

Seavers, Dennis

From: Seavers, Dennis
Sent: Monday, May 18, 2020 12:04 PM
To: barber-schools
Subject: Additional emergency rules

Dear schools,

The General Assembly recently passed and the governor signed a bill to give state agencies limited powers to offer relief or aid to individuals and businesses affected by COVID-19. In particular, the bill allowed agencies to delay renewal dates and delay or modify educational or exam requirements. Last week, the board used that authority to adopt emergency rules.

You should already have received notice that the board delayed the renewal date from May 31 to July 31. In addition, the board took the following actions to assist schools. Please note that these actions are only effective until August 1, 2020, unless the General Assembly extends the date.

Assistance to for-profit barber schools with 20 or fewer students enrolled

Under current law, nonprofit barber schools can have only one instructor employed for the first 20 students enrolled, while for-profit schools must have two instructors. The emergency rules place for-profit schools on the same footing as nonprofit schools. This change relates to the pandemic because schools have been affected economically and may face the prospect of laying off or furloughing staff. By allowing a lower number of instructors, the rule gives schools flexibility in how they respond to the pandemic with their staffing levels.

Assistance for schools offering online education

Under current law, barber schools must have two instructors present if they provide practical and theoretical training simultaneously. In the past, this has prevented schools from being able to have online modules that students could access on their own schedule because the students might access the module while practical training is occurring. During the stay-at-home orders, schools have been able to provide online education because in-person practical training at the school hasn't been occurring. But when schools are able to reopen their doors, they may need regulatory flexibility to be able to manage the number of students present in the school at once (and thus limit the chance for the virus to spread). The emergency rules allow one instructor to be present if the theoretical training is being offered online. Schools wouldn't need to be concerned about having two instructors present simply because the schools might have students receiving training online.

Since there are two sets of rules that board has passed regarding online education, it may be a little confusing about which rules expire on certain dates. The rules that allow schools to offer online education in general will be in effect for the duration of a state of emergency declared by the governor. Up until August 1, 2020, schools can offer the online education even if they are providing practical training (which can begin during Phase 2 of the reopening). After August 1, 2020 (unless extended by the General Assembly), schools can only offer online education during the state of emergency if they have a way of preventing students from doing online courses while practical training is occurring. If you have any questions about what you can and can't do, please feel free to contact me.

I hope you find these changes helpful. If you encounter any regulatory problems, please contact me to see whether the board can take action to assist you.

Dennis

Dennis Seavers

Executive Director

North Carolina Board of Barber Examiners

7001 Mail Service Center

Raleigh, NC 27699-7000

Office: (919) 814-0641 | Fax: (919) 981-5068