

ARKANSAS
STATE BOARD OF COSMETOLOGY
(Agency # 035.00)

RULES AND REGULATIONS



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ARKANSAS STATE BOARD OF COSMETOLOGY
101 E. Capitol, Suite 108
Little Rock, Arkansas 72201
Voice: 501-682-2168
Email: Cosmo@arkansas.gov
Website: www.arkansas.gov/cos

**ARKANSAS STATE BOARD OF COSMETOLOGY
RULES AND REGULATIONS
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**RULE NO. 1
COSMETOLOGY BOARD AND STAFF**

1.1) Purpose

Act 358 of 1955 created the Arkansas State Board of Cosmetology and defined the powers of the Board. The Board was created to regulate the vocation of cosmetology and its related occupations; to provide for the licensing of persons to carry on and to teach such vocation; to regulate the conduct and sanitation of cosmetological establishments and schools so as to prevent the spreading of communicable diseases; and, to provide penalties for violation thereof.

1.2) Board Composition

The Arkansas State Board of Cosmetology consists of ten (10) members appointed by the Governor. Whenever the word “Board” is used, it refers to the Arkansas State Board of Cosmetology.

1.3) Administrative Division

The Administrative Division of the Board is staffed by a Director and clerical personnel. The Administrative Division is responsible for the administrative and day-to-day operation of the Board. The Director will publish annually the contact information for each staff member.

1.4) Inspection Division

The Inspection Division of the Board is staffed by persons who have had five (5) years of experience in the licensed practice of cosmetology. Cosmetological establishments are routinely inspected between 2-4 times a year to ensure compliance with the licensing law and rules and regulations promulgated by the Board unless complaints are received by the Board office. The inspectors examine licenses; inspect buildings and equipment; check accumulated hours and number of students in beauty schools; report violations of the law or rules and regulations; investigate complaints; rate inspections; and perform yearly initial inspections of new beauty salons.

Any inspector of the Board shall have the authority to enter into and inspect any cosmetological establishment at any time during business hours.

1.5) Location

The office of the Board is located at 101 E. Capitol, Suite 108, Little Rock, Arkansas 72201. All matters, which require the Board’s attention, should be directed to the Board office by calling 501-682-2168 or by emailing the Board at Cosmo@arkansas.gov. Information may also be obtained by accessing the Board’s Website at www.arkansas.gov/cos/.

1.6) Meetings

The Board will meet in Little Rock, Arkansas for the purpose of transacting business when deemed necessary. By December of each year, the Director will publish a list of meeting dates scheduled for the upcoming calendar year.

Public comments are welcome at each board meeting; however, any person desiring to appear before the Board to take up any business within the jurisdiction of the Board that would require agenda action shall, at least ten (10) calendar days prior to such meetings, file a written request with the Director in which the nature and purpose of the appearance shall be clearly and concisely stated with sufficient details to fully apprise the Board of the basis and extent of such business.

1.7) Collection of Fees

All fees collected by the Arkansas State Board of Cosmetology are payable by check, money order or cashier's check only. Temporary checks are not acceptable. Credit card payments are accepted for online renewal only.

**RULE NO. 2
REQUIREMENTS FOR COSMETOLOGY AND RELATED OCCUPATIONS**

2.1) Establishment

Any person, firm or corporation conducting or operating a cosmetological establishment, school of cosmetology, or beauty salon shall be required to obtain a current establishment license prior to operating said establishment. The proprietor shall be responsible for compliance with the law and all rules promulgated by the Board.

2.2) Practitioner

No person shall practice any phase of cosmetology and its related occupations with the intent of receiving compensation when the person does not hold a current and valid license issued by the Board, nor can any licensed cosmetologist practice any phase of cosmetology and its related occupations other than in a licensed beauty salon or wig salon.

2.3) Demonstrator

A Demonstrator's permit is required for any person coming in contact with a client who is not licensed as a Cosmetologist by demonstrating wigs and/or cosmetics.

The term "Cosmetic" is defined as any product made for beautifying the complexion. Any person who applies a cosmetic with his/her hands upon the body of another is declared to be a "Demonstrator" and shall be required to obtain a permit from the Board before making such demonstrations.

The term "Wig Demonstrator" is defined as a person who fits and arranges a wig, on the head of a client, for the sale of the wig. Demonstrators are only allowed to fit and arrange new wig products. Demonstrators are not allowed to reservice wigs.

The term "Cosmetic Studio" is defined as any place or premises where demonstrators give demonstrations, without compensation, for the purpose of advertising and selling cosmetics. Demonstrators shall be licensed.

No training is required by law or regulation for persons demonstrating cosmetics or wigs. The requirements are: complete application form and render payment for the required fee. New applications must be submitted annually.

Demonstrators shall (a) be free from communicable disease, (b) wash hands before serving each client, and (c) keep bodily clean.

**RULE NO. 3
EXAMINATIONS**

3.1) Application

The Board will admit to examination for a certificate of registration and license any person who has acquired training in cosmetology, manicure, aesthetics, electrology, or instructor within the last three (3) years of the completion date of the requirements.

If the training was provided in this state, then the applicant must provide the following documentation: (a) a completed Arkansas application form, (b) certification of hour form from the school attended, (c) a paid in full contract, and (d) the required examination fee.

If the training was provided in another state, then the applicant must provide the following documentation: (a) a completed Arkansas application form, (b) an affidavit certifying that the applicant has completed the required training (affidavit shall have a manual signature of the certified and a state Board seal imprint), (c) high school credits equivalent to the completed tenth (10th) grade, (d) birth certificate if the applicant is under 18 years of age and (e) the required examination fee.

In either instance, in order to be eligible for an instructor examination, an applicant must provide documentation certifying completion of the twelfth (12th) grade or its equivalent. The Board will accept a college degree in the event that a high school diploma or general education diploma (GED) is not available.

3.2) Application Deadline

The Board shall admit to examination for a certificate of registration and license any person who has made application to the Board at least ten (10) calendar days prior to the announced date of the examination and acquired training in cosmetology, electrology, aesthetics, manicure or instructor. The application must be filed in accordance with the Act and rules and regulations of the Board to be eligible. Applicants must apply and pass examinations within three (3) years of acquiring the appropriate hours or the hours will become nonaccredited.

3.3) Cancellations

Any applicant who fails to appear for a scheduled examination has one (1) week to provide written documentation justifying the non-appearance. If good cause is shown for the non-appearance, then the applicant may be rescheduled for examination. If good cause is not shown, an applicant may be rescheduled for examination for up to one (1) year from the date of the first scheduled examination. Any applicant that habitually fails to appear for a scheduled examination may receive a time penalty at the discretion of the Director. All applicants rescheduling for examination will be required to submit the examination fee with the new application.

3.4) Language

All Board examinations shall be given in two (2) parts. The written part shall include all topics of the curriculum as prescribed by the Board, including the cosmetology law and rules and regulations. Non-English speaking applicants will be given the option of taking the written part in English or their primary language, if the exam is available in that language. Schools will be responsible for notifying the Director two (2) months before an examination when a translated version would be needed. The practical part shall be given in English and will include a demonstration of selected cosmetological skills as prescribed by the Board. The practical part of the electrology instructor's examination shall consist of a lecture and demonstration. The practical part of the cosmetology instructor's examination shall consist of a lecture and demonstration. At the time the instructor applicant is notified to appear for the examination the Board office will send the applicant the lesson subject that the applicant will be examined in. The applicant will be

required to furnish a copy of the lesson plan to each examiner at the time of the applicant's examination; therefore, two (2) copies of the lesson plan will be required. Applicants will not be permitted to bring a definition dictionary with them to the examination; however, they will be permitted to bring a translation dictionary.

Applicants are not allowed to bring an interpreter to the examination. If an applicant needs the assistance of an interpreter, he/she must indicate the need on the application where appropriate. The applicant will be furnished a list of certified interpreters from which he/she may choose for this purpose. It is the applicant's responsibility to make the necessary arrangements for the interpreter to be present on the scheduled examination date, including the responsibility for payment of such services. Interpreters are permitted to answer questions for clarification purposes only during the examinations; however, interpreters are not allowed to take questions from the applicant concerning the substantive material of the examination.

The Board complies with the American with Disabilities Act of 1990 and will make reasonable accommodations for applicants having certain physical or mental impairments that might affect their ability to take the licensing examination. If an applicant requires such accommodations, then the school owner or the instructor will be required to make a written request to the Director of the Board at the time the application is submitted. A member of the Board's office staff will serve as a reader when a reader request is made.

3.5) Grades

A passing grade of seventy-five (75) is required in the practical part and a grade of seventy (70) is required in the written part pertaining to the mandated curriculum. In addition, a grade of seventy (70) is required on the written law part. Any person satisfactorily passing one part shall not be required to take the examination as to that part again provided said candidate satisfactorily passes the examination and receives a license within three (3) years from the school release date.

3.6 Models

Persons serving as models for the examination are not permitted to converse with the examiners. If the model has any questions he/she should direct these questions to the Director either before or after the examination. Instructor, Instructor Trainees, students and licensed Cosmetologists will not be permitted to serve as models for the examination.

3.7) Anonymity

Where examiners are concerned anonymity is to be exercised throughout the entire practical examination process. Candidates are not allowed to disclose to any examiner their name or geographic location of residence, school, etc. It is the Candidate's responsibility to see that their model does not divulge any information of this type. Candidates are not permitted to wear any type of personal identification. If some form of personal identification is required, for medical purposes, then these items must not be visible to the examiner. Candidates are not permitted to make any comment with respect to their Instructor, school, or their training. Candidates or models who violate any of the rules provided in this section will be dismissed.

All distinguishing marks or signs on any item used by the Candidate during the practical examination shall be covered prior to entering the testing center.

3.8) Exam Materials

The Board will provide each candidate with a list which contains the implements, supplies, equipment, and attire needed for the examination. The list will also identify the text from which the examination material is derived. Each candidate will be required to bring a kit and/or carrying case, which contains all the necessary items contained in the list.

RULE NO. 4

REQUIREMENTS FOR BOTH COSMETOLOGICAL SCHOOLS AND ESTABLISHMENTS

4.1) Definitions:

For the purpose of these rules and regulations the following terms are defined.

- A) **Salon or Cosmetological Establishment** – means any premises, building, or part of a building whereon or wherein is practiced any branch or any combination of the branches of cosmetology or the occupations of a cosmetologists.
- B) **School** – means any premises, building, or part of a building whereon or wherein is taught any branch or any combination of the branches of cosmetology.
- C) **Salon Owner** – means any person, firm, or corporation conducting or operating a cosmetological establishment as defined by A.C.A. 17-26-102 (5).
- D) **School Owner** – means any person, firm, or corporation conducting or operating a school of cosmetology.
- E) **Practitioner** – means any person who is licensed by the Arkansas Board of Cosmetology as a Cosmetologist, Electrologist, Manicurist, Instructor, or Aesthetician or is licensed by the Arkansas Board of Barber Examiners as a Barber.
- F) **Student** – means any person who is engaged in learning or acquiring a knowledge of the occupations of a cosmetologist, manicurist, aesthetician or electrologist, in a licensed school of cosmetology under a licensed instructor.
- G) **Client** – means any person who receives cosmetological services from a person who is engaged in the practice of cosmetology as defined by A.C.A. 17-26-102 (b) items (1) through (6).
- H) **Working area or Clinical area** – means any area that is used to render cosmetological services to the public.
- I) **Cosmetological Services** – means any work performed by any person who is engaged in the practice of cosmetology as defined by A.C.A. 17-26-102 (b) items (1) through (6).
- J) **EPA** – means the United States Environmental Protection Agency.
- K) **Gross Malpractice** – means any practice which permanently damages the hair, skin or nail of any person through the implementation of: chemicals implements, or equipment.

4.2) Health and Safety Rules

A) Enforcement

A salon owner or school owner and the person in charge of any such salon or school, shall be liable for implementing and maintaining the Health and Safety Rules in the salon or school. This shall be done individually and jointly with all persons employed by or working in or on the premises of such salon or school. All practitioners and students shall be held individually liable for implementation and maintenance of the Health and Safety Rules and Regulations as applicable.

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To assure compliance with the laws and rules and regulations governing the operations of schools and salons, the board's authorized representatives shall have access to the premises of any school or salon, at any time that the school or salon is open for business or at any time that the instruction or practice of cosmetology is being conducted.

Refusal to permit, or interference with, an inspection and/or audit constitutes a cause for disciplinary action.

All persons performing acts of cosmetology and its related occupations except students in schools of cosmetology, shall present satisfactory proof of identification upon request by an authorized representative of the Board. Satisfactory proof shall be in the form of a photographic driver's license or photographic identification card issued by any state, federal, or other recognized government entity. Failure to present valid proof of identification shall be grounds for disciplinary action.

Conducting or operating a school or salon without a current, valid license shall be grounds for disciplinary action.

Allowing a person to engage in or attempt to engage in the occupation of a cosmetologist, manicurist, electrologist, aesthetician or barber in or about a salon or allowing a person to engage in or about a school, without a current valid Arkansas license shall be grounds for disciplinary action.

Performing acts of cosmetology or attempting to perform acts of cosmetology, without a current, valid Arkansas license shall be grounds for disciplinary action.

B) Consumer Information.

A copy of the Health and Safety Rules shall be conspicuously posted in reception areas of both schools and establishments and in theory rooms of schools.

All establishment and school licenses, practitioners' licenses, student permits and instructor licenses shall be conspicuously posted in a designated place in reception areas or at the individual work stations.

No license which has expired or become invalid for any reason whatsoever shall be displayed by any person in connection with the practice of cosmetology or any of its branches. Any license so displayed shall be surrendered to the Board upon its request.

C) Physical Facilities

1) Water Supply and Sewage – A safe and adequate supply of continuous hot and cold running water shall be provided from an approved source. All water-carried sewage shall be disposed of by means of an approved sewage disposal system constructed and operated in conformance with the standards established for such systems by the Arkansas Department of Health and Human Services.

2) Plumbing – Plumbing shall be installed and maintained to promote the following: 1) as to carry adequate quantities of water to required locations throughout the school or salon; 2) to prevent contamination of the water supply; 3) to properly convey sewage and liquid wastes from school or salon to the sewerage or sewage disposal system; and 4) to not constitute a source of contamination of equipment, implements, supplies, or create an insanitary condition or nuisance. All plumbing shall conform to the current State Plumbing Code.

3) Toilet Facilities, Fixtures and Plumbing – Where toilet facilities are made available or otherwise required, said facilities, fixtures and other plumbing shall be installed in accordance with the Arkansas State Plumbing Code and meet standards set by the Arkansas Department of Health and Human Services. No toilet facility shall be used for storage.

4) Handwashing Facilities – Each school and each salon shall provide handwashing facilities installed in accordance with the Arkansas State Plumbing Code. The facilities shall have a soap dispenser (with soap) and disposable towels or an air dryer for hands. Common towels are prohibited.

5) Drinking Water – Each school and each salon shall supply drinking water from a supply meeting the requirements set forth by the Arkansas Department of Health. No school or salon shall provide any cup, glass, or other receptacle for common use.

6) Garbage and Refuse – Garbage and refuse shall be kept in durable, easily cleanable, insect-proof and rodent-proof containers that do not leak and do not absorb liquids. No school or salon shall permit an accumulation of garbage or refuse. Garbage and refuse shall be disposed of often enough to prevent the development of odor and the attraction of insects and rodents.

7) Insect and Rodent Control – Each school and each salon shall be kept in such condition as to prevent the harborage or feeding of insects or rodents. Openings to the outside shall be effectively protected against the entrance of rodents and insects.

8) Cleanliness and Repair – Each school and each salon shall keep the floors, mats, walls, woodwork, ceilings, equipment, doors, windows, mirrors, lights and similar closures, furnishings, attached equipment, decorative materials and fixtures clean and in good repair. Concrete or pumice blocks used for interior wall construction shall be finished, filled and sealed. All of the above mentioned items shall be free of leak spots, mildew, peeling paint and shall be easily cleaned.

9) Floor Construction – Floors and floor coverings of each school and each salon in the working area or clinical area shall be constructed of smooth, non-absorbent, durable material such as sealed concrete, terrazzo, ceramic tile, durable grades of linoleum or plastic and shall be maintained in good repair. Worn, torn, or broken floor coverings shall be replaced.

10) Carpet – Carpet shall not be permitted in the working area or clinical area. Carpet, if used as a floor covering in other areas of a school or salon, shall be of closely woven construction, properly installed, easily cleanable, and maintained in good repair. Worn or torn carpet shall be replaced.

11) Lighting – Permanently fixed artificial light sources shall be installed to provide at least 30 foot candles of light on the working area or clinical area.

12) Ventilation – Each school and each salon shall have sufficient ventilation installed and operated according to State and local requirements to keep them free of excessive heat, steam, condensation, vapors, obnoxious odors, smoke and fumes.

13) Minimum Equipment – Each school and salon shall have and maintain the following minimum equipment:

- a. A sufficient number of covered waste receptacles.

- b. A liquid sanitizer receptacle of sufficient size to hold instruments and supplies containing a solution approved by the EPA for use as a disinfectant utilized in accordance to the product label.
- c. A sufficient number of closed receptacles to hold all soiled towels.
- d. A sufficient number of airtight containers for sanitized instruments.
- e. A sufficient number of closed cabinets to hold all clean towels.

14) Animals in Schools and Salons – Animals are prohibited from being inside a cosmetology school or salon, except for service animals that are accompanying a client with a disability. Pets are not allowed within the premises of a salon or school. In the event that an authorized Board representative observes a salon or school owner’s animal within the premises of the salon or school, then the salon or school owner shall describe the impairment for which the animal is trained to provide assistance in order to ensure that the animal is not simply a pet.

15) Infectious Disease - No person afflicted with an infectious or communicable disease, which may be transmitted during the performance of the acts of cosmetology or any of its branches, or afflicted with an infestation of animal parasites shall be permitted to work or train in a school or in a salon.

No school or salon shall require or permit a student or a practitioner, to massage any surface of the skin or scalp where such skin is inflamed or where a skin infection or eruption is present and/or knowingly, to work upon a person suffering from any infectious, or communicable disease or on a client with an infestation of animal parasites which may be transmitted during the performance of the act of cosmetology or any of its branches.

The term “infectious or communicable disease” shall not include human immunodeficiency virus (HIV) or any other disease that similarly does not pose a significant risk to the health or safety of others during the performance of an act of cosmetology or any of its branches.

16) Personal Cleanliness

- a. **Person and Wearing Apparel** – The person and the uniform or attire worn by an individual serving a client shall at all times be clean.
- b. **Washing Hands** – Every person performing cosmetological services in a school or salon shall thoroughly wash his or her hands with soap and water or any equally effective cleansing solution before serving each client.

17) Headrests, Shampoo Bowls, and Treatment Tables

- a. **Headrests** – The headrest of chairs shall be covered with a clean towel or paper sheet for each client.
- b. **Shampoo Bowls** – Shampoo trays and bowls must be cleansed with soap and water or other detergent after each shampoo, kept in good repair and in a sanitary condition at all times.
- c. **Treatment Tables** – Treatment tables must be sanitized before and after each client.

18) Towels

- a. **Used Towels to be discarded** – After a towel has once been used, it shall be deposited in a closed receptacle, and shall not again be used until properly laundered and sanitized.
- b. **Laundering, Storage and Facilities** – All cloth towels, robes and similar items shall be laundered in a washing machine with laundry detergent and chlorine bleach used according to the manufacturer’s directions for sanitation purposes. Laundry facilities shall be restricted to the washing and drying of towels, uniforms, aprons, etc., necessary

to the operation of a salon or school in an area separate and distinct from the working area or clinical area. A closed dust proof cabinet must be provided for clean towels and linen and covered hamper or receptacle must be provided for all soiled towels, robes and linens.

19) Bottles and Containers – All bottles and containers in use in a school or salon shall be distinctly and correctly labeled to disclose their contents.

20) Neck Strips – A sanitary neck strip or towel shall be used to keep the protective covering from coming in direct contact with a client’s neck.

21) Instruments and Supplies

- a. All supplies or instruments which come in direct contact with a client and cannot be disinfected (for example, cotton pads, emery boards used on natural or artificial nails, and neck strips) shall be disposed of in a waste receptacle immediately after use.
- b. No person training or working in a school or salon shall be permitted to carry any instrument or supplies in or on a garment or uniform while practicing cosmetology or any branch thereof.

22) Disinfecting Non-Electrical Instruments and Equipment

- a. Before use upon a client, all non-electrical instruments with a sharp point or edge that may on occasion pierce the skin and draw blood (scissors, razors, tweezers, cuticle nippers, manicure/pedicure scissors, etc.) as well as non-electrical instruments without sharp points or edges (combs, brushes, rollers, and all instruments and accessories used in all branches of cosmetology including manicuring) shall be disinfected in the following manner: clean with soap (or detergent) and water then totally immerse for at least ten (10) minutes in either (1) an EPA-registered disinfectant with demonstrated bactericidal, fungicidal, and virucidal activity used according to manufacturer’s instructions, or (2) 70% isopropyl alcohol.
- b. The disinfectant solutions specified in subdivision (a):
 - i. Shall remain covered at all times.
 - ii. Shall be changed at least once each week or whenever visibly cloudy or dirty.
- c. All non-disinfected instruments (those that have been used on a client or soiled in any manner) shall be placed in a properly labeled receptacle.
- d. All disinfected instruments shall be stored in a clean, covered place.

23) Disinfecting Electrical Instruments.

- a. Clippers, vibrators, and other electrical instruments shall be disinfected prior to each use by (1) removing all foreign matter and (2) disinfecting with an EPA-registered disinfectant with demonstrated bactericidal, fungicidal, and virucidal activity used according to manufacturer’s instructions
- b. All disinfected electrical instruments shall be stored in a clean, covered place. Guard covers must be clean when used.

24) Sterilizing Electrolysis Instruments.

- a. Before use upon a client, each electrolysis needle or tweezer shall be first cleaned with detergent and water (which may include the use of ultrasonic equipment) and then sterilized by one of the following methods:
 - 1. Steam sterilizer, registered and listed with the Federal Food and Drug Administration, used according to manufacturer’s instructions.

2. Dry heat sterilizer, registered and listed with the Federal Food and Drug Administration, used according to manufacturer's instructions.
- b. Sterilization equipment shall be checked weekly to ensure that it is reaching the temperature required by manufacturer's instructions.
- c. Exemption – The above sterilization methods are not required when using sterile disposable epilation needles. Needles shall be disposed of in a waste receptacle immediately after use.

25) Liquids, Creams, Powders and Other Cosmetic Preparations.

- a. **Storage** – All liquids, creams and other cosmetic preparations shall be kept in properly labeled clean and closed containers. Powders may be kept in a clean shaker.
- b. **Removal from Container** – When only a portion of a cosmetic preparation is to be used on a client, it shall be removed from the container in such a way as not to contaminate the remaining portion.
- c. **Pencil Cosmetics** – Pencil cosmetics shall be sharpened before each use. Sharpeners shall be properly disinfected before each use.

4.3) Facility Use for Non-Accredited Courses

Schools of cosmetology will be permitted to utilize the school facilities for non-accredited courses, after regular school hours, provided said school owner disseminates literature that the said course(s) is not approved by the Board. All literature (i.e., forms of media advertisements, pamphlets, etc.), must have prior approval by the Board before communication.

**RULE NO. 5
COSMETOLOGY ESTABLISHMENT
CERTIFICATE OF REGISTRATION AND LICENSURE**

5.1) Enforcement

Any person, firm, or corporation conducting or operating a cosmetological establishment shall be responsible for compliance with the licensing code and rules and regulations of the Board governing cosmetological establishments. Failure to comply with the licensing code and rules and regulations shall be grounds for disciplinary action.

5.2) Authorization

Any person, firm or corporation who has applied for a license to operate a cosmetological establishment will receive a letter authorizing the owner to operate the establishment, provided that the owner has certified compliance with the licensing code and the rules and regulations of the Board. The letter shall be conspicuously posted in the salon.

A letter of authorization to operate a cosmetology establishment will expire within twelve (12) months of the date of issuance and/or upon certification by a representative of the Board that said salon is not in compliance with the licensing requirements (whichever occurs first).

5.3) Inspection of Facilities

The salon shall be inspected to determine compliance with the licensing code and rules and regulations governing cosmetology establishments. An establishment license will be issued upon receipt of a compliance inspection by a representative of the Board. Failure to comply with the licensing requirements will be grounds for disciplinary action and license denial.

5.4) Changes and Notification Requirements

- A. **Name Change** – When the name of an established salon is changed from the name which appears on the original application, the owner of record shall file an application with the Board for approval and shall submit the required fee. Failure to comply with this section within thirty (30) days of changing the name of the salon will be grounds for disciplinary action.
- B. **Ownership Change** – A salon owner who sells or otherwise transfers ownership of said salon shall, within thirty (30) days of said sale or transfer, notify the Board in writing, as to the name of the new owner and the effective date of said sale or transfer. The new owner, lessee or other legally responsible party shall file, within thirty (30) days of the sale or transfer, an application with the Board for approval and shall submit the required fee. A copy of the Bill of Sale shall be attached to the application. Failure to comply with this section shall be grounds for disciplinary action.
- C. **Relocation** – When the location of an established salon is changed, it shall be classified as a new salon and said owner shall comply with the licensing code and rules and regulations relating to the original issuance of a salon license.
- D. **Closure** – Within thirty (30) days after a salon is closed, the owner shall notify the Board by certified mail of the closure and shall return the salon license to the Board.

5.5) General Licensure Requirements

- A) **Display of Sign** – Each salon shall display, in a conspicuous place visible from the outside, a sign stating the name of the salon.
- B) **Safety** – Each salon shall be maintained in an orderly manner which will not create or be a fire or safety hazard.
- C) **Sale of Products**
 - 1. **Cosmetology Products** – A salon may offer, for sale, cosmetology products and related articles (combs, brushes, cosmetic implements, etc.).
 - 2. **Other Products** – A salon offering other products for sale in the salon is prohibited from displaying said products in the working area or clinical area of the beauty salon. A salon is prohibited from displaying products that may cause an unsanitary condition. Products that may be contaminated by environmental factors within the salon shall be packaged to preserve sanitary conditions.
 - 3. **Classification of other Businesses**
 - a. **Retail/Display Area.** – The retail/display area in a salon shall not exceed thirty-three percent (33%) of the floor space contained in the working or clinical area of the salon. If the retail/display area exceeds the specified footage said area will be classified as another type of business and shall be separated from said salon in accordance with the requirements specified below in Subdivision D.
 - b. **Permits/Licensure** – Selling products, in a salon, that require the seller to hold a special permit or license by Federal or State authorities shall be classified as another type of business. Other types of businesses shall be separated from a salon in accordance with the requirements specified below in Subdivision D.
- D) **Separation of Salon from other businesses**
 - 1. **Unsanitary conditions** – A salon and any other type of business that may create an unsanitary condition (for example, restaurant, grocery store, pet store, etc.) shall be physically separated by solid walls (from the floor to the ceiling) of permanent construction and shall not have doors or openings of any kind between the businesses. Further, the owner shall submit a document issued by the Arkansas Department of Health and Human Services certifying that the ventilation system(s) of said businesses meets the minimum requirements of the Arkansas Department of Health and Human Services.

2. Other businesses not specified in Subdivision D (i). A salon shall be permitted to conduct business in conjunction with a health and beauty profession provided the person is licensed and regulated by the State of Arkansas.

a. Barber Establishment License – Any salon that permits a licensed barber to practice the vocation of barbering in the salon, shall also hold a barber establishment license issued by the Arkansas State Board of Barber Examiners.

E) Floor Space – Each salon shall contain a minimum of 168 square feet of floor space in the working area or clinical area as prescribed by A.C.A. Section 17-26-405 (c). A salon with more than one practitioner at any given time shall contain an additional fifty (50) square feet of floor space in the working area or clinical area for each additional practitioner.

F) Equipment

a. In addition to the minimum equipment specified in Rule No. 4(4.3)(13) each salon shall have and maintain a sufficient number of towels, implements, instruments and equipment to ensure that contaminated items are not used on clients.

b. Each salon shall have and maintain equipment that meets industry standards for the type of cosmetological services provided to clients of the salon. The salon shall have and maintain adequate equipment to ensure the health, safety and welfare of the clients served in the salon.

c. Electrical and non-electrical equipment in each salon shall be maintained and tested periodically to determine that said equipment is functioning in accordance with the manufacturer's specifications. Equipment that is not operable or functioning in accordance with the manufacturer's specifications shall be repaired or discarded.

d. Appliances used for the preparation of food shall be prohibited in the working or clinical area or reception area. The use of said appliances is restricted to preparation of food for employees or practitioners working in the salon.

G) Requirements for testing laboratory products

When laboratory-prepared products are used in a licensed cosmetological establishment, for field testing, full disclosure shall be provided to the model or client so the model or client may make an informed decision as to whether the product should be applied. The establishment owner or his/her designee will be required to provide the client or model with a data sheet which states: the name and address of the manufacturer which produces the product, the name and address of the practitioner applying the product and the date and results of the test. The client or model will be required to sign the document which also certifies that the model or client is aware that the product is being applied for testing purposes. A copy of the document is to be kept by the establishment owner and a copy must be given to the client or model for the records.

**RULE NO. 6
COSMETOLOGY SCHOOL REQUIREMENTS**

6.1) Application

Any person, firm or corporation desiring to conduct a school of cosmetology shall submit an application to the Board for approval.

6.2) Building

Agency #035.00

The school shall be of fireproof construction. All schools shall have a front and back entrance. No partitions will be permitted except for the specified spaces listed below.

All schools must be separated from any other business with solid walls. Beauty shops that are located in the same building shall be separated by a solid physical barrier and shall have separate entrances.

All schools shall have sufficient light fixtures and wiring which shall be approved by a licensed Electrician or City Inspector. Said Electrician or Inspector shall certify that wiring and fixtures are adequate for the building size and purpose for which it is to be used.

The school building shall be completely air conditioned and centrally heated.

There shall be sufficient hot water supply and pressure and be so approved as sufficient by a licensed plumber.

All re-located schools shall meet all physical requirements as for new schools.

All beauty schools shall be equipped to do and actually perform all services designated under Act 358 of 1955 as amended. The beauty school shall be approved by the Board as to space, light, ventilation, hygienic environment and equipment.

Interior floor space shall be not less than twenty-five-hundred (2500) square feet of working area, excluding restrooms, student lounge, hall and stairways, for a maximum of twenty-five (25) students.

Student practical training area or clinic area shall contain not less than twelve-hundred (1200) square feet, open space, with no walls to obstruct the view of the Instructor. The clinic square footage requirements is for a maximum enrollment of twenty-five (25) students. Enrollment capacity in excess of twenty-five (25) students will be established by the square footage contained in the reception area and excess footage over the required twelve-hundred (1200) square footage in the clinic. Every fifty (50) square feet of space in the aforementioned area will increase the enrollment capacity by one.

The clinical area shall contain: dresserettes and chairs, shampoo bowls and chairs, dryers with chairs, manicuring tables with chairs, and facial chairs. Other equipment not used for the instruction of the practical work will not be permitted.

A classroom is required and shall be not less than two-hundred-seventy-five (275) square feet. The classroom must be equipped with items conducive to promote a teaching and learning environment that accommodates both the instructor and students. Restroom entrances, outside entrances and vending machines shall not be in the classroom.

Male and female restrooms are required. Restrooms shall contain a commode and lavatory. Floors must be a washable surface. Pipes or any other projection that might create an unsanitary condition shall not be exposed.

A reception area shall be required. The reception area shall contain a desk or counter and chairs for clients and other reception furnishings, such as tables or planters. This area shall not contain dryers or any other equipment used by the students in the practical work.

A supply room will be required to keep all cleaning equipment, such as mops, brooms, scrub pails, etc.

A dispensary room is required to store supplies used by students. All extra supplies, not being used, must be stored.

Storage space shall be provided for students to store individual personal items.

Space shall be provided for students and clients' coats.

Office space shall be provided for student and school business records that contains equipment and furniture necessary to reasonably accommodate an administrative office.

Canteen and lounge room will be provided as a refreshment canteen and lounge for students. All students shall eat and smoke in this room unless the school chooses to be a smoke-free environment. Eating and smoking will not be permitted in any other area of the school.

6.3) Equipment

All equipment for new existing and re-located schools shall be in good workable condition. The equipment shall be appropriately maintained in order to promote the health and safety of school employees, students and clients. An adequate supply of furnishings shall be maintained in the classroom to sufficiently accommodate the enrolled students. An adequate supply of working equipment for all cosmetology courses shall be maintained in the school to reasonably accommodate the clientele received in the school. Each school shall maintain a time clock to register student hours for reporting to the Board and a glass display case for student permits.

All schools shall be inspected on a quarterly basis and recommendations for improvements will be mailed to the school owners when necessary. Violations will be addressed appropriately and as necessary.

6.4) Initial Inspection of a New or Re-located School

An initial inspection shall be conducted on all new or re-located schools for the purpose of determining:

- A. Suitability of proposed rooms, including adequacy of floor space; plumbing; ventilation; lighting, etc.
- B. Suitability of proposed layout.
- C. Suitability of proposed items of equipment and material.
- D. Satisfactory evidence of proper provisions for duly licensed instructors.

The findings of the initial inspection shall be submitted to the Board for its approval. If the Board approves the initial inspection, a final inspection shall be authorized and conducted by an inspector.

Not less than twenty-five (25) bona fide full-time student registration requests must be submitted.

The final inspection shall be conducted in order to determine that all information previously submitted to the Board on the "Personal Survey Form," the "Application" and the "Initial Inspection Report," such as the floor space; list of equipment on hand; the bond and all other pertinent information, has been strictly adhered to by the owners or administrators of the proposed school.

6.5) Application for New School

Any person, firm or corporation who has applied for a school of cosmetology and said application has been approved by the Board shall submit the following requirements:

- A) A bond certified by the Board in the amount of \$5,000, which shall be subject to the inspection of the Board. This bond shall provide for payment of any prepaid tuition to any student duly enrolled in said school, in the event the school is closed. Said bond is to be renewed yearly and renewal of this bond is to be certified by the Board.

- B)** If a surety bond submitted by the school has an individual offered as surety, in lieu of a licensed bonding company, this individual shall submit a notarized affidavit of his/her qualifications. The affidavit shall state that the said individual is a resident of the State of Arkansas, that he or she collectively owns property in this state in excess of his/her liabilities, and it is subject to the execution of a value equal to double the amount of the bond.
- C)** In cases of corporate schools a corporate surety shall be provided.
- D)** A detailed floor plan of the proposed school showing adequate floor space.
- E)** One certified financial statement.
- F)** A list of proposed equipment of the school.
- G)** Personal Survey Form for Instructors shall be completed listing detailed information; such as the Instructor's education, previous work experience, etc.
- H)** Correspondence from the Planning and Zoning Board certifying that the area which the proposed school is to be located is properly zoned for this type of business.
- I)** A statement certifying that the owner(s) of the proposed school shall provide not less than fifteen-hundred (1500) hours of continuous training for all cosmetology students enrolled.
- J)** The owner shall file a statement designating the name and address of the person who is authorized to accept service of notice from the Board and to transact all business negotiations in behalf of the proposed school, including answers to citations for hearings, and compliance with rulings issued by the Board.
- K)** The required registration fee.
- L)** Samples of all forms to be used in the school; such as attendance record, sign-in sheets, state inspector time sheets, contracts, releases, progress records, progress cards.

6.6) Purchase of an Existing School

Any person, firm or corporation who has purchased a school of cosmetology shall submit the following requirements:

- A)** An application shall be filed to reflect the change of ownership.
- B)** The new owner shall file a statement designating the name and address of the person who is authorized to accept service of notice from the Board and to transact all business negotiations in behalf of the school, including answers to citations for hearings, and compliance with rulings issued by the Board.
- C)** Personal Survey Form for Instructors shall be completed listing detailed information; such as the Instructor's education, previous work experience, etc.
- D)** A bond, certified by the Board, in the amount of \$5,000, which shall be subject to the inspection of the Board. This bond shall provide for payment of any prepaid tuition to any student duly enrolled in said school, in the event the school is closed. Said bond is to be renewed yearly and renewal of this bond is to be certified by the Board.
- E)** If a surety bond submitted by the school has an individual offered as surety, in lieu of a licensed bonding company, this individual shall submit a notarized affidavit of his/her qualifications. The affidavit shall state that the said individual is a resident of the State of Arkansas, that he or she collectively owns property in this state in excess of his/her liabilities, and it is subject to the execution of a value equal to double the amount of the bond.
- F)** In cases of corporate schools a corporate surety shall be provided.
- G)** One certified financial statement.
- H)** Initial inspection: shall meet the specifications for a new school.
 - 1)** Where physical location of a school has been previously approved said school shall not have to comply with space requirements.
- I)** If the name of the school is changed the licensee fee will be pro-rated for the balance of the year.
- J)** A statement certifying that the owner(s) of the school shall provide not less than fifteen-hundred (1500) hours continuous training for all cosmetology students enrolled.

- K)** Samples of all forms to be used in the school; such as attendance record, sign-in sheets, state inspector time sheets, contracts, releases, progress records, progress cards.
- L)** Board approval.

6.7) Registration Requirements

All students of Cosmetology, Manicuring, Electrology, Aesthetics, and Teacher Training shall be registered with the Board before accredited hours can be obtained. Registration prerequisites are as follows:

- A)** Registration form (forms provided by the Board). The completed registration form must be received by the Board office before accredited hours can be obtained.
- B)** One (1) copy of the student/school contract (if applicable).
- C)** A copy of the student's drivers license or other form of identification verifying the student's age.
- D)** Proof of education:
 - 1. Cosmetology, Aesthetics and Manicuring – completed two (2) years of high school or its equivalent based on standards mandated by the Arkansas Department of Education.
 - 2. Electrology and Instructor – completed four (4) years of high school or its equivalent base on standards mandated by the Arkansas Department of Education.
 - 3. Equivalency tests in lieu of high school credits shall be administered by a licensed teacher currently employed in a high school or college in Arkansas or any recognized State agency authorized to administer these tests will be accepted.
- E)** Required registration fee.

Failure to comply with the above mentioned prerequisites will affect the matriculation date. All registration forms must state the student's full given name which is recorded on their birth certificate. If the student is married include the married name after their maiden name. If a student is married or divorced during the course of training a copy of the marriage certificate or divorce decree shall be submitted before the Board records will be changed.

6.8) Cosmetology Training Requirements

Fifteen-hundred (1500) hours of theoretical and practical instruction shall be required as a prerequisite to qualify for examination in cosmetology.

Actual experience time is defined as classroom instruction or clinical work or experience under supervision of a bona fide instructor. Break time should be on a scheduled basis as lunch, coffee, etc., and shall not be counted as classroom instruction time or creditable time. The only creditable time permitted when the clinic facility is closed will be classroom instruction.

All schools shall provide each student enrolled the opportunity to acquire the entire course of training uninterrupted by unscheduled summer vacations or for any reason that may cause a delay in the completion of such course. The school shall certify the training in accordance with the required curriculum for examination and license. This provision does not prohibit a school from suspending a student for disciplinary reasons. Grounds for suspension shall be determined by the owner. Only students who have been placed on probation, as a result of a previous infraction of the school rules and regulations or policies, may be suspended from school. Duration of a suspension shall be set forth in the school catalog.

After an absence of two (2) months a student must be terminated on the regular form of the Board and upon re-entry be registered as in the beginning. Certification of hours must be filed with the Board within ten (10) days immediately following termination of student. Hours of instruction having been acquired by the student may not be deducted or increased for any reason. Increase or decrease of creditable hours is prohibited.

Certification of hours forms should be completed by the Instructor in charge of the school, along with the student training permit and paid-in-full contract. Only the hours that have been accrued during the current enrollment shall be certified. In the event a student has not paid for all of the accumulated hours a notation

shall be made at the bottom of the certification form stating the number of uncertified hours. Uncertified hours will not be released until a new certification form is submitted. Certification of Hours Forms may be obtained from the Board's office upon request.

Required textbooks: The Board must approve textbooks. Textbooks must adequately cover the prescribed curricula and prepare students for State Board testing. Other textbooks and reference material may be used to enhance the cosmetology course.

6.9) Cosmetology Curriculum

- A) Hygiene and Sanitation – 80 Hours – Instructions in sanitation, sterilization, hygiene, lighting and ventilation. General sanitation duties performed by students shall not exceed more than fifteen (15) minutes per day. Students are required to maintain their stations as warranted and are responsible for their actions or mishaps.
- B) Related Science – 120 hours – Physiotherapy or cosmetricity (pertaining to electricity used in cosmetology), Physiology and Histology Anatomy, Neurology, Myology and Osteology.
- C) Hairdressing – 1000 hours – A course in cleaning hair, shampooing, haircutting, clipping, singeing, dying, tinting, bleaching, scalp massage, brushing and combing, curling, permanent waving, and reconditioning hair, wiggery, thermal pressing, iron curling, chemical relaxing, etc.
- D) Manicuring – 100 hours – A course in the construction, filing and shaping of the fingernails, loosening and removing the dead cuticle and the art of hand and arm massage.
- E) Aesthetics – 100 hours – A course in the skin, various kinds of facial massage, cosmetics, packs, the art of makeup, eyebrow arching, eyebrow and eyelash dying.
- F) Salesmanship and Shop Management – 50 hours – Instruction in how to keep records, knowledge of business law, cosmetology law, rules and regulations, booking appointments, retailing, etc.
- G) Shop Department – 50 hours – Courtesy, neatness and professional attitude in meeting the public; or the use of discretionary off-campus student hours as outlined in Rule No. 6.13.

All schools shall provide a minimum of five (5) hours each week in theoretical instruction of each student enrolled. This requirement may be modified by pro-rating the hours when necessary depending upon the school schedule provided the student is receiving quality theoretical instruction to prepare him/her for examination. The time of the classroom instruction class shall be registered with the Board. Students shall not be permitted to leave the classroom during theoretical instructions to work on clients. To qualify for the cosmetology examination, students must acquire a minimum of one-hundred-eighty (180) hours in theoretical instruction.

All schools shall provide a minimum of ten (10) services per week, for each student enrolled who has acquired two-hundred-fifty (250) hours of instruction. Students shall be assigned to clients on the basis of respective learning needs.

6.10) Manicure Hours Required

A complete course of Manicure training shall consist of the following subjects and hours: Health, Sanitation and Infection Control (75 hours); Health Related Science (75 hours); Manicuring and Pedicuring (200 hours); Advance Nail Technology (200 hours); Career Development (50 hours). It should be noted that the use of discretionary off-campus student hours, as outlined in Rule No. 6.13, shall come from the available hours found in Career Development. A total of 600 hours is required.

6.11) Aesthetic Hours Required

A complete Aesthetician course shall consist of the following subjects and hours: Chemistry (40 hours); Physiology (35 hours); Bacteriology & Sanitation (35 hours); Introduction of Skin Care (45 hours); Skin Care (150 hours); Makeup and Corrective Makeup (50 hours); Eyebrow and Lashes (40 hours); Hair Removal (40 hours); Safety Precautions (20 hours); Professional & Personality Development (20 hours);

Management (20 hours); Salesmanship (15 hours); State Laws and Rules and Regulations (10 hours); Testing Evaluation (15 hours); Instructor’s Discretion (65 hours). It should be noted that the use of discretionary off-campus student hours, as outlined in Rule No. 6.13, shall come from the available hours found in Instructor’s Discretion. A total of 600 is required.

6.12) Electrology

A) Requirements

Any beauty school in the State of Arkansas qualified and approved to teach cosmetology by the Board may teach Electrolysis in epilation, provided they:

- a. Show proof of a qualified electrolysis instructor who shall be licensed by the Board.
- b. Meet the minimum requirements in equipment necessary to teach Electrolysis in epilation.

B) Training Course

A course of three-hundred-fifty (350) hours as a student in conjunction with a regular course in cosmetology and its related occupations or for licensed beauty operator, or a course of six-hundred (600) hours as a student when not in conjunction with a regular course in cosmetology and its related occupations or a licensed beauty operator, shall be required as a prerequisite to qualify for examination in electrology. The training shall include practical training and technical instruction. The school shall establish grades and hold examinations before issuing diplomas in Electrology Training.

C) Electrology Curriculum:

Subject	Cosmetologist	Unlicensed
AR Law pertaining to Electrology	10 hours	20 hours
Sterilization, Sanitation, Bacteriology	25 hours	50 hours
Study of Hair	20 hours	40 hours
Study of Skin	25 hours	50 hours
Disorders of Skin and Hair	20 hours	40 hours
Electricity	25 hours	50 hours
Electrology	150 hours	200 hours
Neurology and Angiology	20 hours	40 hours
Development of Practice	15 hours	30 hours
Instructor’s Discretion	40 hours	80 hours

It should be noted that the use of discretionary off-campus student hours, as outlined in Rule No. 6.13, shall come from the available hours found in Instructor’s Discretion.

6.13) Discretionary Off-Campus Student Hours

(The effective date for this rule is August 1, 2006.)

Students may receive credit towards their chosen course of study through discretionary off-campus hours. These hours may be obtained by attending seminars, workshops, and competitions or any other off-campus class or event that is relevant to the student’s course of study. The content of any of these activities must promote motivational and educational incentive towards the cosmetology industry and its related branches. Students must at all times be accompanied by a bona fide instructor and the instructor/student ratio must at all times meet the standards outlined below in section 6.14. Instructors who accompany students during these activities must keep written record of students’ attendance through a sign-in/sign-out sheet, and the written record must be submitted with the school’s monthly report that immediately follows the event or activity.

In addition, schools are required to obtain prior approval from the Director for students desiring to attend any event or activity. The approval must be obtained within thirty (30) days of the event or activity. School owners must submit a written request to the Director that contains the following information:

- a. Name and location of the event or off-campus activity.
- b. Date of the event or off-campus activity.
- c. List of each instructor to attend.
- d. List of each student to attend.
- e. Documentation verifying the number of hours available to each student from the curriculum section from which hours may be used.
- f. Summary of the motivational and educational content to benefit the students.

The maximum number of off-campus hours is outlined below, as well as the curriculum section from which the off-campus hours may be substituted. Off-campus hours shall not exceed two (2) percent of the required hours for each course of study.

<u>Course of Study</u>	<u>Maximum Off-Campus Hours</u>	<u>Curriculum Section</u>
Cosmetology	30	Shop Department
Manicure	12	Career Development
Aesthetics	12	Instructor's Discretion
Electrology	12	Instructor's Discretion
Instructor	12	Instructor's Discretion

6.14) Instructor/Enrolled Student Ratio

Instructors shall not be permitted to perform cosmetological services for students, however, the Instructor will be permitted to assist the student when needed in the clinical area.

Every person employed in a school to instruct students therein shall be currently licensed by the Board. Instructor/enrolled student ratio shall be as follows:

STUDENT	INSTRUCTOR
1-25	1
26-50	2
51-75	3

All schools shall have an additional Instructor subject to call at all times in the event the regular Instructor is ill or absent from the school.

6.15) Responsibility of School

A) Monthly Reports

All schools are required to report to the Board, by the tenth (10th) day of each month, all students currently enrolled in the school during the month. The monthly report shall reflect the number of hours acquired in the school during the month and the accumulated hours during the current enrollment.

The Board office will notify the school when an error has been made on the monthly report. Upon receipt of this notification the school owner or instructor is required to check their records and apprise the Board of the corrections made within the week. All schools have thirty (30) calendar days from the submission date of the monthly report to report any errors in the hours submitted on the monthly report. Copies of the time cards

and/or supporting documentation related to the error shall support corrections. No changes to student hours will be made after the thirty (30) day timeframe without good cause.

No school owner or instructor shall ever refuse to submit a Certificate of Training form for a student, as well as a Balance Due on Tuition form, if applicable.

B) Daily Records and Inspection

Every school shall keep a daily record of attendance on each student enrolled. A time clock shall be used for the purpose of recording hours.

Every school shall keep a daily record of the student's activity. The time that the student has acquired in the various phases of cosmetology shall be recorded on this record.

The school shall establish a grading system and hold examinations before issuing diplomas.

All necessary basic subjects, in accordance with the Board's curriculum shall be taught in the proper sequence and depth to prepare each student both for the Board's licensing examination and for successful entry level work in the profession.

A course outline and daily lesson plans shall be used by the school.

On the first day of each week or the first day of each month the school shall post a copy of the course outline for the week or month so the students will be apprised of the impending activities.

At the time the initial inspection is conducted, the inspector will review the records maintained by the school; review the course outline and lesson plans and generally evaluate the operation of the school. School owners will be notified of any recommendations. School owners may contact the Director to discuss the recommendations and/or will be granted a hearing before the Board to discuss any recommendations made upon filing a request. In the absence of contacting the Director or a request to meet with the Board all recommendations made shall be complied with before the ensuing year's license will be issued.

C) Tuition and Fees

Every school shall fix its tuition at such an amount as will enable it to furnish without further charge to the student all cosmetics, materials, and supplies used on the public and in classes. This does not include books and instruments as shall be determined by the Board. Each student shall have access to a complete kit of tools, textbook and copies of the instructional materials used in each course. The student shall not be permitted to remove the kit from the school until such time the student has completed his/her training or withdraws from school provided the student has purchased the kit from the school.

D) School Catalog

Every school shall set forth basic information about itself in a bound catalog which is kept up-to-date and made available to prospective students and the Board.

The catalog must include the following items as a minimum: name and address of school; date of publication; when the school was established; admission requirements; educational objectives of each program; length of course and course description; grading system; graduation requirements; type of document received upon graduation; refund policy; name(s) of owners and scholarship and fee waiver policies.

Students who enroll under the terms and conditions set out in the catalog will not be required to comply with amendments to the catalog provided the student does not officially withdraw from school prior to completion of training.

Either the catalog or a dated supplement to the catalog must include: total tuition for the course; books and supplies; registration fee or enrollment fee; charges for extra instruction; all other costs assessed to students; details, conditions, and methods of payment of monies owed to the school; school policies, rules and regulations; disciplinary action for failure to abide by policies or rules and regulations; and name of administrative staff and faculty of the school.

E) School Rules and Regulations

Prior to adoption, amendment, or repeal of any rule or regulation, the school shall give notice of its intended action to the students enrolled in school. The notice shall include the following:

- i. The effective date;
- ii. Whether the regulation(s) is new, repeals, or changes in an existing rule;
- iii. What the regulation(s) is.

After the students are given notice in the proper form all students enrolled in said school will be required to sign a document stating that they have been apprised of the intended action. The notification and document shall be sent to the Board for review. After the regulation(s) has been adopted by the school a supplement which contains the revisions shall be attached to all catalogs that the school has on hand. A copy of the rules and regulations, in its entirety, shall be posted on the school bulleting board.

F) School Contracts

School owners who require contracts as a prerequisite for enrollment will be required to file one (1) copy of the contract with the Board and provide a copy to the student. The contract must clearly outline the obligation of both the school and the student in accordance with the terms and conditions stipulated in the school catalog. All contracts must contain the following:

1. The name and address of the school.
2. The name and address of the applicant.
3. Course of Training – Total hours of instruction.
4. School Term- Stipulate full or part-time. Part-time must state the number of hours each day and days per week.
5. Schedule of Payments – State tuition and whether the tuition includes the cost of the kit and book. If the kit and book are not included in the tuition said items must be itemized. The down payment, balance of the contract and the monthly payments must be stated.
6. The school refund policy must be stated.
7. Acknowledgement that the student has received a copy of the school's rules and regulations and catalog.
8. Contracts of underaged student shall be signed by a parent or guardian. Parent or guardian signature is required for students under eighteen (18) years of age.

G) Penalty

Any school owner who fails to abide by the terms and conditions set out in the school catalog or contract or fails to comply with the procedures for adopting rules and regulations or who is capricious in enforcing school regulations will be subject to a disciplinary hearing before the Board pursuant to Rule No. 10. In the case of a Nationally Accredited School the Board will notify the proper officials of the disposition of the complaint.

**RULE NO. 7
INSTRUCTOR TRAINING**

7.1) Requirements

The Board will admit to examination for a certificate of registration and license any person who has acquired six-hundred (600) hours of instructor training in this state and submits the following requirements: (a) a completed Arkansas application form, (b) certification of hours from the school attended, (c) paid in full contract, and (d) the required examination fee.

The instructor training curriculum is designed as a course to extend over a period of not less than four (4) months and not less than six-hundred (600) hours of training. A instructor-trainee shall (a) be licensed as a cosmetologist in the State of Arkansas, (b) be registered as a instructor-trainee with the Board, (c) under the immediate supervision of a licensed Instructor at all times, (d) not authorize to verify student daily slips, (e) be given a written examination after completion of each subject by the licensed Instructor.

7.2) Curriculum

SUBJECTS	MINIMUM HOURS
A) Required preparatory training Teaching of theory and practical operation. Selecting subject matter for class lecture. Preparing class lectures. Conducting a review of all subjects taught. Preparing and grading examinations. Demonstrating practical operations Teaching practical operations.	50
B) Class attendance Classes are to be conducted by a licensed Instructor to prepare instructor-trainee. Instructor-trainee to properly lecture and demonstrate on all subjects of cosmetology.	100
C) Conducting Theory Classes Sterilization and Bacteriology Osteology Myology Neurology Angiology Dermatology Trichology Unguiology Cosmetricity Canities Permanent Waving	50

Theory classes will be conducted under the supervision of a licensed instructor.

D) Conducting Practical Classes in Cosmetology Permanent Waving (Machine, Machineless, Cold Wave). Facials (Make-Up, Waxing, Packs, Masks, Eyebrow Arches, Electric Facials). Shampoo (Wet Waving, Fingerwaving, Haircutting, Comb-Outs). Scalp Treatments (Hair and Scalp Treatments, Electric Scalp Treatments). Canities (Tinting, Bleaching, Corrective Hair Coloring, Removal of Hair Coloring).	300
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Manicuring (Plain and Oil, Sanitation, Sterilization).
 Predisposition Tests.
 Thermal pressing and iron curling and blow-drying.

E)	Method of Keeping Student Records	10
F)	Instructor’s Discretion Training in subjects in which the individual instructor-trainee may be deficient, or to the practice of Cosmetology	90
		600

A licensed instructor will supervise all classes conducted by a instructor-trainee.

7.3) Instructor/Instructor-Trainee Ratio

School owners may enroll a maximum of three (3) Instructor-Trainees for each authorized instructor teaching in the school on a full-time basis. Instructor/Instructor-Trainee Ratio is as follows:

- A) **1 Instructor/1Trainee** – who has acquired between 100 and 200 hours;
- B) **1 Instructor/2 Trainees** – provided 1 trainee has acquired between 100 and 200 hours and 1 trainee has between 200 and 400 hours;
- C) **1 Instructor/3 Trainees** – provided 1 trainee has acquired between 100 and 200 hours, 1 trainee has acquired between 200 and 400 hours and 1 trainee has between 400 and 600 hours.

The instructor-trainee(s) shall be under the direct supervision of a full-time licensed instructor at all times. Instructor-trainee(s) may attend on a part-time basis provided the curriculum is observed.

7.4) Continuing Education Requirements

- A) Effective January 1, 1988, any person holding an Arkansas Instructor License shall complete eight (8) hours of continuing education in a Board certified Instructor Training Seminar or Continuing Education Course. Inactive status as an Instructor does not exempt an Instructor from complying with the continuing education requirement. Compliance with the requirement of continuing education is a prerequisite for license renewal in each subsequent license renewal year.

Instructors who attend a continuing education program that has not been pre-approved by the Board shall not receive credit for the hours earned.

Those persons newly licensed during the calendar year as cosmetology instructors shall not be required to complete continuing education as a prerequisite for license renewal the first renewal period following the date of licensure.

All instructors on record with the Board for the past five (5) years shall receive a notice of continuing education opportunities.

- B) **Out-of-State Program:** Hours earned at an out-of-state continuing education program will be accepted provided said program is certified by the Cosmetology Board in that State and is designated as an “Instructor Training Seminar.” To receive credit for hours earned out of state, the Instructor must submit an affidavit from the out-of-state Board. The affidavit shall be signed by the board’s Director and shall bear the impress of the Board’s seal.

C) Program Sponsor:

- i) Any program, seminary, or workshop must be sponsored by a bona fide association/organization that is committed to the advancement of the Cosmetology Profession. "Bona fide" as used herein means state and/or national association/organization chartered with bylaws that have been in existence a minimum of three (3) years.
- ii) Community College or University or other post-secondary facility.

D) Program requirements: All advanced-teaching education must be generic in nature; promotion of teaching system, methods, or products is prohibited.

E) Program Educators: Approved programs must be conducted by individuals who hold an active cosmetology license and have special education, training and experience or by other persons who by reason of special education, training and experience said individuals would be considered experts concerning the subject matter of the program.

F) Application Procedures for Program Approval: Applications for program approval must be submitted to the Board ninety (90) days before the proposed program date(s). Application packets and procedures shall be obtained from the Board's office. The application must contain the following information:

1. Official name, mailing address and telephone number of sponsor.
2. Name, address, telephone number and license identification number of attendance monitor(s).
3. Date(s) and location of proposed program.
4. Program outline stating: objective(s) of program course, subject content, and instructional/demonstration methods to be used. Samples of the proposed program agenda and other promotional material is required.
5. Name, title and qualifying credentials of each program presenter, subject to be presented by each, and number of hours allotted to each presentation.

G) Program Verification Requirements:

1. Each seminar participant shall present a copy of his/her Instructor License to the Program Sponsor upon enrolling in the program.
2. Only individuals licensed by the Arkansas Board of Cosmetology may serve as Program Monitors.
3. Monitors shall be on duty at all times while the program is in session.
4. Monitors shall verify, by initializing the participant's signature, that each participant signs check-in and check-out sheets for the AM and PM sessions. Sign-In/Sign-Out sheets shall bear the date and time of the session.
5. Monitors shall hand out Verification-of-Attendance forms to program participants at the end of the program or course as applicable. Each participant must complete the Verification-of-Attendance form and return it to the Monitor before leaving the program site. Forms shall not be passed out or completed until the program is finished.
6. Monitors shall reconcile the Verification-of-Attendance forms with the attendance sign-in/sign-out sheets.
7. After completion of the program and within thirty (30) days, Monitors shall provide the Board with a MASTER alphabetical list containing the names, addresses, license identification numbers, and the actual number of clock-hours earned by those granted certificates of attendance.
8. The MASTER list submitted to the Board shall contain a certification/verification statement signed by the Monitors.

9. Seminar sponsors shall retain a copy of attendance records for a period of two (2) years and said records will be provided to the Board upon written request.
10. After completion of the program and within thirty (30) days, seminar sponsors shall furnish evidence of attendance to the participants showing the date and place of the seminar and signed by the sponsor's representatives.

- H) Observation of Program:** Any Board approved Continuing Education Program or Instructor Training Seminar may be observed by the Board or its designated agent.
- I) Violations:** Any Monitor found falsifying attendance records will be subject to disciplinary action by the Board.

Any program sponsor cited by the Board for Violation of any continuing education regulation will be subject to a disciplinary hearing. If the Board finds the violation(s) adversely affects the program, the offending Sponsor, depending on the severity of the charge(s), may be:

- 1.Reprimanded;
- 2.Disqualified from conducting any continuing education programs for a specified period of time or indefinitely;

J) Sponsor Requirements for Continuing Education Programs: Any person, firm, or corporation who sponsors a non-accredited educational program designed to update the knowledge and skills of its participants will be required to give notice to the Board as to the individual(s) who will serve as educator(s) for the program. Said educator must be licensed by the Board or hold a certificate of registration and license to practice cosmetology in another state. Educators who are not licensed by the Board may serve in the educator capacity not more than ten (10) days during any one calendar year. This regulation prohibits the demonstration or administration of any product on a member of the general public by the educator. In the event a model sustains damages as a result of services performed by an educator licensed in another state, the Board is required to give notice to the responsible out-of-state board.

RULE NO. 8 RECIPROCITY REQUIREMENTS

All persons registered or licensed as a cosmetologist, electrologist, manicurist, aesthetician or instructor, under the laws of another state shall be granted a certificate of registration and license to practice their respective occupation(s) through Reciprocity provided that the applicant is 18 years of age or older passed both a written and practical state-approved examination for the particular class of license applied for. Applicant will be required to personally present specified credentials during an interview at the office of the Board office.

Any applicant who was not initially licensed by examination, as prescribed above, does not qualify for licensure by Reciprocity and will be required to pass both the written and practical examination administered by the Board before being eligible for a license in this State.

Any person licensed in a foreign country is required to pass a written and practical examination administered by the Board to qualify for a Cosmetology license in this State. All documents submitted for the purpose of complying with the requirements for examination shall be original copies and translated in the English language. In all of the above cases, the applicant must contact the Board's office to inquire about the requirements for examination.

All requirements shall be submitted at one time. If the applicant fails to submit all requirements, then the applicant's papers will be returned.

A person who is registered or licensed under the laws of another state is not permitted to practice in this State until said person is licensed by the Arkansas State Board of Cosmetology.

**RULE NO. 9
LICENSE REVOCATION**

A person whose license has been revoked may, after the expiration of one (1) year from the date of such revocation, apply for new license in the manner provided for in the original application, and the Board may, in its discretion, exempt the applicant from examination and grant a new license upon payment of proper fee.

**RULE NO. 10
CONSUMER COMPLAINTS**

Any person may file a formal complaint against any person licensed by the Board on any of the grounds for disciplinary action provided in 17-26-105 of the Cosmetology Act. Formal complaints must be filed within ninety (90) days from the date of infraction. Procedures for filing a complaint with the Board are as follows:

- A. Complaint shall be documented on a form provided by the Board.
- B. Facts shall be clearly and concisely stated, including the name and address of the licensee(s) named in the complaint and the name and address of any person who can confirm all or part of the allegations.
- C. Complaint form shall be notarized.
- D. Upon receipt of the complaint a copy will be forwarded to the licensee(s) named in the complaint, to allow said licensee(s) the opportunity to respond to the charges.
- E. Any and every complaint making a prima facie case shall be presented to and reasonably disposed of by the Board, giving due consideration to sufficient and necessary time to investigate and consider the complaint.
- F. The Director or designee(s) will investigate and consider all complaints.
- G. The Director shall determine whether the complaint makes a prima facie case. If the Director finds the complaint fails to make a prima facie case the complaint shall be dismissed. If the Director finds the complaint makes a prima facie case a disciplinary hearing will be conducted by the Board.
- H. At least twenty (20) days prior to the scheduled date of the hearing, the respondent in the matter will receive an order and notice of the hearing stating the time and date to appear. If the respondent fails to appear the respondent's license will be suspended immediately as stipulated in the order. Except, if extreme circumstances prevent the respondent from appearing the Board will review the facts of the circumstances and may grant a continuance. Regardless of circumstances a respondent shall not be granted more than one (1) continuance.
- I. Any and every respondent has the right to appear in person before the Board of Cosmetology and be represented by counsel, offer witnesses in their defense, cross-examine the witnesses against the respondent and present affidavits or documentary evidence as the respondent may reasonably desire.
- J. Any and every respondent may choose to waive their right to appear at any disciplinary proceeding before the Board. Respondents who waive the right to a hearing shall submit an affidavit to the Board, at least ten (10) days prior to the scheduled hearing, which states in part, that the affiant has full knowledge of their rights and affiant waives the right to appear at the disciplinary hearing before the Board.
- K. In the case where the respondent waives the right to appear in person before the Board, the Board will proceed in its case against the respondent without further notice.

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- L. All respondents in disciplinary matters will receive a written notice of the Findings of Fact, Conclusions of Law and Order, within thirty (30) days.
- M. Any client may file a formal complaint against any practitioner for services rendered which they consider to be unfair or unjust practice, method or dealing.
- N. The above does not prevent other licensees from registering a complaint regarding a licensee, however, the Board will not attempt to resolve disputes between licensees in matters which involve employee/employer relationships.