00).

8 (i) The failure to maintain equipment and supplies necessary to perform any cosmetic art service offered in the shop
9 or school shall result in civil penalty in the amount of one hundred dollars (\$100.00).

10 (j) The failure to maintain a sanitation grade of 80 percent or higher shall result in a civil penalty in the amount of
11 two hundred dollars (\$200.00).

12 (k) Repeated violations of the rules in this Rule exceeding three written notifications of any one rule documented to
13 any one individual, shop, or school shall result in a mandatory disciplinary hearing in accordance with 21 NCAC
14 14C.

15
16 *History Note: Authority G.S. 88B-2; 88B-4; 88B-14; 88B-23; 88B-24; 88B-26; 88B-27; 88B-29;*
17 *Amended Eff. April 1, 2023; August 1, 2014;*

18

1 **21 NCAC 14T .0101 SCOPE IS PROPOSED FOR AMENDMENT AS FOLLOWS:**

2 **SUBCHAPTER 14T – COSMETIC ART SCHOOLS**

3
4 **SECTION .0100 - SCOPE AND SCHOOL APPLICATIONS**

5
6 **21 NCAC 14T .0101 SCOPE AND DEFINITIONS**

7 (a) These Rules apply to existing and new schools as follows:

- 8 (1) Rules in this Subchapter apply to all cosmetic art schools making initial application to operate a
9 cosmetic art school after the effective date of these Rules.
- 10 (2) Schools with a letter of approval dated prior to the effective date of the rules in this Subchapter
11 may choose to comply with Section .0100 and .0200, Rules .0302-.0305 of this Subchapter.
- 12 (3) Schools with a letter of approval dated prior to the effective date of the rules in this Subchapter
13 must comply with Rule .0301, Section .0400, Rules .0602-.0610, .0614, and .0615 of this
14 Subchapter upon the enrollment of students after the effective date of these Rules.
- 15 (4) Schools with a letter of approval dated prior to the effective date of the rules in this Subchapter
16 must comply with Rules .0501, .0502, .0601, .0611-.0613, .0616,-.0901 upon the effective date of
17 the rules in this Subchapter.

18 (b) These definitions apply to cosmetic art schools licensed by the Board:

- 19 (1) “Clinic” is the area for performance of all cosmetic art services. The clinic may also be used for
20 practice.
- 21 (2) “Conceptual Education” consists of lectures, research, reading, online learning, videos,
22 instructional clips and other non-tactile forms of instruction.
- 23 (3) “Demonstration” is when a teacher shows the hands-on systematic completion of the steps for a
24 safe and effective cosmetic art service.
- 25 (4) “Evaluation” is the assessment of a student’s independent completion of a practice or performance
26 evaluation plan by a teacher.
- 27 (5) “Evaluation plan” is a document that outlines the infection control, tool safety, draping, safe
28 application and steps for systematic completion of a cosmetic art service.
- 29 (6) “Guided practice” is when a teacher and student work together on systematic completion of the
30 steps for a safe and effective cosmetic art service.
- 31 (7) “Guided theory” is when a teacher lectures, instructs, and coaches factual basis for mechanical
32 operations performed in cosmetic art services.
- 33 (8) “Hands-on Education” – the repeated physical completion of practice and performances, to
34 provide students with the tactile interaction of different hair, skin, nail types and shapes for the
35 purpose of providing experience to safe and effective cosmetic art services despite variable
36 circumstances.

- 1 (9) “Independent Theory” is the student study of factual basis for mechanical operations performed in
2 cosmetic art services.
- 3 (10) “Performance” is the hands-on execution of the systematic completion of the steps for a safe and
4 effective cosmetic art service on a live individual by a student, performance is monitored during
5 the execution and checked by a teacher upon completion for the purpose of pointing out errors in
6 order that the errors may be corrected.
- 7 (11) “Performance station” for each cosmetic art discipline consists of:
8 (a) cosmetology – hydraulic styling chair, mirror, and work space for supplies;
9 (b) manicuring – manicuring table, client chair, and student chair;
10 (c) esthetics – reclining facial treatment table with leg support and student stool, work space for
11 supplies; and
12 (d) natural hair care - hydraulic styling chair, mirror, and work space for supplies.
- 13 (12) “Practice” is the independent hands-on execution of the systematic completion of the steps for a
14 safe and effective cosmetic art service on a mannequin by a student, practice is monitored during
15 the execution and checked by a teacher upon completion, for the purpose of pointing out errors in
16 order that the errors may be corrected.
- 17 (13) “Practice station” is a minimum of 24 inches deep by 36 inches wide of workspace surface in an
18 area with hot and cold running water.
- 19 (14) Required Evaluations” are mannequin practice evaluations that must be passed prior to student
20 performances on a live model. The list of required evaluations is specific to each discipline and
21 established in each [curriculum rule] and letter (c).
- 22 (15) “Safe and effective” is the completion of the systematic steps for a cosmetic art service following
23 infection control regulations, manufacturer’s instructions, and equipment handling.
- 24
- 25 (16) “Service” is the action of hands-on systematic steps for the safe and effective completion of a
26 cosmetic art procedure that alters the hair, skin or nails.
- 27 (17) “Theory” is the factual basis for mechanical operations performed in cosmetic art services.
- 28 (18) “Online instruction” is off-site conceptual education.
- 29 (19) “Client consultation” is the review and discussion of client needs and preferences, assessment of
30 client skin, hair, and nails, and assessment of product reactions.
- 31 (20) “Tool safety” is the factual basis for the safe handling and operation of any tool or device used in a
32 cosmetic art service.
- 33
- 34

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

36 *Eff. January 1, 2012;*

1
2
3
4

Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 13, 2015;
Amended Eff. April 1, 2023.

1 **21 NCAC 14T .0102 NEW SCHOOL APPLICATIONS IS PROPOSED FOR AMENDMENT AS**
2 **FOLLOWS:**

3 **21 NCAC 14T .0102 NEW SCHOOL APPLICATIONS**

4 (a) Persons desiring to operate a cosmetic art school in the state of North Carolina shall make application for
5 licensure by submitting to the Board the Board's School Application. The Board's School Application shall include:

- 6 (1) School name;
- 7 (2) Cosmetic Art discipline(s) to be taught;
- 8 (3) Physical address and mailing address;
- 9 (4) Phone number;
- 10 (5) Email address;
- 11 (6) Ownership type;
- 12 (7) Reason for application;
- 13 (8) Owner name;
- 14 (9) School contact person with phone number and email address; and
- 15 (10) List of teachers with cosmetic art license number.

16 (b) School application forms must be submitted along with supporting documents as follows:

- 17 (1) Proof of bond as required by G.S. 88B-17;
- 18 (2) Diagram with location of equipment placement and marking square footage of all areas including
19 classrooms, dispensary, water supplies, stations, locker room or dressing room, office areas,
20 reception areas, and restroom facilities;
- 21 (3) Course curriculum and required evaluations plans for each cosmetic art discipline and teacher
22 trainee program to be taught in the school;
- 23 (4) Plans for record keeping for compliance with 21 NCAC 14T .0502; of student hours, minimum
24 course requirement qualifications, and student performances;
- 25 (5) The qualifications for passing a ~~performance requirement~~ required evaluations and techniques for
26 grading of performances;
- 27 (6) Handbook for students containing student policies on attendance, leave of absence policy,
28 performance assignment, and a plan ~~to assist~~ for instruction of students to achieve the required
29 ~~minimum hours~~ hours, practice, and performances per 21 NCAC 14T .0602-.0610; .0610 and any
30 additional academic requirements established by the school;
- 31 (7) A raised seal identifying the school name and physical location to be used on all Board forms,
32 reports, and other official papers;
- 33 (8) Documentation of local municipality fire, mechanical code, occupancy, electrical and plumbing
34 approval;
- 35 (9) School operation schedule including days, hours, and observed holidays; and
- 36 (10) Signed ~~and notarized~~ statement that the school owner has read and understands the Board's rules in
37 this Subchapter.

1 (c) The Board shall not approve an application for a license until all plans, furniture, supplies and equipment as
2 prescribed by the rules in this Subchapter have been installed.

3 (d) The Board shall issue a license to any cosmetic art school that meets the requirements of this Subchapter.
4

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

6 *Eff. January 1, 2012;*

7 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January*
8 *13, 2015;*

9 *Amended Eff. April 1, 2023; March 1, 2022; October 1, 2019; December 1, 2016.*
10

1 **21 NCAC 14T .0201 ALL COSMETIC ART SCHOOLS IS PROPOSED FOR AMENDMENT AS**
2 **FOLLOWS:**

3 **SECTION .0200 - PHYSICAL REQUIREMENTS FOR COSMETIC ART SCHOOLS**
4

5 **21 NCAC 14T .0201 ALL COSMETIC ART SCHOOLS**

6 (a) Cosmetology schools must have the following physical departments:

- 7 (1) Practice Department – a minimum of 200 square feet with practice stations a table or tables and or
8 stands to accommodate at least 10 students. ~~students and have at least 40 inches between each~~
9 ~~mannequin. Cosmetic art schools must provide an additional 5 square feet in the practice~~
10 ~~department for each student over the maximum of 10. This area shall have at least one mirror of a~~
11 ~~minimum of two square feet.~~
- 12 (2) Clinic Department – a minimum of 1200 square feet of clinic floor for performance of all cosmetic
13 art services. Within the clinic area each school shall have:
- 14 (A) 48 inches of space from the center to the center of each styling chair, esthetics table or
15 manicuring table;
- 16 (B) 24 inches from the center of the chair forward;
- 17 (C) 48 inches from the backrest behind the chair to any other styling chair, ~~esthetics table~~
18 reclining or flat facial treatment table with leg support or manicuring table; and
- 19 (D) at least 30 inches of space from the back of each styling chair, ~~esthetics table~~ reclining or
20 flat facial treatment table to the wall of the school.
- 21 (3) Dispensary – a room or area to organize and maintain supplies, equipment for disinfection of all
22 implements and a sink with hot and cold running water. All cosmetic art schools must have the
23 required equipment to carry out disinfection procedures per 21 NCAC 14H .0403 and .0404;
- 24 (4) Theory classroom – classroom with a minimum of 300 square feet including desks and chairs for
25 each student. ~~feet to accommodate a maximum of 25 students. Cosmetic art schools must provide~~
26 ~~an additional 8 square feet in the theory classroom for each student over the maximum of 25;~~
- 27 (5) Office – administrative office with a locking door for the secure and locked facilitation of student
28 records and files. This office shall be outfitted with a locking cabinet, electronic office equipment
29 suitable for scanning, printing and secure document storage and a minimum of one desk and one
30 chair;
- 31 (6) Reception area – a reception area for clients to wait prior to receiving services;
- 32 (7) Break room for student use;
- 33 (8) Restrooms for student and public use;
- 34 (9) ~~Locker or dressing room~~ Locker Locker or room for students to secure and lock personal
35 belongings throughout the day; and
- 36 (10) All stations as defined in Rule .0302 of this Subchapter must be numbered numerically.

37 (b) Manicuring, esthetics and natural hair care schools must have the following physical departments:

1 (1) Clinic Department – the clinic floor for performance of all cosmetic art services. Within the clinic
2 area each school shall have:

3 (A) 48 inches of space from the center to the center of each styling chair, esthetics table or
4 manicuring table;

5 (B) 24 inches from the center of the chair forward;

6 (C) 48 inches from the backrest behind the chair to any other styling chair, ~~esthetics table~~
7 reclining or flat facial treatment table with leg support or manicuring table; and

8 (D) at least 30 inches of space from the back of each styling chair or ~~esthetics table~~ reclining
9 or flat facial treatment table with leg support to the wall of the school.

10 (2) Dispensary – a room or area to organize and maintain supplies, equipment for disinfection of all
11 implements, and a sink with hot and cold running water. All cosmetic art schools shall have the
12 required equipment to carry out disinfection procedures per 21 NCAC 14H .0403 and .0404;

13 (3) ~~Theory~~ Theory/practice classroom – a room or area with equipment for theory training appropriate
14 to both practical and theory learning including practice stations ~~desks and chairs~~ chairs. ~~and a table~~
15 ~~or tables and have at least 40 inches between each mannequin.~~

16 (4) Office – administrative office with a locking door for the secure and locked facilitation of student
17 records and files. This office shall be outfitted with a locking cabinet, electronic office equipment
18 suitable for scanning, printing and secure document storage and a minimum of one desk and one
19 chair;

20 (5) Reception area – a reception area for clients to wait prior to receiving services;

21 (6) Break room for student use;

22 (7) Restrooms for student and public use;

23 (8) ~~Locker or dressing room~~ ~~a locker~~ Locker or room for students to secure and lock personal
24 belongings throughout the day; and

25 (9) All stations as defined in Rule .0304 of this Subchapter must be numbered numerically.

26 (c) Each cosmetic art school must display a sign in the reception area meeting the requirements of this Paragraph.
27 The sign cannot be smaller than 12 inches by 18 inches, with lettering at least one and one half inches in size and
28 must read as follows: "Cosmetic Art School Work Done Exclusively by Students."

29 (d) Each of the requirements listed within this Rule must be located within the same building with the exception of
30 the theory classroom, which may be located in an adjacent building or another building within 500 feet of the main
31 cosmetic art building and a proctored examination center, which may be located on the school campus. Theory
32 classrooms located in an adjacent building or another building within 500 feet of the main cosmetic art building
33 shall not be used for student practice.

34 (e) All Cosmetic Art schools must post hours of operation per cosmetic art discipline and submit this information to
35 the Board. Any changes to the hours of operation must be posted and submitted to the Board. A school shall be
36 considered open by the Board when cosmetic art instruction, services, or performances are provided.

1 (f) Cosmetic art schools may not offer student ~~hours~~ hours, practice, or performances unless they are in compliance
2 with Paragraph (a) or (b) of this Rule.

3 (g) All cosmetic art schools must adhere to any federal, state and local government regulation or ordinance
4 regarding fire safety codes, mechanical codes, plumbing, and electrical work.

5 (h) All cosmetic art schools must maintain a ventilation system with temperature control. During school operating
6 hours the temperature must be maintained between 60 and 85 degrees Fahrenheit.

7 (i) All equipment in cosmetic art schools shall be in working order; kept in repair; and installed in such a manner as
8 to facilitate usage.

9 (j) All cosmetic art school buildings shall be maintained. Maintenance includes the safe and working condition of
10 the physical building, furniture, equipment and supplies.

11 (k) All cosmetic art schools must maintain a bulletin board in sight of the clinic floor. The bulletin board shall be
12 used to display at all times the Board Infection Control rules in 21 NCAC 14H .0200, .0300, .0400, and .0500 and
13 the sanitation grade card issued to the school.

14 (l) All cosmetic art schools must post together the school letter of approval, the school license, and all cosmetic art
15 licenses issued to the teachers on staff.

16 (m) Each room in a cosmetic art school must be labeled according to its assigned purpose.

17 ~~(n) Each theory classroom shall be equipped with desks or chairs suitable for classroom work and one chair suitable
18 for demonstrating cosmetic art practices.~~

19 ~~(o) When a school and a shop are under the same ownership:~~

20 ~~(1) — separate operation of the shop and school shall be maintained;~~

21 ~~(2) — if~~

22 ~~(n) If the a school and shop are located in the same building, they must be separated by a solid wall of at least seven
23 feet in height; separate entrances and visitor reception areas shall be maintained; and maintained. If a school and
24 another business are located in the same building, they must be separated by a solid wall of at least seven feet in
25 height; separate entrances and visitor reception areas shall be maintained.~~

26 ~~(3) — the~~

27 ~~(o) All school and shop schools and shops shall have separate public information releases, advertisements, names,
28 and advertising signs.~~

29 (p) A cosmetic art school must maintain space and equipment appropriate to both practical and theory learning,
30 including desks, chairs, and station requirements so that each student in attendance has a location within which to
31 complete assigned tasks. Each station or desk space shall be designated for only one student at a time.

32
33
34 *History Note: Authority G.S. 88B-2; 88B-4; 88B-16; 88B-17;*

35 *Eff. January 1, 2012;*

36 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January
37 13, 2015;*

1
2

Amended Eff. April 1, 2023; March 1, 2022; September 1, 2021; October 1, 2019; January 1, 2016.

1 **21 NCAC 14T .0301 EQUIPMENT FOR ALL COSMETIC ART SCHOOLS IS PROPOSED FOR**
2 **AMENDMENT AS FOLLOWS:**

3 **SECTION .0300 - SCHOOL EQUIPMENT AND SUPPLIES**
4

5 **21 NCAC 14T .0301 EQUIPMENT FOR ALL COSMETIC ART SCHOOLS**

6 (a) All cosmetic art schools shall maintain for student use, in a dispensary, supplies for all cosmetic art services
7 offered in the school. Simulated products may be used for demonstrations and ~~practice, practice. simulated~~
8 Simulated products may not be used for required evaluation plan ~~assessments.~~ assessments with the exception of
9 sodium hydroxide relaxers

10 (b) All cosmetic art schools shall maintain for student use, equipment for all cosmetic art services offered and for all
11 required evaluations in the school.

12
13 *History Note: Authority G.S. 88B-2; 88B-4; 88B-16; 88B-17;*

14 *Eff. January 1, 2012;*

15 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January*
16 *13, 2015;*

17 *Amended Eff. April 1, 2023; March 1, 2022.*
18

1 **21 NCAC 14T .0302 EQUIPMENT FOR COSMETOLOGY SCHOOLS IS PROPOSED FOR**
2 **AMENDMENT AS FOLLOWS:**

3 **21 NCAC 14T .0302 EQUIPMENT FOR COSMETOLOGY SCHOOLS**

4 (a) The practice department in a cosmetology school shall be equipped with the following equipment:

5 ~~(1) One manicure table and stool;~~

6 ~~(2)~~(1) One shampoo bowl with hot and cold running water and chair.

7 ~~(3) Thermal styling equipment for the purpose of curling and straightening hair;~~

8 ~~(4)~~(2) Visual aids; and

9 ~~(5)~~(3) One ~~mannequin practice table or stand~~ practice station to accommodate each student in the
10 practice department.

11 (b) The clinic department in a cosmetology school shall be equipped with the following for up to 40 students in the
12 department:

13 (1) 20 stations. Each station shall include one mirror, one electrical outlet, and one hydraulic chair;

14 (2) Four hooded floor type dryers and chairs;

15 (3) Four shampoo bowls with hot and cold running water and chairs.

16 (A) each side approach shampoo bowl shall be at least 40 inches apart, center of bowl to
17 center of bowl;

18 (B) each free standing shampoo bowl shall be at least 31 inches apart, center of bowl to
19 center of bowl;

20 (C) all other types of shampoo bowls shall be at least 31 inches apart, center of bowl to center
21 of bowl;

22 (4) Two manicure tables and stools;

23 (5) One pedicure station that shall include a chair, a foot bath, and a stool; and

24 (6) One reclining or flat facial treatment table with leg support ~~or chair~~ and a ~~stool~~ stool; and

25 (7) One facial vaporizer.

26 (c) The clinic department in a cosmetology school shall be equipped with the following equipment if there are more
27 than 40 enrolled advanced students:

28 (1) One station for each additional two students;

29 (2) One shampoo bowl with hot and cold running water for each additional ~~10~~ 20 students;

30 ~~(3) One manicure table and stool for each additional 15 students;~~

31 ~~(4) One pedicure station for each additional 20 students; and~~

32 ~~(5)~~(3) One ~~facial lounge~~ reclining or flat facial treatment table with leg support or chair for each
33 additional ~~40~~ 60 students.

34 (d) Cosmetology schools that also offer the disciplines of esthetics, and manicuring shall be equipped with one
35 additional station (as defined in this section per discipline) per ~~five~~ two students and the equipment requirements
36 specific to the discipline.

37 (e) The theory department in a cosmetology school shall be equipped with desks and chairs.

1
2
3
4
5
6
7

*History Note: Authority G.S. 88B-2; 88B-4; 88B-16; 88B-17;
Eff. January 1, 2012;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January
13, 2015;
Amended Eff. April 1, 2023; January 1, 2016.*

1 **21 NCAC 14T .0303 EQUIPMENT FOR ESTHETICS SCHOOLS IS PROPOSED FOR AMENDMENT**
2 **AS FOLLOWS:**

3 **21 NCAC 14T .0303 EQUIPMENT FOR ESTHETICS SCHOOLS**

4 (a) The practice department in an esthetics school shall be equipped with one mannequin practice table or stand to
5 accommodate each student in the practice department. If the practice department is separate from the clinic, in
6 another room with a door, the practice department must also have one hand washing sink with hot and cold running
7 water, separate from restrooms.

8 (b) The clinic department in an esthetics school shall be equipped with the following for up to 20 students:

- 9 (1) Ten stations: a station shall include a ~~facial treatment chair or treatment table~~ reclining facial
10 treatment table with leg support and one stool;
11 (2) a waste container at each station;
12 (3) One facial vaporizer;
13 (4) One galvanic current apparatus;
14 (5) One infra-red lamp;
15 (6) One woods ~~lamp; lamp or skin scope~~;
16 (7) One magnifying lamp;
17 (8) One hard wax hair removal ~~wax~~ system;
18 (9) One ~~thermal~~ soft wax system;
19 (10) One ~~suction~~ pore vacuum machine;
20 (11) Two stations with electrical outlet;
21 ~~(11)~~(12) One exfoliation machine with brushes; and
22 ~~(12)~~(13) One hand washing sink with hot and cold running water, separate from restrooms.

23 (c) The clinic department in an esthetics school shall be equipped with the following if there are more than 20
24 enrolled students:

- 25 (1) One station for each additional two students: a station shall include one ~~facial treatment table or~~
26 ~~chair~~ reclining facial treatment table with leg support and one stool; and
27 (2) Two hand washing sinks with hot and cold running water, separate from restrooms.

28
29 *History Note: Authority G.S. 88B-2; 88B-4; 88B-16; 88B-17;*

30 *Eff. January 1, 2012;*

31 *Amended Eff. October 1, 2012;*

32 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January*
33 *13, 2015;*

34 *Amended Eff. April 1, 2023; January 1, 2016.*
35

1 **21 NCAC 14T .0304 EQUIPMENT FOR MANICURING SCHOOLS IS PROPOSED FOR**
2 **AMENDMEN AS FOLLOWS:**

3 **21 NCAC 14T .0304 EQUIPMENT FOR MANICURING SCHOOLS**

4 (a) The practice department in a manicuring school shall be equipped with one mannequin practice table or stand to
5 accommodate each student enrolled in the practice department. If the practice department is separate from the clinic,
6 in another room with a door, the practice department must also have one hand washing sink with hot and cold
7 running water, separate from restrooms.

8 (b) The clinic department in a manicuring school shall be equipped with the following for up to 20 students:

9 (1) Two hand washing sinks with hot and cold running water, separate from restrooms, located in or
10 adjacent to the clinic area;

11 (2) Ten ~~work~~ manicuring tables with two chairs per table;

12 (3) Ten pedicure chairs and basins;

13 (4) Two stations with electrical outlet;

14 ~~(4)(5)~~ A waste container at each station; and

15 ~~(5)(6)~~ A covered container for soiled or disposable towels located in the clinic area.

16 (c) The clinic department in a manicuring school shall be equipped with the following if there are more than 20
17 enrolled students:

18 (1) One station for each additional two students, a station shall include one ~~work~~ manicuring table and
19 two chairs; and

20 (2) Two hand washing sinks with hot and cold running water, separate from restrooms.

21

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

23 *Eff. January 1, 2012;*

24 *Amended Eff. October 1, 2012;*

25 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January*
26 *13, 2015;*

27 *Amended Eff. April 1, 2023; January 1, 2016.*

28

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

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

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

- 5 (1) Styling equipment for the purpose of natural hair care;
6 (2) Visual aids; and
7 (3) ~~One mannequin practice table or stand~~ Practice station to accommodate each student.
8 (4) If the practice department is separate from the clinic, in another room with a door, the practice
9 department must also have one hand washing sink with hot and cold running water, separate from restrooms.

10 (b) The clinic department in a natural hair care styling school shall be equipped with the following for up to 16
11 students:

- 12 (1) Two shampoo bowls and chairs as follows:
13 (A) each side approach shampoo bowl shall be 40 inches apart center of bowl to center of
14 bowl; and
15 (B) each free standing shampoo bowl shall be 31 inches apart center of bowl to center of
16 bowl;
17 (2) Eight stations. A station shall include one mirror and one hydraulic chair;
18 (3) One station with electrical outlet;
19 ~~(3)~~ (4) One hooded floor type dryer; and
20 ~~(4)~~(5) Styling equipment for the purpose of natural hair care.

21 (c) The clinic department in a natural hair care styling school shall be equipped with an additional station for every
22 two students if there are more than 16 enrolled students.

23
24 *History Note: Authority G.S. 88B-2; 88B-4; 88B-16; 88B-17;*
25 *Eff. January 1, 2012;*
26 *Amended Eff. October 1, 2012;*
27 *Readopted Eff. January 1, 2016;*
28 *Amended Eff. April 1, 2023.*

1 **21 NCAC 14T .0502 PERMANENT RECORDS, FORMS AND DOCUMENTATION IS**
2 **PROPOSED FOR AMENDMENT AS FOLLOWS:**

3 **21 NCAC 14T .0502 PERMANENT RECORDS, FORMS AND DOCUMENTATION**

4 (a) Cosmetic art schools must maintain locked storage for the permanent files of all enrolled students
5 and students who have withdrawn or graduated together in one room within the approved square
6 footage of the cosmetic art school. Withdrawal and graduation forms reviewed by the Board or an
7 agent of the Board may be removed from this ~~room.~~ and stored in accordance with Paragraph (i) of
8 this Rule. The permanent file shall include a copy of:

- 9 (1) All Board Enrollment Forms; Forms with student original signature;
- 10 (2) Documentation of student receipt of evaluation plans, school policies, school
11 handbook, school and student contract; the Board Infection Control rules as set forth
12 in 21 NCAC 14H .0200, .0300, .0400, and .0500 and 21 NCAC 14I .0401, and 21
13 NCAC 14T .0612 and .0703.
- 14 (3) ~~All Board Withdrawal Forms;~~
- 15 (4) Social security card for any individual who has a social security number or tax ID
16 card or Department of Homeland Security ID; ~~student visa information;~~
- 17 (5) Government issued photo ID and proof of date of birth;
- 18 (6) Documentation of field trip hours, grades for all required evaluation plans with date
19 of completion and teacher signature. ~~Grades for all examinations and performance~~
20 ~~evaluation plans. Performance evaluation plans shall be dated, graded, and signed by~~
21 ~~a teacher;~~
- 22 (7) Documentation for any leave of absence over 30 days. Documentation shall include
23 an anticipated return date and updated notes every 30 days if the return date exceeds
24 the anticipated return date;
- 25 (8) Transfer of hours form documenting hours earned in other schools ~~and~~ for hours
26 accepted by current school; ~~and~~
- 27 (9) ~~All Board Withdrawal Forms;~~
- 28 (10) Internship Form; and
- 29 (9)(11) Graduation Form.

30 (b) The school shall keep onsite, records ~~of~~ for all enrolled students:

- 31 (1) ~~A daily record of the actual number of hours of attendance;~~
- 32 (2) ~~A daily record of the actual number of hours and educational achievements~~
33 ~~completed via online;~~
- 34 (3) ~~An updated Performance evaluation plan showing the actual date of the performance~~
35 ~~and the teacher who approved the performance evaluation plan; and~~
- 36 (4) ~~A record of hours and subtotaled weekly.~~

1 (1) daily attendance in school;

2 (2) daily online hours;

3 (3) daily field trip hours; and documentation of field trip hours

4 (4) weekly guided theory and demonstration;

5 (5) weekly subtotal of attendance in school;

6 (6) weekly subtotal of online hours;

7 (7) running grand total of all earned hours through the prior week;

8 (8) performances;

9 (c) Upon withdrawal or graduation the daily records, weekly subtotals and grand total shall be placed
10 in the student's permanent file.

11 ~~(e)~~ (d) When a student enrolled in a cosmetic art school withdraws from the school, the cosmetic art
12 school shall report the withdrawal to the Board.

13 ~~(d)~~ (e) If a student withdraws from a cosmetic art discipline within the first five days, the school need
14 not submit the enrollment to the Board. The unsubmitted enrollment must be maintained in the student
15 file until reviewed by the Board or an agent of the Board after which, it may be removed.

16 ~~(e)~~ (f) The graduation form documentation must be signed by on site school staff or on site school
17 administrators and must have the seal of the school affixed. The original graduation form
18 documentation must be prepared on the Board form and shall indicate that the applicable requirement
19 of this Chapter have been met. The cosmetic art school shall ~~mail~~ securely submit the graduation form
20 to the Board at the Board's address set forth in Rule 14A .0104 or submit the graduation form via the
21 Board's school documents portal at www.nccosmeticarts.com within 30 days of the student's
22 graduation date.

23 ~~(f)~~ (g) All forms submitted to the Board must be sealed originals or a digital scan of sealed originals
24 and a copy shall be maintained in the school permanent file storage. Except for student signatures, all
25 forms submitted to the Board must be completed by on site school staff or on site school
26 administrators. Board forms shall be used for the sole purpose of documenting to the Board student
27 records and shall not be used to notify students of enrollment, transfer of hours, withdrawal, or
28 graduation.

29 ~~(g)~~ (h) Changes or corrections made by the school to any Board form must be submitted to the Board
30 with supporting documentation.

31 ~~(h)~~ (i) All cosmetic art schools must maintain on file at the school an original daily record of enrolled
32 students' hours and performances. This record must be kept in a secured location under lock and key
33 but made available for review by the Board or its agent at any time.

34 ~~(i)~~ (j) All records kept by a cosmetic art school on a student who has withdrawn or graduated must be
35 kept in the school's locked files for future reference until the date the student is accepted for the Board

1 examination or five years after the date the student first enrolled in the school, whichever occurs
2 earlier. Forms reviewed by the Board or an agent of the Board may be removed from this room.

3 ~~(j)~~ (k) The record of all hours and performance evaluation plans must be documented in writing.
4 Credit issued to students that cannot be verified shall be eliminated from the student record by an
5 agent of the Board.

6 ~~(k)~~ (l) Access to student records must be limited to agents of the Board, teachers, and administrators
7 of the school. Electronic versions of student records must be kept secure and may only be accessed
8 through school authorized equipment. Personal devices may not be used to access student records.
9 Records shall not be altered offsite. Records that are altered must be altered onsite and must have
10 documentation supporting the change attached. The format, school name, and school code on Board
11 forms cannot be altered.

12 ~~(l)~~ (m) All individuals in a cosmetic art school receiving cosmetic art education, earning hours, or
13 performing or practicing cosmetic art services must be enrolled in the school.

14 ~~(m)~~ (n) Only teachers reported to the Board as employees of a cosmetic art school may grade
15 evaluation plans. practical student examinations and evaluate pass or fail of student performances.
16 Only on site teachers, on site school administrators, or on site school staff shall record student hours
17 hours and performances, grade examinations, and determine completion and record credit. credit of
18 live model and mannequin performances.

19 ~~(n)~~ (o) Minimum scores required for examinations and the successful completion of live model and
20 mannequin practice or performances as determined through the school's evaluation plan that is
21 approved by the Board at the time of application shall be disclosed to students at the time of
22 enrollment. Teachers must use the evaluation plan approved by the Board to assess student
23 competency. Passing grades and performances shall not be credited to students who fail to meet the
24 requirements of the evaluation plan.

25 ~~(o)~~ Cosmetic art schools must provide to each student a copy of school policies and 21 NCAC 14I
26 .0401. The school shall retain for the permanent file a copy of the student's acknowledgement of
27 receipt of these documents.

28 (p) The names of students with unsatisfied academic obligations shall not be submitted to the Board
29 as graduates but may be submitted as withdrawn.

30 ~~(p)~~ Cosmetic art schools shall not report to the Board the unsatisfied financial obligations of any
31 cosmetic art student. Cosmetic art schools shall not prevent the graduation of students who have met
32 the Board minimum requirements and passed all school academic requirements.

33 (r) Records of hours must be rounded to no more than the nearest quarter hour. Cosmetic art schools
34 shall not give or deduct hours or performances as rewards or penalties.

35 (s) An applicant shall receive credit for instruction taken in another state if the applicant's record is
36 certified by the state agency or department that issues licenses to practice in the cosmetic arts. If this

1 agency or department does not maintain any student records or if the state does not give license to
2 practice in the cosmetic arts, then the records may be certified by any state department or state agency
3 that does maintain such records and is willing to certify their accuracy. If no state department or board
4 will certify the accuracy of the student's records, then the Board shall review the student's records for
5 validity on a case-by-case basis using the documentation provided by the ~~student-out-of-state school~~
6 and submitted to the Board by the accepting NC school.

7 (t) Hours transferred between open North Carolina schools must be obtained by the submission of the
8 Board transfer form mailed directly from the school in which the hours are earned with the school seal
9 affixed, with grades for examinations and performances to the new school in which a student enrolls.
10 Such original documentation shall be submitted to the Board with enrollment. Transfer forms shall
11 include the following:

- 12 (1) Student name and social security number;
- 13 (2) School code;
- 14 (3) Course type and required evaluations; ~~and total number of live model and mannequin~~
15 ~~service practice and performances;~~
- 16 (4) Enrollment date and last date of attendance;
- 17 (5) Number of hours and minutes completed;
- 18 (6) School owner name or on-site official and signature; and
- 19 (7) School seal.

20 (u) A student must pass an entrance examination including ~~mannequin~~ required evaluations given by
21 the school to which the student is transferring for the hours to be transferred from one cosmetic art
22 school to another.

23 (v) Certification of completion of a curriculum established in 21 NCAC 14T .0602-.0610 shall be
24 required on the graduation form and application for the Board examination. Graduation forms shall
25 include the following:

- 26 (1) Student name and social security number;
- 27 (2) School code;
- 28 (3) Course type completed;
- 29 (4) Date of course completion;
- 30 (5) Number of hours and minutes completed;
- 31 (6) School owner or on-site official name and signature; and
- 32 (7) School seal.

33
34
35 *History Note: Authority G.S. 88B-4; 88B-16;*
36 *Eff. January 1, 2012;*

1
2
3
4
5
6

Amended Eff. January 1, 2014; June 1, 2013;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest
Eff. January 13, 2015;
Amended Eff. April 1, 2023; September 1, 2021; September 1, 2020; October 1,
2019; December 1, 2016.

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

3 **SECTION .0600 - CURRICULA**
4

5 **21 NCAC 14T .0601 COSMETIC ART CURRICULA**

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

9 (b) Blood exposure and infection control evaluations must be passed with a score of 100 percent before a student
10 may ~~perform a mannequin or live model performance practice or execute a performance for a cosmetic art service.~~
11 Before a student may ~~perform a live model~~ execute a performance the student shall pass the respective mannequin
12 ~~performance practice~~ evaluation plan.

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

15 ~~(d)~~(c) All cosmetic art students shall receive training on Board laws, Board Rules, website, licensure scope of
16 practice, Safety Data Sheets prepared by the manufacturer on all products used by the school's students in
17 performances.
18
19

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

22 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January*
23 *13, 2015;*

24 *Amended Eff. April 1, 2023; October 1, 2019; January 1, 2016.*
25

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

3 **21 NCAC 14T .0602 COSMETOLOGY CURRICULUM**

4 (a) To meet the approval of the Board, a cosmetologist training course shall begin with infection control and blood
5 exposure procedures as defined in 21 NCAC 14H .0403 and .0404 and consist of 1500 hours of instruction as
6 defined in 21 NCAC 14T .0612 (c).

7 (b) Students must pass the infection control and blood exposure procedures evaluation plan with a score of 100
8 percent.

9 (c) Each school must develop and use required evaluations for each of the Board required services listed in this
10 Paragraph. Evaluation plans must include a minimum of infection control, tool safety, client consultation, draping,
11 and safe application and be recorded in the student permanent file. Teachers must ensure students follow infection
12 control, tool safety, draping, and safe application of products for all service performances. Students must receive
13 guided theory, demonstration, guided practice, independent theory, and practice, pass the evaluation plan, prior to
14 performing services on a live model:

- 15 (1) Blow drying and hot iron;
- 16 (2) Hair cut with shears, a razor and clipper.
- 17 (3) Color application including virgin and retouch
- 18 (4) Relaxer application including virgin and retouch;
- 19 (5) Permanent waving;
- 20 (6) Basic manicure
- 21 (7) Basic pedicure;
- 22 (8) Basic facial including steam; and
- 23 (9) Waxing.

24 (d) Each school must develop and use evaluation plans for each of the cosmetic art services listed in this Paragraph.
25 Evaluation plans must include a minimum of infection control, tool safety, client consultation, draping, and safe
26 application services to a client. In addition to the requirements set forth in Paragraph (a) of this Rule all students
27 must receive guided theory, demonstration, guided practice, independent theory, and practice, and perform the
28 following services:

- 29 (1) Shampooing
- 30 (2) Roller sets;
- 31 (3) Pin curls;
- 32 (4) Ridge curls with C shaping;
- 33 (5) Fingerwaves;
- 34 (6) Artificial hair;
- 35 (7) Up-styles;
- 36 (8) Pressing or thermal;
- 37 (9) Blow drying;

- 1 (10) Hot iron;
- 2 (11) Styles that apply tension (twists, braiding, locs, or knots);
- 3 (12) Solid form cut;
- 4 (13) Elevated cut;
- 5 (14) Cut with tapered or thinning shears;
- 6 (15) Razor cut;
- 7 (16) Clipper cut;
- 8 (17) Shears over comb cut;
- 9 (18) Clippers over comb cut;
- 10 (19) Virgin darker;
- 11 (20) Virgin lightener;
- 12 (21) Retouch;
- 13 (22) Foil;
- 14 (23) Freehand painting;
- 15 (24) Relaxer virgin;
- 16 (25) Relaxer retouch;
- 17 (26) Permanent waving rod placement rectangle, or contour or bricklay-overlap or spiral;
- 18 (27) Basic manicure or pedicure;
- 19 (28) Artificial nails;
- 20 (29) Basic facial;
- 21 (30) Waxing including face and body;
- 22 (31) Hair removal with tweezers;
- 23 (32) Hair removal with razor;
- 24 (33) Makeup application;
- 25 (34) Lash lift and brow lamination;
- 26 (35) Artificial lashes; and
- 27 (36) Lash and brow tint.
- 28 (a) ~~To meet the approval of the Board, a cosmetologist training course shall begin with infection control~~
- 29 ~~and blood exposure procedures as defined in 21 NCAC 14H .0403 and .0404 and consist of 1500~~
- 30 ~~hours of instruction in theory and practical application as set forth in this Rule.~~
- 31 (b) ~~Theory and practical application subjects shall include:~~
- 32 (1) ~~Professional image;~~
- 33 (2) ~~Infection control;~~
- 34 (3) ~~Bacteriology;~~
- 35 (4) ~~Disinfection;~~
- 36 (5) ~~First aid;~~
- 37 (6) ~~Anatomy;~~

- 1 (7) — Electricity as it relates to cosmetic art;
- 2 (8) — Chemistry as it relates to cosmetic art;
- 3 (9) — Professional ethics;
- 4 (10) — Draping;
- 5 (11) — Shampooing;
- 6 (12) — Roller sets;
- 7 (13) — Pin curls;
- 8 (14) — Ridge curls with C shaping;
- 9 (15) — Fingerwaves;
- 10 (16) — Braids;
- 11 (17) — Artificial hair;
- 12 (18) — Up styles;
- 13 (19) — Blowdrying;
- 14 (20) — Brush control;
- 15 (21) — Blowdrying with curling iron;
- 16 (22) — Pressing or thermal;
- 17 (23) — Hair cutting;
- 18 (24) — Partings;
- 19 (25) — Perm types and wraps;
- 20 (26) — Relaxer types and sectioning;
- 21 (27) — Color types and application sectioning;
- 22 (28) — Scalp treatments;
- 23 (29) — Manicures;
- 24 (30) — Pedicures;
- 25 (31) — Artificial nails;
- 26 (32) — Styles and techniques of cosmetology services including:
 - 27 (A) — Arranging;
 - 28 (B) — Dressing;
 - 29 (C) — Curling;
 - 30 (D) — Waving;
 - 31 (E) — Cutting techniques and implements including razors, clippers, thinning shears, and
32 shears;
 - 33 (F) — Cleansing;
 - 34 (G) — Cutting;
 - 35 (H) — Singeing;
 - 36 (I) — Bleaching, or coloring hair;
 - 37 (J) — Esthetics;

- ~~(K) — Manicuring;~~
- ~~(L) — Business management; and~~
- ~~(M) — Salon business; and;~~
- ~~(33) — Board laws, rules and website.~~

~~(c) Performances shall be defined as the systematic completion of all steps for safe and effective cosmetic art services to a client. In addition to the requirements set forth in Paragraph (a) of this Rule all students shall be trained on the following performance requirements:~~

- ~~(1) — Infection Control;~~
- ~~(2) — Blood exposure procedure;~~
- ~~(3) — Blow drying;~~
- ~~(4) — Hot iron;~~
- ~~(5) — Styles that apply tension (twists, braiding, loes, or knots);~~
- ~~(6) — Solid form cut;~~
- ~~(7) — Elevated cut;~~
- ~~(8) — Cut with tapered or thinning shears;~~
- ~~(9) — Razor cut;~~
- ~~(10) — Clipper cut;~~
- ~~(11) — Shears over comb cut;~~
- ~~(12) — Clippers over comb cut;~~
- ~~(13) — Virgin darker;~~
- ~~(14) — Virgin lightener;~~
- ~~(15) — Retouch;~~
- ~~(16) — Foil;~~
- ~~(17) — Freehand painting;~~
- ~~(18) — Relaxer virgin;~~
- ~~(19) — Relaxer retouch;~~
- ~~(20) — Curl reforming virgin;~~
- ~~(21) — Curl reforming retouch;~~
- ~~(22) — Permanent waving rod placement rectangle;~~
- ~~(23) — Permanent waving rod placement contour;~~
- ~~(24) — Permanent waving rod placement bricklay overlap;~~
- ~~(25) — Permanent waving rod placement spiral;~~
- ~~(26) — Basic manicure;~~
- ~~(27) — Artificial nails~~
- ~~(28) — Basic facial;~~
- ~~(29) — Waxing including face and body;~~
- ~~(30) — Hair removal with tweezers;~~

1 ~~(31) — Hair removal with razor; and~~

2 ~~(32) — Makeup application.~~

3 ~~(d) Each school must develop and use performance evaluation plans for each of the Board required performances~~
4 ~~listed in this Paragraph. Evaluation plans must include a minimum of infection control, tool safety, draping, and safe~~
5 ~~application. Teachers must ensure students follow infection control, tool safety, draping, and safe application of~~
6 ~~products for all service performances. Students must pass the infection control and blood exposure procedures~~
7 ~~evaluation plan with a score of 100 percent, received theory and practical instructions, and passed each of the~~
8 ~~following performance evaluations prior to performing services on a live model:~~

9 ~~(1) — Blow drying and hot iron;~~

10 ~~(2) — Hair cut with shears, a razor and clipper.~~

11 ~~(3) — Color application including virgin and retouch~~

12 ~~(4) — Relaxer application including virgin and retouch;~~

13 ~~(5) — Permanent waving;~~

14 ~~(6) — Basic manicure with pedicure difference;~~

15 ~~(7) — Basic facial including steam; and~~

16 ~~(8) — Waxing.~~

17 ~~(e) Certification of performance completions shall be required on the graduation form and application for the Board~~
18 ~~examination. Graduation forms shall include the following:~~

19 ~~(1) — Student name and social security number;~~

20 ~~(2) — School code;~~

21 ~~(3) — Course type completed;~~

22 ~~(4) — Date of course completion;~~

23 ~~(5) — Number of hours and minutes completed;~~

24 ~~(6) — School owner name and signature; and~~

25 ~~(7) — School seal.~~

26
27 *History Note: Authority G.S. 88B-4; 88B-16;*

28 *Eff. January 1, 2012;*

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

30 *Readopted Eff. January 1, 2016;*

31 *Amended Eff. September 1, 2020; October 1, 2019.*

32

1 **21 NCAC 14T .0603 APPRENTICE COSMETOLOGY CURRICULUM**

2 (a) To meet the approval of the Board, a cosmetologist training course shall begin with infection control and blood
3 exposure procedures as defined in 21 NCAC 14H .0403 and .0404 and consist of 1200 hours of instruction as
4 defined in 21 NCAC 14T .0612 (c).

5 (b) Students must pass the infection control and blood exposure procedures evaluation plan with a score of 100
6 percent.

7 (c) Each school must develop and use required evaluations for each of the Board required services listed in this
8 Paragraph. Evaluation plans must include a minimum of infection control, tool safety, client consultation, draping,
9 and safe application and be recorded in the student permanent file. Teachers must ensure students follow infection
10 control, tool safety, draping, and safe application of products for all service performances. Students must receive
11 guided theory, demonstration, guided practice, independent theory, and practice, pass the evaluation plan, prior to
12 performing services on a live model:

- 13 (1) Blow drying and hot iron;
- 14 (2) Hair cut with shears, a razor and clipper.
- 15 (3) Color application including virgin and retouch
- 16 (4) Relaxer application including virgin and retouch;
- 17 (5) Permanent waving;
- 18 (6) Basic manicure
- 19 (7) Basic pedicure;
- 20 (8) Basic facial including steam; and
- 21 (9) Waxing.

22 (d) Each school must develop and use evaluation plans for each of the cosmetic art services listed in this Paragraph.
23 Evaluation plans must include a minimum of infection control, tool safety, client consultation, draping, and safe
24 application services to a client. In addition to the requirements set forth in Paragraph (a) of this Rule all students
25 must receive guided theory, demonstration, guided practice, independent theory, and practice, and perform the
26 following services:

- 27 (1) Shampooing
- 28 (2) Roller sets;
- 29 (3) Pin curls;
- 30 (4) Ridge curls with C shaping;
- 31 (5) Fingerwaves;
- 32 (6) Artificial hair;
- 33 (7) Up-styles;
- 34 (8) Pressing or thermal;
- 35 (9) Blow drying;
- 36 (10) Hot iron;
- 37 (11) Styles that apply tension (twists, braiding, locs, or knots);

- 1 (12) Solid form cut;
- 2 (13) Elevated cut;
- 3 (14) Cut with tapered or thinning shears;
- 4 (15) Razor cut;
- 5 (16) Clipper cut;
- 6 (17) Shears over comb cut;
- 7 (18) Clippers over comb cut;
- 8 (19) Virgin darker;
- 9 (20) Virgin lightener;
- 10 (21) Retouch;
- 11 (22) Foil;
- 12 (23) Freehand painting;
- 13 (24) Relaxer virgin;
- 14 (25) Relaxer retouch;
- 15 (26) Permanent waving rod placement rectangle, or contour or bricklay-overlap or spiral;
- 16 (27) Basic manicure or pedicure;
- 17 (28) Artificial nails;
- 18 (29) Basic facial;
- 19 (30) Waxing including face and body;
- 20 (31) Hair removal with tweezers;
- 21 (32) Hair removal with razor;
- 22 (33) Makeup application;
- 23 (34) Lash lift and brow lamination;
- 24 (35) Artificial lashes; and
- 25 (36) Lash and brow tint.

26 ~~(a) To meet the approval of the Board, an apprentice cosmetologist training course shall begin with infection control~~
27 ~~and blood exposure procedures as defined in 21 NCAC 14H .0403 and .0404 and consist of 1200 hours of~~
28 ~~instruction in theory and practical application as set forth in this Rule.~~

29 ~~(b) Theory and practical application subjects shall include:~~

- 30 ~~(1) Professional image;~~
- 31 ~~(2) Infection control;~~
- 32 ~~(3) Bacteriology;~~
- 33 ~~(4) Disinfection;~~
- 34 ~~(5) First aid;~~
- 35 ~~(6) Anatomy;~~
- 36 ~~(7) Electricity as it relates to cosmetic art;~~
- 37 ~~(8) Chemistry as it relates to cosmetic art;~~

- 1 (9) — Professional ethics;
- 2 (10) — Draping;
- 3 (11) — Shampooing;
- 4 (12) — Roller sets;
- 5 (13) — Pin curls;
- 6 (14) — Ridge curls with C shaping;
- 7 (15) — Fingerwaves;
- 8 (16) — Braids;
- 9 (17) — Artificial hair;
- 10 (18) — Up styles;
- 11 (19) — Blowdrying;
- 12 (20) — Brush control;
- 13 (21) — Blowdrying with curling iron;
- 14 (22) — Pressing or thermal;
- 15 (23) — Hair cutting;
- 16 (24) — Partings;
- 17 (25) — Perm wraps;
- 18 (26) — Relaxer sectioning;
- 19 (27) — Color application sectioning;
- 20 (28) — Scalp treatments;
- 21 (29) — Manicures;
- 22 (30) — Pedicures;
- 23 (31) — Artificial nails;
- 24 (32) — Styles and techniques of cosmetology services including:
 - 25 (A) — Arranging;
 - 26 (B) — Dressing;
 - 27 (C) — Curling;
 - 28 (D) — Waving;
 - 29 (E) — Cutting techniques and implements including razors, clippers, thinning shears, and
 - 30 shears;
 - 31 (F) — Cleansing;
 - 32 (G) — Cutting;
 - 33 (H) — Singeing;
 - 34 (I) — Bleaching or coloring hair;
 - 35 (J) — Esthetics;
 - 36 (K) — Manicuring;
 - 37 (L) — Business management; and

1 (M) — Salon business; and;

2 (33) — Board laws, rules and website.

3 ~~(e) Performances shall be defined as the systematic completion of all steps for safe and effective cosmetic art~~
4 ~~services to a client. In addition to the requirements set forth in Paragraph (a) of this Rule all students shall be trained~~
5 ~~on the following performance requirements:~~

6 (1) — Infection Control;

7 (2) — Blood exposure procedure;

8 (3) — Blow drying;

9 (4) — Hot iron;

10 (5) — Styles that apply tension (twists, braiding, loes, or knots);

11 (6) — Solid form cut;

12 (7) — Elevated cut;

13 (8) — Cut with tapered or thinning shears;

14 (9) — Razor cut;

15 (10) — Clipper cut;

16 (11) — Shears over comb cut;

17 (12) — Clippers over comb cut;

18 (13) — Virgin darker;

19 (14) — Virgin lightener;

20 (15) — Retouch;

21 (16) — Foil;

22 (17) — Freehand painting;

23 (18) — Relaxer virgin;

24 (19) — Relaxer retouch;

25 (20) — Curl reforming virgin;

26 (21) — Curl reforming retouch;

27 (22) — Permanent waving rod placement rectangle;

28 (23) — Permanent waving rod placement contour;

29 (24) — Permanent waving rod placement bricklay overlap;

30 (25) — Permanent waving rod placement spiral;

31 (26) — Basic manicure;

32 (27) — Artificial nails;

33 (28) — Basic facial;

34 (29) — Waxing including face and body;

35 (30) — Hair removal with tweezers;

36 (31) — Hair removal with razor; and

37 (32) — Makeup application.

1 ~~(d) Each school must develop and use performance evaluation plans for each of the Board required performances~~
2 ~~listed in this Paragraph. Evaluation plans must include a minimum of infection control, tool safety, draping, and safe~~
3 ~~application. Teachers must ensure students follow infection control, tool safety, draping, and safe application of~~
4 ~~products for all service performances. Students must pass the infection control and blood exposure procedures~~
5 ~~evaluation plan with a score of 100 percent, received theory and practical instructions, and passed each of the~~
6 ~~following performance evaluations prior to performing services on a live model:~~

- 7 ~~(1) — Blow drying and hot iron;~~
- 8 ~~(2) — Hair cut with shears, a razor and clipper.~~
- 9 ~~(3) — Color application including virgin and retouch~~
- 10 ~~(4) — Relaxer application including virgin and retouch;~~
- 11 ~~(5) — Permanent waving;~~
- 12 ~~(6) — Basic manicure with pedicure difference;~~
- 13 ~~(7) — Basic facial including steam; and~~
- 14 ~~(8) — Waxing.~~

15 ~~(e) Certification of performance completions shall be required on the graduation form and application for the Board~~
16 ~~examination. Graduation forms shall include the following:~~

- 17 ~~(1) — Student name and social security number;~~
- 18 ~~(2) — School code;~~
- 19 ~~(3) — Course type completed;~~
- 20 ~~(4) — Date of course completion;~~
- 21 ~~(5) — Number of hours and minutes completed;~~
- 22 ~~(6) — School owner name and signature; and~~
- 23 ~~(7) — School seal.~~

24
25 *History Note: Authority G.S. 88B-4; 88B-16;*
26 *Eff. January 1, 2012;*
27 *Amended Eff. January 1, 2015; June 1, 2013; September 1, 2012;*
28 *Readopted Eff. January 1, 2016;*
29 *Amended Eff. September 1, 2020; October 1, 2019.*

1 **21 NCAC 14T .0604 ESTHETICS CURRICULUM IS PROPOSED FOR AMENDMENT AS**
2 **FOLLOWS:**

3 **21 NCAC 14T .0604 ESTHETICS CURRICULUM**

4 (a) To meet the approval of the Board, an esthetician training course shall begin with infection control and blood
5 exposure procedures as defined in 21 NCAC 14H .0403 and .0404 and consist of 600 hours of instruction as defined
6 in 21 NCAC 14T .0612 (c).

7 (b) Students must pass the infection control and blood exposure procedures evaluation plan with a score of 100
8 percent.

9 (c) Each school must develop and use required evaluations for each of the Board required services listed in this
10 Paragraph. Evaluation plans must include a minimum of infection control, tool safety, client consultation, draping,
11 and safe application and be recorded in the student permanent file. Teachers must ensure students follow infection
12 control, tool safety, draping, and safe application of products for all service performances. Students must receive
13 guided theory, demonstration, guided practice, independent theory, and practice, pass the evaluation plan, prior to
14 performing services on a live model:

15 (1) Basic facial, including steam;

16 (2) Waxing;

17 (3) Lash lift and brow lamination;

18 (4) Artificial lashes; and

19 (5) Lash and brow tint.

20 (d) Each school must develop and use evaluation plans for each of the cosmetic art services listed in this Paragraph.
21 Evaluation plans must include a minimum of infection control, tool safety, client consultation, draping, and safe
22 application services to a client. In addition to the requirements set forth in Paragraph (a) of this Rule all students
23 must receive guided theory, demonstration, guided practice, independent theory, and practice, and perform the
24 following services:

25 (1) Draping;

26 (2) Basic facials;

27 (3) Waxing including underarm, lip, eyebrow, leg and bikini;

28 (4) Hair removal with depilatory and tweezers;

29 (5) Makeup application;

30 (6) Facials with machines including Woods lamp, magnifier, galvanic current, LED light, high
31 frequency (direct and indirect), infrared light, vaporizer, microderm abrasion, suction, exfoliating;

32 (7) Manual Exfoliation including products and devices;

33 (8) Manual extraction;

34 (9) artificial lashes including single eyelash extensions;

35 (10) Facial or body treatment (cleansing, manipulations, masks, and chemical peels);

36 (11) Aromatherapy;

37 (12) Make-up application;

1 (13) Lash lift and brow lamination;

2 (14) Microneedling;

3 (15) Dermaplaning; and

4 (16) Lash and brow tint.

5
6
7
8 ~~(a) To meet the approval of the Board, an esthetician training course shall begin with infection control and blood~~
9 ~~exposure procedures as defined in 21 NCAC 14H .0403 and .0404 and consist of at least 600 hours of instruction in~~
10 ~~theory and practical application as set forth in this Rule.~~

11 ~~(b) Theory and practical application subjects shall include:~~

12 ~~(1) — Anatomy or physiology;~~

13 ~~(2) — Infection control;~~

14 ~~(3) — Disinfection;~~

15 ~~(4) — First aid;~~

16 ~~(5) — Chemistry as it relates to esthetics;~~

17 ~~(6) — Draping;~~

18 ~~(7) — Facial or body treatment (cleansing, manipulations, masks, and chemical peels);~~

19 ~~(8) — Hair removal;~~

20 ~~(9) — Basic dermatology;~~

21 ~~(10) — Skin care machines, electricity, and apparatus;~~

22 ~~(11) — Aromatherapy;~~

23 ~~(12) — Nutrition;~~

24 ~~(13) — Make up or color theory;~~

25 ~~(14) — Styles and techniques of esthetics services including:~~

26 ~~(A) — Facials;~~

27 ~~(B) — Makeup application;~~

28 ~~(C) — Performing skin care;~~

29 ~~(D) — Hair removal;~~

30 ~~(E) — Eyelash extensions;~~

31 ~~(F) — Applying brow and lash color;~~

32 ~~(G) — Business management; and~~

33 ~~(H) — Professional ethics; and~~

34 ~~(15) — Board laws, rules and website.~~

35 ~~(c) Performances shall be defined as the systematic completion of all steps for safe and effective cosmetic art~~
36 ~~services to a client. In addition to the requirements set forth in Paragraph (a) of this Rule all students shall be trained~~
37 ~~on the following performance requirements:~~

- 1 ~~(1) — Infection Control;~~
- 2 ~~(2) — Blood exposure procedure;~~
- 3 ~~(3) — Basic facial;~~
- 4 ~~(4) — Waxing including underarm, lip, eyebrow, leg and bikini;~~
- 5 ~~(5) — Hair removal with depilatory and tweezers;~~
- 6 ~~(6) — Makeup application;~~
- 7 ~~(7) — Facials with machines;~~
- 8 ~~(8) — Exfoliation;~~
- 9 ~~(9) — Facials with LED light;~~
- 10 ~~(10) — Facials with high frequency (direct and indirect); and~~
- 11 ~~(11) — Lash application.~~

12 ~~(d) Each school must develop and use performance evaluation plans for each of the Board required performances~~
13 ~~listed in this Paragraph. Evaluation plans must include a minimum of infection control, tool safety, draping, and safe~~
14 ~~application. Teachers must ensure students follow infection control, tool safety, draping, and safe application of~~
15 ~~products for all service performances. Students must pass the infection control and blood exposure procedures~~
16 ~~evaluation plan with a score of 100 percent, received theory and practical instructions, and passed each of the~~
17 ~~following performance evaluations prior to performing services on a live model:~~

- 18 ~~(1) — Basic facial, including steam;~~
- 19 ~~(2) — Waxing;~~
- 20 ~~(3) — Lash lift and brow lamination;~~
- 21 ~~(4) — Artificial lashes; and~~
- 22 ~~(5) — Lash and brow tint.~~

23 ~~(e) Certification of performance completions shall be required on the graduation form and Board's application for~~
24 ~~the examination. Graduation forms shall include the following:~~

- 25 ~~(1) — Student name and social security number;~~
- 26 ~~(2) — School code;~~
- 27 ~~(3) — Course type completed;~~
- 28 ~~(4) — Date of course completion;~~
- 29 ~~(5) — Number of hours and minutes completed;~~
- 30 ~~(6) — School owner name and signature; and~~
- 31 ~~(7) — School seal.~~

32
33 *History Note: Authority G.S. 88B-2; 88B-4; 88B-16; 88B-17;*
34 *Eff. January 1, 2012;*
35 *Amended Eff. January 1, 2015; August 1, 2014;*
36 *Readopted Eff. January 1, 2016;*
37 *Amended Eff. April 1, 2023; September 1, 2020; October 1, 2019.*

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

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

4 (a) To meet the approval of the Board, a manicurist training course shall begin with infection control and blood
5 exposure procedures as defined in 21 NCAC 14H .0403 and .0404 and consist of 300 hours of instruction as defined
6 in 21 NCAC 14T .0612 (c).

7 (b) Students must pass the infection control and blood exposure procedures evaluation plan with a score of 100
8 percent.

9 (c) Each school must develop and use required evaluations for each of the Board required services listed in this
10 Paragraph. Evaluation plans must include a minimum of infection control, tool safety, client consultation, draping,
11 and safe application and be recorded in the student permanent file. Teachers must ensure students follow infection
12 control, tool safety, draping, and safe application of products for all service performances. Students must receive
13 guided theory, demonstration, guided practice, independent theory, and practice, pass the evaluation plan, prior to
14 performing services on a live model:

15 (1) Basic manicure

16 (2) Basic pedicure;

17 (3) Sculptured nails including application, fill, and removal; and

18 (4) Electric file.

19 (d) Each school must develop and use evaluation plans for each of the cosmetic art services listed in this Paragraph.
20 Evaluation plans must include a minimum of infection control, tool safety, client consultation, draping, and safe
21 application services to a client. In addition to the requirements set forth in Paragraph (a) of this Rule all students
22 must receive guided theory, demonstration, guided practice, independent theory, and practice, and perform the
23 following services:

24 (1) Basic manicure;

25 (2) Basic pedicure;

26 (3) Nail tips;

27 (4) Acrylic overlay (application, repair, fill, and removal);

28 (5) Sculptured nails (application, repair, fill, and removal);

29 (6) Gel overlay (application, repair, fill, and removal).

30 (7) Trimming;

31 (8) Filing;

32 (9) Shaping;

33 (10) Decorating;

34 (11) Arm and hand manipulation; and

35 (12) Electric file;

36

37

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36

~~(a) To meet the approval of the Board, a manicurist training course shall begin with infection control and blood exposure procedures as defined in 21 NCAC 14H .0403 and .0404 and consist of at least 300 hours of instruction in theory and practical application as set forth in this Rule.~~

~~(b) Theory and practical application subjects shall include:~~

- ~~(1) Manicuring theory;~~
- ~~(2) Infection control;~~
- ~~(3) First aid;~~
- ~~(4) Trimming;~~
- ~~(5) Filing;~~
- ~~(6) Shaping;~~
- ~~(7) Decorating;~~
- ~~(8) Arm and hand manipulation;~~
- ~~(9) Sculptured and artificial nails (application, repair, fill, and removal);~~
- ~~(10) Pedicuring; and~~
- ~~(11) Styles and techniques for the care, treatment, and decoration of the following:~~
 - ~~(A) Fingernails;~~
 - ~~(B) Toenails;~~
 - ~~(C) Cuticles;~~
 - ~~(D) Nail extensions and artificial nails;~~
 - ~~(E) Electric file;~~
 - ~~(G) Business management;~~
 - ~~(H) Professional ethics; and~~
 - ~~(I) Board laws, regulations and website.~~

~~(c) Performances shall be defined as the systematic completion of all steps for safe and effective cosmetic art services to a client. In addition to the requirements set forth in Paragraph (a) of this Rule all students shall be trained on the following performance requirements:~~

- ~~(1) Infection Control;~~
- ~~(2) Blood exposure procedure;~~
- ~~(3) Basic manicure;~~
- ~~(4) Basic pedicure;~~
- ~~(5) Nail tips;~~
- ~~(6) Acrylic overlay (application, repair, fill, and removal);~~
- ~~(7) Sculptured nails (application, repair, fill, and removal); and~~
- ~~(8) Gel overlay (application, repair, fill, and removal).~~

1 ~~(d) Each school must develop and use performance evaluation plans for each of the Board required performances~~
2 ~~listed in this Paragraph. Evaluation plans must include a minimum of infection control, tool safety, draping, and safe~~
3 ~~application. Teachers must ensure students follow infection control, tool safety, and safe application of products for~~
4 ~~all service performances. Students must pass the infection control and blood exposure procedures evaluation plan~~
5 ~~with a score of 100 percent, received theory and practical instructions, and passed each of the following performance~~
6 ~~evaluations prior to performing services on a live model:~~

7 ~~(1) — Basic manicure with pedicure difference; and~~

8 ~~(2) — Sculptured nails including application, fill, and removal.~~

9 ~~(e) Certification of performance completions shall be required on the graduation form and Board's application for~~
10 ~~the examination. Graduation forms shall include the following:~~

11 ~~(1) — Student name and social security number;~~

12 ~~(2) — School code;~~

13 ~~(3) — Course type completed;~~

14 ~~(4) — Date of course completion;~~

15 ~~(5) — Number of hours and minutes completed;~~

16 ~~(6) — School owner name and signature; and~~

17 ~~(7) — School seal.~~

18
19 *History Note: Authority G.S. 88B-2; 88B-4; 88B-16; 88B-17;*

20 *Eff. January 1, 2012;*

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

22 *Readopted Eff. January 1, 2016;*

23 *Amended Eff. April 1, 2023; September 1, 2020; October 1, 2019.*

24

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

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

4 (a) To meet the approval of the Board, a natural hair care specialist training course shall begin with infection control
5 and blood exposure procedures as defined in 21 NCAC 14H .0403 and .0404 and consist of 300 hours of instruction
6 as defined in 21 NCAC 14T .0612 (c).

7 (b) Students must pass the infection control and blood exposure procedures evaluation plan with a score of 100
8 percent.

9 (c) Each school must develop and use required evaluations for each of the Board required services listed in this
10 Paragraph. Evaluation plans must include a minimum of infection control, tool safety, client consultation, draping,
11 and safe application and be recorded in the student permanent file. Teachers must ensure students follow infection
12 control, tool safety, draping, and safe application of products for all service performances. Students must received
13 guided theory, demonstration, guided practice, independent theory, and practice, pass the evaluation plan, prior to
14 performing services on a live model:

15 (1) Three strand overbraid and underbraid

16 (2) Track and sew weft; and

17 (3) Blow drying and hot iron.

18 (d) Each school must develop and use evaluation plans for each of the cosmetic art services listed in this Paragraph.
19 Evaluation plans must include a minimum of infection control, tool safety, client consultation, draping, and safe
20 application services to a client. In addition to the requirements set forth in Paragraph (a) of this Rule all students
21 must receive guided theory, demonstration, guided practice, independent theory, and practice, and perform the
22 following services:

23 (1) Twists;

24 (2) Knots;

25 (3) Locs;

26 (4) 2 strand overlap;

27 (5) 3 strand overbraid;

28 (6) 3 strand underbraid;

29 (7) On the scalp 3 strand braid;

30 (8) Track and sew weft;

31 (9) Adding hair extensions;

32 (10) Shampooing;

33 (11) Draping;

34 (12) Wrapping; and

35 (13) Blowdry and thermal iron.

36

37

1 ~~(a) To meet the approval of the Board, a natural hair care styling training course shall begin with infection control~~
2 ~~and blood exposure procedures as defined in 21 NCAC 14H .0403 and .0404 and consist of 300 hours of instruction~~
3 ~~in theory and practical application as set forth in this Rule.~~

4 ~~(b) Theory and practical application subjects shall include:~~

- 5 ~~(1) Infection control;~~
- 6 ~~(2) Bacteriology;~~
- 7 ~~(3) Board laws, regulations, website, and licensure scope of practice.~~
- 8 ~~(4) First aid;~~
- 9 ~~(5) Shampooing;~~
- 10 ~~(6) Draping;~~
- 11 ~~(7) Anatomy;~~
- 12 ~~(8) Disorders of the hair and scalp;~~
- 13 ~~(9) Client consultation;~~
- 14 ~~(10) Twisting;~~
- 15 ~~(11) Wrapping;~~
- 16 ~~(12) Extending;~~
- 17 ~~(13) Locking;~~
- 18 ~~(14) Blowdry and thermal iron;~~
- 19 ~~(15) Business management; and~~
- 20 ~~(16) Professional ethics.~~

21 ~~(c) Performances shall be defined as the systematic completion of all steps for safe and effective cosmetic art~~
22 ~~services to a client. In addition to the requirements set forth in Paragraph (a) of this Rule all students shall be trained~~
23 ~~on the following performance requirements:~~

- 24 ~~(1) Infection Control;~~
- 25 ~~(2) Blood exposure procedure;~~
- 26 ~~(3) Twists;~~
- 27 ~~(4) Knots;~~
- 28 ~~(5) Loes;~~
- 29 ~~(6) 2 strand overlap;~~
- 30 ~~(7) 3 strand overbraid;~~
- 31 ~~(8) 3 strand underbraid;~~
- 32 ~~(9) On the scalp 3 strand braid;~~
- 33 ~~(10) Track and sew weft; and~~
- 34 ~~(11) Adding hair extensions.~~

35 ~~(d) Each school must develop and use performance evaluation plans for each of the Board required performances~~
36 ~~listed in this Paragraph. Evaluation plans must include a minimum of infection control, tool safety, draping, and safe~~
37 ~~application. Teachers must ensure students follow infection control, tool safety, draping, and safe application of~~

1 ~~products for all service performances. Students must pass the infection control and blood exposure procedures~~
2 ~~evaluation plan with a score of 100 percent, received theory and practical instructions, and passed each of the~~
3 ~~following performance evaluations to performing services on a live model:~~

- 4 ~~(1) Trach and sew weft; and~~
- 5 ~~(2) Three strand overbraid and underbraid.~~

6 ~~(e) Certification of performance completions shall be required on the graduation form and Board's application for~~
7 ~~the examination. Graduation forms shall include the following:~~

- 8 ~~(1) Student name and social security number;~~
- 9 ~~(2) School code;~~
- 10 ~~(3) Course type completed;~~
- 11 ~~(4) Date of course completion;~~
- 12 ~~(5) Number of hours and minutes completed;~~
- 13 ~~(6) School owner name and signature; and~~
- 14 ~~(7) School seal.~~

15
16 *History Note: Authority G.S. 88B-2; 88B-4; 88B-16;*
17 *Eff. January 1, 2012;*
18 *Amended Eff. January 1, 2015; August 1, 2014; June 1, 2013;*
19 *Readopted Eff. January 1, 2016;*
20 *Amended Eff. April 1, 2023; September 1, 2020; October 1, 2019.*

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

3 **21 NCAC 14T .0607 COSMETOLOGY TEACHER TRAINEE CURRICULUM**

4 (a) To meet the approval of the Board, a cosmetologist teacher training course shall consist of at least 800 hours of
5 instruction in theory and practical application, divided as follows:
6

Requirement Description	Hours
<u>Guided and independent Theory: observation theory, observation, motivation, business management, student relations, teaching techniques, preparing lesson plans, facilitating student shop internship, preparing class lectures and presentations, preparing examinations, grading, and G.S. 88B and the rules of the Board</u>	400
Practical Application: Conducting <u>guided</u> theory classes from prepared lessons, preparing and giving examinations, and giving practical demonstrations	400

7
8 (b) Trainees shall receive a minimum of 150 hours of guided theory prior to ~~any~~ providing any instruction in a
9 cosmetic art classroom.

10
11 *History Note: Authority G.S. 88B-2; 88B-4; 88B-16; 88B-17;*
12 *Eff. January 1, 2012;*
13 *Readopted Eff. January 1, 2016;*
14 *Amended Eff. April 1, 2023; October, 1, 2019.*
15

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

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

4 (a) To meet the approval of the Board under the standards set out in these Rules, an esthetician teacher training
5 course shall consist of at least 650 hours of instruction in theory and practical application, divided as follows:
6

Requirement Description	Hours
<u>Guided and independent Theory: observation theory, observation, motivation, business management, student relations, teaching techniques, preparing lesson plans, facilitating student shop internship, preparing class lectures and presentations, preparing examinations, grading, and G.S. 88B and the rules of the Board</u>	325
Practical Application: Conducting <u>guided</u> theory classes from prepared lessons, preparing and giving examinations, and giving practical demonstrations	325

7
8 (b) Trainees shall receive a minimum of 120 hours of guided theory prior to ~~any~~ providing any instruction in a
9 cosmetic art classroom.

10
11 *History Note: Authority G.S. 88B-2; 88B-4; 88B-16; 88B-17;*
12 *Eff. January 1, 2012;*
13 *Readopted Eff. January 1, 2016;*
14 *Amended Eff. April 1, 2023; October 1, 2019.*
15

1 **21 NCAC 14T .0609 MANICURIST TEACHER TRAINEE CURRICULUM IS PROPOSED FOR**
2 **AMENDMENT**

3 **21 NCAC 14T .0609 MANICURIST TEACHER TRAINEE CURRICULUM**

4 (a) To meet the approval of the Board under the standards set out in these Rules, a manicurist teacher training
5 course shall consist of at least 320 hours of instruction in theory and practical application, divided as follows:
6

Requirement Description	Hours
<u>Guided and independent Theory: observation theory, observation, motivation, business management, student relations, teaching techniques, preparing lesson plans, facilitating student shop internship, preparing class lectures and presentations, preparing examinations, grading, and G.S. 88B and the rules of the Board</u>	160
Practical Application: Conducting <u>guided</u> theory classes from prepared lessons, preparing and giving examinations, and giving practical demonstrations	160

7
8 (b) Trainees shall receive a minimum of 115 hours of guided theory prior to ~~any~~ providing any instruction in a
9 cosmetic art classroom.

10
11 *History Note: Authority G.S. 88B-2; 88B-4; 88B-16; 88B-17;*
12 *Eff. January 1, 2012;*
13 *Readopted Eff. January 1, 2016;*
14 *Amended Eff. April, 1, 2023; October 1, 2019.*
15

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

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

4 (a) To meet the approval of the Board under the standards set out in these Rules, natural hair care teacher training
5 course shall consist of at least 320 hours of instruction in theory and practical application, divided as follows:
6

Requirement Description	Hours
<u>Guided and independent Theory: observation theory, observation, motivation, business management, student relations, teaching techniques, preparing lesson plans, facilitating student shop internship, preparing class lectures and presentations, preparing examinations, grading, and G.S. 88B and the rules of the Board</u>	160
Practical Application: Conducting <u>guided</u> theory classes from prepared lessons, preparing and giving examinations, and giving practical demonstrations	160

7
8 (b) . Trainees shall receive a minimum of 115 hours of guided theory prior to ~~any~~ providing any instruction in a
9 cosmetic art classroom.

10
11 *History Note: Authority G.S. 88B-2; 88B-4; 88B-16; 88B-17;*
12 *Eff. January 1, 2012;*
13 *Readopted Eff. January 1, 2016;*
14 *Amended Eff. April 1, 2023; October 1, 2019.*
15

1 **21 NCAC 14T .0611 ONLINE INSTRUCTION IS PROPOSED FOR AMENDMENT AS FOLLOWS:**

2 **21 NCAC 14T .0611 ONLINE INSTRUCTION**

3 (a) Online instruction and course hours are accepted by the Board for any cosmetic art curriculum.

4 ~~(b) Online resources, course supplements and internet research may be used during the course of study with the~~
5 ~~supervision of a cosmetic art teacher within a cosmetic art school.~~

6 ~~(c)~~ (b) The school shall determine if a student possesses the skills and comprehension necessary to succeed in an
7 online ~~education~~ instruction environment and maintain in each student's record documentation of the method used to
8 determine the student's skill and comprehension.

9 ~~(d)~~ (c) The school shall track and record the student's hours by minute and educational achievements in the online
10 ~~education~~ instruction ~~course(s)~~ and shall provide electronic reports generated by the tracking system to an agent of
11 the Board or its inspector upon request.

12 ~~(e)~~ (d) The school shall document the student demonstrates participation in the online education course(s).

13 ~~(f) The school shall administer a test at the end of each online education course. The testing shall be done in person~~
14 ~~at the school.~~

15 ~~(g)~~ (e) Online instruction shall be limited to the independent or guided theory portion only and no more than 50
16 percent for teacher trainees and 30 percent of the total statutorily required hours for the respective cosmetic art
17 discipline.

18 ~~(h) No practical instruction shall be permitted through online education.~~

19 ~~(i)~~ (f) The school shall provide access to technical support for the online educational course or program to students
20 and instructors.

21 ~~(j) The school shall provide students and teachers with access to current reference materials that may include, but~~
22 ~~are not limited to, such formats as books, periodicals and other written matter, audio-visual equipment and materials,~~
23 ~~digital media, and online education platforms to support the educational course. Equipment for producing digital and~~
24 ~~paper copies of supplementary instructional materials shall be available.~~

25
26 *History Note: Authority G.S. 88B-2; 88B-4; 88B-16; 88B-17;*

27 *Eff. January 1, 2012;*

28 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January*
29 *13, 2015;*

30 *Amended Eff. April 1, 2023; October 1, 2019.*

31

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

21 NCAC 14T .0612 INSTRUCTION GUIDELINES

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

(b) Work in the clinic department may be done on the public.

(c) All instruction in a cosmetic art school shall be in this order:

(1) Guided theory;

(2) Demonstration;

(3) Guided practice;

(4) Independent theory;

(5) Practice;

(6) Evaluation and passage of evaluation; and

(7) Performance

(d) Infection control and blood exposure required evaluations shall be taught in this order:

_____ (1) Hand washing;

_____ (2) Implement disinfection;

_____ (3) Beginning and end of day infection control;

_____ (4) Blood exposure (self cut); and

_____ (5) Blood exposure (client).

~~All work done by students on the public shall be checked by the cosmetic art teacher as the work is being performed and after the service has been completed so that the teacher may point out errors to the student in order that the errors may be corrected.~~

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

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

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

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

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

~~(i) (e) A minimum of 10 percent of scheduled attendance time each week shall be dedicated to guided theory, demonstration, and guided practice. spent on theory work as defined in Paragraph (e) of this Rule.~~

~~(j) (f) All papers assignments shall be graded and returned to the students.~~

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

~~(l) All live model performances on the public shall be done in the clinic department. Mannequin performances and live model performances~~

(h) Performances on other students may be performed in the clinic department or in a room within the school with a cosmetic art station.

~~(m)~~ (i) Textbooks shall not be used more than five years if a newer version is available.

~~(n)~~ (j) Schools shall provide textbooks and supplementary educational materials and equipment to students.

~~(o)~~ (k) A cosmetic art teacher shall not perform clinical services on a client at the cosmetic art school.

~~(p)~~ (l) Exams administered in a proctored exam site need not be attended by a cosmetic art teacher.

~~(q)~~ (m) Cosmetic art teachers shall use the respective evaluation plan to verify student competency prior to assigning a live model service-a performance.

(n) The school shall provide students and teachers with access to current reference materials that may include, but are not limited to, such formats as books, periodicals and other written matter, audio-visual equipment and materials, digital media, and online education platforms to support the educational course. Equipment for producing digital and paper copies of supplementary instructional materials shall be available.

(o) Schools must develop lesson plans for guided theory, and demonstrations that integrate Board infection control rules as established in 21 NCAC 14H. with the steps to complete each service as listed in 21 NCAC 14T .0602-.0606.

(p) School owners, teachers, and school administrators shall not make any statement to a member of the public or students either verbally or in writing, stating or implying Board mandated consequences that are not established by the Board Rules or NC General Statutes. A violation of this prohibition is considered practicing or attempting to practice by fraudulent misrepresentation as set forth in 21 NCAC 14P .0108

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

Eff. January 1, 2012;

Amended Eff. June 1, 2013; October 1, 2012;

Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 13, 2015;

Amended Eff. April 1, 2023; March 1, 2022; October 1, 2019; January 1, 2016.

1 **21 NCAC 14T .0613 UNIFORMS AND IDENTIFICATION IS PROPOSED FOR AMENDMENT AS**
2 **FOLLOWS:**

3 **21 NCAC 14T .0613 UNIFORMS AND IDENTIFICATION**

4 (a) Each cosmetic arts school must define what constitutes a uniform for students and acceptable attire for teachers.
5 Students and teachers shall wear the uniform or acceptable attire as defined by the school so that Board members or
6 agents of the Board can identify by sight students and teachers.

7 (b) Each school's definition of acceptable attire cannot change more than once per year.

8 (c) Students must wear a name tag identifying student name, cosmetic art ~~discipline and academic status.~~ discipline.
9 At no time shall a student fail to wear a name tag.

10 (d) Each cosmetic art school may permit students to be out of uniform a maximum of four days per year. Notice to
11 the Board must be submitted prior to any day uniforms will not be worn.

12 (e) Teachers, guest lecturers, and substitute teachers must wear a name tag with name and position title.

13

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

15 *Eff. January 1, 2012;*

16 *Amended Eff. October 1, 2012;*

17 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January*
18 *13, 2015;*

19 *Amended Eff. April 1, 2023.*

1 **21 NCAC 14T .0614 INTERNSHIPS IS PROPOSED FOR AMENDMENT AS FOLLOWS:**

2 **21 NCAC 14T .0614 INTERNSHIPS**

3 Schools and cosmetic art shops desiring to implement an internship program shall follow these requirements:

- 4 (1) Schools wishing to participate in an internship program must notify the Board of intent to
5 implement a program before credit for an internship may be granted. ~~Cosmetic art shops and~~
6 ~~student selection criteria must be submitted along with the notification.~~
- 7 (2) Schools shall report to the Board all cosmetic art shops contracted and students selected to
8 participate in the program.
- 9 (3) Internships may be arranged in various time frames but shall never exceed five percent of a
10 student's training period.
- 11 (4) Credit for an internship shall be granted upon submission of student hours verification based on a
12 daily attendance record. Hours must be recorded on a form approved by the school.
- 13 (5) Students may be assigned a variety of duties, but client services are restricted. Cosmetology and
14 natural hair care students may provide only shampoo services, manicurist students may only
15 remove nail polish and esthetician students may only drape ~~and prep~~ clients
- 16 (6) Students must follow all Board rules and regulations.
- 17 (7) A licensed teacher need not be in attendance during this internship.
- 18 (8) Students participating in the program shall not receive compensation for duties performed in the
19 cosmetic art shop.
- 20 (9) Prior to a student participating in an internship the student must have passed the infection control
21 and blood exposure evaluations.

22
23 *History Note: Authority G.S. 88B-2; 88B-4; 88B-16; 88B-17;*
24 *Eff. February 1, 2012;*
25 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January*
26 *13, 2015;*
27 *Amended Eff. April 1, 2023.*
28

1 **21 NCAC 14T .0615 FIELD TRIPS IS APPROVED FOR AMENDMENT AS FOLLOWS:**

2 **21 NCAC 14T .0615 FIELD TRIPS**

3 (a) Cosmetic art schools shall notify the Board prior to any field trip and record the field trip hours of each student.

4 Cosmetic art educational field trips include the following locations or activities:

5 (1) cosmetic art shops;

6 (2) cosmetic art conventions;

7 (3) competition training;

8 (4) other schools;

9 ~~(5) state Board Office;~~

10 ~~(5)(6) professional cosmetic art supply store; houses;~~

11 ~~(6)(7) college or Career Day at school;~~

12 ~~(7)(8) fashion Shows;~~

13 ~~(8)(9) rest homes or nursing homes;~~

14 ~~(9)(10) hospitals; and~~

15 ~~(10)(11) funeral homes.~~

16 (b) An instructor shall be present during the educational field trips listed in Paragraph (a) of this Rule for credit to
17 be given to students, with a ratio of one instructor per 25 students present.

18 (c) The maximum number of hours a student may earn for field trips is 40 hours for cosmetology students, 20 hours
19 for esthetician students, and 10 hours for manicurist or natural hair care students.

20 (d) Students may earn up to four additional hours of credit for curriculum requirements for interviews for
21 employment at a licensed cosmetic art shop.

22 (e) Students may not ~~earn credit for perform~~ any service ~~performances completed~~ outside of the school. Students
23 may perform services as part of the school participation in a cosmetic art competition.

24

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

26 *Eff. January 1, 2012;*

27 *Amended Eff. August 1, 2014;*

28 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January*
29 *13, 2015;*

30 *Amended Eff. April 1, 2023; September 1, 2020.*

1 **21 NCAC 14T .0616 ADDITIONAL HOURS IS PROPOSED FOR AMENDMENT AS FOLLOWS:**

2 **21 NCAC 14T .0616 ADDITIONAL HOURS**

3 (a) Notwithstanding any other rule in this Subchapter, pursuant to G.S. 88B-18(d) a cosmetologist, apprentice,
4 esthetician, manicurist, natural hair care specialist, or teacher candidate who has failed ~~either the practical~~ section of
5 the examination three times, shall complete the following amounts of study at an approved cosmetic art school
6 before an applicant may reapply:

- 7 (1) Cosmetologist ~~100~~ 40 hours;
- 8 (2) Apprentice ~~75~~ 40 hours;
- 9 (3) Esthetician 40 hours;
- 10 (4) Manicurist ~~20~~ 40 hours;
- 11 (5) Natural Hair Care Specialist ~~20~~ 40 hours; and
- 12 (6) Teacher:
 - 13 (A) cosmetology ~~100~~ 40 hours;
 - 14 (B) esthetician ~~80~~ 40 hours; and
 - 15 (C) manicurist 40 hours.

16 (b) Schools shall evaluate students returning to complete additional hours in accordance with Paragraph (a) of this
17 Rule and shall provide remedial assistance or training in the areas of deficiency.

18 (c) Additional hours as required in Paragraph (a) of this Rule may be completed ~~through as online study or~~
19 ~~instruction. instruction through enrollment in a licensed cosmetic art school.~~

20

21 *History Note: Authority G.S. 88B-2; 88B-4; 88B-16; 88B-17; 88B-18;*

22 *Eff. January 1, 2012;*

23 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January*
24 *13, 2015;*

25 *Amended Eff. April 1, 2023; September 1, 2021; August 1, 2014.*

26

1 **21 NCAC 14T .0617 TEACHER TRAINEES IS PROPOSED FOR AMENDMENT AS FOLLOWS:**

2 **21 NCAC 14T .0617 TEACHER TRAINEES**

3 (a) A cosmetic art teacher trainee may not perform clinical services on a client at the cosmetic art school.

4 (b) A cosmetic art teacher trainee shall be supervised by a cosmetology teacher at all times when the trainee is at a
5 cosmetic art school except as set out in Paragraph (c) of this Rule.

6 (c) A manicurist, natural hair care, or esthetician teacher may supervise a cosmetic art teacher trainee with regard to
7 manicuring, natural hair care, or esthetics.

8 (d) A cosmetic art teacher trainee program may be a full time program or a part time program. A cosmetic art
9 teacher trainee, however, shall not receive credit for more than 10 hours per day.

10 (e) Teacher trainees may present lessons as long as the supervising teacher is present in the classroom.

11 (f) Persons receiving teacher training in a cosmetic art school shall be furnished a teacher's manual and shall spend
12 all of their training time under the direct supervision of a licensed cosmetic art teacher and shall not be left in charge
13 of students or the school at any time. Direct supervision is considered as in-person interactive guidance and advising
14 on teacher training topics by a licensed cosmetic art teacher.

15 (g) Teacher trainees must be taught how to assess cosmetic art performances using evaluation plans.

16 (h) Cosmetic art teacher trainees must be enrolled in school to earn hours.

17

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

19 *Eff. January 1, 2012;*

20 *Amended Eff. August 1, 2014;*

21 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January*
22 *13, 2015;*

23 *Amended Eff. April 1, 2023; March 1, 2022.*

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

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

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

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

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

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

14 (d) All cosmetic art schools shall adhere to all Board Infection Control Rules located in 21 NCAC 14H Infection
15 Control.

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

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

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

20 ~~(g)~~ (g) Cosmetic art schools may adopt a higher grading scale.

21 ~~(g)~~ (h) In order to graduate, all students shall meet the minimum school and Board requirements as set forth in
22 Rules .0602-.0610 of this Subchapter.

23 ~~(h)~~ (i) Written examination Examinations shall be administered in ~~all subjects of~~ the cosmetic art curriculum.

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

26 ~~(j)~~ (k) All cosmetic art schools shall provide:

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

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

30 (3) Each Cosmetic art teacher may have up to five teacher trainees, in addition to the ratios set forth in
31 Subparagraph (j)(1) and (2).

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

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

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

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

9 (1) All courses in a cosmetic art school shall be taught by ~~a~~ an onsite licensed cosmetology teacher,
10 and student performances completed on the clinic floor must be supervised by an onsite
11 cosmetology teacher, except as follows:

12 (A) manicuring ~~courses~~ courses, theory, and performances shall be taught by either ~~a~~ an
13 onsite licensed cosmetology teacher or ~~a~~ an onsite licensed manicurist teacher;

14 (B) natural hair care ~~courses~~ courses, theory, and performances shall be taught by either ~~a~~ an
15 onsite licensed cosmetology teacher or ~~a~~ an onsite licensed natural hair care teacher;

16 (C) esthetics ~~courses~~ courses, theory, and performances shall be taught by either ~~a~~ an onsite
17 licensed cosmetology teacher or ~~a~~ an onsite licensed esthetician teacher.

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

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

26 (p) Enrolled students may earn a maximum of 10 hours per day per discipline of cosmetic art and a maximum of 48
27 hours per week per discipline. Online education can be earned in addition to the maximum daily and weekly hours.
28 A student enrolled in more than one cosmetic art discipline may not earn hours or complete performances
29 concurrently.

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

34
35 *History Note: Authority G.S. 88B-2; 88B-4; 88B-16;*

36 *Eff. February 1, 2012;*

37 *Amended Eff. August 1, 2014; June 1, 2013; October 1, 2012;*

1

Readopted Eff. January 1, 2016;

2

Amended Eff. April 1, 2023; October 1, 2019; December 1, 2016.

1 **21 NCAC 14T .0702 TRANSFER OF CREDIT IS PROPOSED FOR AMENDMENT AS FOLLOWS:**

2 **21 NCAC 14T .0702 TRANSFER OF CREDIT**

3 (a) A student who transfers from one cosmetic art discipline to another cosmetic art discipline shall not receive
4 credit for hours received in the initial curriculum.

5 (b) Up to 25 percent of all credit earned in an approved esthetician, manicurist or natural hair care teacher training
6 program may be transferred to a cosmetology teacher training program.

7 (c) A maximum of 160 hours earned in either an esthetician, natural hair care or manicurist teacher training
8 program may be transferred between programs once.

9 (d) Licensed estheticians, manicurists and natural hair care stylists may request the school apply up to 25 percent of
10 hours required for licensure by G.S. 88B earned toward the cosmetology curriculum.

11 (e) Licensed cosmetologists may request the school apply up to 50% of the hours required for licensure as an
12 esthetician, manicurist, or natural hair care specialist by G.S.88B toward the esthetician, manicurist, or natural hair
13 care specialist curriculum.

14

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

16 *Eff. January 1, 2012;*

17 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January*
18 *13, 2015;*

19 *Amended Eff. April 1, 2023.*

20

1 **21 NCAC 14T .0706 SCHOOL APPROVAL CHANGES AND SCHOOL CLOSING IS PROPOSED**
2 **FOR AMENDMENT AS FOLLOWS:**

3 **21 NCAC 14T .0706 SCHOOL APPROVAL CHANGES AND SCHOOL CLOSING**

4 (a) If the location of a cosmetic art school changes or if there is a transfer of majority ownership of a cosmetic art
5 school, whether by sale, lease, or otherwise, the school owner shall submit a new application for approval in
6 accordance with Rule .0102 of this Subchapter.

7 (b) License and letters of approval issued to cosmetic art schools are not transferrable, and are valid only for the
8 location, square footage, and enrollment capacity for which issued, and to the owner to whom issued. The letter of
9 approval shall contain the school name, school owner name, school location, date of approval, the signature of the
10 Board members, the amount of approved square footage, and the maximum number of enrollments for which the
11 school has been approved.

12 (c) Schools intending to close must notify the Board not less than 30 days in advance.

13 (d) Schools must make provisions for the long term storage of school documents as set forth in Rule .0502 of this
14 Subchapter, and facilitate the retrieval of any school documents upon the request of a student or the Board. Schools
15 shall notify the Board of the contact information for retrieval of any school information.

16 (e) Schools must facilitate and cooperate in the final inspection and processing of student hours.

17 (f) If the square footage or instructional layout of a cosmetic art school changes, the school shall notify the Board of
18 the change and submit a diagram of the new instructional layout. Following receipt of the notification of the change
19 in the instructional layout or square footage, a Board inspector shall verify the change. If there is an educational
20 change such as adding an educational program the full curriculum must be submitted to the Board for approval.
21 Schools must verify compliance with mechanical codes when changing or moving equipment.

22
23 *History Note: Authority G.S. 88B-2; 88B-4; 88B-16; 88B-17;*

24 *Eff. January 1, 2012;*

25 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January*
26 *13, 2015;*

27 *Amended Eff. April 1, 2023; September 1, 2021.*
28

1 **21 NCAC 14T .0803 SCHOOL INSPECTIONS IS PROPOSED FOR AMENDMENT AS FOLLOWS:**

2 **21 NCAC 14T .0803 SCHOOL INSPECTIONS**

- 3 (a) Schools must facilitate and cooperate during all school ~~inspections~~ inspections.
- 4 (b) Schools are subject to reevaluation and re-inspection at any ~~time~~ time.
- 5 (c) Failure to comply with the laws and rules of the Board is cause to revoke or suspend the school's license/letter of
6 approval.
- 7 (d) In addition to such other reports as may be required by the Board, cosmetic art schools shall report to the Board
8 or its authorized agent, upon inspection of the cosmetic art school and at other times upon specific request, the
9 names of all students currently enrolled and the hours and ~~performances~~ evaluation plans completed by each.
- 10 (e) The owner ~~or manager~~ of the cosmetic art school or owner's representative shall read each inspection report
11 made of the school by an authorized agent of the Board to determine that the information on the inspection report is
12 correct, shall sign and retain a copy of all inspection reports.
- 13 (f) If any part of the information on the report is incorrect, it shall be corrected by the authorized agent of the ~~Board~~
14 Board.
- 15 (g) A school may submit an exception to any inspection report. Such exceptions shall be prepared and signed by the
16 owner ~~or manager~~ and submitted to the Board and shall be attached to the report.
- 17 (h) All present student equipment and records shall be made available to inspectors during school inspection.
- 18 (i) Cosmetic art schools must maintain copies of lesson plans and evaluation plans and make such copies available
19 to an agent of the Board upon request.

20

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

22 *Eff. January 1, 2012;*

23 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January*
24 *13, 2015;*

25 *Amended Eff. April 1, 2023.*