



SCHOOL MANUAL

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ABOUT THIS MANUAL

Disclaimer

The information in this manual is meant to help schools comply with the statutes and rules of the North Carolina Board of Barber Examiners (“board”). Every effort has been made to make sure that the information is accurate. However, the manual may have errors. In addition, laws may change before the board has an opportunity to update the manual. If there is any discrepancy between what statutes or rules say and what this manual says, the laws prevail.

Please contact the board office at info@ncbarbers.com or (919) 981-5210 if you believe any information in this manual is incorrect.

Purpose of this manual

This manual is designed to help schools comply with the board’s statutes and rules. It doesn’t discuss all laws or regulations that might affect schools but only those within the jurisdiction of the board. Examples of laws that aren’t covered by this manual include:

- State laws that govern contract disputes between students and schools;
- Insurance requirements for schools, apart from the requirement for schools to have a guaranty bond or the equivalent;
- Federal laws, such as mandates from the U.S. Department of Education or the Occupational Safety and Health Administration;¹
- Requirements by accrediting agencies; or
- Obligations to other government agencies, such as the State Approving Agency.

Since this manual doesn’t cover all topics where other government agencies might have authority, schools should use this manual in conjunction with other guidance, regulations, or handbooks from those agencies.

If there are topics that aren’t covered by this manual but which you believe should be, please contact the board office at info@ncbarbers.com or (919) 981-5210.

Terminology

Throughout this manual, terms like “shop” or “school” refer specifically to barber-related entities, unless the context suggests otherwise. The manual also refers to the board variously as “board” and “agency.”

¹ The only exception deals with state authorization by the board of schools as postsecondary institutions under 21 NCAC 06F .0127. For more information, please see the information about state authorization as a postsecondary institution in the section entitled “Students.”

ABOUT THE BOARD

This section has general information about the board, its powers and responsibilities, and its staff.

What the board is

The board is an agency of North Carolina government. Its fundamental responsibility is to protect public health, safety, and welfare by:

- Licensing barbers, students, instructors, shops, and schools;
- Ensuring sanitation and safety in shops and schools;
- Upholding public safety by disqualifying certain individuals from licensure; and
- Protecting student consumers by requiring a guaranty bond or equivalent

As a government agency, the board's responsibilities are different than the industry itself or an organization representing the industry, such as a barber association. The board regulates the industry for the benefit and protection of North Carolinians, while an association might try to build up or advocate for the interests of the industry. Although the board tries to make sure its regulations don't have unintended negative effects on the industry and seeks input from industry stakeholders, the board is a regulator and not an advocacy group.

Board members

The board consists of five members, appointed by the governor for three-year terms. Four members must be licensed barbers, and one member represents the interest of the public at large.²

The following table shows who serves on the board, along with appointment and expiration dates and appointing authority. *Please note:* to avoid possible conflicts of interest, we generally discourage individuals from contacting board members directly rather than going through the staff.

² G.S. 86A-4(a).

Current board members

Name	Type	Term expires	Appointing governor
Don Beal (Chair)	Barber member	June 30, 2017	Pat McCrory
Steffon Sharpless (Vice Chair)	Public member	June 30, 2017	Pat McCrory
Gary Gardner	Barber member	June 30, 2019	Pat McCrory
Jamie Norton	Barber member	June 30, 2019	Pat McCrory
Valerie Willis	Barber member	June 30, 2017	Pat McCrory

Before serving, board members must be cleared by the State Ethics Commission to make sure that there are no disqualifying conflicts of interest.³ Board members are generally prohibited from using their position to advance their own financial interests.

Powers of the board

The board's powers include the following:

- To make sure that barber schools and shops are inspected for compliance with sanitary regulations;
- To adopt sanitary regulations for barber schools and shops;
- To review barber-licensing laws in other states and determine which are the substantive equivalent of North Carolina's for the purpose of licensing out-of-state applicants;
- To conduct examinations of individuals applying to be registered barbers, apprentice barbers, and barber-school instructors;
- To employ personnel to carry out the board's statutes and rules;
- To assess civil penalties for violations of the board's regulations; and
- To adopt regulations about the use of commercial chemicals.⁴

(This is a summary of the board's primary powers and is not an exhaustive list of all the authorities and responsibilities that the General Assembly and Congress have assigned to the board.)

The board does not have unfettered authority over the barber industry but only has the powers given to it in law. Moreover, the board is obligated to adhere to the laws and cannot waive the law's requirements.

Funding and budget

³ At the time this manual was prepared, the Ethics Commission was the subject of legislation and litigation that would determine whether it was restructured or replaced. However, the requirement to vet board members would remain.

⁴ G.S. 86A-5

The board is funded entirely by fees and receives no tax revenues. The General Assembly determines the maximum amounts the board may charge for fees, and the board sets the actual amount in rule.⁵ The budget is coordinated with the Governor's Office of Budget and Management.

For fiscal year 2017, the board's budget included \$703,364.48 in expenditures and projected \$802,200 in revenues. For more detailed financial statements, see the annual independent audits prepared by an accounting firm. These statements are available at <https://www.ncbarbers.com/about.html>.

The board processes payments for civil penalties and attorney fees after violations are issued. However, with the exception of partial reimbursements, the board doesn't keep these payments. Instead, they are remitted to the counties where the violations occurred. In other words, civil penalties are not a source of revenue to the board.

Staff

As mentioned above, the board has the authority to hire staff to carry out its regulations. The board has five staff members.

Executive director

The executive director is responsible for the overall operations and finances of the agency. He or she works for the board as a whole and is responsible for implementing and helping develop board policies. The executive director also oversees the board staff.

Administrative assistants

The board has two administrative assistants. One is primarily responsible for processing applications and payments, while the other is primarily responsible for school reporting and exam scheduling. They both have additional duties as assigned by the board and executive director.

Inspectors

The board has two inspectors who split the state into two territories, east and west. They are responsible for opening and closing shops and schools, conducting inspections of shops and schools, and issuing violations. In addition, they grade practical examinations.

⁵ The maximum amounts are set by the General Assembly in G.S. 86A-25. The board's current fees appear in 21 NCAC 06N .0101.

TYPES OF LAWS

It's difficult to understand the powers of the board and the responsibilities of licensees without also understanding the types of laws that govern the board and the barber industry. For the sake of convenience, including in this manual, we often speak about the board's regulations or laws, as if the board were the creator of these laws. The reality is more complicated, and this section helps explain where the various laws come from.

Statutes

The primary type of law that the board deals with are statutes. Typically, these are laws that have been passed by the General Assembly, but in some cases there may be statutes passed by Congress that apply to the board. Though the board may give feedback on bills and even request bills to be passed by the General Assembly, the board itself does not create statutes, nor can the board on its own change these laws. Sometimes in this manual, we refer to the "board's statutes," but what we really mean is that these are the statutes that govern or pertain to the board, not that the board itself adopted these laws.

Although there are various chapters where statutes appear that affect the board, the most relevant for the purpose of this manual is Chapter 86A. Examples of the statutes that appear in this chapter include the laws that:

- Create the board and allow it exist;⁶
- Prohibit individuals from practicing barbering without a license, with some exceptions;⁷
- Define barbering;⁸
- Allow the board to hire personnel;⁹
- Authorize the board to charge fees;¹⁰
- List the causes that would permit the board to revoke a license.¹¹

Rules

In general, rules are the laws that specify how statutes will be implemented.¹² Unlike statutes, which are created by Congress or the General Assembly, rules are created by the board itself. However, any rules that the board adopts must follow a specific

⁶ G.S. 86A-4(a).

⁷ G.S. 86A-1.

⁸ G.S. 86A-2.

⁹ G.S. 86A-5(a)(5), 86A-6, and 86A-7(b).

¹⁰ G.S. 86A-25.

¹¹ G.S. 86A-18.

¹² The precise definition of a rule is more complicated, so this general definition is simply meant to give an overall view of what a rule is.

procedure in law that includes notice to the public and the opportunity for comments.¹³ Proposed rules must also be approved by the Rules Review Commission, whose members are appointed by the North Carolina Speaker of the House of Representatives and President Pro Tempore of the Senate.

The board can only adopt a rule if the board has been given authority by Congress or the General Assembly. The board cannot adopt a rule outside of its authority. In any case where there is a conflict between a statute and a rule, the statute prevails.

Although there are those limits on what rules can do, rules still have the force of law, just as statutes do. They are more than just policy or guidance: they must be followed by all people who are covered by the rules. Perhaps surprising to many people, the board is as bound by its rules as are licensees or other North Carolinians. In other words, the board doesn't have the authority to waive its rules or disregard them (unless there is a waiver provision in the rules), even though the board itself creates and adopts the rules. That's because, like statutes, rules have the force of law.

Additional types of laws

There are three other types of laws that are not the focus of this manual and tend to deal with statewide issues or more specific matters arising from litigation. These forms of law include: constitutional law (the highest form of law), case law (decisions from courts), and executive orders issued by the governor.

Terminology

The phrases "laws" and "regulations" are often used in this manual to refer to all the types of laws described in this section—constitutional laws, statutes, rules, case law, and executive orders. When we speak about specific types of laws, we'll use the relevant term.

¹³ There are some types of rules that are exempt from the normal rulemaking process, but the board would rarely, if ever, adopt these types of rules.

LICENSING FOR SCHOOLS

In North Carolina, no person or combination of persons shall operate, manage, or attempt to operate or manage a barber school without a permit from the board. This prohibition applies to both direct and indirect attempts to operate or manage a school.¹⁴ Individuals who operate a barber school without a permit are subject to civil penalties ranging from \$200 to \$500, plus attorney fees.¹⁵

Schools must meet various criteria before they can be approved by the board. (Some of these criteria are discussed in this section, while others are addressed later in this manual.)

Application

In order to get a license, a school must file an application for a barber-school permit. The application must include the following information on a board-prescribed form.

- Date the school will be ready for board inspection;
- Name and address of the barber school;
- Name and address of the owner;
- Name and address of the school manager;
- Names, instructor certificate numbers, and address of the instructors;
- Physical dimensions of the school;
- Number of barber chairs, tool cabinets, towel cabinets, and lavatories; and
- Copy of the guaranty bond or alternative to a bond required by G.S. 86A-22(7)(a) or a request for a waiver under G.S. 86A-22(7)(c). (For more information about this requirement, see “Bond requirements” below in this section.)¹⁶

The application must be accompanied by a payment for \$220, which covers the inspection.¹⁷ (For more information about inspections, see “Inspection” below in this section.) The school will also need to pay a \$130 fee for a one-year permit.¹⁸ This fee may be paid at the time of application, but the school is not required to pay until it passes inspection.

Inspection

After the board receives an application, one of the board’s inspectors will contact the school manager to schedule the inspection. The inspector will make sure that the facility complies with the board’s regulations, especially G.S. 86A-15 and 21 NCAC 06F .0101.

¹⁴ G.S. 86A-1.

¹⁵ 21 NCAC 06O .0103(a) (for civil penalties) and G.S. 86A-27(d) for attorney fees.

¹⁶ 21 NCAC 06N .0110.

¹⁷ 21 NCAC 06N .0101(a)(20).

¹⁸ 21 NCAC 06N .0101(a)(14).

(For copies of some the relevant statutes and rules, please see Appendices 1–3. Also see the section entitled “Sanitation and facility requirements.”)

Once the school passes inspection and has paid the permit fee, the board will issue a permit, and the school can enroll students. If the school fails inspection, the school will need to pay \$220 for a new inspection. Therefore, schools should carefully review the board’s regulations to make sure its facility complies with all requirements. The board does not review blueprints, plans, photos, or other planning materials. Only the inspection serves as an official statement of whether a facility will be suitable.

Bond requirements

Most of the board’s regulations are intended to protect public health and safety. However, there are a few provisions that deal with consumer protection, including the board’s bond requirements. The bond requirements are designed to protect students from some loss of finances if the school ceases operations.

All schools must have and maintain a guaranty bond or suitable alternative to a bond or request a waiver from the board. (For the sake of convenience, this section refers to these requirements, including the waiver, as the “bond requirements.”) Unless otherwise exempted by law, schools must meet the bond requirements at all times. If the school fails to meet the bond requirements, the board may revoke the permit.¹⁹

Guaranty bond

Each school must provide a guaranty bond, unless it uses one of the options described under “Alternative to a bond” and “Waiver” below.²⁰ The bond must be filed with the clerk of the superior court of the county where the school is located. The bond must favor the students and be executed by the applicant as principal and by a bonding company authorized to do business in North Carolina. It must indemnify any student, or his or her parent or guardian, who loses tuition or any fees because the school fails to offer or complete instruction, academic services, or other goods or services related to course enrollment. The coverage would apply to a school failing to offer these services for any reason, including the following examples:

- Suspension or revocation of the school permit;
- Bankruptcy;
- Foreclosure; or
- Cessation of operations.²¹

The board has authority to determine the amount of the bond in order to make sure that it provides sufficient coverage. However, the bond must at least be equal to the greater of the following two:

¹⁹ G.S. 86A-7(a).

²⁰ G.S. 86A-7(a).

²¹ G.S. 86A-7(b).

- \$10,000; or
- The maximum amount of prepaid tuition held by the school at any time during the last fiscal year.²²

Bonds remain in effect until cancelled by the guarantor. A guarantor must give 30 days' notice to the board before cancellation.²³ The board does not get involved in the reasons for cancellation. However, if we receive the cancellation notice, we will generally contact the school to make sure it understands that a hearing will be scheduled before the board to revoke the school permit if the school fails to renew. The purpose of this courtesy contact is to encourage the school to address the issue without a hearing.

Alternative to a bond

If the circumstances apply, a school may meet the requirements of the statute by providing an alternative to a bond under G.S. 115D-95, a statute which deals with proprietary schools.²⁴

Waiver

If a school is unable to secure a guaranty bond or alternative, the school may request a waiver. If approved by the board, the applicant must file one of the following with the clerk of the superior court of the county where the school is located:

- An assignment of a savings account in an amount equal to the required bond. This assignment must be:
 - In a form acceptable to the board;
 - Executed by the applicant; and
 - Executed by a state or federal savings and loan association, state bank, or national bank doing business in North Carolina. The association or bank must have its accounts insured by a federal depositors corporation.
- A certificate of deposit:
 - That is executed by a state or federal savings and loan association, state bank, or national bank doing business in North Carolina;
 - That is either (1) payable to the State of North Carolina, unrestrictively endorsed to the board, or (2) in the case of a nonnegotiable certificate of deposit, assigned to the board in a form satisfactory to the board; and
 - For which access to the certificate of deposit in favor of the State of North Carolina is subject to the same conditions as for a guaranty bond.²⁵

Display of certificates

²² G.S. 86A-7(b).

²³ G.S. 86A-7(b).

²⁴ G.S. 86A-(7)(a).

²⁵ G.S. 86A-22(c).

School permits must be displayed in a conspicuous place.²⁶ Failure to display a permit could earn a school civil penalties that range from \$100 to \$250, plus attorney fees.²⁷

Renewal

On or before May 31 each year, the school owner (or his or her designee) must renew the school permit.²⁸ The school also has to pay a renewal fee of \$130.²⁹ We urge schools to renew online at our website, though we understand that not all schools can pay that way.

If the permit is not renewed by May 31, it's immediately suspended by operation of law.³⁰ Schools will also be subject to a late fee of \$85.³¹ Finally, individuals who operate a barber school with an expired permit are subject to civil penalties ranging from \$150 to \$500, plus attorney fees.³²

Change of address

Although it's unlikely that a school's mailing address will change, schools should be aware of their obligation to notify the board when that happens. Failure to notify the board of the address change will subject the school and its manager to civil penalties ranging from \$50 to \$200, plus attorney fees.³³ Please note that this address change is only for mailing addresses. If the school moves to a new location, it needs to file a new application for a barber-school permit.

²⁶ G.S. 86A-16.

²⁷ 21 NCAC 06O .0106(a) (for civil penalties) and G.S. 86A-27(d) (for attorney fees).

²⁸ G.S. 86A-13(b).

²⁹ 21 NCAC 06N .0101(a)(14).

³⁰ G.S. 86A-13(b).

³¹ 21 NCAC 06N .0101(a)(15).

³² 21 NCAC 06O .0103(b) (for civil penalties) and G.S. 86A-27(d) (for attorney fees).

³³ 21 NCAC 06O .0119 (for civil penalties) and G.S. 86A-27(d) (for attorney fees).

LICENSING FOR INSTRUCTORS

The board's curriculum can only be taught by a certified barber instructor.³⁴ (See the section entitled "Curriculum, student hours, and extended education" for more information on the curriculum requirements.) The board is required to issue instructor certificates to any currently registered barber who passes the board's examination.³⁵ Although an apprentice is prohibited from applying to be an instructor, there is no period for registered barbers to have to wait before applying to be an instructor. In fact, an individual could apply to take the exam the moment he or she is licensed to be a registered barber.

Responsibility of schools

School managers are responsible for making sure that instructors are properly licensed, especially because of the student-instructor ratio requirements in statute and the supervision requirements in rule (see the section entitled "Personnel requirements" for more information on the ratio and supervision requirements). In addition to checking the instructor's printed license, school personnel can also check the license status by using the license-verification tool on the board's website or by contacting the board staff.

Schools that allow an individual to instruct without a license from the board are subject to civil penalties that range from \$200 to \$500, plus attorney fees.³⁶ Individuals who offer instruction without a license from the board are subject to civil penalties ranging from \$150 to \$500, plus attorney fees.³⁷

Application

In order to get a license, an individual must file an application to be a barber instructor. The application must include the following information on a board-prescribed form.³⁸

- Name, address, social security number, and birthdate;
- Registered barber license number;
- Name of the barber school attended; and
- Proposed place of employment, if any.

The application must be accompanied by a payment for \$165, which covers the exam. Once the applicant has been notified that he or she has passed both portions of the exam, the applicant will need to pay an \$85 certificate fee.

Examination

³⁴ 21 NCAC 06F .0104(c).

³⁵ G.S. 86A-23.

³⁶ 21 NCAC 06O .0116(a) (for civil penalties) and G.S. 86A-27(d) (for attorney fees).

³⁷ 21 NCAC 06O .0115(b) (for civil penalties) and G.S. 86A-27(d) (for attorney fees).

³⁸ 21 NCAC 06N .0107.

The board administers a two-part exam: written and practical. Applicants must make at least 80 percent on both parts before being licensed.³⁹ An applicant will take the written exam first (in odd months). If he or she passes, the applicant will be scheduled the following month for the practical exam. Applicants are not required to take preparation courses before the exam, but many find them helpful.

The written exam consists of questions that deal with all aspects of barbering. The practical exam consists of a presentation by the applicant to one or more board staff members (typically, barber inspectors) as if the applicant were teaching a class. The exam is wide-ranging, and the instructor needs to be prepared to answer questions from the staff members throughout the exam.

If a person passes one portion of the exam but fails another portion, he or she must take and pass the failed portion within six months of being notified of the failure. Otherwise, the applicant must retake all parts of the exam again.⁴⁰

³⁹ 21 NCAC 06G .0103(a).

⁴⁰ 21 NCAC 06G .0103(b).

PERSONNEL REQUIREMENTS

The board has three specific areas of regulation that affect the personnel requirements for schools. These three areas deal with school managers, student-instructor ratio, and student supervision. Schools are otherwise free to determine their human-resource needs, as long as the schools have the resources to comply with state regulations.

School manager

Each barber school must identify one of its instructors to be the school manager.⁴¹ The school must file the name of the manager with the board.⁴² Anytime there is a change in manager, the school must report the change at least 30 days before it becomes effective. In cases of emergency where proper notice wasn't possible, such as the manager's termination, the change must be reported no later than 10 days after it occurred.⁴³ A simple letter to the board on letterhead is sufficient. If the school fails to notify the board of a change in manager, the school and manager are both subject to civil penalties that range from \$50 to \$200, plus attorney fees.⁴⁴

The manager is responsible for making sure the school complies with:

- G.S. 86A-15, which is a statute establishing sanitation requirements for barber schools;
- All rules in Subchapter F of the board's rules. Subchapter F is one of the primary sections of the board rules that deals with barber schools.⁴⁵

(The current version of G.S. 86A-15 and Subchapter F of the board's rules are available in Appendices 1 and 3, respectively.) The manager must make sure that the board's regulations are complied with, regardless of whether he or she is on the school premises or not.⁴⁶ That means that the board will hold the manager responsible for violations of board regulations, and it's not a defense to say that the violation occurred when the manager wasn't present. Although the board's rules don't explicitly say so, they presume that the manager has enough authority or voice in the school to be able to ensure compliance with regulations. Otherwise, the school should identify another individual to serve as manager.

A school manager cannot also manage another school or a shop.⁴⁷ The board believes that if an individual were managing more than just the school, he or she would not have enough involvement in school operations to ensure compliance with regulations.

⁴¹ 21 NCAC 06F .0102(a).

⁴² 21 NCAC 06F .0103(a).

⁴³ 21 NCAC 06F .0103(b).

⁴⁴ 21 NCAC 06O .0122 (for civil penalties) and G.S. 86A27(d) (for attorney fees).

⁴⁵ 21 NCAC 06F .0102(b).

⁴⁶ 21 NCAC 06F .0102(b).

⁴⁷ 21 NCAC 06F .0102(c).

Instructor-student ratio

One of the board's statutes establishes a requirement for the ratio of instructors to students.⁴⁸ The requirement varies according to whether a school is organized as a tax-exempt nonprofit. Please note that the board has additional requirements described below that deal with the supervision of students.

Nonprofits

If a school is organized as a nonprofit and has obtained a ruling from the Internal Revenue Service recognizing the school's tax exempt status, then the required ratio is different from other schools. These nonprofits must have at least one instructor for every 20 enrolled students. However, nonprofits should be aware of the additional supervision requirements discussed later in this section.

Below are some examples, with an explanation of how many instructors the school must employ.

- If a school has 19 enrolled students, it must have at least one instructor
- If a school has 38 enrolled students, it must have at least two instructors
- If a school has 41 enrolled students, it must have three instructors
- If a school has 59 students, it must have three instructors
- If a school has 61 students, it must have four instructors
- If a school has 120 enrolled students, it must have six instructors.

All other schools

A school that doesn't meet the requirements under "Nonprofits" above must have the following ratio:

- At least two instructors for the first 40 enrolled students; and
- One additional instructor for every additional 20 enrolled students.

Below are some examples, with an explanation of how many instructors the school must employ.

- If a school has 19 enrolled students, it must have at least two instructors
- If a school has 41 enrolled students, it must have three instructors
- If a school has 59 students, it must have three instructors
- If a school has 61 students, it must have four instructors
- If a school has 120 enrolled students, it must have six instructors.

Failure to meet student-instructor ratio

⁴⁸ G.S. 86A-22(2).

If a school fails to provide enough instructors to meet the student-instructor ratio described above, the school will be subject to civil penalties that range from \$150 to \$500, plus attorney fees.⁴⁹

Student supervision

Schools are prohibited from providing practical and theoretical training simultaneously unless at least two instructors are present.⁵⁰ (This requirement doesn't mean that two instructors will be sufficient. Schools should still meet the student-instructor ratio described above.) Some nonprofits have enrollment that only requires the school to have one instructor. Unless these schools hire additional instructors, they cannot offer practical and theoretical training at the same time.

Regardless of the number of instructors a school may have, at least one instructor is required to supervise students engaged in barbering activities at all times.⁵¹ As the rest of this section above explained, the school may need to have additional instructors actively supervising, depending on the circumstances.

Instructors are prohibited from barbering while on the school premises for any purposes other than instruction or demonstration to students.⁵²

⁴⁹ 21 NCAC 06F .0111 (for civil penalties) and G.S. 86A-27(d) (for attorney fees).

⁵⁰ G.S. 86A-22(2).

⁵¹ 21 NCAC 06F .0104(a).

⁵² 21 NCAC 06F .0104(b).

SANITATION AND FACILITY REQUIREMENTS

The two primary sources of law that establish the sanitation and facility requirements are a statute—G.S. 86A-15, which applies to both schools and shops—and a rule—21 NCAC 06F .0101. Some schools may be exempt from certain requirements, depending on when they were permitted or whether they've had structural changes. However, newer schools must all meet these requirements.

Schools that are applying for licensure and don't meet the sanitation and facility requirements in law will fail inspection. Those schools will then need to pay a re-inspection fee or not have the application approved. If a school has already been permitted but fails to maintain its facilities as required by law, the school will be given a written warning. After two written warnings, the school will be subject to civil penalties and fines that range from \$250 to \$500, plus attorney fees.⁵³

Physical structure and equipment

In this section, the phrase “practical area” is sometimes used. The law defines this term as the area where barbering services are provided.⁵⁴

Dimensions

The school must be at least 14 linear feet wide, with at least 896 square feet in the practical area for the first 10 barber chairs.⁵⁵ Please note that this square-footage requirement is only for the practical area, not the entire school. Schools cannot have classroom space apply toward the 896-square-foot requirement. If there are more than 10 chairs, the school must have an additional 70 square feet in the practical area for each additional chair over 10.⁵⁶ For example, if the school has 10 chairs (the minimum requirement), the school has to have 896 square feet in the practical area. If the school has 11 chairs, it needs at least 966 square feet in the practical area. And if it has 18 chairs, it must have at least 1,456 square feet in the practical area.

There must be at least five linear feet of space between chairs, from the center of one chair to the center of another.⁵⁷

Structural requirements

⁵³ 21 NCAC 06O .0110 (a) (for civil penalties) and G.S. 86A-27(d) (for attorney fees).

⁵⁴ 21 NCAC 06F .0101(a).

⁵⁵ 21 NCAC 06F .0101(b)(1) and (b)(3).

⁵⁶ 21 NCAC 06F .0101(b)(4).

⁵⁷ 21 NCAC 06F .0101(b)(5).

All schools seeking a new permit must receive a satisfactory building inspection by the jurisdiction with authority (e.g., the municipality). This building inspection must occur before the inspection by the board.⁵⁸ Schools must also be separated from other businesses, except for cosmetology and shoe-shining services, by a substantial partition or wall that is the same height as the ceiling.⁵⁹

Schools must make sure that walls, floors, and fixtures in practical areas are sanitary.⁶⁰ By statute, all places where barber services are provided must be “in buildings or rooms of such construction that they may be easily cleaned, well lighted, well ventilated and kept in an orderly and sanitary condition.”⁶¹ In rule, the board specifies the type of flooring that may be easily cleaned: concrete or wood, covered with smooth, nonporous materials.⁶² Flooring with other materials will not meet the requirements of this rule. Examples of acceptable flooring are linoleum on concrete and sealed concrete. Although the rule permits wood, keep in mind that the surface must be nonporous. Therefore, schools should be sure not to use hardwood floors with gaps between planks. We believe that this rule shouldn’t be onerous, since most schools won’t want flooring that is difficult to sweep, where hair and dirt can fall into cracks or stick to fabric or carpet.

Schools must have toilet facilities with a hand-washing sink or basin.⁶³ These toilet facilities, including tanks and sinks, must be constructed of material that allows them to be easily cleaned.⁶⁴ In addition, there must be at least one fully functional sink, with hot and cold water, for each two barber chairs. For schools that were permitted after September 1, 2009, these sinks must be within seven unobstructed linear feet of each barber chair.⁶⁵ Sinks and toilets must have a drain pipe to drain all waste water out of the building.⁶⁶

Equipment for the practical area

Every practical area must have a sign stating that barbering services are performed by students.⁶⁷ If schools have multiple practical areas, each must have this sign.

There must be a towel cabinet or other method of storage so that clean towels are stored separately from used towels.⁶⁸

There must be at least 10 barber chairs that are sanitary—meaning that they are free of infectious agents, diseases, or infestation by insects or vermin and free of soiling, dust,

⁵⁸ G.S. 86A-15(a)(1)(e) and 21 NCAC 06F .0101(c).

⁵⁹ G.S. 86(a)(1)(b) and 21 NCAC 06F .0101(b)(14).

⁶⁰ G.S. 86A-15(a)(1)(c).

⁶¹ G.S. 86A-15(a)(1)(a).

⁶² 21 NCAC 06F .0101(b)(8).

⁶³ 21 NCAC 06F .0101(b)(7).

⁶⁴ G.S. 86A-15(a)(1)(d).

⁶⁵ 21 NCAC 06F .0101(b)(13).

⁶⁶ G.S. 86A-15(a)(1)(d).

⁶⁷ 21 NCAC 06F .0101(b)(17).

⁶⁸ 21 NCAC 06F .0101(b)(12).

or dirt.⁶⁹ The chairs must be covered with a smooth nonporous surface that can be easily cleaned, such as vinyl or leather. When services are being provided, these headrests need to be covered with clean paper or a clean, laundered towel.⁷⁰

Schools may need to have more than 10 chairs, depending on their enrollment and scheduling needs. There can be no more than two enrolled students per barber chair.⁷¹ That doesn't mean that a school with 50 students has to have 25 chairs; but when practical instruction is taking place, there shouldn't be more students receiving that instruction than the two-per-chair limit. For instance, if a school has 10 chairs, it can't have more than 20 students receiving practical instruction at a time, nor can there be 20 students distributed among the chairs in a way that requires three or four students to be assigned to one chair. Schools that can't always accommodate their schedules to this limitation will need to install additional barber chairs that meet the dimension and equipment criteria.

For each barber chair, there must be a workstand. The workstand must have a mounted mirror that's at least 36 inches tall and 20 inches wide and is constructed of materials that can be washed and cleansed.⁷²

Each barber chair also must have a tool cabinet. The cabinet needs to have a door that limits exposure of the tools to the open air, thus preventing the tools from being soiled.⁷³

Equipment for the classroom area

The classroom area must be separate from any practical area. There need to be enough desk chairs sufficient to serve the number of students enrolled and a desk and chair for the instructors.⁷⁴ Each classroom area must have a bulletin board hung with the sanitation rules and board curriculum posted.⁷⁵ (For the curriculum, see the section entitled "Curriculum, student hours and extended education.") There also must be instructional materials, such as blackboard or whiteboard space or slide projectors.⁷⁶

Additional sanitation requirements

Many of the remaining sanitation requirements will be familiar to individuals who have worked in barber shops. In general terms, they involved keeping all implements and surfaces sanitary and providing safe and sanitary barber services (including by student barbers).⁷⁷

⁶⁹ 21 NCAC 06F .0101(b)(2) (for the requirement for at least 10 barber chairs) and 21 NCAC 06P .0103(10) (for the definition of sanitary).

⁷⁰ G.S. 86A-15(a)(2)(c).

⁷¹ 21 NCAC 06F .0101(b)(6).

⁷² 21 NCAC 06F .0101(b)(10).

⁷³ 21 NCAC 06F .0101(b)(11).

⁷⁴ 21 NCAC 06F .0101(b)(15).

⁷⁵ 21 NCAC 06F .0101(b)(18).

⁷⁶ 21 NCAC 06F .0101(b)(9).

⁷⁷ G.S. 86A-15.

Barbers must be clean in person and dress.⁷⁸ At all times during instructional hours, students must wear clean, washable uniforms, smocks, or similar professional attire, along with nametags.⁷⁹ Barbers are prohibited from performing services on individuals who have infectious or communicable diseases *that would be spread even if the barber uses sanitary and safe practices*.⁸⁰ Please note that barbers are not prohibited from providing services to individuals who have infectious diseases that would not be spread if the barber takes appropriate cautionary steps. Immediately before serving each patron, the barber must thoroughly cleanse his or her hands.⁸¹

Inspections

The board is authorized to conduct periodic inspections of schools.⁸² These inspections, which generally will not be announced, will assess compliance by the school, instructors, and students with the board's sanitation and facility regulations.

Refusing to permit or preventing an inspection will subject a school to civil penalties ranging from \$150 to \$500, plus attorney fees.⁸³

⁷⁸ G.S. 86A-15(a)(3)(a).

⁷⁹ 21 NCAC 06F .0122.

⁸⁰ G.S. 86A-15(a)(3)(c).

⁸¹ G.S. 86A-15(a)(3)(a).

⁸² G.S. 86A-5(a)(1).

⁸³ 21 NCAC 06O .0108 (for civil penalties) and G.S. 86A-27(d) (for attorney fees).

STUDENTS

This section covers the requirements for enrolling students, including the steps for schools that wish to qualify as postsecondary institutions. The section also discusses the board's process for vetting individuals with felony offenses and lists the requirements for schools to give notice and keep records about the board's criminal-check laws.

Enrollment

In order to enroll a student, the school must submit the student-permit application. This application must be submitted at least 10 days before the student begins classes.⁸⁴ Until the board issues the student permit, the student cannot be enrolled or receive credit for training.⁸⁵ If the student has not been issued a permit, not only will the student not receive credit for hours, but the school is subject to civil penalties ranging from \$200 to \$500, plus attorney fees.⁸⁶

The student-permit application requires the following information on a form prescribed by the board:

- Name, address, social security number, and birth date of the applicant;
- Applicant's previous barber school attendance, if applicable;
- School name;
- Enrollment date (as explained above, this date must not be fewer than 10 days after the date the school submitted the application);
- School manager's signature;
- \$25 permit fee.⁸⁷

The \$25 permit fee is not refundable once the student permit is issued.⁸⁸

If a student drops out or doesn't attend class but later enrolls again, the school must file a new student permit.⁸⁹ In addition, if a student who attended barber school re-enrolls for additional instruction, the school needs to file a new student permit.⁹⁰ Student permits are only issued for specific student-permit applications and are not transferrable.⁹¹

Schools are required to return student permits within five business days of when a student does the following:

⁸⁴ G.S. 86A-22(3) and 21 NCAC 06F .0113(a).

⁸⁵ 21 NCAC 06F .0113(b).

⁸⁶ 21 NCAC 06O .0118(a) (civil penalties) and G.S. 86A-27(d) (attorney fees).

⁸⁷ 21 NCAC 06N .0104.

⁸⁸ 21 NCAC 06F .0113(d).

⁸⁹ 21 NCAC 06F .0109(1).

⁹⁰ 21 NCAC 06F .0109(2).

⁹¹ 21 NCAC 06F .0113(d).

- Completes his or her course of study;
- Drops out of school;
- Transfers to another school.⁹²

Students may transfer from one licensed North Carolina school to another. These students will receive credit for attendance at each school where the student was enrolled.⁹³

State authorization as a postsecondary institution

The board doesn't have a minimum-education requirement for individuals to enter barber schools. However, some schools wish to receive certain funding from the U.S. Department of Education ("DOE"); to get this funding, the schools have to be designated by North Carolina as a postsecondary institution.⁹⁴ (Schools that don't wish to receive this funding are not required to receive this designation and may ignore this section.) There are two requirements these schools must meet to be designated as postsecondary institutions and retain that designation:

- School handbooks and enrollment agreements must require prospective students to have a high-school diploma or equivalent (such as a GED).⁹⁵ Schools are required to submit the most recent copy of the school handbook to the board, so the school will only need to take special action if it's updating its handbook to reflect a new requirement for students to have a high-school diploma or equivalency.⁹⁶
- For each student permit submitted, the school must include a copy of the student's high school diploma or equivalency documentation.⁹⁷

If a school qualifies to be designated a postsecondary institution, the board will send a permit that includes the phrase "Postsecondary Institution." If the school already has a permit without that phrase (i.e., before qualifying), the school needs to send that permit back once it receives the one with "Postsecondary Institution."⁹⁸ (For these schools that are already licensed, there is no additional cost for the postsecondary permit apart.)

If at any point the school is determined no longer to be a postsecondary institution, the board will issue (at no charge) a license without the phrase "Postsecondary Institution" and the school will need to relinquish the postsecondary license. In addition, the board will notify DOE.⁹⁹ Given the importance of this rule to DOE for school funding, it's important that postsecondary schools establish a protocol to make sure that student permits both are submitted 10 days before the enrollment date and include the copies of

⁹² 21 NCAC 06F .0113(c).

⁹³ 21 NCAC 06F .0119.

⁹⁴ 20 U.S.C. 1001 and 1002 and 34 C.F.R. 600.9

⁹⁵ 21 NCAC 06F .0127(a)(1).

⁹⁶ 21 NCAC 06F .0125(b).

⁹⁷ 21 NCAC 06F .0127(a)(2).

⁹⁸ 21 NCAC 06F .0127(b).

⁹⁹ 21 NCAC 06F .0127(c).

the high-school diploma or equivalency documentation. Even though the board will generally reach out the schools if documentation is missing, there's no obligation for the board to do so, and the school would be risking its postsecondary status.

Display of student permits and nametags

Student permits must be displayed in a conspicuous place.¹⁰⁰ If the school allows a student to perform barbering services without the student permit properly displayed, the school and student could both earn civil penalties that range from \$100 to \$250, plus attorney fees.¹⁰¹ Moreover, if an unlicensed barber student receives instruction without a permit, the school and the student each are subject to civil penalties that range from \$200 to \$500, plus attorney fees.¹⁰²

As mentioned under "Sanitation and facility requirements" above, students are required to wear nametags at all times during instructional hours.¹⁰³ Barber students who fail to wear this identification are subject to civil penalties that range from \$100 to \$250, along with attorney fees.¹⁰⁴

Students with felony offenses

The board does not prohibit individuals with felony offenses from enrolling in schools, but those individuals may have difficulty getting licensed. Nonetheless, in the vast majority of cases, the board will allow individuals to be licensed, though they may have to meet certain terms and conditions. Below, we discuss the process for background checks and the notice requirements for schools.

Background checks

The board has authority to refuse to issue or renew or to suspend or revoke any license for a registered or apprentice barber if the applicant or licensee has a felony offense.¹⁰⁵ Before denying, suspending, or revoking a license, the board must consider several factors:

- The level and seriousness of the crime;
- The date of the crime;
- The age of the person at the time of the crime;
- The circumstances surrounding the commission of the crime, if known;
- The nexus between the criminal conduct and the prospective duties of the applicant as a licensee;

¹⁰⁰ G.S. 86A-16.

¹⁰¹ 21 NCAC 06O .0106 (for civil penalties) and G.S. 86A-27(d) (for attorney fees).

¹⁰² 21 NCAC 06O .0118 (for civil penalties) and G.S. 86A-27(d) (for attorney fees).

¹⁰³ 21 NCAC 06F .0122.

¹⁰⁴ 21 NCAC 06O .0112(c) (for civil penalties) and G.S. 86A-27(d) (for attorney fees).

¹⁰⁵ G.S. 86A-18(1).

- The prison, jail, probation, parole, rehabilitation, and employment records of the applicant since the date the crime was committed;
- The subsequent commission of a crime by the applicant; and
- Any affidavits or other written documents, including character references.¹⁰⁶

When the board receives a student permit, the following steps will occur.

1. The board staff will run a criminal check to see whether the student has any felony offenses. Although the board used to require schools to submit FBI background checks, that is no longer the practice, and schools *should not* have students request the FBI background check.
2. The board staff will review the criminal check. If the applicant has no felony offense, or has a felony offense that isn't disqualifying, the individual will be able to proceed through the licensing process without having to meet any additional board requirements. But if the applicant has a disqualifying felony offense, the board will take one of two actions, depending on the nature of the criminal history.
 - Offer a consent order that includes terms and conditions that the applicant will have to meet, such as probation or counseling. Once the applicant meets the non-probation terms, he or she can proceed through the licensing process.
 - Appear before the board at a hearing. This hearing is the applicant's opportunity to explain to the board why he or she should be approved. Typically, approved individuals must meet terms and conditions following the hearing, such as probation or counseling, before being able to proceed through the licensing process.

A student with a felony offense does not have to be approved by the board to enroll in school. By running the checks around the time of enrollment, we provide ample time for the student to comply with any terms and conditions before graduating school. That way, the student shouldn't have a delay between graduation and the apprentice exam.

Please note that the board does not run background checks for the benefit of the schools. Schools should not assume that approved individuals are necessarily safe or suitable for continued enrollment.

School notice

Schools are required to notify students of two statutes regarding disqualifying criminal offenses: G.S. 86A-18 and 93B-8.1. Applicants must sign and date a notice indicating that they have been informed of these statutes. This notice must occur before enrollment and before any fee or tuition has been accepted.¹⁰⁷ Schools are required to keep copies of the signed notice for at least the duration of the student's enrollment.¹⁰⁸

¹⁰⁶ G.S. 93B-8.1(b).

¹⁰⁷ 21 NCAC 06F .0116.

¹⁰⁸ 21 NCAC 06F .0110(7).

The board doesn't require the notice to have a particular form or wording, but a simple approach might be to have both statutes on a page with a signature and date line, with language such as, "I, [student name], have been provided the board's statutes regarding criminal convictions." The school can then keep the original and provide the student with a copy. In any case, as long as the notice meets the requirements listed in the previous paragraph, the school will be in compliance.

CURRICULUM, STUDENT HOURS, AND EXTENDED EDUCATION

This section gives an overview of the board's curriculum. It also covers the requirements for recording and reporting student hours. Finally, it discusses schools' reporting requirements if they wish to offer education beyond the curriculum requirements.

Curriculum

State law requires North Carolina barber schools to provide a course of instruction of at least 1,528 hours.¹⁰⁹ The General Assembly requires schools to give enrolled students a course of instruction on the following subjects:

- Hair cutting;
- Shaving;
- Shampooing, and the application of creams and lotions;
- Care and preparation of tools and implements;
- Scientific massaging and manipulating the muscles of the scalp, face, and neck;
- Sanitation and hygiene;
- Shedding and regrowth of hair;
- Elementary chemistry relating to sterilization and antiseptics;
- Instruction on common skin and scalp diseases to the extent that they may be recognized;
- Pharmacology as it relates to preparations commonly used in barbershops;
- Instruction in the use of electrical appliances and the effects of the use of these on the human skin;
- Structure of the skin and hair;
- Nerve points of the face;
- Application of hair dyes and bleaches;
- Permanent waving;
- Marcelling or hair pressing;
- Frosting and streaking; and
- Statutes and regulations relating to the practice of barbering in North Carolina.

The General Assembly also has required the board to specify the minimum number of hours for each of the subjects listed above.¹¹⁰ The board has done that in its curriculum, which appears in 21 NCAC 06F .0120(a) (see Appendix 3 for this rule). Schools should refer to this rule and make sure that their curriculums meet the minimum requirements for hours. However, schools may offer instructional hours in excess of the minimum curriculum requirements, as long as they comply with the board's rule on extended education (discussed in more detail below).

Teaching materials

¹⁰⁹ G.S. 86A-22(1).

¹¹⁰ G.S. 86A-22(4).

Schools are required to use course books and training materials specifically created for the purpose of teaching barbering skills. Cosmetology books and training materials are not acceptable for the barber-school curriculum unless they have separate and distinction sections that cover barbering.¹¹¹

Student hours

The board has rules that describe how student hours must be recorded and that limit what hours can be credited.

Method of recording hours

Schools must have a method of electronically recording student hours.¹¹² Students must use this method to record their instructional hours.¹¹³ Schools cannot use non-electronic methods for recording as the official record hours, but they may want to use backup paper records in case of a system issue. The board urges schools to contact us quickly if there is an issue with the electronic system so that the board and school can discuss a remedy plan.

Using electronic means, students must record the start time of their hours when they enter the school for practical or theory hours. They cannot record any time on breaks, regardless of whether they remain on the school premises.¹¹⁴

Schools must keep the electronic records for at least one year following the student's graduation, transfer to another school, or termination of enrollment. Schools are required to make this data available to the board for review upon request.¹¹⁵

Limitations on hours

Students can only receive credit for a total of eight hours per day.¹¹⁶ The board doesn't have a restriction on the total number of hours per week or month, as long as the hours don't exceed eight per day.

Off-campus instruction (field trips)

The board recognizes that in some cases, it may be beneficial for students to receive instruction off campus. This instruction must be given by a board-licensed instructor if the school intends for the hours to count toward the required 1,528 curriculum hours.¹¹⁷

¹¹¹ 21 NCAC 06F .0120(b).

¹¹² 21 NCAC 06F .0101(b)(16).

¹¹³ 21 NCAC 06F .0123.

¹¹⁴ 21 NCAC 06F .0124(b).

¹¹⁵ 21 NCAC 06F .0123.

¹¹⁶ 21 NCAC 06F .0124(a).

¹¹⁷ 21 NCAC 06F .0104(c).

Students can't receive more than eight hours per month and no more than 40 hours for the duration of a student's enrollment.¹¹⁸

Extended education

The board adopted a rule in July 2016 that requires schools to provide information about extended education. The board defines "extended education" to be additional coursework beyond the 1,528 hours required to complete barber school or to initially obtain a license from the board.¹¹⁹ Examples of extended education include instructor preparation courses or required classes beyond the board's basic curriculum.

If a school wants to offer extended education, the school must provide the following:

- Curriculum or syllabus that:
 - Describes the purpose of the instruction;
 - Indicates how many students are expected to participate in the instruction;
 - States where the instruction will be provided; and
 - States how many hours of instruction are required as part of the extended education;
- List of the instructors
- Samples of advertising or promotion for the program.¹²⁰

Once the board approves the program, the barber school must notify the board if there are changes, including suspension or discontinuation of the program.¹²¹ In addition, the program is subject to review by a board inspector.¹²²

¹¹⁸ 21 NCAC 06F .0124(c).

¹¹⁹ 21 NCAC 06F .0126.

¹²⁰ 21 NCAC 06F .0126(1).

¹²¹ 21 NCAC 06F .0126(2).

¹²² 21 NCAC 06F .0126(3).

RECORDS AND REPORTING

This section describes the board's recordkeeping and reporting requirements for schools. Failure to meet these requirements could result in a variety of consequences, including civil penalties and fees or disciplinary action.

Handbooks

Schools are required to provide a school handbook to its students upon enrollment. This handbook may cover any number of topics that the school wants to address. But for the purpose of complying with board regulations, the handbook must have at least the following:

- Enrollment agreement;
- Tuition fee schedule;
- Any monetary penalties and fees;
- Reimbursement policies;
- School rules and regulations;
- Tardiness and absenteeism policies;
- Syllabus or list of the school curriculums, with the minimum hours for each subject matter; and
- Grading system for the curriculum.¹²³

Schools are required to provide a copy of the handbook to the board, as well as any updated copies following an amendment or revision.¹²⁴

The board generally doesn't mandate specific content. For example, the school rules and regulations have to appear in the handbook, but what those rules and regulations are will vary from school to school. As another example, the handbook must include the tuition fee schedule, but the board doesn't dictate what that schedule should be.

Roster and student records

Schools must keep the following for the duration of the student's enrollment:

- An up-to-date roster system that ensures each student serves a substantially equal number of patrons for practical work;
- A student record that includes a weekly record of the number of days and hours the student attended classes in practical work and theory;
- A separate daily record with the number of patrons the student served for haircuts, shaves, and other barbering services;
- A weekly record of the subject matter taught to the student in theory classes;

¹²³ 21 NCAC 06F .0125(a).

¹²⁴ 21 NCAC 06F .0125(b).

- The notice of the board's felony policy, signed and dated by the student (for more information on this requirement, see the "Students" section above).¹²⁵

Monthly reports

Schools must submit reports on each student to the board by the 15th day of each month on the board's prescribed form.¹²⁶ If a student completes his or her course of student, drops out of school, or transfer to another school, the school must submit the form within five business days of the student's termination.¹²⁷ This form requires the following information:

- School name;
- Student name and enrollment date;
- Month and year for which the report is filed;
- Dates and hours of the student's attendance;
- Dates and hours of the student's absences;
- Number of patrons served for clinical services;
- Subject matter covered in practical and theory courses.¹²⁸

The school manager and student must both sign the report.¹²⁹ Schools may mail, fax, or email the report to the board.

Board access to records

Schools must allow the board to access any records that schools are required to keep by North Carolina statutes or by the board's rules. These records include instructor time sheets.¹³⁰ The reason the board requires access to instructor time sheets is to make sure that the instruction for any reported student hours was provided by a licensed instructor.

Schools are prohibited from withholding records due to a dispute or unfulfilled obligation with a student, instructor, or third party.¹³¹

Failing to maintain or submit or falsifying records

Schools that fail to maintain records are subject to civil penalties that range from \$200 to \$500, plus attorney fees.¹³² Schools that falsify records are subject to civil penalties that

¹²⁵ 21 NCAC 06F .0110.

¹²⁶ G.S. 86A-22(5) and 21 NCAC 06F .0110(5) and (6).

¹²⁷ 21 NCAC 06N .0111(c).

¹²⁸ 21 NCAC 06N .0111(a).

¹²⁹ 21 NCAC 06N .0111(b).

¹³⁰ 21 NCAC 06F .0111(a).

¹³¹ 21 NCAC 06F .0111.

¹³² 21 NCAC 06O .0115(a) (for civil penalties) and G.S. 86A-27(d) (for attorney fees).

range from \$250 to \$500, plus attorney fees.¹³³ Schools that fail to submit required records are subject to civil penalties that range from \$200 to \$500, plus attorney fees.¹³⁴

¹³³ 21 NCAC 06O .0115(b) (for civil penalties) and G.S. 86A-27(d) (for attorney fees).

¹³⁴ 21 NCAC 06O .0115(c) (for civil penalties) and G.S. 86A-27(d) (for attorney fees).

APPENDIX 1
G.S. 86A-15

§ 86A-15. Sanitary rules and regulations; inspections.

- (a) Each barber and each owner or manager of a barbershop, barber school or college, or any other place where barber service is rendered, shall comply with the following sanitary rules and regulations:
- (1) Proper quarters. -
 - a. Every barbershop, or other place where barber service is rendered, shall be located in buildings or rooms of such construction that they may be easily cleaned, well lighted, well ventilated and kept in an orderly and sanitary condition.
 - b. Each area where barber service is rendered or where a combination of barber service and cosmetology service is rendered shall be separated by a substantial partition or wall from areas used for purposes other than barber services, cosmetology services, or shoe shining services.
 - c. Walls, floor and fixtures where barber service is rendered are to be kept sanitary.
 - d. Running water, hot and cold, shall be provided, and sinks shall be located at a convenient place in each barbershop so that barbers may wash their hands after each haircut. Tanks and lavatories shall be of such construction that they may be easily cleaned. The lavatory must have a drain pipe to drain all waste water out of the building.
 - e. Every barbershop or other place where barber service is rendered, and every building or structure used as a part of a barber school, shall comply with applicable building and fire codes and regulations.
 - (2) Equipment and instruments. -
 - a. Each person serving as a barber shall, immediately before using razors, tweezers, combs, contact cup or pad, sterilize the instruments by immersing them in a solution of fifty percent (50%) alcohol, five percent (5%) carbolic acid, twenty percent (20%) formaldehyde, or ten percent (10%) lysol or other product or solution that the Board may approve. Every owner or manager of a barbershop shall supply a separate container for the use of each barber, adequate to provide for a sufficient supply of the above solutions.
 - b. Each barber shall maintain combs and hair brushes in a clean and sanitary condition at all times and shall thoroughly clean mug and lather brush before each separate use.
 - c. The headrest of every barber chair shall be protected with clean paper or a clean laundered towel. Each barber chair shall be covered with a smooth nonporous surface, such as vinyl or leather, that is cleaned easily.
 - d. Every person serving as a barber shall use a clean towel for each patron. All clean towels shall be placed in closed cabinets until used. Receptacles composed of material that can be washed and cleansed shall be provided to receive used towels, and all used towels must be placed in receptacles until laundered. Towels shall not be placed in a sterilizer or tank or rinsed in the barbershop. All wet and used towels shall be removed from the workstand or lavatory after serving each patron.
 - e. Whenever a hair cloth is used in cutting the hair, shampooing, etc., a newly laundered towel or paper neckstrap shall be placed around the patron's neck so as to prevent the hair cloth from touching the skin. Hair cloths shall be replaced when soiled.
 - (3) Barbers. -
 - a. Every person serving as a barber shall thoroughly cleanse his or her hands immediately before serving each patron.
 - b. Each person working as a barber shall be clean both as to person and dress.
 - c. No barber shall serve any person who has an infectious or communicable disease, and no barber shall undertake to treat any patron's infectious or contagious disease.
 - (4) Any person, other than a registered barber, shall before undertaking to give shampoos in a barbershop furnish the Board with a health certificate on a form provided by the Board.
 - (5) The owner or manager of a barbershop or any other place where barber service is rendered shall post a copy of these rules and regulations in a conspicuous place in the shop or other place where the services are rendered.

(b) All barbershops, barber schools and colleges, and any other place where barber service is rendered, shall be open for inspection at all times during business hours to any members of the Board of Barber Examiners or its agents or assistants. Initial inspections conducted by the Board pursuant to this Chapter shall not be delayed if the sole reason for delay is the lack of a certificate of occupancy by a unit of local government. A copy of the sanitary rules and regulations set out in this section shall be furnished by the Board to the owner or manager of each barbershop or barber school, or any other place where barber service is rendered in the State, and that copy shall be posted in a conspicuous place in each barbershop or barber school. The Board shall have the right to make additional rules and regulations governing barbers and barbershops and barber schools for the proper administration and enforcement of this section, but no such additional rules or regulations shall be in effect until those rules and regulations have been furnished to each barbershop within the State.

(c) Notwithstanding any other provision of law, a registered barber may practice barbering in a client's home out of medical necessity without meeting the requirements of subsection (b) of this section. The Board of Barber Examiners shall adopt rules to allow this exception. (1929, c. 119, s. 16; 1931, c. 32; 1933, c. 95, s. 2; 1941, c. 375, s. 7; 1961, c. 577, s. 3; 1979, c. 695, s. 1; 1995 (Reg. Sess., 1996), c. 605, s. 7; 2009-471, s. 1; 2014-115, s. 39.7.)

APPENDIX 2
G.S. 86A-22

§ 86A-22. Licensing and regulating barber schools and colleges.

The North Carolina State Board of Barber Examiners may approve barber schools or colleges in the State, and may prescribe rules and regulations for their operation. The Board shall adopt rules establishing criteria for barber schools and colleges to maintain their accreditation. No barber school or college shall be approved by the Board unless the school or college meets all of the following requirements:

- (1) Each school shall provide a course of instruction of at least 1528 hours.
- (2) Each school shall employ at least two instructors for the first 40 enrolled students and employ at least one additional instructor for every additional 20 enrolled students. Schools that are organized as nonprofits and have obtained a ruling from the Internal Revenue Service recognizing their tax-exempt status shall have at least one instructor for every 20 enrolled students. No school, whether for profit or nonprofit, shall provide practical training and theoretical training simultaneously unless at least two instructors are present.
- (3) An application for a student's permit, on a form prescribed by the Board, must be filed with the Board before the student enters school. No student may enroll without having obtained a student's permit.
- (4) Each student enrolled shall be given a complete course of instruction on the following subjects: hair cutting; shaving; shampooing, and the application of creams and lotions; care and preparation of tools and implements; scientific massaging and manipulating the muscles of the scalp, face, and neck; sanitation and hygiene; shedding and regrowth of hair; elementary chemistry relating to sterilization and antiseptics; instruction on common skin and scalp diseases to the extent that they may be recognized; pharmacology as it relates to preparations commonly used in barbershops; instruction in the use of electrical appliances and the effects of the use of these on the human skin; structure of the skin and hair; nerve points of the face; the application of hair dyes and bleaches; permanent waving; marcelling or hair pressing; frosting and streaking; and the statutes and regulations relating to the practice of barbering in North Carolina. The Board shall specify the minimum number of hours of instruction for each subject required by this subsection.
- (5) Each school shall file an up-to-date list of its students with the Board at least once a month. If a student withdraws or transfers, the school shall file a report with the Board stating the courses and hours completed by the withdrawing or transferring student. The school shall also file with the Board a list of students who have completed the amount of work necessary to meet the licensing requirements.
- (6) Each school shall comply with the sanitary requirements of G.S. 86A-15.
- (7) a. Each school shall provide a guaranty bond unless the school has already provided a bond or an alternative to a bond under G.S. 115D-95.

The North Carolina State Board of Barber Examiners may revoke the approval of a school that fails to maintain a bond or an alternative to a bond pursuant to this subdivision or G.S. 115D-95.

- b. When application is made for approval or renewal of approval, the applicant shall file a guaranty bond with the clerk of the superior court of the county in which the school will be located. The bond shall be in favor of the students. The bond shall be executed by the applicant as principal and by a bonding company authorized to do business in this State. The bond shall be conditioned to provide indemnification to any student, or his parent or guardian, who has suffered a loss of tuition or any fees by reason of the failure of the school to offer or complete student instruction, academic services, or other goods and services related to course enrollment for any reason, including the suspension, revocation, or nonrenewal of a school's approval, bankruptcy, foreclosure, or the school ceasing to operate.

The bond shall be in an amount determined by the Board to be adequate to provide indemnification to any student, or his parent or guardian, under the terms of the bond. The bond amount for a school shall be at least equal to the maximum amount of prepaid tuition held at any time during the last fiscal year by the school. The bond amount shall also be at least ten thousand dollars (\$10,000).

Each application for approval shall include a letter signed by an authorized representative of the school showing in detail the calculations made and the method of computing the amount of the bond pursuant to this subpart and the rules of the Board. If the Board finds that the calculations made and the method of computing the amount of the bond are inaccurate or that the amount of the bond is otherwise inadequate to provide indemnification under the terms of the bond, the Board may require the applicant to provide an additional bond.

The bond shall remain in force and effect until cancelled by the guarantor. The guarantor may cancel the bond upon 30 days notice to the Board. Cancellation of the bond shall not affect any liability incurred or accrued prior to the termination of the notice period.

- c. An applicant that is unable to secure a bond may seek a waiver of the guaranty bond from the Board and approval of one of the guaranty bond alternatives set forth in this subpart. With the approval of the Board, an applicant may file with the clerk of the superior court of the county in which the school will be located, in lieu of a bond:
 1. An assignment of a savings account in an amount equal to the bond required (i) which is in a form acceptable to the Board; (ii) which is executed by the applicant; and (iii) which is executed by a state or federal savings and loan association, state bank, or national bank, that is doing business in North Carolina and whose accounts are insured by a federal depositors corporation; and (iv) for which access to the account in favor of the State of North Carolina is subject to the same conditions as for a bond in subpart b. above.
 2. A certificate of deposit (i) which is executed by a state or federal savings and loan association, state bank, or national bank, which is doing business in North Carolina and whose accounts are insured by a federal depositors corporation; and (ii) which is either payable to the State of North Carolina, unrestrictively endorsed to the Board; in the case of a negotiable certificate of deposit, is unrestrictively endorsed to the Board; or in the case of a nonnegotiable certificate of deposit, is assigned to the Board in a form satisfactory to the Board; and (iii) for which access to the certificate of deposit in favor of the State of North Carolina is subject to the same conditions as for a bond in subpart b. above. (1945, c. 830, s. 8; 1961, c. 577, s. 5; 1973, c. 1331, s. 3; 1979, c. 695, s. 1; 1981, c. 457, s. 12; 1989 (Reg. Sess., 1990), c. 824, s. 3; 1995, c. 397, s. 1; 1995 (Reg. Sess., 1996), c. 605, ss. 10, 11; 2004-146, s. 7.)

APPENDIX 3
SUBCHAPTER F RULES

SUBCHAPTER 06F – BARBER SCHOOL

SECTION .0100 – BARBER SCHOOL

21 NCAC 06F .0101 PHYSICAL STRUCTURE

(a) For the purpose of this Rule, "practical area" means the area of the school where barbering services are provided.

(b) The physical structure of barber schools in North Carolina shall conform to the following criteria:

- (1) be a minimum of 14 linear feet wide;
- (2) be equipped with a minimum of 10 barber chairs that meet the sanitary conditions required by G.S. 86A-15(a)(2);
- (3) have a minimum of 896 square feet in the practical area for the first 10 chairs;
- (4) have an additional 70 square feet in the practical area for each additional barber chair over the required 10;
- (5) have at least five linear feet of space between each chair, center to center;
- (6) have no more than two students enrolled per barber chair;
- (7) be equipped with toilet facilities with hand-washing sink or basin;
- (8) have concrete or wood floors covered with smooth, nonporous materials;
- (9) have instructional materials, such as blackboard space or slide programs;
- (10) have a workstand, with a mounted mirror with minimum dimensions of 36 inches tall and 20 inches wide, for each barber chair in the practical area, constructed of material that can be washed and cleansed;
- (11) have a tool cabinet for each barber chair, with a door to limit exposure of the tools to the open air;
- (12) have a towel cabinet, or other method of storage, so that clean towels are stored separate from used towels;
- (13) have at least one fully functional sink or lavatory, with hot and cold water, for each two barber chairs, located within seven unobstructed linear feet of each barber chair. This sink distance requirement does not apply to schools permitted on or before September 1, 2009;
- (14) have the school separate from any other place or type of business, except for a business allowed by G.S. 86A-15(a)(1)(b), by a wall of ceiling height;
- (15) have a classroom area, separate from the practical area, with desk chairs sufficient to serve the number of students enrolled, and a desk and chair for the instructors;
- (16) have a means for electronic recordation of student hours;
- (17) have a sign displayed in each practical area of the school stating that all barbering services are performed by students; and
- (18) have a bulletin board hanging in each classroom area with a posting of the sanitation rules and minimum school curricula as set forth in 21 NCAC 06F .0120.

This Paragraph applies to barber schools permitted on or after December 1, 1994 or which undergo structural renovations after that date.

(c) All barber schools seeking a new permit shall receive a satisfactory building inspection by the jurisdiction having authority prior to obtaining a shop inspection pursuant to 21 NCAC 06L .0105.

History Note: Authority G.S. 86A-15; 86A-22;
Eff. February 1, 1976;
Readopted Eff. February 8, 1978;
Amended Eff. September 1, 2013; October 1, 2009; June 1, 2008; December 1, 1994; May 1, 1989;
Readopted Eff. July 1, 2016.

21 NCAC 06F .0102 MANAGER

(a) Each barber school shall designate one of the instructors required by G.S. 86A-22(2) as the school manager.

(b) The barber school manager is responsible for the school's compliance with G.S. 86A-15 and the rules in this Subchapter, whether present on the school premises or not.

(c) A barber school manager shall not manage a barber shop or another barber school.

History Note: Authority G.S. 86A-15; 86A-22;
Eff. February 1, 1976;

Readopted Eff. February 8, 1978;
Amended Eff. April 1, 2010; May 1, 1989; March 1, 1983;
Readopted Eff. July 1, 2016.

21 NCAC 06F .0103 FILING

- (a) Each barber school shall file with the Board the name of the manager of the school.
- (b) When a change in the management of a barber school occurs, the school shall report the change at least 30 days before the change is effective, except in emergencies, such as termination of a manager. If such change is due to an emergency, the filing shall be made not later than 10 days after the change of management has occurred.

History Note: Authority G.S. 86A-22;
Eff. February 1, 1976;
Readopted Eff. February 8, 1978;
Amended Eff. June 1, 2008; May 1, 1989; March 1, 1983;
Readopted Eff. July 1, 2016.

21 NCAC 06F .0104 INSTRUCTORS

- (a) At least one barber instructor shall supervise students engaged in barbering activities at all times.
- (b) Barber instructors shall barber only for the purpose of instruction or demonstration while on the premises of the barber school.
- (c) All course work as outlined under 21 NCAC 06F .0120 shall be taught by a certified barber instructor.

History Note: Authority G.S. 86A-22; 86A-23;
Eff. February 1, 1976;
Readopted Eff. February 8, 1978;
Amended Eff. September 1, 2009; June 1, 2008; May 1, 1989;
Readopted Eff. July 1, 2016.

21 NCAC 06F .0105 QUALIFICATIONS
21 NCAC 06F .0106 CONDUCT OF MANAGERS AND INSTRUCTORS
21 NCAC 06F .0107 STUDENT PERMITS

History Note: Authority G.S. 86A-18; 86A-22; 86A-25;
Eff. February 1, 1976;
Readopted Eff. February 8, 1978;
Amended Eff. March 1, 1983;
Repealed Eff. May 1, 1989.

21 NCAC 06F .0108 RE-EXAMINATION

History Note: Authority G.S. 86A-25;
Eff. February 1, 1976;
Repealed Eff. February 8, 1978.

21 NCAC 06F .0109 RE-ENTERING SCHOOL

A new application for a student permit shall be filed with the Board for:

- (1) each student who drops out and later re-enrolls in a barber school; and
- (2) any barber re-enrolling in barber school for additional instruction.

History Note: Authority G.S. 86A-22(3);
Eff. February 1, 1976;
Readopted Eff. February 8, 1978;
Amended Eff. May 1, 1989;
Readopted Eff. July 1, 2016.

21 NCAC 06F .0110 ROSTER AND STUDENT RECORDS

Each barber school shall:

- (1) maintain an up-to-date written roster system that shall be used to ensure that each student serves substantially equal numbers of patrons for practical work;
- (2) maintain a record of each student, including a weekly record of the number of days and hours the student attended classes in practical work and theory;
- (3) maintain a separate daily record of the number of patrons the student served for haircuts, shaves, and other barbering services;
- (4) maintain a weekly record of the subject matter taught to the student in theory classes;
- (5) submit the Form BAR-10 as required by 21 NCAC 06N .0111;
- (6) provide to the Board the list of students required by G.S. 86A-22(5) by the 15th day of each month; and
- (7) maintain the signed acknowledgment required by 21 NCAC 06F .0116.

History Note: Authority G.S. 86A-22;
Eff. February 1, 1976;
Readopted Eff. February 8, 1978;
Amended Eff. April 1, 2010; June 1, 2008; May 1, 1989; March 1, 1983;
Readopted Eff. September 1, 2016.

21 NCAC 06F .0111 COPIES OF BARBER SCHOOL RECORDS

- (a) Barber schools shall furnish to the Board copies of all records or reports the schools are required to keep, either by the North Carolina General Statutes or by the rules of the Board, including time sheets for instructors to verify compliance with 21 NCAC 06F .0104.
- (b) A school shall not refuse to submit any required records or reports due to a dispute or unfulfilled obligation with a student, instructor, or third party.

History Note: Authority G.S. 86A-22;
Eff. February 1, 1976;
Readopted Eff. February 8, 1978;
Amended Eff. September 1, 2009; June 1, 2008; May 1, 1989;
Readopted Eff. July 1, 2016.

21 NCAC 06F .0112 ENROLLMENT STANDARDS

History Note: Authority G.S. 86A-22; 86A-25;
Eff. February 1, 1976;
Readopted Eff. February 8, 1978;
Amended Eff. March 1, 1983;
Repealed Eff. May 1, 1989.

21 NCAC 06F .0113 STUDENT PERMIT

- (a) The barber school shall submit an application as required by 21 NCAC 06N .0104 for a student permit to the Board at least 10 days prior to the student beginning classes.
- (b) A student cannot be enrolled in the school until the Board issues the student permit. The student shall receive no credit for training received in barber school until a student permit has been issued for the student and received by the school.
- (c) Within five business days of the date on which any student completes his or her course of study, drops out of school, or transfers to another school, the barber school shall return the student permit to the Board.
- (d) The Board issues a student permit only for the specific application. Once a student permit is issued, the Board shall not refund the fee.

History Note: Authority G.S. 86A-22;

Eff. February 1, 1976;
Readopted Eff. February 8, 1978;
Amended Eff. June 1, 2008; May 1, 1989; March 1, 1983;
Readopted Eff. July 1, 2016.

21 NCAC 06F .0114 SIGNATURES ON REPORTS

History Note: Authority G.S. 86A-22;
Eff. February 1, 1976;
Readopted Eff. February 8, 1978;
Amended Eff. December 1, 1994; May 1, 1989;
Repealed Eff. July 1, 2016.

21 NCAC 06F .0115 PHYSICIAN'S CERTIFICATE

History Note: Authority G.S. 86A-22(3);
Eff. February 1, 1976;
Readopted Eff. February 8, 1978;
Amended Eff. March 1, 1983;
Repealed Eff. May 1, 1989.

21 NCAC 06F .0116 STUDENTS WITH CRIMINAL RECORDS

Prior to enrollment and the acceptance of any enrollment fee or tuition, the barber school shall notify the applicant of the statutes regarding criminal convictions in G.S. 86A-18 and G.S. 93B-8.1 and have the applicant sign and date the notice indicating that the applicant has been so informed.

History Note: Authority G.S. 86A-18; 86A-22; 93B-8.1;
Eff. February 1, 1976;
Readopted Eff. February 8, 1978;
Amended Eff. March 1, 1983;
Legislative Objection Lodged Eff. March 7, 1983;
Amended Eff. September 1, 2013; April 1, 2010; May 1, 1989;
Readopted Eff. October 1, 2016.

21 NCAC 06F .0117 PENAL INSTITUTIONS

History Note: Authority G.S. 86A-22;
Eff. February 1, 1976;
Readopted Eff. February 8, 1978;
Amended Eff. March 1, 1983;
Repealed Eff. May 1, 1989.

21 NCAC 06F .0118 FEES

History Note: Authority G.S. 86A-25;
Eff. February 1, 1976;
Readopted Eff. February 8, 1978;
Repealed Eff. July 1, 2016.

21 NCAC 06F .0119 INTRASTATE TRANSFERS

Students attending barber schools that qualify under Chapter 86A of the North Carolina General Statutes and the rules in this Subchapter may transfer from one school to another and receive credit for the attendance at each of the schools where the student was enrolled.

*History Note: Authority G.S. 86A-22(5);
Eff. February 1, 1976;
Readopted Eff. February 8, 1978;
Amended Eff. May 1, 1989; March 1, 1983;
Readopted Eff. July 1, 2016.*

21 NCAC 06F .0120 BARBER SCHOOL CURRICULA

(a) The following categories and courses shall comprise the minimum course work for all students at barber schools:

	Hours
Classroom Lecture and Study Periods:	
Hygiene and Good Grooming, Professional Ethics	25
Bacteriology, Sterilization, Sanitation	50
Implements, Honing, Stropping, and Shaving	30
Men's Haircutting	20
Cutting and Styling Curly Hair, Mustaches, and Beards	10
Shampooing and Rinsing, Scalp and Hair Treatments	10
Theory of Massage and Facial Treatments	5
Men's Razor Cutting, Women's Razor, and Shear Cutting	30
Finger Waving Men's Hair, Air Waving, and Curling Iron Techniques	5
Permanent Waving For Men, Chemical Hair Relaxing, and Blow Drying	25
Hair Coloring	10
Men's Hair Pieces	5
The Skin, Scalp, and Hair	30
Disorders of the Skin, Scalp, and Hair	15
Anatomy and Physiology	10
Electricity Therapy, Light Therapy, and Chemistry	10
Barber Styling, Shop Management, and Product Knowledge	70
Licensing Laws and Rules and History of Barbering	20
Supervised Practice in Barbering:	
Shampooing and Scientific Hair and Scalp Treatments	55
Shaving	50
Tapered Hair Cutting	250
Hair Styling of Men and Women	400
Facials, Massages, and Packs	10
Bleaching, Frosting, Hair Coloring, and Body Permanents	90
Cutting and Fitting Hair Pieces	5
Hair Straightening	5
The Analyzing and Treatment of Hair and Skin Disorders	10
Lectures and Demonstrations on Practical Work:	
Shampooing and Scientific Hair and Scalp Treatments	15
Shaving	20
Tapered Hair Cutting	70
Hair Styling of Men and Women	100
Facials, Massages, and Packs	5
Bleaching, Frosting, Hair Coloring, and Permanent Waving	30
Cutting and Fitting Hair Pieces	5
Hair Straightening	3
The Analyzing and Treating of Hair and Skin Disorders	10

(b) All barber schools shall use course books and training materials specifically created for the purpose of teaching barbering skills. Unless the course book or training material has separate and distinct sections covering the practice of barbering, cosmetology course books and training materials are not acceptable.

History Note: Authority G.S. 86A-22(1); 86A-22(4);
Eff. March 1, 1983;
Amended Eff. June 1, 2008; May 1, 1989;
Readopted Eff. July 1, 2016.

21 NCAC 06F .0121 PENAL INSTITUTIONS

(a) The Board may enter into memoranda of understanding or other agreements with the North Carolina Department of Public Safety, Division of Adult Correction and Juvenile Justice for the approval of schools of barbering at penal institutions within North Carolina.

(b) Schools operated by the Division of Adult Correction and Juvenile Justice shall comply with all rules in this Subchapter; however, they are exempt from the requirements of Rule .0101(7) and (11) of this Section.

History Note: Authority G.S. 86A-22;
Eff. June 1, 2008;
Readopted Eff. July 1, 2016.

21 NCAC 06F .0122 UNIFORMS AND IDENTIFICATION

All students shall wear a clean, washable uniform, smock, or similar professional attire along with a nametag at all times during instructional hours.

History Note: Authority G.S. 86A-22;
Eff. September 1, 2009;
Readopted Eff. July 1, 2016.

21 NCAC 06F .0123 RECORDS OF STUDENT HOURS

Each student shall use an electronic means to record instructional hours pursuant to .0124 of this Section. The school shall maintain student time data for one year following the individual student's graduation, transfer to another school, or termination of enrollment. Individual student time data shall be available for review by the Board.

History Note: Authority G.S. 86A-22;
Eff. September 1, 2009;
Readopted Eff. July 1, 2016.

21 NCAC 06F .0124 STUDENT HOURS

(a) No student shall be given credit for more than eight total hours during any instruction day.

(b) Students shall record their start time by electronic means upon entering the school for practical or theory hours. Students shall not record any period of break from instruction, even if remaining on school premises.

(c) In meeting the minimum course work and designated barber school curricula required by Rule .0120 of this Section, no student shall be given credit for more than eight hours per month and 40 hours for the duration of enrollment in the school that were obtained by instruction or demonstration off school premises or from a field trip.

History Note: Authority G.S. 86A-22;
Eff. September 1, 2009;
Readopted Eff. July 1, 2016.

21 NCAC 06F .0125 SCHOOL HANDBOOKS AND ENROLLMENT AGREEMENTS

(a) Every school shall provide a school handbook to its students upon enrollment containing the enrollment agreement, tuition fee schedule, any monetary penalties and fees, reimbursement policies, school rules and

regulations, tardiness and absenteeism policies, a syllabus or list of the school curricula containing the minimum hours for each subject matter to be taught in accordance with Rule .0120 of this Section, and the grading system for said curricula.

(b) A copy of the school handbook shall be submitted to the Board. An updated copy of the handbook shall be re-submitted to the Board following any amendment or revision.

History Note: Authority G.S. 86A-22;
Eff. September 1, 2009;
Readopted Eff. July 1, 2016.

21 NCAC 06F .0126 EXTENDED EDUCATION

For the purposes of this Rule, "extended education" is additional coursework beyond the 1,528 hours required to complete barber school, or to initially obtain a license from the North Carolina Board of Barber Examiners.

- (1) When a barber school wishes to provide extended education, the school shall:
 - (a) Submit a proposed curriculum or syllabus that:
 - (i) describes the purpose of the instruction;
 - (ii) indicates how many students are expected to participate in the instruction;
 - (iii) states where the instruction would be provided; and
 - (iv) states how many hours of instruction are required or will be provided in the course of instruction;
 - (b) Identify the instructors providing the instruction; and
 - (c) Submit samples of the advertising or promotion for the program.
- (2) After the instruction has been approved, the barber school shall notify the Board if there are any changes to the instruction, including suspension or discontinuation the class.
- (3) Upon approval, the course offering shall be subject to review of the barber school by the Board inspector. The inspector shall evaluate:
 - (a) Whether the school maintains accurate records as to the individuals in the class and the number of hours in the class;
 - (b) The presentation of the class;
 - (c) Whether the class is offered in classrooms for practical and academic instruction that meet the requirements of Rule .0101 of this Section; and
 - (d) Whether the class complies with the requirements of other barber school instruction.

History Note: Authority G.S. 86A-1; 86A-22;
Eff. July 1, 2016.

21 NCAC 06F .0127 STATE AUTHORIZATION AS A POSTSECONDARY INSTITUTION

(a) If a barber school seeks to be authorized by the Board as a postsecondary educational institution as set forth in 34 C.F.R. 600.9:

- (1) the school handbooks and enrollment agreements required by 21 NCAC 06F .0125 shall require prospective students to have a high school diploma or equivalent; and
- (2) the school shall submit a copy of the student's high school diploma or equivalency documentation with each Form BAR-3 required by 21 NCAC 06N .0104 within the time frame set forth in 21 NCAC 06F .0113(a).

(b) If a barber school meets the requirements set forth in Paragraph (a) of this Rule, the Board shall include the phrase "Postsecondary Institution" on the barber school permit issued under G.S. 86A-13. If the school already holds a school permit issued by the Board, the Board shall issue the permit with the phrase "Postsecondary Institution" at no additional cost, and the school shall relinquish the permit without the phrase to the Board.

(c) The Board shall determine that a school no longer complies with Paragraph (a) based on an inspection or investigation, notification to the Board by the school, or a failure by the school to comply with Paragraph (a)(2) of this Rule. If the Board makes this determination:

- (1) the Board shall issue at no charge a duplicate copy of the permit without the phrase "Postsecondary Institution";
- (2) the school shall relinquish to the Board the permit with the phrase "Postsecondary Institution"; and
- (3) the Board shall notify the federal Department of Education of the school's change in postsecondary status.

(d) This Rule shall not be construed to authorize the Board to delay issuing a permit without the phrase "Postsecondary Institution" to a school that otherwise meets the requirements of the North Carolina General Statutes and the rules of the Board.

History Note: Authority G.S. 86A-13; 86A-22; 20 U.S.C. 1001; 20 U.S.C. 1002; 34 C.F.R. 600.9;
Eff. January 1, 2017.