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NEW JERSEY ADMINISTRATIVE CODE  
TITLE 13  
LAW AND PUBLIC SAFETY  
CHAPTER 28

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**SUBCHAPTER 1.  
PRACTICING LICENSES, APPLICATION AND EXAMINATIONS**

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**13:28-1.1 PRACTICING LICENSES; APPLICATION AND EDUCATION REQUIREMENTS; ACCEPTABLE DOCUMENTATION OF CREDENTIALS; LICENSE RENEWALS; REINSTATEMENT; INACTIVE STATUS**

a) The following practicing licenses shall be available from the Board:

1) Cosmetology and hairstyling license, which shall authorize the holder to provide the following services:

i. Shaving or trimming of the beard, mustache, or other facial hair;

ii. Shampooing, cutting, arranging, dressing, relaxing, curling, permanent waving, or styling of the hair, and all services included in hair braiding, as set forth at (a)6 below;

iii. Singeing, dyeing, tinting, coloring, or bleaching of the hair;

iv. Applying cosmetic preparations, antiseptics, tonics, lotions, creams, or makeup to the hair, scalp, face, or neck;

v. Massaging, cleansing, or stimulating the face, neck, or upper chest and upper back, with or without cosmetic preparations, either by hand, mechanical, or electrical appliances;

vi. Removing superfluous hair from the face, neck, arms, legs, or abdomen by the use of depilatories, waxing, or tweezers, but not by the use of electrolysis;

vii. Manicuring the fingernails, nail-sculpturing, or pedicuring the toenails; and

viii. Cutting, fitting, coloring, or styling of hairpieces or wigs to the extent that the services are being performed while the wig is being worn by a person;

2) Beauty culture license, which shall authorize the holder to provide the following services:

i. Shampooing, cutting, arranging, dressing, relaxing, curling, permanent waving, styling of the hair, and all services included in hair braiding, as set forth at (a)6 below, with the exception of weaving;

- ii. Singeing, dyeing, tinting, coloring, or bleaching of the hair;
- iii. Applying cosmetic preparations, antiseptics, tonics, lotions, creams, or makeup to the hair, scalp, face, neck, or upper part of the body;
- iv. Massaging, cleansing, or stimulating the face, scalp, neck, or upper chest and upper back, with or without cosmetic preparations either by hand, mechanical, or electrical appliances;
- v. Removing superfluous hair from the face, neck, arms, legs, or abdomen by the use of depilatories, waxing, or tweezers, but not by the use of electrolysis;
- vi. Manicuring the fingernails, nail-sculpturing, or pedicuring the toenails; and
- vii. Cutting, fitting, coloring, or styling of hairpieces or wigs to the extent that the services are performed while the wig is being worn by a person;

3) Barbering license, which shall authorize the holder to provide the following services:

- i. Shaving or trimming of the beard, mustache, or other facial hair;
- ii. Shampooing, cutting, arranging, relaxing, styling of the hair, and all services included in hair braiding, as set forth at (a)6 below, with the exception of weaving;
- iii. Singeing, dyeing, tinting, coloring, or bleaching of the hair;
- iv. Applying cosmetic preparations, antiseptics, tonics, lotions, or creams to the hair, scalp, face, or neck;
- v. Massaging, cleansing, or stimulating the face, neck, or scalp with or without cosmetic preparations, either by hand, mechanical, or electrical appliances; and
- vi. Cutting, fitting, coloring, or styling of hairpieces or wigs, to the extent that the services are performed while the wig is being worn by a person;

4) Skin care specialty license, which shall authorize the holder to provide the following services:

- i. Applying cosmetic preparations, antiseptics, tonics, lotions, creams, or makeup to the scalp, face, or neck;
- ii. Massaging, cleansing, or stimulating the face, neck, or upper chest and upper back, with or without cosmetic preparations, either by hand, mechanical, or electrical appliances; and
- iii. Removing superfluous hair from the face, neck, arms, legs, or abdomen by the use of depilatories, waxing, or tweezers, but not by the use of electrolysis;

5) Manicuring license, which shall authorize the holder to provide the following services:

- i. Manicuring of the fingernails;
- ii. Pedicuring of the toenails;
- iii. Nail sculpturing; and
- iv. Removing superfluous hair from the face, neck, arms, legs, or abdomen by the use of depilatories, waxing, or tweezers, but not by the use of electrolysis; and

6) Hair braiding license, which shall authorize the holder to provide the following services:

- i. Twisting, wrapping, weaving, extending, locking, or braiding of hair by hand or with mechanical devices;

(1) Hair braiding services may include:

- (A) The use of natural or synthetic hair extensions or fibers, decorative beads, and other hair accessories;
- (B) Minor trimming of natural hair or hair extensions incidental to any twisting, wrapping, weaving, extending, locking, or braiding of hair;
- (C) Making wigs from natural hair, natural or synthetic fibers, and hair extensions; and
- (D) The use of topical agents in conjunction with performing hair braiding, including conditioners, gels, moisturizers, oils, pomades, and shampoos.



b) Applications for examination and initial licensure may be procured from the office of the Board or online at <http://www.njconsumeraffairs.gov/cos/Pages/default.aspx>.

c) All applications must be accompanied by satisfactory proof of age. The following are deemed to constitute such proof:

- 1) Birth Certificate or Baptism Certificate;
- 2) Passport, citizenship papers, immigration certificate or Alien Registration Card;
- 3) A valid New Jersey driver's license; or
- 4) Any other document or affidavit which constitutes a valid proof of age.

d) All applications must be accompanied by proof of satisfactory completion of high school or its equivalent. The following are deemed to constitute such proof:

- 1) A high school diploma;
- 2) A certified high school transcript substantiating successful completion of a secondary program; or
- 3) A transcript or diploma issued after successful passage of the examination developed by the General Educational Development (GED) Testing Service.

e) Applicants for licensure shall have completed an educational program in cosmetology and hairstyling, beauty culture, barbering, skin care specialty, manicuring, or hair braiding as appropriate for the practicing license the applicant seeks, consistent with the following:

- 1) Applicants for licensure who have obtained training at a cosmetology and hairstyling school licensed in New Jersey shall submit an official transcript substantiating that the applicant meets the following requirements:

i. An applicant for licensure as a cosmetologist-hairstylist shall have completed a 1,200-hour course of instruction in cosmetology and hairstyling, consistent with the requirements of N.J.A.C. 13:28-6.29.

ii. An applicant for licensure as a beautician shall have completed an 1,100-hour course of instruction in beauty culture, consistent with the requirements of N.J.A.C. 13:28-6.29A.

iii. An applicant for licensure as a barber shall have completed a 900-hour course of instruction in barbering, consistent with the requirements of N.J.A.C. 13:28-6.29B.

iv. An applicant for licensure as a skin care specialist shall have completed a 600-hour course of instruction in skin care specialty, consistent with the requirements of N.J.A.C. 13:28-6.34.

v. An applicant for licensure as a manicurist shall have completed a 300-hour course of instruction in manicuring, consistent with the requirements of N.J.A.C. 13:28-6.33.

vi. An applicant for licensure as a hair braiding specialist who demonstrates at least three years of experience as a hair braider shall have completed a 40-hour course of instruction in hair braiding, consistent with the requirements of N.J.A.C. 13:28-6.35.

(1) To demonstrate three years of experience, an applicant shall submit documents, such as, but not limited to, a Form W-2 from previously or currently held employment where the applicant performed hair braiding services, or a notarized attestation from previous or current employers under whom the applicant performed hair braiding services.

vii. An applicant for licensure as a hair braiding specialist who cannot demonstrate at least three years of experience as a hair braider shall have completed a 50-hour course of instruction in hair braiding, consistent with the requirements of N.J.A.C. 13:28-6.36.

viii. An individual employed to perform only hair braiding services, delineated at (a)6 above, as of October 30, 2019, shall have until (three months after the publication date of the notice of adoption of the proposed readoption of the specially adopted new rules and amendments), to obtain licensure as a hair braider.

2) Applicants for licensure who have obtained training in a cosmetology and hairstyling, beauty culture, barbering, skin care specialty, manicuring, or hair braiding program in a public school approved by the State Board of Education to offer such vocational programs,

or in other cosmetology and hairstyling, beauty culture, barbering, skin care specialty, manicuring, or hair braiding programs approved by the State Board of Education, shall submit an official transcript verifying completion of such program.

3) Applicants who have obtained training in another state or country shall demonstrate, by way of certification from the licensing authority in the state or country that such training is substantially equivalent to the training offered at cosmetology and hairstyling schools licensed in New Jersey. Applicants holding a license from another state or country who have engaged in the practice of cosmetology and hairstyling, beauty culture, barbering, skin care specialty, manicuring, or hair braiding for at least three years in that state or country, may submit, in lieu of the documentation of training required in this paragraph, a notarized affidavit of work experience and a letter of certification of licensure from the licensing authority in that state or country.

- f) Application for licensure as a teacher must be accompanied by satisfactory proof of the requisite work experience in the form of affidavits from former employers. The required work experience shall consist of a minimum of 30 hours a week working in a licensed shop for six consecutive months. The affidavit shall list the location of the shop and the applicant's job description.
- g) All applications for licensure must be accompanied by the appropriate fee as set forth in N.J.A.C. 13:28-5.1. Application fees shall be non-refundable. If an applicant for licensure fails to complete the licensure application process within six months from the date of initial application, the Board shall administratively close the application. Following such action, an applicant who wishes to obtain a license shall reapply to the Board and shall comply with all requirements set forth in this section, including repayment of the application fee set forth in N.J.A.C. 13:28-5.1.
- h) The Board shall send a notice of renewal to all licensees at least 60 days prior to the date of license expiration. If the notice to renew is not sent at least 60 days prior to the license expiration date, no monetary penalties or fines shall apply to a licensee for any unlicensed practice during the period following licensure expiration, not to exceed the number of days short of 60 before the renewals were issued.
- i) A licensee shall renew his or her license for a period of two years from the last expiration date. The licensee shall remit a renewal application to the Board, along with the renewal fee set forth in N.J.A.C. 13:28-5.1, prior to the date of license expiration. A licensee who submits a renewal application within 30 days following the date of license expiration shall submit the renewal fee, as well as the late fee set forth in N.J.A.C. 13:28-5.1. A licensee who fails to submit a renewal application within 30 days of license expiration shall have his or her license suspended without a hearing.

- j) A licensee who continues to render services with a suspended license shall be deemed to be engaging in the unauthorized practice of cosmetology and hairstyling, beauty culture, barbering, skin care specialty, manicuring, or hair braiding, as appropriate, and shall be subject to the penalties set forth at N.J.S.A. 45:1-25.
- k) A licensee who has had his or her license suspended pursuant to (h) above, who applies to the Board for reinstatement shall submit a renewal application, all past delinquent renewal fees, the reinstatement fee set forth in N.J.A.C. 13:28-5.1, and an affidavit of employment listing each job held during the period of license suspension, including the names, addresses, and telephone numbers of each employer. An individual whose license has been suspended for more than five years shall also retake and pass the license examination set forth in N.J.A.C. 13:28-1.2.
- l) A licensee may, upon application to the Board, choose inactive status. A licensee electing inactive status shall not render cosmetology and hairstyling, beauty culture, barbering, skin care specialty, manicuring services, or hair braiding, as appropriate, for the entire biennial registration period. A licensee on inactive status may resume active practice upon payment of the renewal fee for the current biennial registration period set forth at N.J.A.C. 13:28-5.1.

**13:28-1.1A CREDIT TOWARDS LICENSURE FOR EDUCATION, TRAINING, AND EXPERIENCE RECEIVED WHILE SERVING AS A MEMBER OF THE ARMED FORCES**

- a) An applicant who has served in the Armed Forces of the United States (Armed Forces) and who does not meet all of the training, education, and experience requirements for licensure under N.J.A.C. 13:28-1.1(e) or (f), as the case may be, may apply to the Board for recognition of the applicant's training, education, or experience received while serving as a member of the Armed Forces, which the Board shall consider, together with any training, education, and experience obtained outside of the Armed Forces, for determining substantial equivalence to the training, education, and experience required for licensure.
- b) The Board shall issue a license to the applicant, if the applicant presents evidence to the Board that:
  - 1) The applicant has been honorably discharged from active military service;
  - 2) The relevant training, experience, and education the applicant received in the military, together with any training, experience, and education obtained outside of the Armed Forces, is substantially equivalent in scope and character to the training, experience, and education required for licensure under N.J.A.C. 13:28-1.1(e) or (f);

- i. An applicant seeking credit for military training and experience shall submit to the Board the applicant's Verification of Military Experience and Training (VMET) Document, DD Form 2586 or a successor form, as amended and supplemented.
  - ii. An applicant seeking credit for education courses and/or training completed while in the military shall submit to the Board a Joint Services Transcript of his or her education/training for a determination that the education courses and/or training completed are substantially equivalent in level, scope, and intent to the program as required for licensure under N.J.A.C. 13:28-1.1(e)1 or 2. For the purpose of determining substantial equivalence of the applicant's military education and/or training, the Board shall consider only those education courses and/or training relevant to the practice of cosmetology and hairstyling, beauty culture, barbering, skin care specialty, manicuring, or hair braiding, as applicable, that have been evaluated by the American Council on Education for substantial equivalence to civilian postsecondary curricula; and
- 3) The applicant complies with all other requirements for licensure, including successful completion of the examination as set forth in N.J.A.C. 13:28-1.2.
- c) It is the applicant's responsibility to provide timely and complete evidence of the education, training, and/or experience gained in the military for review and consideration.
  - d) If the applicant's military training, education, or experience, or a portion thereof, is deemed not to be substantially equivalent to that required for licensure, the Board shall credit whatever portion of the military training, education, or experience that is substantially equivalent towards meeting the requirements under N.J.A.C. 13:28-1.1(e) or (f) for the issuance of the license.
  - e) Satisfactory evidence of such education, training, or experience shall be assessed on a case-by-case basis.

### **13:28-1.2 EXAMINATION AND REEXAMINATIONS**

- a) Applicants shall be subject to testing in all areas of cosmetology and hairstyling appropriate for the license sought, and such examination shall be in two parts: practical and theory. An applicant shall submit to the Board the examination fee set forth at N.J.A.C. 13:28-5.1 with the application.
  - 1) Applicants shall have the option of taking a computer-based test in lieu of the written theory portion of the examination. The computer-based test shall be administered by a Board-approved third-party vendor and the fee for such test shall be paid by the applicant directly to the vendor. In addition to the fee for the computer-based test,

applicants for examination shall submit the examination fee set forth at N.J.A.C. 13:28-5.1 to the Board.

- i. Testing for the written theory portion of the examination for hair braiding will be paper-based and administered by the Board, unless before, on, or after (the publication date of the notice of adoption of the proposed readoption of the specially adopted new rules and amendments), a Board-approved third-party vendor is able to administer the examination to applicants. The Board shall keep information on this matter updated online.
- b) Applicants must receive a passing grade on each part of the examination to obtain a license. An applicant shall achieve a score of not less than 75 percent on the theory portion of the examination in order to be eligible to take the practical examination. No applicant shall be permitted to take the practical examination unless the applicant has successfully completed the theory portion of the examination.
- c) An applicant who fails the theory portion of the examination or fails to appear for the examination may be rescheduled for examination upon written notice to the Board and submission of the examination fee set forth in N.J.A.C. 13:28-5.1.
- d) Payment of the initial examination fee set forth in N.J.A.C. 13:28-5.1 shall entitle an applicant to take and/or be scheduled to take the practical portion of the examination no more than two times. An applicant who fails the practical portion of the examination and/or who fails to appear for the practical portion of the examination twice, may be rescheduled for examination upon written notice to the Board and submission of the examination fee set forth at N.J.A.C; 13:28-5.1.

### **13:28-1.3 TEMPORARY PERMITS AND STUDENT PERMITS**

- a) Upon the Board's acceptance of an application to sit for an examination, a temporary permit, which shall be valid for a period of 120 days, shall be issued, upon request, to an applicant for a practicing license.
- b) Upon application, the Board shall issue a student permit, consistent with the student's course work, to any student registered at a licensed New Jersey cosmetology and hairstyling school or enrolled in a State-approved high school or vocational program, in a cosmetology and hairstyling, beauty culture, barbering, manicuring, skin care specialty, or hair braiding course of study, as appropriate.
  - 1) An application for a student permit shall be accompanied by the appropriate fee as set forth in N.J.A.C. 13:28-5.1 and a certification from the school that the student has completed the requisite hours of training, as set forth in N.J.S.A. 45:5B-3(r) and N.J.A.C. 13:28-6.29 through 6.34 for the appropriate course of study.

**13:28-1.4 APPLICATION FOR LICENSE TO TEACH OR PRACTICE COSMETOLOGY AND HAIRSTYLING BY PERSONS HOLDING BOTH A BARBERING LICENSE AND A BEAUTY CULTURE LICENSE ISSUED PRIOR TO 1985**

- a) Any person holding both a New Jersey State barbering license and a New Jersey State beauty culture license, issued prior to 1985, may be issued a license to practice cosmetology and hairstyling upon notice to the Board and payment of the appropriate fee as set forth in N.J.A.C. 13:28-5.1.
  
- b) Any person holding both a New Jersey State barbering license and a New Jersey State license to teach beauty culture, issued prior to 1985, may be issued a license to teach cosmetology and hairstyling upon application to the Board and payment of the appropriate fee as set forth in N.J.A.C. 13:28-5.1.

**13:28-1.5 LOST LICENSES**

- a) Licensees may secure a duplicate replacement license by appearing in person at the Board's office with the following:
  - 1) Two forms of identification, one of which shall be a United States government-issued or State government-issued photo identification;
  - 2) The required fee as set forth in N.J.A.C. 13:28-5.1; and
  - 3) A notarized affidavit indicating the circumstances under which the license was lost or destroyed.

**13:28-1.6 NOTIFICATION OF CHANGE OF ADDRESS**

- a) Licensees shall notify the Board in writing of any change from the address currently registered with the Board and shown on the most recently issued certificate. Such notice shall be sent to the Board no later than 30 days following the change of address.
  
- b) Failure to notify the Board of any change of address pursuant to (a) above may result in disciplinary action in accordance with N.J.S.A. 45:1-21(h).
  
- c) Service of an administrative complaint or other Board-initiated process at a licensee's address currently on file with the Board shall be deemed adequate notice for the purposes of N.J.A.C. 1:1-7.1 and the commencement of any disciplinary proceedings.

**13:28-1.7 TEACHING LICENSE; QUALIFICATIONS; APPLICATION REQUIREMENTS**

- a) Any person desiring to teach in a school of cosmetology and hairstyling shall secure a license from the Board.
- b) Upon request, the Board shall provide each applicant for licensure as a teacher of cosmetology and hairstyling with an application on which information pertinent to the qualifications in (c) below shall be provided.
- c) To qualify as a candidate for licensure as a teacher of cosmetology and hairstyling, an applicant shall present satisfactory evidence to the Board that he or she:
  - 1) Is of good moral character;
  - 2) Is at least 18 years of age;
  - 3) Does not have a communicable, contagious, or infectious disease which could reasonably be expected to be transmitted during the course of teaching cosmetology and hairstyling services;
  - 4) Has completed high school or its equivalent;
  - 5) Holds a cosmetology-hairstylist license issued by the Board;
  - 6) Has successfully completed a teacher training course of 500 hours at a licensed school of cosmetology and hairstyling approved by the Board consistent with the requirements of N.J.A.C.13:28-6.31;
  - 7) Has successfully completed a 30 hour teaching methods course conducted by a college approved by the New Jersey Commission of Higher Education and approved by the Board;
  - 8) Has been employed for 30 hours per week for six consecutive months in a licensed shop; and
  - 9) Has successfully completed the Board examination.
- d) The holder of a teaching license issued by the Board pursuant to this section shall be authorized to teach cosmetology and hairstyling, beauty culture, barbering, skin care specialty, manicuring, and hair braiding.



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**SUBCHAPTER 1A. DEFINITIONS**

---

## 13:28-1A.1 Definitions

The following words and terms, when used in this chapter, shall have the following meanings, unless the context clearly indicates otherwise:

“Barber” means any person holding a barbering license authorized to perform the services set forth in N.J.A.C. 13:28-1.1(a)3.

“Beautician” means any person holding a beauty culture license authorized to perform the services set forth in N.J.A.C. 13:28-1.1(a)2.

“Board” means the New Jersey State Board of Cosmetology and Hairstyling.

“Cosmetologist-hairstylist” means any person holding a cosmetology and hairstyling license authorized to perform the services set forth in N.J.A.C. 13:28-1.1(a)1.

“Cosmetology and hairstyling school” or “school of cosmetology and hairstyling” means licensed schools offering cosmetology and hairstyling, beauty culture, barbering, manicuring, skin care, and/or hair braiding specialty courses.

"Hair braider/hair braiding specialist" means a person who holds a limited license to perform only the hair braiding services set forth at N.J.A.C. 13:28-1.1(a)6.

"Hair braiding" means those services delineated at N.J.A.C. 13:28-1.1(a)6.

“Manicurist” means any person holding a limited license to perform only the manicuring services set forth in N.J.A.C. 13:28-1.1(a)5.

"Mechanical device" means, but is not limited to, items, such as clips and hairpins, used to assist in performing a service included in the definition of "hair braiding."

"Practicing licensee" means any person who holds a license to practice cosmetology or hairstyling, barbering, beauty culture, manicuring, skin care specialty, or hair braiding.

"Registered student" means a person who is engaged in learning and acquiring a knowledge of any of the practices in the definition of cosmetology and hairstyling, including beauty culture, barbering, manicuring, skin care specialty, and hair braiding, under the direction and supervision of a person duly authorized under N.J.S.A. 45:5B-1 et seq., and this chapter to teach cosmetology and hairstyling and who is enrolled in a program of instruction at a licensed school of cosmetology and hairstyling, completion of which may render the person eligible for licensure pursuant to N.J.S.A. 45:5B-1 et seq., and this chapter, but does not mean a person who is enrolled in a public school vocational program in cosmetology and hairstyling approved by the State Board of Education.

"Senior student" means a registered student who has successfully completed one-half of the total hours of instruction required for licensure as a cosmetologist-hairstylist, beautician, barber, manicurist, skin care specialist, or hair braider in a licensed school of cosmetology and hairstyling, as determined by the Board pursuant to this chapter, or in any public school vocational program approved by the State Department of Education.

"Shop" means any fixed establishment or place where one or more persons engage in one or more of the practices of cosmetology or hairstyling, barbering, beauty culture, manicuring, skin care specialty, or hair braiding wherein licensees are authorized to perform the services set forth at N.J.A.C. 13:28-1.1(a).

"Skin care specialist" means a person who holds a limited license to perform only the skin care specialty services set forth in N.J.A.C. 13:28-1.1(a)4.

"Student permit" means a permit issued to a senior student that enables him or her to practice cosmetology and hairstyling, beauty culture, barbering, manicuring, skin care specialty, or hair braiding, as appropriate, based on the course of instruction in which the student is enrolled, in a school clinic or shop while a registered student at a licensed school of cosmetology and hairstyling or enrolled in an approved vocational training program.

"Teacher of cosmetology and hairstyling" means a teacher licensed by the Board to give instruction or training in the theory or practice at a licensed school of cosmetology and hairstyling in any of the following subject areas: cosmetology and hairstyling, beauty culture, barbering, manicuring, skin care specialty, or hair braiding.

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## **SUBCHAPTER 2. SHOP LICENSES**

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### **13:28-2.1 APPLICATIONS FOR INITIAL SHOP LICENSE; CHANGES TO EXISTING SHOPS**

a) The following shop licenses shall be available from the Board:

1. Cosmetology and hairstyling shop license, which shall authorize the holder to provide the services delineated at N.J.A.C. 13:28-1.1(a)1;
  2. Beauty culture shop license, which shall authorize the holder to provide the services delineated at N.J.A.C. 13:28-1.1(a)2;
  3. Barbering shop license, which shall authorize the holder to provide the services delineated at N.J.A.C. 13:28-1.1(a)3;
  4. Skin care specialty shop license, which shall authorize the holder to provide the services delineated at N.J.A.C. 13:28-1.1(a)4;
  5. Manicuring shop license, which shall authorize the holder to provide the services delineated at N.J.A.C. 13:28-1.1(a)5; and
  6. Hair braiding shop license, which shall authorize the holder to provide the services delineated at N.J.A.C. 13:28-1.1(a)6.
- b) Applications for a shop license may be procured at the office of the Board or online at <http://www.njconsumeraffairs.gov/cos/Pages/default.aspx>.
- c) Where the application is for other than an individual proprietorship it must be accompanied by proof of the form of ownership of the shop. The following are deemed to be proof of the form of ownership;
- 1) Incorporation papers;
  - 2) Partnership agreement; or
  - 3) Any other document or affidavit which constitutes reliable proof of ownership.
- d) All applications for an initial shop license shall be accompanied by a floor plan that shall be drawn to scale and shall accurately detail the location and the total floor space for work stations, waiting areas, dispensary, shampoo stations, if applicable, lavatories and laundry facilities, if applicable. A copy of the original floor plan shall be maintained on the shop premises.
- e) The application for an initial shop license shall contain a complete description of all services to be provided and the proposed hours of operation for the shop. The holder of the shop

license shall notify the Board in writing of any changes to the list of services and hours of operation provided upon application.

- f) The application for an initial shop license shall contain a statement of approval from the planning, zoning or construction official in the municipality where the shop is located. If municipal approval is not required, the applicant shall submit a statement from the municipality to that effect.
- g) Upon receipt of an acceptable application and the requisite fee as provided in N.J.A.C. 13:28-5.1, the Board shall conduct an inspection of the premises. No shop shall be permitted to operate until the Board has reviewed the inspection report and issues a shop license.
- h) The holder of a shop license who seeks to expand or make physical alterations to the shop, or who seeks to expand or make physical alterations to a shop as part of a transfer of ownership pursuant to N.J.A.C. 13:28-2.3, shall make application to the Board for approval of the expansion or physical alterations. The applicant shall submit an application fee as provided in N.J.A.C. 13:28-5.1, a detailed statement concerning the proposed changes, the original floor plan for the shop, the new floor plan for the shop and a statement of approval from the planning, zoning or construction official in the municipality where the shop is located. If municipal approval for the expansion or physical alterations is not required, the applicant shall submit a statement from the municipality to that effect.
- i) Hair braiding shops operating prior to January 2, 2019, shall have until February 27, 2020, to comply with N.J.A.C. 13:28-2.5(a) and (b) and to submit a shop license application, or request a waiver pursuant to N.J.A.C. 13:28-2.5(c), to the Board.

### **13:28-2.2 REMOVAL OF A SHOP**

- a) Prior to the removal of a shop to another address, the holder of a shop license shall apply to the Board for a new shop license and shall comply with the application requirements set forth at N.J.A.C. 13:28-2.1.
  - 1) An acceptable application shall be received by the Board not less than three weeks prior to the intended opening date of the new shop.
  - 2) The practice of cosmetology and hairstyling, beauty culture, barbering, manicuring, skin care specialty, or hair braiding, as appropriate, shall not be performed on the premises of the new shop until a shop license has been issued.

**13:28-2.3 TRANSFER OF OWNERSHIP**

- a) Upon any transfer of ownership the holder of a shop license shall, by letter, notify the Board of the transfer, by providing the name and address of the new owner. The shop license shall be surrendered to the Board as soon as the transfer of ownership is complete.
  
- b) Prior to the completion of a transfer of ownership, the intended new owner shall apply for a new shop license pursuant to N.J.A.C. 13:28-2.1, except as provided at (b)1 below. The practice of cosmetology and hairstyling, beauty culture, barbering, manicuring, skin care specialty, or hair braiding as appropriate, shall not be performed on the premises of the shop until a new shop license has been issued.
  - 1) If a transfer of ownership by a licensed shop results from the death or disability of a principal shareholder or partner in the business entity which holds the shop license, the shop may continue to operate for six months, pursuant to N.J.S.A. 45:5B-36, pending completion of the application process to obtain a new license.

**13:28-2.4 RENEWAL OF SHOP LICENSE**

- a) The holder of any shop license shall submit an application for renewal of that license prior to the expiration of the current license.
  
- b) The Board, in its discretion, may renew shop licenses within 90 days from the date of expiration.
  
- c) The Board will not renew a shop license if the application for renewal is submitted more than 90 days after the date of expiration. In such cases the shop owner shall be required to make application for an initial shop license pursuant to N.J.A.C. 13:28-2.1.
  
- d) Notwithstanding the Board's renewal or restoration of an expired license, the Board may initiate whatever penalty action it may deem appropriate for the operator of a shop without a valid license.

**13:28-2.5 PHYSICAL REQUIREMENTS FOR COSMETOLOGY AND HAIRSTYLING, BEAUTY CULTURE, BARBERING, AND HAIR BRAIDING SHOPS APPLYING FOR INITIAL SHOP LICENSE**

- a) All licensed cosmetology and hairstyling, beauty culture, barbering, and hair braiding shops shall contain at least 350 square feet of floor space. An additional 50 square feet of floor space shall be provided for every work station in excess of two.
  - 1) Each shop shall contain at least one lavatory. Lavatories shall include a toilet, hand washing facilities and a door.

- 2) All shops shall contain the following:
  - i) At least one shampoo basin with hot and cold running water and a reclining chair;
  - ii) For barbering shops only, at least one chair with an adjustable headrest suitable for performing shaving services;
  - iii) A designated area for cleaning and disinfecting implements and tools;
  - iv) One ultrasonic unit for cleaning metal implements and tools;
  - v) A clean, closed receptacle for storage of sanitized implements and tools at each work station;
  - vi) A closed container for clean linens;
  - vii) A closed container for soiled linens;
  - viii) A closed waste container accessible to each work station;
  - ix) Hair drying facilities and/or hair drying equipment;
  - x) A dispensary or place where supplies are prepared and dispensed; and
  - xi) Such other equipment as is necessary to provide those services offered by the shop in a safe and sanitary manner.
- b) Cosmetology and hairstyling, beauty culture, barbering, and hair braiding shops shall display a permanent sign indicating the name of the shop, which shall be clearly visible to the general public from the exterior of the shop.
- c) Where application is made to issue a new shop license for premises that had been licensed by the former Board of Barber Examiners or the former Board of Beauty Culture Control, or for premises that operated as hair braiding shops prior to January 2, 2019, and the shop premises do not meet the minimum requirements of this section, the Board may, in its discretion, waive one or more of the requirements of this section for good cause shown. Such waiver will not be granted where the failure to meet minimum requirements may result in the inability of the shop owner to provide authorized services in a safe and sanitary manner.

- d) All cosmetology and hairstyling, beauty culture, barbering, and hair braiding shops shall display the following notice, as applicable, to the services offered in the shop, in a location clearly visible to all patrons:

#### NOTICE

This shop and the operators herein are licensed to engage in the practice of [cosmetology and hairstyling, beauty culture, barbering, or hair braiding] by the State Board of Cosmetology and Hairstyling, an agency of the New Jersey Division of Consumer Affairs. Any member of the consuming public having a complaint concerning the manner in which this practice is conducted may notify the State Board of Cosmetology and Hairstyling or the New Jersey Division of Consumer Affairs, PO Box 45003, Newark, New Jersey 07101, [www.njconsumeraffairs.gov/complaint/cosmocom.pdf](http://www.njconsumeraffairs.gov/complaint/cosmocom.pdf).

#### **13:28-2.6 PHYSICAL REQUIREMENTS FOR MANICURING SHOPS APPLYING FOR INITIAL SHOP LICENSE**

- a) In addition to meeting the requirements of N.J.A.C. 13:28-2.5(a), (a)1, (b), and (c), all manicuring shops shall contain the following:
- 1) At least one sink in the work area with hot and cold running water;
  - 2) A designated area for cleaning and disinfecting implements and tools;
  - 3) One ultrasonic unit for cleaning metal implements and tools;
  - 4) A clean, closed receptacle for storage of sanitized implements and tools at each work station;
  - 5) A closed container for clean linens;
  - 6) A closed container for soiled linens;
  - 7) A closed waste container for each work station;
  - 8) A dispensary or place where supplies are prepared and dispensed; and

- 9) Such other equipment as is necessary to provide those services offered by the shop in a safe and sanitary manner.
- b) All licensed manicuring shops shall display the following notice in a location clearly visible to all patrons:

#### NOTICE

This shop and the operators herein are licensed to engage in the practice of manicuring and pedicuring and the temporary removal of hair by the State Board of Cosmetology and Hairstyling, an agency of the New Jersey Division of Consumer Affairs. Any member of the consuming public having a complaint concerning the manner in which this practice is conducted may notify the State Board of Cosmetology and Hairstyling or the New Jersey Division of Consumer Affairs, PO Box 45003, Newark, New Jersey 07101,

[www.njconsumeraffairs.gov/complaint/cosmocom.pdf](http://www.njconsumeraffairs.gov/complaint/cosmocom.pdf)

#### **13:28-2.6A PHYSICAL REQUIREMENTS FOR SKIN CARE SPECIALTY SHOPS APPLYING FOR INITIAL SHOP LICENSE**

- a) In addition to meeting the requirements of N.J.AC. 13:28-2.5(a), (a)1, (b), and (c), all skin care specialty shops shall contain the following:
  - 1) At least one sink in the work area with hot and cold running water;
  - 2) A designated area for cleaning and disinfecting implements and tools;
  - 3) One ultrasonic unit for cleaning metal implements and tools;
  - 4) A clean, closed receptacle for storage of sanitized implements and tools at each work station;
  - 5) A closed container for clean linens;
  - 6) A closed container for soiled linens;
  - 7) A closed waste container for each work station;



- 8) A dispensary or place where supplies are prepared and dispensed; and
  - 9) Such other equipment as is necessary to provide those services offered by the shop in a safe and sanitary manner.
- b) All licensed skin care specialty shops shall display the following notice in a location clearly visible to all patrons:

#### NOTICE

This shop and the operators herein are licensed to provide skin care specialty services and the temporary removal of hair by the State Board of Cosmetology and Hairstyling, an agency of the New Jersey Division of Consumer Affairs. Any member of the consuming public having a complaint concerning the matter in which this practice is conducted may notify the State Board of Cosmetology and Hairstyling or the New Jersey Division of Consumer Affairs, PO Box 45003, Newark, New Jersey 07101,

[www.njconsumeraffairs.gov/complaint/cosmocom.pdf](http://www.njconsumeraffairs.gov/complaint/cosmocom.pdf)

#### **13:28-2.7 SHOPS WITHIN RESIDENTIAL PREMISES**

- a) No portion of any licensed shop shall be used as a portion of a private residence.
- b) Entrances to shops located within private residences shall permit patrons to enter the shop directly, without requiring passage through any portion of the residence.
- c) No cosmetology and hairstyling, beauty culture, barbering, manicuring, skin care specialty, or hair braiding services shall be rendered or offered to be rendered upon residential premises that are not licensed pursuant to N.J.S.A. 45:5B-9 and this chapter.

#### **13:28-2.7A LIMITATION OF BUSINESS ACTIVITIES WITHIN SHOPS**

- a) The holder of a cosmetology and hairstyling, beauty culture, or barbering shop license shall not engage in any business activities within the licensed premises except for the offering of cosmetology and hairstyling, beauty culture, or barbering services as defined in N.J.S.A. 45:5B-3(b),(d), and (j) and set forth in N.J.A.C. 13:28-1.1(a), as appropriate, the sale of merchandise pursuant to N.J.S.A. 45:5B-37 and N.J.A.C. 13:28-2.9 and the offering of ancillary beautification services pursuant to N.J.S.A. 45:5B-37 and N.J.A.C. 13:28-2.10.

- b) The holder of a skin care specialty shop license shall not engage in any business activities within the licensed premises except for the offering of skin care specialty services as defined in N.J.S.A. 45:5B-3(y) and set forth in N.J.A.C. 13:28-1.1(a), the sale of merchandise pursuant to N.J.S.A. 45:5B-37 and N.J.A.C. 13:28-2.9 and the offering of ancillary beautification services pursuant to N.J.S.A. 45:5B-37 and N.J.A.C. 13:28-2.10.
- c) The holder of a manicuring shop license shall not engage in any business activities within the licensed premises except for the offering of manicuring services as defined in N.J.S.A. 45:5B-3(l) and set forth in N.J.A.C. 13:28-1.1(a), and the sale of merchandise pursuant to N.J.S.A. 45:5B-37 and N.J.A.C. 13:28-2.9.
- d) The holder of a hair braiding shop license shall not engage in any business activities within the licensed premises except for the offering of hair braiding services as defined at N.J.S.A. 45:5B-3.bb and set forth at N.J.A.C. 13:28-1.1(a)6, and the sale of merchandise pursuant to N.J.S.A. 45:5B-40 and N.J.A.C. 13:28-2.9, and the offering of ancillary beautification services pursuant to N.J.S.A. 45:5B-40 and N.J.A.C. 13:28-2.10.

### **13:28-2.8 LEASING SPACE PROHIBITED**

No holder of a shop license shall lease or sublease space or provide space on the licensed premises to a non-employee for the purpose of providing cosmetology and hairstyling, beauty culture, barbering, manicuring, skin care specialty, hair braiding, or ancillary services as part of a separate business to be conducted by the non-employee. Practices commonly known as chair rentals or booth rentals are prohibited by this section.

### **13:28-2.9 SALE OF MERCHANDISE**

The holder of a cosmetology and hairstyling, beauty culture, barbering, manicuring, skin care specialty, or hair braiding shop license may permit the sale of merchandise within licensed premises, provided that space allocated for such sales is in addition to the space required by N.J.A.C. 13:28-2.5, 2.6, or 2.6A.

### **13:28-2.10 ANCILLARY SERVICES IN LICENSED COSMETOLOGY AND HAIRSTYLING, BEAUTY CLUTURE, BARBERING, SKIN CARE SPECIALTY, AND HAIR BRAIDING SHOPS**

- a) The holder of a cosmetology and hairstyling, beauty culture, barbering, skin care specialty, or hair braiding shop license, may offer ancillary services related to the beautification of the body or the enhancement of personal appearance, but not included in the definition of cosmetology and hairstyling, as set forth at N.J.S.A. 45:5B-3.j, or the offering set forth at N.J.A.C. 13:28-1.1(a), on the licensed premises, consistent with the provisions of this section, provided that these services are performed in a safe and sanitary manner by

personnel who are adequately trained to render such services, and that the space allocated for such services is in addition to the space required pursuant to N.J.A.C. 13:28-2.5 and 2.6A.

- b) If electrolysis for the removal of superfluous hair is offered, it must be performed by an electrologist who has been licensed by the Electrologists Advisory Committee pursuant to N.J.A.C. 13:35-12.
- c) If tanning booths or tanning beds are utilized, they must be operated consistent with Department of Health and Senior Services rules set forth at N.J.A.C. 8:28.
- d) If massage services, which do not fall within the definition of cosmetology and hairstyling set forth in N.J.S.A. 45:5B-3(j) or the offerings set forth in N.J.A.C. 13:28-1.1(a), are offered, such services shall be performed by a massage therapist who has been licensed by the New Jersey Board of Massage and Bodywork Therapy pursuant to N.J.A.C. 13:37A or has completed a course or program that meets the requirements set forth at N.J.A.C. 13:37A-2.

#### **13:28-2.11 NO ANCILLARY SERVICES AT LICENSED MANICURING SHOPS**

The holder of a manicuring shop license shall not offer on the licensed premises any ancillary services related to the beautification of the body or the enhancement of personal appearance except for the practices enumerated in the definition of manicuring, set forth at N.J.S.A. 45:5B-3(1) or the offerings set forth in N.J.A.C. 13:28-1.1(a).

#### **13:28-2.12 POSTING OF LICENSES**

- a) All shops shall display the following in a location clearly visible to all patrons;
  - 1) The shop license;
  - 2) Signed licenses for all practitioners rendering services within the shop. Each license shall contain a current picture of the licensee. A licensee's wallet identification card issued by the Board shall not be used to satisfy the requirements of this section; and
  - 3) A listing of all services performed and the charges for each service.

#### **13:28-2.13 SUPERVISION OF SHOPS; EXPERIENCED PRACTICING LICENSEE**

- a) Except as provided at (c) below, all shops shall ensure that there is at least one experienced practicing licensee present to generally oversee the management of the shop, consistent with the following requirements:

- 1) For a licensed cosmetology and hairstyling shop, the practicing licensee shall hold a cosmetology and hairstyling license and have three years of experience as a licensed cosmetologist-hairstylist.
- 2) For a licensed beauty culture shop, the practicing licensee shall hold either a cosmetology and hairstyling or beauty culture license and have three years of experience as a cosmetologist-hairstylist or beautician.
- 3) For a licensed barbering shop, the practicing licensee shall hold either a cosmetology and hairstyling or barbering license and have three years of experience as a cosmetologist-hairstylist or barber.
- 4) For a licensed skin care specialty shop, the practicing licensee shall hold a cosmetology and hairstyling, beauty culture, or skin care specialty license and have three years of experience as a cosmetologist-hairstylist, beautician, or skin care specialist.
- 5) For a licensed manicuring shop, the practicing licensee shall hold a cosmetology and hairstyling, beauty culture, or manicurist license and have three years of experience as a cosmetologist-hairstylist, beautician, or manicurist.
- 6) For a hair braiding shop, the practicing licensee shall hold a cosmetology and hairstyling, beauty culture, or hair braiding license and have three years of experience as a cosmetologist-hairstylist, beautician, or hair braider.
  - i) Upon receiving his or her initial license, a licensed hair braider shall be deemed to have met the three years of experience required to act as an experienced practicing licensee if the licensee completed a 40-hour hair braiding program.
- b) A shop that satisfies the requirements of (a) above by employing a practicing licensee who holds a beauty culture, barbering, skin care specialty, manicuring, or hair braiding license shall not employ senior students who have been issued a student permit pursuant to N.J.A.C. 13:28-1.3, other than those being trained in the practice for which the practicing licensee holds a license, unless the shop also employs a practicing licensee who holds a cosmetology and hairstyling license and has at least three years of experience as a cosmetologist-hairstylist.
- c) Each cosmetology and hairstyling shop licensed prior to 1985, shall designate one experienced practicing licensee who shall be present to; generally oversee the management of the shop. The experienced practicing licensee shall hold a cosmetology and hairstyling, beauty culture, or barbering license and have three years of experience as a beautician, barber or cosmetologist-hairstylist.

- d) A shop which satisfies the requirements of (c) above by employing a practicing licensee who holds a barbering license shall be prohibited from employing senior students unless the shop employs a practicing licensee who holds a license as a beautician or a cosmetologist-hairstylist and has at least three years of experience as a beautician or a cosmetologist-hairstylist, who shall supervise the rendering of cosmetology and hairstyling services by the senior students.
- e) The name of the designated experienced practicing licensee shall be posted in a location clearly visible to all patrons.
- f) A practitioner may be designated as the experienced practicing licensee for one shop only.
- g) When the shop's designated experienced practicing licensee is absent from the shop, the shop owner shall ensure that another practitioner who has three years of experience and who satisfies the requirements of this section is physically present to manage the shop. The name of the practitioner who will be managing the shop during the designated experienced practicing licensee's absence, shall be posted in a location clearly visible to all patrons.

#### **13:28-2.14 UNLICENSED PERSONNEL**

- a) The holder of a shop license shall not aid, abet, or permit a person not licensed by the Board to render any services encompassed within the definition of cosmetology and hairstyling, beauty culture, barbering, skin care specialty, manicuring, or hair braiding pursuant to N.J.S.A. 45:5B-1 et seq.
- b) Violation of the provisions set forth in this section shall constitute an unlawful practice by a shop owner pursuant to N.J.S.A. 45:5B-13(d).

#### **13:28-2.15 PROHIBITED PRACTICES**

- a) A practitioner shall not engage in any conduct set forth in this section. A practitioner who engages in such conduct shall be deemed to be engaged in unlawful practice pursuant to N.J.S.A. 45:5B-13(e) and may be subject to penalty. A holder of a shop license at which such unlawful practices occur shall be deemed to have engaged in unlawful practice pursuant to N.J.S.A. 45:5B-13(e) and may be subject to penalty if he or she aids, abets, or permits a practitioner to engage in any conduct prohibited by this section.
- b) A practicing licensee shall not:
  - 1) Use or offer to use a credo blade, skin scraper, lancet, or other comparable implement;

- 2) Perform or offer to perform massaging, cleansing or stimulating of the skin, with or without cosmetic preparations, by hand, mechanical or electrical appliances, below the stratum corneum, thereby affecting the living cells of the epidermis;
- 3) Perform or offer to perform eyebrow and/or eyelash tinting;
- 4) Provide, or offer to provide, fish pedicures.
  - i. For purposes of this paragraph, "fish pedicures" means the use of live fish to perform any service incident to the provision of pedicure services;
- 5) Perform or offer to perform ear candle services.
  - i) For the purpose of this paragraph, "ear candle services" means placing a manufactured or homemade funnel type candle or any device in the ear for the purpose of cleansing and/or treatment of the ear or inner ear canal;
- 6) Perform or offer to perform any service that claims to cure or remedy any disease or illness;
- 7) Perform or offer to perform any service that has been determined by the New Jersey State Board of Medical Examiners to be a medical service. Such services shall include laser hair removal and injections of Botox®, Restylane® or other similar medications for purposes of skin enhancement or collagen production;
- 8) Utilize any medical device to perform services within the definition of cosmetology and hairstyling, beauty culture, barbering, manicuring, skin care specialty, or hair braiding other than Class I medical devices approved by the Federal Food and Drug Administration. A practitioner shall comply with manufacturers' instructions for use, cleaning and maintenance of Class I medical devices;
- 9) Perform or offer to perform the removal of skin tags;
- 10) Perform or offer to perform teeth whitening or other services related to the beautification of the teeth;
- 11) Perform or offer to perform permanent cosmetic applications, such as tattooing and permanent make-up; or
- 12) Perform or offer to perform body piercing.

- i) For purposes of this paragraph, "body piercing" means puncturing or penetrating any part of a person's body with a needle or other implement for the purpose of inserting jewelry or another object into the body except for piercing of the ear lobe using only a pre-sterilized single use stud and clasp ear piercing system following manufacturer's instructions.

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### **SUBCHAPTER 3. SAFETY AND SANITATION**

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#### **13:28-3.1 PREMISES**

- a) All licensed shops, including lavatories therein, shall be properly lighted and ventilated.
- b) All shops licensed after May 18, 2009, and all shops applying after May 18, 2009, for remodeling with a new configuration, shall be ventilated consistent with the requirements set forth in N.J.A.C. 5:23, the New Jersey Uniform Construction Code, and shall have a minimum of 70 foot candles of artificial light.
- c) All licensed shops shall have hot and cold potable water, consistent with the requirements set forth in N.J.A.C. 5:23, the New Jersey Uniform Construction Code.
- d) All licensed shops shall dispose of waste in clean, covered containers in a manner, which shall not pose a public health hazard.
- e) All shops licensed after May 18, 2009, and all shops applying after May 18, 2009, for remodeling with a new configuration, that contain laundry facilities shall ensure that the laundry facilities are separate from the shop work area and not in the lavatory. All laundry facilities shall be properly ventilated and lint free.
- f) All licensed shops and the furniture, fixtures, equipment, supply cabinets and drawers therein shall be maintained in a sanitary manner and in good repair.
- g) All floors in the licensed shop shall be thoroughly cleaned daily and shall be maintained in good repair.
- h) All linens and toweling used within a licensed shop shall be laundered and sanitized using agents that reduce the risk of microbial contamination, such as bleach, before each and every direct contact with a patron. In lieu of laundered and sanitized linens, disposable toweling may be used.

- i) All tools, implements and electrical appliances used within a licensed shop shall be maintained in a sanitary and safe manner. Tools and utensils applied directly to patrons shall be thoroughly cleaned and sanitized after each and every use in accordance with the provisions of N.J.A.C. 13:28-3.2.
- j) Smoking shall be prohibited in all areas of licensed shops pursuant to the New Jersey Smoke-Free Air Act, N.J.S.A. 26:3d-55, and the Smoke Free Air Rules, N.J.A.C. 8:6.

### **13:28-3.2 SANITIZING IMPLEMENTS AND TOOLS**

- a) A licensee shall sanitize all implements and tools by:
  - 1) Cleaning all implements and tools thoroughly with a mild alkaline detergent to remove any soil, blood or any other foreign material;
  - 2) Rinsing all implements and tools with tap water after cleaning;
  - 3) Processing all implements and tools with a chemical disinfectant registered by the Environmental Protection Agency and labeled as being tuberculocidal for a contact time as specified on the product label or processing all implements and tools in an autoclave that is registered with the Federal Food and Drug Administration;
  - 4) Following a manufacturer's instructions when using chemical disinfectant; and
  - 5) Allowing disinfected implements and tools to be air dried and storing them in a clean drawer.
- b) All reusable implements and tools, used in the provision of manicuring services shall be sanitized, consistent with the following:
  - 1) An enzyme pre-soak shall be used prior to cleaning;
  - 2) The implement shall be placed directly into an ultrasonic unit for a 10-minute cycle, or as recommended by the manufacturer.
    - i) The water and cleaning solution of the ultrasonic unit shall be changed whenever visibly soiled or, at a minimum, daily.
    - ii) The chamber of the ultrasonic unit shall be disinfected at the end of each day with 70 percent isopropyl alcohol.



- iii) Each time the chamber of the ultrasonic unit is filled with water, it shall be degassed to remove any air bubbles caused by the turbulence of the tank filling. The degassing process shall run a cycle of five to 10 minutes, based upon manufacturers' recommendations;
  - 3) The implement shall be inspected for pitting and rust, and damaged implements and tools shall be removed from use;
  - 4) The implement shall be rinsed, dried and placed directly into a chemical disinfectant registered by the Environmental Protection Agency and labeled as being tuberculocidal for a contact time as specified on the product label or into an autoclave that is registered with the Federal Food and Drug Administration; and
  - 5) The implement shall be rinsed, dried and stored in a clean drawer.
- c) All shops offering pedicuring services shall ensure that pedicure tubs are cleaned consistent with the following:
  - 1) Cleaning procedures between clients shall include:
    - i) Brushing the interior surfaces of the tub with a mild detergent to remove surface debris and residual salts and oils;
    - ii) Draining, rinsing and wiping the tub dry with a disposable paper towel; and
    - iii) Spraying the interior surfaces with a chemical disinfectant registered by the Environmental Protection Agency and labeled as being tuberculocidal for a contact time as specified on the product label, or applying a bleach wipe at a 6% concentration of sodium hypochlorite for a two and half minute contact time; and
  - 2) Cleaning procedures at the end of the day shall include:
    - i) Removing, cleaning and disinfecting the screen, filter and any removable parts within the basin;
    - ii) Brushing the interior surfaces of the tub with a mild detergent;
    - iii) Preparing a solution of sodium hypochlorite 6% (bleach) and water at a concentration of 100 parts per million (PPM) (1 teaspoon of bleach to one gallon of water) and allowing the machine to operate for a 30-minute contact time; and

- iv) Disinfecting all brushes at the end of the day by soaking them in a solution of sodium hypochlorite 6% (bleach) and water at a concentration of 2,600 PPM (3/4 cup of bleach to one gallon of water) for a 30-minute contact time.
- d) A licensee shall discard after each use all emery boards, orangewood sticks, and all implements and tools that cannot be sanitized.

### **13:28-3.3 PERSONNEL**

- a) All practitioners shall wash their hands or use waterless hand washing agents before and after serving each patron, before and after eating, after handling chemicals and after using the bathroom.
- b) All practitioners shall be attired in clean outer garments.
- c) No practitioner shall serve a patron if the practitioner has a communicable, contagious or infectious disease that could reasonably be expected to be transmitted during the course of rendering cosmetology and hairstyling, beauty culture, barbering, manicuring, skin care specialty, or hair braiding services.
- d) No practitioner shall serve a patron whom the practitioner knows or has reasonable grounds to believe has a communicable, contagious or infectious disease that could reasonably be expected to be transmitted during the course of rendering cosmetology and hairstyling, beauty culture, barbering, manicuring, skin care specialty, or hair braiding services.
- e) All practitioners shall utilize safe practice techniques and follow manufacturers' instructions when utilizing any chemical preparations in the rendering of cosmetology and hairstyling, beauty culture, barbering, manicuring, skin care specialty, or hair braiding services. The holder of a shop license shall ensure that:
  - 1) Manufacturers written recommendations for use are readily available to all practitioners;
  - 2) A copy of the most current Safety Data Sheet (SDS) for each hazardous chemical is stored in a binder and available to all shop staff and to the Board or its authorized representative;
  - 3) All containers shall be labeled so that shop staff can easily identify the contents; and
  - 4) Disposal of liquid waste is performed in accordance with the instructions on the product label or the SDS.

**13:28-3.4 PROHIBITED PRODUCTS**

- a) A licensee, licensed shop, or school of cosmetology and hairstyling shall not utilize any product that contains methyl methacrylate monomer.
- b) A licensee, licensed shop, or school of cosmetology and hairstyling shall not utilize styptic pencils. Licensees, licensed shops and schools of cosmetology and hairstyling may utilize styptic liquid or powder, or other single-use antiseptic product.
- c) A licensee, licensed premises or school of cosmetology and hairstyling shall utilize cosmetics that comply with the Department of Health and Senior Services requirements set forth at N.J.S.A. 24:1-1 and N.J.A.C. 8:21-1.2 and 1.5.
- d) Any violations of the provisions of this section shall constitute a deviation from the normal standards of practice required of a licensee, licensed premise or school of cosmetology and hairstyling, and shall subject a licensee, licensed premise or school of cosmetology and hairstyling to the penalties of N.J.S.A. 45:1-25.

**13:28-3.5 MANICURE AND PEDICURING SERVICES**

- a) A licensee or a licensed shop offering manicuring and pedicuring services shall comply with the following requirements:
  - 1) A licensee shall not cover a nail with nail polish, base coat, top coat or any nail overlay if the nail shows any sign of infection, physical damage or trauma;
  - 2) A licensee shall remove the entire artificial nail if the nail has become loose;
  - 3) All waste generated from applying acrylic nails shall be deposited directly into a covered waste container at each work station; and
  - 4) Written after care instructions shall be provided to all clients receiving acrylic nails.

**13:28-3.6 ANIMALS AND PETS PROHIBITED**

The holder of a shop license shall not permit any animals or pets in the licensed premises. This prohibition shall not apply to trained guide dogs (or dogs in training) for the disabled, sightless or hearing impaired, consistent with the requirements of the Law Against Discrimination, N.J.S.A. 10:5-29.

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## **SUBCHAPTER 4. ENFORCEMENT**

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### **13:28-4.1 INSPECTION OF PREMISES**

- a) Any premises where it appears that cosmetology and hairstyling, beauty culture, barbering, manicuring, skin care specialty, or hair braiding services have been or are being rendered shall be subject to inspection by the Board or its representative.
  
- b) All documents, implements, tools, and products maintained pursuant to this chapter shall be available for immediate inspection, photocopying, and photographing by the Board or its authorized representative.
  
- c) The Board or its authorized representative may photograph any person rendering services present during an inspection conducted pursuant to this subchapter.
  
- d) At the time of any inspection conducted pursuant to this subchapter, the Board or its authorized representative may serve a Notice of Violation and Notice to Appear Before the Board upon the shop owner(s), the experienced practicing licensee(s) in charge of the shop, and any individual observed to be engaging in conduct in violation of pertinent statutes and rules.

### **13:28-4.2 COMPLIANCE WITH LAWS AND RULES**

Any individual rendering cosmetology and hairstyling, beauty culture, barbering, manicuring, skin care specialty, or hair braiding services shall comply with all laws and rules relating to the provision of such services including the Cosmetology and Hairstyling Act of 1984, N.J.S.A. 45:5B-1 et seq.; the Uniform Enforcement Act, N.J.S.A. 45:1-7.1, 7.2, 7.3, and 14 et seq.; the uniform rules of the Division of Consumer Affairs, N.J.A.C. 13:45C; and this chapter.

### **13:28-4.3 RESPONSIBILITY FOR COMPLIANCE WITH LAWS AND RULES**

The holder of a shop license, as well as the shop's designated experienced practicing licensee, shall be responsible for compliance with all laws and rules relating to the operation of the premises at which cosmetology and hairstyling, beauty culture, barbering, manicuring, skin care specialty, or hair braiding services are rendered and all laws and rules relating to the practice of such services including the Cosmetology and Hairstyling Act of 1984, N.J.S.A. 45:5B-1 et seq.; the Uniform Enforcement Act, N.J.S.A. 45:1-7.1, 7.2, 7.3, and 14 et seq.; the uniform rules of the Division of Consumer Affairs, N.J.A.C. 13:45C; and this chapter.

**13:28-4.4 VERIFICATION OF LICENSURE**

- a) The holder of a shop license and the designated experienced practicing licensee shall verify that each practitioner rendering cosmetology and hairstyling, beauty culture, barbering, manicuring, skin care specialty, or hair braiding services in the shop holds a valid license or permit issued pursuant to this subchapter at all times. The holder of a shop license and the designated experienced practicing licensee shall review each practitioner's license or permit, as well as two additional forms of identification, at least one of which must bear a photograph of the practitioner.
- b) The holder of a shop license and the designated experienced practicing licensee shall record each occasion upon which he or she verifies licensure or permit status pursuant to (a) above. The record shall include the following information:
  - 1) The date of verification attempt;
  - 2) The identification of each practitioner;
  - 3) The license or permit number; and
  - 4) Photocopies of identification reviewed for verification purposes.
- c) The holder of a shop license and the designated experienced practicing licensee shall have the documentation maintained pursuant to (b) above immediately available for inspection on the licensed premises upon request of the Board or its authorized representative.
- d) The holder of a shop license shall maintain the documentation pursuant to (b) above for at least two years from the date of each record. Such documentation shall be maintained in a safe and secure location on the premises, in a manner that ensures the confidentiality of a practitioner's personal information.
- e) Violation of the provisions set forth in this section shall constitute the aiding, abetting or permitting of unlicensed practice pursuant to N.J.A.C. 13:28-2.14 and N.J.S.A. 45:5B-13(d).

**13:28-4.5 RECORD OF PRACTITIONERS**

- a) The holder of a shop license shall at all times maintain a record of all practitioners rendering services within the shop that contains the following information for each practitioner:
  - 1) Full name and any aliases;

- 2) Current street address, including apartment number, if applicable;
  - 3) Telephone number;
  - 4) Social security number; and
  - 5) Date upon which practitioner commenced services.
- b) The holder of a shop license and the designated experienced practicing licensee shall have the documentation maintained pursuant to (a) above immediately available for inspection on the licensed premises upon request of the Board or its authorized representative.
- c) The holder of a shop license shall maintain the documentation pursuant to (a) above for at least two years from the date upon which each practitioner terminated services. Such documentation shall be maintained in a safe and secure location on the premises, in a manner that ensures the confidentiality of a practitioner's personal information.

**13:28-4.6 GROUNDS FOR SUSPENSION OR REVOCATION OF LICENSE**

The Board may suspend and/or revoke the license of any practitioner or shop for engaging in any of the conduct set forth in N.J.S.A. 45:1-21.

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**SUBCHAPTER 5.  
FEES**

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**13:28-5.1 FEE SCHEDULE**

- a) The following fees will be charged by the Board:
- 1) Student permit ..... \$ 5.00
  - 2) Student registration card..... 5.00
  - 3) Temporary permit ..... 20.00
  - 4) Examination fee (includes application fee)..... 50.00
  - 5) Initial license fee (individual)
    - i) If paid during the first year of a renewal cycle ..... 90.00

ii) If paid during the second year of a renewal cycle .....	45.00
6) Biennial license renewal (individual) .....	\$90.00
i. Inactive renewal status .....	(Fee to be determined by the Director)
7) Shop license application fee (includes shop inspection fee).....	150.00
8) Initial license fee (shop)	
i) If paid during the first year of a renewal cycle .....	200.00
ii) If paid during the second year of a renewal cycle .....	100.00
9) Biennial license renewal (shop) .....	200.00
10) School license application fee (includes school inspection fee).....	250.00
11) Initial license fee (school)	
i) If paid during the first year of a renewal cycle .....	300.00
ii) If paid during the second year of a renewal cycle .....	150.00
12) Biennial license renewal (school).....	300.00
13) Annex classroom application fee (if not submitted with school application).....	250.00
14) Initial license fee (annex classroom)	
i) If paid during the first year of a renewal cycle .....	300.00
ii) If paid during the second year of a renewal cycle .....	150.00
15) Biennial license renewal (annex classroom).....	300.00
16) Endorsement (plus license fee).....	100.00
17) Late fee .....	30.00

18) Reinstatement fee..... 50.00

19) Duplicate license ..... 50.00

20) Change of name or corporate status ..... 50.00

21) Verification of license..... 25.00

**SUBCHAPTER 6.  
SCHOOLS OF COSMETOLOGY AND HAIRSTYLING**

**13:28-6.1 COMPLIANCE WITH LAWS AND RULES**

Licensed schools shall comply with all laws and rules relating to the practice of cosmetology and hairstyling, beauty culture, barbering, manicuring, skin care specialty, or hair braiding including the Cosmetology and Hairstyling Act of 1984, N.J.S.A. 45:5B-1 et seq.; the Uniform Enforcement Act, N.J.S.A. 45:1-7.1, 7.2, 7.3, and 14 et seq.; and the Uniform Regulations of the Division of Consumer Affairs, N.J.A.C. 13.45C; and this chapter. Any school violating any provision of this chapter shall be subject to disciplinary action by the Board. A notice of proposed suspension or revocation of a license shall inform the licensee of the right to be heard pursuant to the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq., and 52:14F-1 et seq., and the Uniform Administrative Procedure Rules, N.J.A.C. 1:1.

**13:28-6.2 APPLICATION PROCEDURE FOR SCHOOL LICENSES**

- a) When a request is received by the Board for information regarding initial licensure of a school, an application, bond forms, a school bulletin and an evaluation criteria work sheet will be forwarded to the individual requesting the information along with a copy of the school rules and regulations.
  
- b) Upon receipt of a completed application the School Committee shall review the application. A complete application shall include: a school bond; school bulletin; a certificate of incorporation or partnership agreement where applicable; personnel data form(s); floor plan; employment contract (one year minimum) with the supervising teacher; hour by hour breakdown of the course; a sample enrollment agreement (contract); sample certificate of completion; sample advertisements; certified-audited financial data; and the required licensing fee as set forth in N.J.A.C. 13:28-5.1.



- c) Upon approval of the initial application by the School Committee, the prospective owner(s) and the supervising teacher shall appear before the full Board for an interview. Upon completion of the interview, the Board will approve or; disapprove the application.
  - 1) If the application is approved, approval will be granted subject to the completion of a satisfactory school inspection and satisfaction of all minimum square footage and equipment requirements as set forth in N.J.A.C. 13:28-6.7(a) and 13:28-6.20(b).
- d) Upon approval of the initial application for school licensure and satisfactory completion of the school inspection, an initial cosmetology and hairstyling school license shall be issued for the current registration period.

### **13:28-6.3 STUDENT REGISTRATION**

Students shall not be registered at a school until such time as that school has been licensed.

### **13:28-6.4 NAME OF SCHOOL; ADVERTISEMENTS; SIGNS**

- a) School advertisements shall set forth the name and address of the school as it appears on the license for that school.
- b) False or misleading statements in school advertisements or any statement appearing in school advertisements endeavoring to influence the public to enroll in the school through the use of the name "State Board of Cosmetology and Hairstyling", other than advertising that the school is licensed and governed by the rules of the Board, are prohibited.
- c) Each school shall display, at the main entrance, a sign indicating that the establishment is a school of cosmetology and hairstyling.
- d) A private school of cosmetology and hairstyling should exercise great care in the selection of the name of the school.
  - 1) No new or modified school name shall infringe on the name of another existing school.
  - 2) No school, proposed or previously licensed, shall adopt any title or name commonly accepted as descriptive of collegiate or university institutions.
  - 3) No new or modified school name shall contain any word or phrase referencing a political subdivision, geographical area, the State of New Jersey, county of location, or municipality closely associated with the location of the school.

**13:28-6.5 SCHOOL SHOPS**

Schools of cosmetology and hairstyling are prohibited from operating shops in conjunction with, or as a part of, the school administration.

**13:28-6.6 SEPARATE ENTRANCE FOR SHOP LOCATED ON SCHOOL PREMISES**

Where any person, organization, corporation, association or partnership has any interest in both a licensed school and a licensed shop and both operations are conducted on the same premises the licensed school and the licensed shop shall have separate and distinct entrances.

**13:28-6.7 SIZE OF SCHOOLS; NUMBER OF STUDENTS**

- a) Each school shall have at least 2,750 square feet of floor space, consisting of at least 500 square feet for offices, reception area and locker space separate and apart from the lavatories, and at least 2,250 square feet for working space.
  - 1) The total number of students in the first 2,250 square feet of working space is limited to 100 students.
  - 2) For every student thereafter there shall be 20 square feet of floor space per cosmetology and hairstyling, beauty culture, barbering, manicuring, or hair braiding student, but there shall be 25 square feet of floor space per skin care specialty student.
- b) The Board may conduct inspections at any time to determine the maximum number of students that any school may have in attendance. In determining this maximum number, the Board shall apply the formula set forth in (a) above.
- c) No school shall be permitted under any circumstances to have in attendance any student beyond the maximum number approved.

**13:28-6.8 STUDENT REGISTRATION CARDS**

- a) A request shall be submitted by the school to the Board for a student registration card.
  - 1) This request shall be submitted on application forms to be provided by the Board. The application shall contain a declaration of the student's assigned class schedule as approved by the school director. Any change of the student's assigned class schedule shall be reported to the Board in writing.

- 2) Upon completion of the form in (a)1 above, the form shall be returned to the Board together with a photograph for each student, measuring 1 1/2 inches by 1 3/4 inches, and proof of the student's legal name, date of birth and the required fee.
  - 3) When submitting a request for a registration card for a student in a hair braiding program of 40 hours, the school shall include in the request the documentation used by the student to demonstrate that he or she has three years of hair braiding experience.
- b) A student registration card is valid from the date of issue until the particular student's education is completed in the course in which the student is enrolled, as long as the student is not absent from school for a period of more than three months.
- 1) In instances where absences exceed three months, the student shall be dropped from the school's time sheets and must obtain a new registration card, pursuant to N.J.A.C. 13:28-6.2l(n), in order to resume training.
- c) The school shall submit applications for student registration cards at least two weeks in advance of the authorized monthly starting date.
- 1) In instances where this is not possible and a registration card is not received prior to the monthly starting date, a school may allow a student to attend classes, provided that an application for a student registration card has been submitted to the Board office on or before the authorized monthly starting date. No student shall be permitted to continue to attend classes in this manner for more than 30 days. If, for any reason, the student registration card is not issued during that period, the student's training shall be discontinued until a registration card is issued.

### **13:28-6.9 NON-ENGLISH SPEAKING STUDENT ENROLLMENT**

- a) A licensed school shall evaluate each non-English speaking student to determine whether such student is likely to succeed in the intended course of study. Upon such determination being made, the school may enroll the non-English speaking student. The school shall submit documentation to the Board certifying that the school has evaluated a prospective non-English speaking student and has determined that the student is proficient in reading and writing the language in which the examination will be administered to that student.
- b) The Board approved enrollment agreement and application for student registration must specify the language in which the course will be offered.
  - 1) The licensed school shall submit the text of the enrollment agreement to the Board for approval before the school may require students to sign the enrollment agreement.

- 2) The enrollment agreement shall be printed in the language in which the course will be offered and the student shall be provided with a copy of it.
- c) Schools offering courses in languages other than English shall employ an appropriately licensed teacher who is fluent in the English language and in the language in which the course is offered. The school's records shall contain evidence that the teacher is sufficiently qualified to adequately provide instruction in the non-English language.
- d) Instruction materials, for example, textbooks, and demonstration materials, shall be printed in the language in which the examination will be administered to the student.
- e) Final testing and periodic examinations required to be taken by the non-English speaking student shall be given in the language the examination will be administered to the student.
- f) At no time shall instruction conducted in a foreign language take place contemporaneously with instruction conducted in English within the same classroom.

### **13:28-6.10 COMMENCEMENT OF CLASSES**

- a) School classes shall commence on the first Monday of each month, provided; however, that if a holiday falls on the first Monday, school classes shall commence on the first working day following the holiday. The Board may, at its discretion, approve a date for the commencement of school classes other than the first Monday of each month provided the licensed school obtains Board approval at least 60 days prior to the commencement of classes.
  - 1) The Board shall waive the 60-day period required in (a) above for schools seeking to provide instruction in hair braiding prior to (the publication date of the notice of adoption of the proposed readoption of the specially adopted new rules and amendments).

### **13:28-6.11 SCHOOL CREDITS BY HOUR**

- a) School hour credits shall not be granted for more than 40 hours of regularly scheduled class time in any calendar week.
- b) A student may be given credit for up to eight hours of make-up classes per calendar week in excess of his or her regularly scheduled classes where such make-up time is necessary because of absence of the student from his or her regularly scheduled classes.
  - 1) Each school shall submit a schedule of day or night make-up hours to be approved by the Board.

**13:28-6.12 TRAINING SCHEDULES**

- a) The following words and terms, when used in this subchapter, shall have the following meanings, unless the context clearly indicates otherwise.
- 1) "Full-time student" means a student who regularly attends classes more than 20 hours a week, Monday through Friday inclusive.
  - 2) "Part-time student" means a student who regularly attends classes 20 hours or less per week, Monday through Friday inclusive.
- b) Any part-time student may attend classes on Saturday upon approval by the school director.
- c) Any student who is absent from a regularly scheduled class may attend a designated make-up class upon approval by the school director, provided that the total class hours for any week shall not exceed 48.

**13:28-6.13 SCHOOL SCHEDULES**

- a) Each school shall submit a schedule of proposed classes including hours of instruction to be taught during the school year. This schedule must be approved by the Board prior to implementation.
- 1) Board approval will not be granted for school class sessions of less than three hours daily.
  - 2) A copy of the approved schedule of classes shall be kept on the school premises at all times.
- b) The Board shall be advised one month in advance of any proposed change in the schedule of classes.
- 1) The Board shall waive the one-month notice required of schools seeking to add hair braiding classes to the schedule of classes prior to (the publication date of the notice of adoption of the proposed readoption of the specially adopted new rules and amendments).

**13:28-6.14 SMOKING IN SCHOOLS**

Smoking shall be prohibited in all areas of licensed schools, including clinics, pursuant to the New Jersey Smoke-Free Air Act, N.J.S.A. 26:3d-55, and the Smoke Free Air Rules, N.J.A.C. 8:6.

**13:28-6.15 SCHOOL RECORDS**

- a) Each school shall maintain a register of all students and check students' attendance twice daily.
- b) Each school shall keep a detailed record of students' attendance at classes and subjects taught at these classes.
- c) All school records relating to students shall be maintained for a period of five years. All records shall be maintained in a manner and condition subject to convenient inspection by inspectors or members of the State Board.
- d) Uniform student sign-in sheets shall be kept on a daily basis and shall be retained on the school premises at all times.
  - 1) Uniform time sheets of daily attendance records for each student for each course of instruction shall be forwarded to the office of the Board at the end of each month. The time sheets shall contain the name and license number of the teacher conducting the course.
- e) School rules and regulations and copies of current cosmetology and hairstyling, beauty culture, barbering, manicuring, skin care, or hair braiding specialty laws and rules of the State of New Jersey shall be maintained by each school in a location readily accessible to the students and management.

**13:28-6.16 OTHER TRADES; DEMONSTRATIONS**

- a) Trades or professions other than the teaching of cosmetology and hairstyling, beauty culture, barbering, manicuring, skin care specialty, and hair braiding shall not be practiced on the premises of a licensed school.
- b) A school shall not rent space for demonstrations to outside companies, individuals, corporations, associations, partnerships or other entities unless such space is in excess of the required minimum footage for school premises pursuant to N.J.A.C. 13:28-6.7. Demonstrations shall not conflict with the regular school operation.

**13:28-6.17 TRANSFER OF SCHOOL BUSINESS, RELOCATION, RENEWAL**

- a) When a duly licensed school moves to a new location or undergoes a transfer of ownership, the school shall give notice to the Board as soon as practicable, pursuant to N.J.S.A. 45:5B-36, and shall submit an initial application for licensure.

- b) In the case of a move by a duly licensed school to a new location, the Board may waive any provisions of this subchapter relating to the initial application for licensure of schools which the Board in its discretion deems to be unduly burdensome under the circumstances of the particular move. The Board may permit the new school to operate pending completion of the application process to obtain a new license.
- c) In the case of a transfer of ownership by a licensed school, the new school shall not commence operations until the provisions of this subchapter relating to the initial application for licensure of schools are satisfied, except as provided in (c)1 below.
  - 1) If a transfer of ownership by a licensed school results from the death or disability of a principal shareholder or partner in the business entity which holds the school license, the school may continue to operate for six months, pursuant to N.J.S.A. 45:5B-36, pending completion of the application process to obtain a new license.

### **13:28-6.18 SUPERVISING TEACHER**

A proposed new school shall supply the Board with satisfactory evidence, in the form of a one-year employment contract, of employment of a supervising teacher, consistent with the requirements of N.J.A.C. 13:28-6.24(b), prior to final approval of its application by the Board.

### **13:28-6.19 BRANCH SCHOOLS LICENSED SEPARATELY**

All premises used as a licensed school, including each and every branch school, must be licensed separately.

### **13:28-6.20 MINIMUM EQUIPMENT**

- a) Each school shall possess and operate equipment adequate and sufficient for the courses of instruction administered. This equipment shall be modern, installed in accordance with standard building codes or safety regulations and operated in conformity with standard safety regulations.
- b) The minimum equipment required for schools shall be as follows:
  - 1) Six shampoo bowls in good running condition, with a minimum of one shampoo bowl per classroom;
  - 2) Three metal pressing combs and three flat irons;
  - 3) Six manicure tables;

- 4) Foot soaking equipment;
- 5) Three marcel ovens and irons or three electronically controlled marcel irons;
- 6) Six hair dryers;
- 7) One container for enzymatic cleaning solution for each manicure table that allows implements and tools to be totally immersed;
- 8) A designated location for cleaning and disinfecting implements and tools;
- 9) An ultrasonic unit for cleaning metal implements and tools;
- 10) A clean, closed receptacle for storage of sanitized implements and tools at each work station;
- 11) Six canvas or styrofoam blocks;
- 12) One practice mannequin with stand and/or table clamp per student;
- 13) One reclining facial chair;
- 14) A utility table with disposable sanitary covering;
- 15) A make-up stool;
- 16) A facial steamer;
- 17) A suction machine and attachments;
- 18) A galvanic machine and attachments;
- 19) A magnifying lamp;
- 20) An electric brushing machine and attachments;
- 21) An electric heating mask;



- 22) A waxing unit;
  - 23) A spray machine and attachments;
  - 24) A Wood's lamp;
  - 25) A high frequency instrument and attachments;
  - 26) Robes for clinical service patrons, when desired or required;
  - 27) A barber chair;
  - 28) A latherizer, one hone, one strop and electric clippers;
  - 29) One professional clinical uniform or lab-type jacket per student. Tee shirts and aprons shall not be acceptable as a clinical uniform;
  - 30) One student locker for each pupil with provisions for security of students' equipment in the locker rooms;
  - 31) Separate lavatories for men and women with toilets and with sinks having hot and cold running water; and
  - 32) One teachers' lavatory for schools having three or more teachers.
- c) Each school shall supply each cosmetology and hairstyling student with the following tools: two hair brushes, one thermal brush, combs, 100 clips, cape, haircutting razor, shears, thinning shears, cold wave rods, end papers, rollers, tint brush, bowl and applicator bottle, duck clips, spray bottle, styptic powder or liquid, mannequin with stand and/or table clamp, hard rubber comb, marcel iron, blow dryer, protective eyewear, protective gloves, a manicuring kit with tips and wraps, a make-up kit, a tweezer, a cold wax kit, metal pressing comb, shaving razor with disposable blades, workbook and textbook.
- d) Each school shall supply each beauty culture student with the following tools: two hair brushes, one thermal brush, combs, 100 clips, cape, haircutting razor, shears, thinning shears, cold wave rods, end papers, rollers, tint brush, bowl and applicator bottle, duck clips, spray bottle, styptic powder or liquid, mannequin with stand and/or table clamp, hard rubber comb, marcel iron, blow dryer, protective eyewear, protective gloves, a manicuring kit with tips and wraps, a make-up kit, a tweezer, a cold wax kit, metal pressing comb, workbook, and textbook.

- e) Each school shall supply each barbering student with the following tools: two barber combs, two hair brushes, one thermal brush, combs, 100 clips, cape, haircutting razor, shears, thinning shears, cold wave rods, end papers, rollers, tint brush, bowl and applicator bottle, duck clips, spray bottle, styptic powder or liquid, mannequin with stand and/or table clamp, hard rubber comb, marcel iron, blow dryer, protective eyewear, protective gloves, metal pressing comb, shaving razor with disposable blades, electric clipper with attachment guards, workbook, and textbook.
- f) Each school shall supply each manicuring student with a kit having a pusher, files, emery boards, nipper, nail brush, orange wood stick, spatula, tips, wraps (non-adhesive), adhesive, a clean, closed receptacle that allows soiled implements and tools to be completely immersed in an enzyme solution prior to cleaning and disinfection, finger bowl, appropriate creams, nail polish remover, styptic powder or liquid, protective eyewear, pedicure slippers, workbook, textbook, a tweezer, a cold wax kit and a practice hand.
- g) Each school shall supply each skin care specialty student with a kit having one textbook, one workbook, one protective cloth drape, one pair of protective gloves, protective eyewear, two headbands, one shoulder cape, one package of cotton swabs, one roll of cotton, one box of tissues, six cleansing sponges, one package facial cotton pads, three spatulas, a clean, closed receptacle that allows soiled implements and tools to be completely immersed in an enzyme solution prior to cleaning and disinfection, a tweezer, a cold wax kit, one make-up kit, one set of makeup brushes, three terry cloth towels, one bottle of alcohol, one bottle of antiseptic, two 20-ounce bowls and one container of each of the following: cleansing cream, astringent, massage cream, moisturizer and all purpose masque.
- h) Each school shall supply each hair braiding student with a kit having brushes, including at least one boar bristle brush, one paddle, and one vent brush, combs, including at least one locking/twisting comb, wide tooth comb, hair pick, and tail comb, braiding hair packages consisting of human and synthetic hair, a hair weaving kit including weft hair, needles, and thread, stocking caps, hair bond and hair bond remover, clips, cape, shears, spray bottle, styptic powder or liquid, mannequin and mannequin stand, lab type jacket or smock uniform, a textbook, and a full copy of this chapter.
- i) All student kits are to be inspected by teachers and kept in sanitary condition.
- j) Each school shall have a sufficient supply of working places, chairs, mirrors, shelves, facilities, blackboards and charts as required for students who take notes on lectures.
- k) Each school shall have separate, closed cabinets for supplies as follows:
  - 1) At least one closed container for soiled linens in each classroom;

- 2) At least one closed container for all waste materials in each classroom;
  - 3) Sufficient supply of properly labeled lotion containers with tops or covers.
- l) Each school shall have separate classrooms for junior and senior students, separate classrooms for different specialties, as well as separate classrooms if classes are taught in a language other than English.
  - m) Each school shall provide furnishings and supplies sufficient to accommodate and properly teach its students.
  - n) Any equipment which may be hazardous to operate shall be used by a student only when there is a licensed teacher in the room.
  - o) Each school shall install a bulletin board in a location which is readily accessible to all persons. All notices and school rules and curricula shall be posted on the bulletin board.

### **13:28-6.21 STUDENT STANDARDS AND REQUIREMENTS**

- a) An application for student registration and all training courses administered by licensed schools shall be accompanied by proof, by affidavit or otherwise, that the particular student has been informed that he or she must meet the minimum requirements for admission to licensing examination and that an examination must be taken and successfully completed. A copy of this notification must be retained in the student personnel file.
- b) Students and teachers shall be attired in washable, clean clinical uniforms or lab-type jackets during attendance at school. Tee shirts and aprons shall not be permitted. Students and teachers shall wear socks or stockings and shall wear clean, flat, rubber-soled shoes with closed toe and heel.
- c) Junior and senior students, and those enrolled in a teacher training course, shall be designated by the following forms of identification:
  - 1) Junior students: white clinical uniform or lab-type jacket and a badge designating course of study;
  - 2) Senior students: a clinical uniform or lab-type jacket of one color other than white to be designated by the school and a badge designating course of study;
  - 3) Teachers: clinical uniform or lab-type jacket, in a color other than those used for junior and senior students and teachers-in-training, and an identification badge; and

- 4) Teachers-in-training: clinical uniform or lab-type jacket, in a color other than those used for junior and senior students and teachers, and an identification badge.
- d) Junior and senior students shall be distinguished as follows:
- 1) Junior cosmetology and hairstyling students are those students who have completed less than 600 hours of their courses in cosmetology and hairstyling;
  - 2) Senior cosmetology and hairstyling students are those students who have completed 600 hours or more in their courses in cosmetology and hairstyling;
  - 3) Junior beauty culture students are those students who have completed less than 550 hours of their courses in beauty culture;
  - 4) Senior beauty culture students are those students who have completed 550 hours or more of their courses in beauty culture;
  - 5) Junior barbering students are those students who have completed less than 450 hours of their courses in barbering;
  - 6) Senior barbering students are those students who have completed 450 hours or more of their courses in barbering;
  - 7) Junior manicuring students are those students who have completed less than 150 hours of their course in manicuring;
  - 8) Senior manicuring students are those students who have completed 150 hours or more of their course in manicuring;
  - 9) Junior skin care specialty students are those students who have completed less than 300 hours of their courses in skin care;
  - 10) Senior skin care specialty students are those students who have completed 300 hours or more of their courses in skin care;
  - 11) Junior hair braiding students are those students who have completed less than 20 hours of their courses if enrolled in a 40-hour hair braiding program; or less than 25 hours of their courses if enrolled in a 50-hour hair braiding program; and

- 12) Senior hair braiding students are those students who have completed 20 hours or more of their courses if enrolled in a 40-hour hair braiding program; or 25 hours or more of their courses if enrolled in a 50-hour hair braiding program.
- e) Upon filing and acceptance by the Board of applications for permission to enroll in a teacher training course, student registration cards shall be issued by the Board. Students enrolled in a teacher training course shall comply with all Board rules and the rules of the particular school.
- f) Each student shall sign the register each time he or she enters and leaves the school.
- g) Any student who is more than ten minutes late for class shall be penalized one hour unless the tardiness is due to an emergency condition as explained by the student, in writing, at the time of his or her attendance at that class.
- h) Failure of any student to observe school rules and regulations shall be considered sufficient justification for expulsion. A student who is expelled may request a hearing before the Board. Where good cause is demonstrated, a hearing may be scheduled.
- i) A school shall notify the Board in writing of all students whose training may be interrupted or terminated prior to graduation.
- j) Upon a student's completion of the curriculum and his or her graduation, the school shall certify this information to the Board and shall make such notation on the monthly time sheets submitted by the school.
- k) Failure of a school or student to comply with any provision of this section may result in the Board's refusal to recognize credit hours claimed by or for a student and disqualify that student for examination by the Board.
- l) A student who desires to transfer to another school shall notify the Board of his or her intention at least two weeks in advance of the proposed transfer.
- 1) Upon application for a transfer, the new school shall conduct an evaluation to determine the number of hours for which the student may be credited and advise the Board of the results of the evaluation.
- 2) Credit hours for cosmetology and hairstyling, beauty culture, barbering, manicuring, skin care specialty, or hair braiding training in out-of-State schools will be granted if such schools are approved by the Board.

- m) The school to which the student transfers shall submit to the Board an application for a new student registration number.
- n) Any student who is absent from school over a period of three months shall automatically be dropped from the monthly time sheets. A student requesting reinstatement shall be re-registered in accordance with N.J.A.C. 13:28-6.8 and shall comply with the following requirements:
  - 1) A student who has ceased attending school for a period of three months up to five years may return to school following an evaluation conducted by the school to determine the number of hours for which the student may be credited. The results of such evaluation shall be reported to the Board;
  - 2) A student who has ceased attending school for a period of more than five years shall not receive credit-for any hours of training previously completed and shall be required to retake and complete the course in full; and
  - 3) The school may petition the Board for an adjustment with respect to credit hours to which a student may be entitled upon reinstatement.
- o) Examinations shall be administered by the school to the student prior to completion of his or her course in accordance with the standard procedures followed by public educational institutions in the State in all courses of instruction. The examination shall be written and practical,
- p) All students shall complete a course of study in conformance with the curricula adopted by the Board.
- q) All students who successfully meet the requirements of this section shall be issued a diploma by the school.

### **13:28-6.22 APPLICATION SUBMISSION BY SCHOOLS**

The school shall submit applications to the Board for each student for examination within 30 days after the student's completion of the course of study. Each application must be accompanied by two recent photographs, a copy of a high school or equivalency diploma and the appropriate fees pursuant to N.J.A.C. 13:28-5.1.

### **13:28-6.23 NUMBER OF TEACHERS EMPLOYED; TEACHER RESTRICTIONS**

- a) The number of teachers a school shall employ shall be determined in the following manner:

- 1) A minimum of one licensed teacher for every clinic area attended by up to 25 senior students (whether cosmetology and hairstyling, beauty culture, barbering, manicuring, skin care specialty, or hair braiding students);
  - 2) A minimum of one licensed teacher for every clinic area attended by up to 25 senior skin care specialty students when the skin care specialty students attend a clinic area apart from the other students;
  - 3) A minimum of one licensed teacher for every classroom attended by up to 25 junior cosmetology and hairstyling students;
  - 4) A minimum of one licensed teacher for every classroom attended by up to 25 junior beauty culture students;
  - 5) A minimum of one licensed teacher for every classroom attended by up to 25 junior barbering students;
  - 6) A minimum of one licensed teacher for every classroom attended by up to 25 junior manicuring students;
  - 7) A minimum of one licensed teacher for every classroom attended by up to 25 junior skin care specialty students; and
  - 8) A minimum of one licensed teacher for every classroom attended by up to 25 junior hair braiding students.
- b) Teachers shall devote their entire time during school hours to the proper instruction of students and shall not engage in private or public practice of cosmetology and hairstyling, beauty culture, barbering, manicuring, skin care specialty, or hair braiding during school hours. Teachers licensed by the Board shall be in constant attendance at all classes conducted by licensed schools.
- c) Schools offering instruction in a language other than English may be required to employ additional teachers pursuant to N.J.A.C. 13:28-6.9(f).
- d) A substitute teacher licensed by the Board shall be in attendance when a regular teacher is absent.
- e) A teacher shall immediately inform the Board in writing of the termination or interruption of services performed by him or her for a school.

**13:28-6.24 EMPLOYMENT OF LICENSED TEACHERS**

- a) A school shall permit only a licensed teacher or a registered teacher training student, under the direct supervision of a licensed teacher, to teach its students; provided, however, a demonstrator may demonstrate new processes, preparations and appliances to a class of school students if such demonstration is supervised by a licensed teacher at the school.
  - 1) For purposes of this section, "direct supervision" means that the licensed teacher is physically present in the room at all times during the teacher training student's instruction and is immediately available to provide assistance, if necessary.
- b) Each school shall employ a teacher supervisor who has been a licensed teacher actively teaching for a period of two years who will be responsible for the conduct of the teaching staff and students. A teacher may be designated as the teacher supervisor for one school only. The name of the teacher supervisor shall be posted in a location clearly visible to all students and school staff members.
- c) The teacher supervisor shall be on-site at all times while school is in session and shall be responsible for conducting frequent observations of the teaching staff and the students throughout the school day.
- d) When the teacher supervisor is absent from the school, the school shall ensure that another licensed teacher who has been actively teaching for a period of two years is physically present to oversee the teaching staff and the students. The name of the teacher who will be supervising the school during the teacher supervisor's absence shall be posted in a location clearly visible to all students and school staff members.
- e) The teacher supervisor shall be responsible for conducting competency evaluations of all members of the teaching staff at least once per school year.
- f) Each school shall submit a list of its teachers and registered teacher training students to the Board and advise the Board in writing immediately of changes in its teaching staff.

**13:28-6.25 REFRESHER COURSES**

- a) Refresher courses may be administered to the following:
  - 1) Any person who holds a practitioner's license; and
  - 2) Any person who held a practitioner's license that has been suspended for failure to renew who desires to prepare for an examination.



- b) The school shall forward applications for registration cards to the Board for all persons desiring to enroll in refresher courses.
- c) A student permitted by the Board to enroll in refresher courses shall comply with that particular school's rules and with the rules of the Board.
- d) Credit will not be given by the Board for refresher courses of less than 250 hours.

**13:28-6.26 (RESERVED)****13:28-6.27 CLINICAL WORK PREREQUISITES AND LIMITATIONS**

- a) Any school performing clinical work shall display in a conspicuous place in the waiting room and senior room a sign readily visible and legible, stating: SERVICES DONE HERE BY SENIOR STUDENTS ONLY. This sign shall be in letters at least one inch high.
- b) A school shall not permit its students to practice cosmetology and hairstyling, beauty culture, barbering, manicuring, skin care specialty, or hair braiding on the public under any circumstances except by way of clinical work performed upon persons willing to submit themselves to such practice.
- c) Before clinical work may be performed, the person to receive cosmetology and hairstyling, beauty culture, barbering, manicuring, skin care specialty, or hair braiding services shall be advised by the teacher in charge that the operator is a senior student.
- d) Theory shall be taught in every subject before a senior student may be permitted to perform clinical services upon any subject or model.
- e) Clinical services may be performed upon the general public during the hours of school training daily from Monday to Saturday inclusive by senior cosmetology and hairstyling, senior beauty culture, senior barber, senior manicuring, senior skin care specialty, and senior hair braiding students only.
- f) Senior students shall be prohibited from distributing appointment cards and soliciting or making appointments for services to patrons during school hours.
- g) The instructor shall at all times be responsible for assigning subjects or models to the senior student.
- h) Teachers shall not perform or complete any one or a series of services or receive compensation for services on patrons in school clinics.

- i) Truthful, non-deceptive school advertisements for clinic patrons upon whom cosmetology and hairstyling, beauty culture, barbering, manicuring, skin care specialty, or hair braiding services may be performed are permitted, provided however, that all such advertisements must clearly inform the prospective clinic client that the advertised services are to be performed by senior students under the supervision of licensed teachers.
- j) Fees shall not be accepted from any person who acts as the subject or model for the purpose of a demonstration in school classes or clinics.
- k) The school shall keep records or slips showing the number of cosmetology and hairstyling, beauty culture, barbering, manicuring, skin care specialty, or hair braiding treatments provided by senior students. These records or slips shall be maintained and kept by the school on its premises as part of its official records.
- l) Clinic hours may be determined by the school; provided, however, that at least one hour of classroom instruction for full-time students and one half hour of classroom instruction for part-time students must be scheduled for each day in addition to any scheduled clinic practice for such students.

**13:28-6.28 CURRICULUM FOR 500-HOUR COURSE FOR PERSONS HOLDING A STATE BARBERING LICENSE ISSUED PRIOR TO 1985 WHO WISH TO OBTAIN A COSMETOLOGY AND HAIRSTYLING LICENSE**

TIME DISTRIBUTION FOR INSTRUCTION UNITS AND CLINICAL PRACTICE:

	<b>Hours of Class and Subject Related Instruction</b>	<b>Hours of Practical Instruction</b>	<b>Total</b>
Make-up, Depilatory, Eyebrow Arching	15	45	60
Roller Control, Pin Curls, Fingerwaving, Back Combing	50	90	140
Bleaching including Frosting, Tipping & Streaks	50	70	120
Permanent Waving	50	80	130
Manicuring & Pedicuring	<u>15</u>	<u>35</u>	<u>50</u>
<b>TOTAL HOURS</b>	180	320	500

**13:28-6.28A CURRICULUM FOR 300-HOUR COURSE FOR PERSONS HOLDING A NEW JERSEY STATE BARBERING LICENSE ISSUED AFTER 1985 WHO WISH TO OBTAIN A COSMETOLOGY AND HAIRSTYLING LICENSE**

	<b>Hours of Class and Subject Related Instruction</b>	<b>Hours of Practical Instruction</b>	<b>Total</b>
State Laws, Rules & Regulations for Cosmetology & Hairstyling & Administrative Shop Operations	10	0	10
Professional Image, Hygiene & Related Practices	2	0	2
Decontamination & Infection Control	15	5	20
Manicuring & Pedicuring	10	45	55
Disease & Disorders of the Nail	10	0	10
Anatomy of the Hand, Arm, Foot & Leg	10	0	10
Nail Tips & Extensions	5	25	30
Nail Wraps	5	25	30
Nail Gels	5	15	20
Sculptured Nails	10	30	40
Nail Art	5	5	10
The Skin & Its Diseases	5	0	5
Removal of Unwanted Hair	10	30	40
First Aid	5	0	5
Chemicals and Chemistry Relating to Produce	<u>13</u>	<u>0</u>	<u>13</u>
<b>TOTAL HOURS</b>	<b>120</b>	<b>180</b>	<b>300</b>

**13:28-6.29 CURRICULUM FOR 1,200-HOUR COSMETOLOGY AND HAIRSTYLING COURSE**

TIME DISTRIBUTION FOR INSTRUCTIONAL UNITS AND CLINICAL PRACTICE:

	<b>Hours of Class and Subject Related Instruction</b>	<b>Hours of Practical Instruction</b>	<b>Total</b>
State Laws, Rules & Regulations for Cosmetology & Hairstyling & Administrative Shop Operations	10	0	10
Decontamination & Infection Control	15	5	20
Professional Image, Hygiene, & Related Practices	2	0	2
History of Barbering	4	0	4
Shaving	15	66	81
Beard & Moustache Trimming	5	10	15
Facials & Massage, Skin Care, Make-up, Depilatory, Eyebrow Arching	25	53	78
Shampooing & Temporary Rinses	20	40	60
Hair and Scalp Treatments, Reconditioning Treatments	15	35	50
Hair & Basic Layer & Clipper Cut— Razor, Scissors, Thinning Shears, Tapering	40	120	160
Hairstyling—including Pin Curls, Finger-waving, Blow Waving & Weaving	25	135	160
Hair Tinting & Bleaching including Frosting, Tipping & Streaks	35	110	145
Permanent Waving	25	90	115
Chemical Relaxing & Pressing	30	60	90
Thermal Curling & Waving	10	35	45
Manicuring & Pedicure	45	90	135
Chemistry Relating to Cosmetology	<u>30</u>	<u>0</u>	<u>30</u>
<b>TOTAL HOURS</b>	<b>351</b>	<b>849</b>	<b>1,200</b>

**13:28-6.29A CURRICULUM FOR 1,100-HOUR BEAUTY CULTURE COURSE**

TIME DISTRIBUTION FOR INSTRUCTIONAL UNITS AND CLINICAL PRACTICE:

	<b>Hours of Class and Subject Related Instruction</b>	<b>Hours of Practical Instruction</b>	<b>Total</b>
State Laws, Rules, & Regulations for Cosmetology & Hairstyling & Administrative Shop Operations	10	0	10
Decontamination & Infection Control	15	5	20
Professional Image, Hygiene & Related Practices	2	0	2
Facials & Massage, Skin Care, Make-up, Depilatory, Eyebrow Arching	25	53	78
Shampooing & Temporary Rinses	20	40	60
Hair and Scalp Treatments, Reconditioning Treatments	15	35	50
Hair & Basic Layer & Clipper Cut – Razor, Scissors, Thinning Shears, Tapering	40	120	160
Hairstyling – Including Pin Curls, Finger-waving, & Blow Waving	25	135	160
Hair Tinting & Bleaching including Frosting, Tipping & Streaks	35	110	145
Permanent Waving	25	90	115
Chemical Relaxing & Pressing	30	60	90
Thermal Curling & Waving	10	35	45
Manicuring & Pedicure	45	90	135
Chemistry Relating to Cosmetology	<u>30</u>	<u>0</u>	<u>30</u>
<b>TOTAL HOURS</b>	<b>327</b>	<b>773</b>	<b>1,100</b>

**13:28-6.29B CURRICULUM FOR 900-HOUR BARBERING COURSE**

## TIME DISTRIBUTION FOR INSTRUCTIONAL UNITS AND CLINICAL PRACTICE:

	<b>Hours of Class and Subject Related Instruction</b>	<b>Hours of Practical Instruction</b>	<b>Total</b>
State Laws, Rules, & Regulations for Cosmetology & Hairstyling & Administrative Shop Operations	10	0	10
History of Hair and Barbering	4	0	4
Professional Image, Hygiene, & Related Practices	2	0	2
Decontamination & Infection Control	15	5	20
Shampooing & Temporary Rinses	5	15	20
Honing & Stropping	2	2	4
Shaving	20	105	125
Men's Hair Cutting & Styling	25	200	225
Beard & Moustache Trimming	5	10	15
Women's Hair Cutting & Styling	15	55	70
Facials & Facial Massage	5	10	15
Anatomy of Head, Neck & Face	5	0	5
Common Disorders and Care of the Skin, Scalp & Hair	5	0	5
Electricity	5	0	5
Men's Hairpiece Services	15	40	55
Chemistry & Chemical-Related Services – Straightening/Permanent Waving	75	135	210
Hair Color and Lightening	<u>30</u>	<u>80</u>	<u>110</u>

TOTAL HOURS	243	657	900
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### 13:28-6.30 CURRICULUM FOR 100-HOUR SHAVING COURSE FOR BEAUTICIANS WHO WISH TO OBTAIN A COSMETOLOGY AND HAIRSTYLING LICENSE

TIME DISTRIBUTION FOR INSTRUCTIONAL UNITS AND CLINICAL PRACTICE:

	Hours of Class and Subject Related Instruction	Hours of Practical Instruction	Total
History of Barbering	4	0	4
Shaving	15	66	81
Beard & Mustache Trimming	<u>5</u>	<u>10</u>	<u>15</u>
TOTAL	24	76	100

### 13:28-6.31 CURRICULUM FOR 500-HOUR TEACHER-TRAINING COURSE

TIME DISTRIBUTION FOR INSTRUCTIONAL UNITS AND CLINICAL PRACTICE:

	Hours of Class and Subject Related Instruction	Hours of Practical Instruction	Total
State Laws, Rules & Regulations for Cosmetology & Hairstyling & Administrative Shop Operations	5	0	5
Decontamination & Infection Control	5	0	5
Facials, Massage, Skin Care, Make-up, Depilatory, Eyebrow Arching, Shaving	15	15	30
Shampooing & Temporary Rinses	5	10	15
Hair and Scalp Treatments, Reconditioning Treatments	5	10	15
Hair & Basic Layer & Clipper Cut—Razor, Scissors, Thinning Shears, Tapering	10	30	40
Hairstyling—including Pin Curls, Fingerwaving, Blow Waving, & Weaving	10	30	40

Hair Tinting & Bleaching including Frosting, Tipping & Streaks	10	20	30
Permanent Waving	10	20	30
Chemical Relaxing & Pressing and Thermal Curling & Waving	10	25	35
Manicuring & Pedicuring	10	20	30
Chemistry Relating to Cosmetology	10	0	10
Teaching Methods	40	100	140
Motivation & Learning	10	0	10
Testing	10	0	10
Teacher Preparation	15	0	15
Instruction Evaluation	20	0	20
Classroom Management	<u>20</u>	<u>0</u>	<u>20</u>
TOTAL HOURS	220	280	500

### 13:28-6.32 CURRICULUM FOR BOARD-ADMINISTERED AND -APPROVED TEACHER SHAVING COURSE

TIME DISTRIBUTION FOR INSTRUCTIONAL UNITS AND CLINICAL PRACTICE:

	<b>Hours of Class and Subject Related Instruction</b>	<b>Hours of Practical Instruction</b>	<b>Total</b>
History of Barbering	4	0	4
Shaving	15	66	81
Beard & Mustache Trimming	<u>5</u>	<u>10</u>	<u>15</u>
TOTAL	24	76	100

### 13:28-6.33 CURRICULUM FOR 300-HOUR MANICURING COURSE

TIME DISTRIBUTION FOR INSTRUCTIONAL UNITS AND CLINICAL PRACTICE:



	<b>Hours of Class and Subject Related Instruction</b>	<b>Hours of Practical Instruction</b>	<b>Total</b>
State Laws, Rules & Regulations for Cosmetology & Hairstyling & Administrative Shop Operations	10	0	10
Professional Image, Hygiene, & Related Practices	2	0	2
Decontamination & Infection Control	15	5	20
Manicuring and Pedicuring	10	45	55
Diseases and Disorders of the Nail	10	0	10
Anatomy of the Hand, Arm, Foot, & Leg	10	0	10
Nail Tips and Extensions	5	25	30
Nail Wraps	5	25	30
Nail Gels	5	15	20
Sculptured Nails	10	30	40
Nail Art	5	5	10
The Skin and its Diseases	5	0	5
Removal of Unwanted Hair	10	30	40
First Aid	5	0	5
Chemicals & Chemistry Relating to Products	<u>13</u>	<u>0</u>	<u>13</u>
<b>TOTAL HOURS</b>	<b>120</b>	<b>180</b>	<b>300</b>

**13:28-6.34 CURRICULUM FOR 600-HOUR SKIN CARE SPECIALTY COURSE**

TIME DISTRIBUTION FOR INSTRUCTIONAL UNITS AND CLINICAL PRACTICE:

	<b>Hours of Class and Subject Related Instruction</b>	<b>Hours of Practical Instruction</b>	<b>Total</b>
State Laws, Rules & Regulations for Cosmetology & Hairstyling & Administrative Shop Operations	10	0	10
Professional Image, Hygiene & Related Practices	2	0	2
Decontamination & Infection Control	15	5	20
Anatomy, Physiology & Nutrition	40	0	40
Structure & Functions of Skin	35	0	35
Superfluous Hair	10	30	40
Chemistry Related to Skin Care	48	0	48
Electricity and Machines	15	40	55
Facial and Body Procedures	50	150	200
Make-up Techniques & Corrective Make-up Techniques (post- surgical)	<u>50</u>	<u>100</u>	<u>150</u>
<b>TOTAL HOURS</b>	<b>275</b>	<b>325</b>	<b>600</b>

**13:28-6.35 CURRICULUM FOR 40-HOUR HAIR BRAIDING COURSE**

TIME DISTRIBUTION FOR INSTRUCTIONAL UNITS AND CLINICAL  
PRACTICE:

	<b>Hours of Class and Subject Related Instruction</b>	<b>Hours of Practical Instruction</b>	<b>Total</b>
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State Laws, Rules, & Regulations for Cosmetology & Hair Styling & Administrative Shop Options	10	0	10
Professional Image, Hygiene, & Related Practices	2	0	2
Decontamination & Infection Control	15	2	17
Cleansing, Hair, and Scalp Analysis	2	6	8
Hair Growth & Loss, Diseases & Disorders, Fungal, & Parasitic Infection	<u>3</u>	<u>0</u>	<u>3</u>
TOTAL HOURS	32	8	40

**13:28-6.36 CURRICULUM FOR 50-HOUR HAIR BRAIDING COURSE**

TIME DISTRIBUTION FOR INSTRUCTIONAL UNITS AND CLINICAL PRACTICE:

	<b>Hours of Class and Subject Related Instruction</b>	<b>Hours of Practical Instruction</b>	<b>Total</b>
State Laws, Rules, & Regulations for Cosmetology & Hair Styling & Administrative Shop Options	10	0	20
Professional Image, Hygiene, & Related Practices	2	0	2
Decontamination & Infection Control	15	2	17
Cleansing, Hair, and Scalp Analysis	2	6	8
Hair Growth & Loss, Diseases & Disorders, Fungal, & Parasitic Infection	3	0	3
Braiding: -Consultation	3	7	10

- Classifying Texture
  - Types of Braids
  - Weaving; Wig and Wig Construction
  - Extensions, Synthetic & Human Hair
  - Braid Styling
  - Implements, Tools, & Materials
- TOTAL HOURS

	35	15	50
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**13:28-6.37 BOND FOR SCHOOLS OF COSMETOLOGY AND HAIRSTYLING**

a) Each school of cosmetology and hairstyling licensed by the Board shall post a bond in favor of the State in an amount to be determined as follows:

- 1) Schools with an average weekly enrollment of 1 to 20 students ..... \$20,000
- 2) Schools with an average weekly enrollment of 21 to 75 students ..... \$30,000
- 3) Schools with an average weekly enrollment of over 75 students ..... \$40,000

**13:28-6.38 ANNEX CLASSROOMS**

a) An application for approval of a school of cosmetology and hairstyling to conduct an annex classroom separate and apart from the licensed main facility for specific training activities shall be submitted on an application form prescribed and provided by the Board. The application shall specify the location of the annex classroom and the type of instruction to be conducted in the annex classroom, whether cosmetology and hairstyling, beauty culture, barbering, manicuring, skin care specialty, or hair braiding.

- 1) A licensed school may not have more than one annex classroom. It may be used only by the school under which it is licensed.
- 2) An inspection of the annex classroom shall be made by an inspector after the minimum equipment has been installed therein, and a report of such inspection shall be made to the Board before a school may be authorized to operate.
- 3) Schools shall submit a new application pursuant to this rule and obtain Board approval prior to changing the type of instruction offered in the annex classroom.

- 4) Schools making application to include an annex classroom in their initial school license application will not be charged a separate application fee. Schools making application for an annex classroom after their initial license is issued shall be required to pay a separate application fee.
- b) The minimum requirements for an annex classroom are as follows:
- 1) The minimum floor space in any annex classroom shall be at least 500 square feet, excluding offices, reception, locker and lavatory space, for the first 25 students.
    - i) For every student thereafter, there shall be 20 square feet of floor space per cosmetology and hairstyling, beauty culture, barbering, manicuring, and hair braiding student and 25 square feet of floor space per skin care specialty student.
    - ii) The space provided for any annex classroom shall not be considered part of the minimum space required for a school license and shall not exceed the 2,250 square footage work space requirement of the primary school location. The annex classroom shall comply with all applicable requirements in this subchapter.
  - 2) Each annex classroom shall possess and operate equipment adequate and sufficient for the courses of instruction administered. This equipment shall be modern, installed in accordance with standard building codes or safety regulations and operated in conformity with standard safety regulations. The minimum equipment required for all annex classrooms shall include: an ultrasonic unit, a chalk board, one locker per student, separate lavatory facilities for men and women with toilets and sinks having hot and cold running water, a library of texts and reference books and such other necessary equipment in accordance with the approved curriculum. In addition, annex classrooms shall conform to the following equipment standards:
    - i) An annex classroom approved for instruction in cosmetology and hairstyling, beauty culture, and hair braiding shall include: work stations for at least 25 students or for the actual number of students in attendance, whichever is greater, two shampoo bowls and chairs, two dryers, two styling chairs, a manicure station, a utility table with disposable sanitary covering, a make-up stool, a facial steamer, a suction machine, a magnifying lamp, an electric brushing machine, an electric heating mask, a waxing unit, a spray machine, a Wood's lamp and a high frequency instrument.
    - ii) An annex classroom approved for instruction in barbering shall include: work stations for at least 25 students or for the actual number of students in attendance, whichever is greater, two shampoo bowls and chairs, two dryers, two styling chairs, one chair with adjustable headrest suitable for performing shaving services, and a utility table with disposable sanitary covering.

- iii) An annex classroom approved for instruction in manicuring shall include: a manicuring table for every two students, two basins, a foot bath, a utility table with disposable sanitary covering and a waxing unit.
  - iv) An annex classroom approved for instruction in skin care specialty shall include: a facial table for every two students, two basins, one utility table with disposable sanitary covering for every two students, a make-up stool, a facial steamer, a suction machine, a galvanic machine, a magnifying lamp, an electric brushing machine, an electric heating mask, a waxing unit, a spray machine, a Wood's lamp and a high frequency instrument.
- 3) The maximum distance permitted between the annex classroom and the main facility shall be one mile; and students must be informed prior to enrollment that a portion of their training may be given at the annex facility.
  - 4) Specific training activities permitted at the annex classroom facilities shall be limited to lectures, demonstrations, examinations, work on mannequins, and use of films, tapes, records and written materials. No clinical work on patrons or models (except for lecture/demonstration purposes with proper equipment) shall be permitted, except that instructors or lecturers are permitted to work on models and students may perform work on other students.
  - 5) Students may complete no more than the first 50 percent of the total number of clock hours required for their course of study at the annex classroom. Clock hours completed at the annex classroom shall be recorded on sign-in sheets which must be kept separate and distinct from the sign-in sheets for clock hours completed at the main facility.
  - 6) The ratio of licensed teachers present and on the premises to students in attendance at an annex classroom shall be at least one licensed teacher for every 25 students or less, and one additional licensed teacher for every additional 25 students or less after the first 25.
  - 7) All health, safety, sanitary and operating regulations applicable to licensed schools of cosmetology and hairstyling are applicable to annex classrooms unless otherwise specified.
- c) Upon receipt of an application for approval of a school of cosmetology and hairstyling to operate an annex classroom, the Board shall inform the applicant in writing that the application is either complete and accepted for filing or deficient with an explanation of the specific information or documentation required to complete the application. A complete application is one in which a completed application form, including all required information

and documentation, has been filed by the applicant. Required information and documentation is as follows:

- 1) A floor plan;
  - 2) A copy of the lease;
  - 3) A listing of equipment;
  - 4) Name(s) and license number(s) of the teacher(s) employed to teach at the annex;
  - 5) Copies of the fire and building inspection reports; and
  - 6) Proof of liability and bond coverage for the annex location and the students attending classes there.
- d) After reviewing a completed application and the report of inspection, the Board shall inform the applicant in writing of its decision regarding approval of an annex classroom.