

H 11 to 14



State of Wisconsin \ DEPARTMENT OF HEALTH AND SOCIAL SERVICES

DIVISION OF HEALTH  
MAIL ADDRESS: P. O. BOX 309  
MADISON, WISCONSIN 53701  
IN REPLY PLEASE REFER TO:

May 23, 1975

Mr. James Burke  
Revisor of Statutes  
411 W. Capitol  
Madison, WI

Dear Mr. Burke:

As provided in Section 227.023, Wis. Stats., there is hereby submitted a certified copy of portions of Chapters H 11, 12, 13, & 14, Wisconsin Administrative Code, pertaining to cosmetology, as adopted by the Health and Social Services Board on April 23, 1975. In accordance with Section 227.018(3), Wis. Stats., the 30-day review by the appropriate legislative committee members expired on May 23, 1975, with no objections being raised.

These rules are being submitted to the Governor as required by Section 14.06, Wis. Stats., and to the Secretary of State as required by Section 227.023, Wis. Stats.

It is hoped that the rules can be published in the June 1975 edition of the Wisconsin Administrative Register and become effective on July 1, 1975.

Sincerely,

*George H Handy, M.D.*  
George H. Handy, M.D.  
State Health Officer, M.D.

GHH:ew

Enclosures

Filed May 27, 1975  
8:00 am

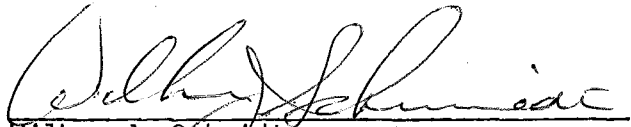
STATE OF WISCONSIN )  
DEPARTMENT OF HEALTH AND SOCIAL SERVICES ) SS

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, Wilbur J. Schmidt, Secretary of the Department of Health and Social Services and custodian of the official records of said department, do hereby certify that the repeal, recreation and creation of the rules and regulations, relating to beauty salons, schools of cosmetology and the conduct of cosmetology examinations were duly approved and adopted by this department on April 23, 1975.

I, further certify that to the best of my knowledge, my official representative, has compared said copy with the original on file in this department and that the same is a true copy thereof, and of the whole of such original.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the department in the city of Madison, this 23rd day of May, 1975.

  
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Wilbur J. Schmidt  
Secretary  
Department of Health & Social Services

SEAL

ORDER OF THE DEPARTMENT OF HEALTH & SOCIAL SERVICES ADOPTING RULES

Pursuant to authority vested in the Department of Health and Social Services in Section 140.05, Wis. Stats., and in accordance with Chapter 227, Wis. Stats., the following rules are hereby promulgated.

Sections H 11.02, H12.03(5), (6), (7), H 13.04 of the WISCONSIN ADMINISTRATIVE CODE are repealed:

Sections H11.01, H12.02, H13.05, H 14.01(2), (4), H14.02 of the WISCONSIN ADMINISTRATIVE CODE are repealed and recreated to read:

Sections H 11.15 and H12.15 of the WISCONSIN ADMINISTRATIVE CODE are created to read:

CHAPTER H11

BEAUTY SALON AND SCHOOL OF COSMETOLOGY

Section H11.01 of Chapter H11, entitled "Beauty Salon and School of Cosmetology", Wisconsin Administrative Code is repealed and recreated to read:

H11.01 Manager in charge of beauty salon. The licensed manager specified by the owner as the person who has direct supervision over salon personnel shall, with the owner, be jointly and severally responsible for compliance with the provisions of the rules. A beauty salon may not operate without the licensed manager, specified by the owner, on the premises except that the manager may designate a temporary replacement who is approved by the department. Such approval can be obtained by completing and filing with the department an application for a temporary replacement for the manager showing that the designee either is licensed as a manager in Wisconsin or has proof of having practiced cosmetology 4,000 hours in a period of at least two years under an operator's license in this state. Such application shall be on forms provided by the Department.

Section H11.02 of Chapter H11, entitled "Beauty Salon and School of Cosmetology", Wisconsin Administrative Code is repealed.

Section H11.15 of Chapter H11, entitled "Beauty Salon and School of Cosmetology", Wisconsin Administrative Code is created to read:

H11.15 Time limits for correction of violations. (1) Violations relative to Sections 159.09 and 159.13 Wisconsin Statutes and rules H11.01 and 11.04 Wisconsin Administrative Code shall be corrected immediately. (2) Violations relative to all other sections of the cosmetology law and rules shall be corrected within 5 days. (3) Extensions of the above time limits for reasons not under the control of the person charged with violation may be granted for cause shown prior to expiration of the time limits set herein.

## CHAPTER H12

### SCHOOLS OF COSMETOLOGY

Section H12.02 of Chapter H12, entitled "School of Cosmetology", Wisconsin Administrative Code is repealed and recreated to read:

H12.02 Limitations and continuing education. (1) Instructors in a school of cosmetology shall practice cosmetology on patrons only to the extent necessary to demonstrate the techniques to students and to carry out the student supervision required under this chapter. (2) To fulfill requirements of 159.08(9) each instructor after June 16, 1977 shall file with the department proof of 50 hours of continuing education within the preceeding three years, designed to contribute to their professional growth and development as an instructor, as follows:

(a) The form attesting to attendance at approved continuing education courses must be verified by the instructor giving such training or other appropriate personnel designated by the department.

(b) Training sponsored by a state educational agency, the department or those institutions under 159.01(9), or any others furnishing such training will require curriculum approval by the Council and the department. Instructors of such approved courses shall be licensed cosmetology instructors or other persons approved by the Council and the department. Creditable hours may be disallowed if the credit is not requested within a reasonable period after attendance.

(c) At least 20 hours of the 50 must be related academic classes.

Section H12.03(5), (6), (7) of Chapter H12, entitled "Schools of Cosmetology", Wisconsin Administrative Code is repealed.

Section H12.15 of Chapter H12, entitled "Schools of Cosmetology", Wisconsin Administrative Code is created to read:

H12.15 Junior instructor course. (1) In order for a school to teach the junior instructor course it must be licensed under Chapter 159

as a school of cosmetology or be an approved institution offering related courses approved by the council and the department. A combination of methods would also be appropriate.

(2) The course of instruction must be submitted in writing, for approval, to the department and shall include but not be limited to the following:

(a) Not less than 200 hours of a variety of comprehensive theoretical classroom instruction in teaching methodology including learning theory and behavior modification, course outlining and development, lesson planning, teaching techniques, teaching aids, demonstration techniques, examination, classroom management and record keeping.

(b) A variety of assignments which would require the junior instructor to develop instruction in all major phases of the curriculum required for cosmetology students.

(c) 100 hours of practice teaching.

(d) Training and supervised practice must be provided in the areas of salon management, including personnel training and supervision, accounting, economics and merchandising.

(e) The additional 500 hours of training required of junior instructors who have not had the one year of experience shall be distributed so as to recognize the lack of actual salon experience of the junior instructor.

(f) Instruction must be under the direction and supervision of a licensed cosmetology instructor or other approved instructor. Such approval shall be in each subject to be taught and based on the instructors credentials in the subject.

## CHAPTER H13

### APPRENTICESHIPS IN COSMETOLOGY

Section H13.04 of Chapter H13, entitled "Apprenticeships in Cosmetology", Wisconsin Administrative Code is repealed.

Section H13.05 of Chapter H13, entitled "Apprenticeships in Cosmetology", Wisconsin Administrative Code is repealed and recreated to read:

H13.05 Responsibility of Manager. The manager must devote sufficient time to teach the apprentice all branches of cosmetology as defined by law and as commonly practiced in a beauty salon. The manager is wholly responsible for both theory and practical training even though assistance is given by the board of vocational, technical and adult education.

CHAPTER H14

COSMETOLOGY EXAMINATIONS

Section H14.01(2) of Chapter H14, entitled "Cosmetology Examinations", Wisconsin Administrative Code is repealed and recreated to read:

H14.01(2) All examinations shall consist of a written and/or practical and/or oral examination designed to determine the ability of the applicant for licensure to accomplish the responsibilities and privileges granted by the license being applied for. The particular elements of the examination shall be in accordance with a plan developed by the examining council and submitted to the council on cosmetology for their review, recommendation and approval. The agreed upon plan will then be submitted to the state health officer for his review and approval. If agreement cannot be reached, the state health officer's decision will rule. The general content but not the specific questions in the examination, the form (written, practical and/or oral) shall be made available to the public and all licensed schools teaching cosmetology at least once every six months and at least each time the examination form or general content is changed. The grading for the practical examinations shall be in each subject included on the examination. A grade, which when added together and divided by the number of subjects included on the examination, equals the score of 70 or more shall be considered a passing grade. If an applicant scores less than 70 on the examination, the examination may be reviewed by three examiners and upgraded to passing only in the event that two of three examiners agree that the applicant is qualified for the license and shall so signify by signing the applicant's examination paper. The different forms of the examination (i.e., written, practical and/or oral) may be averaged together to determine the passing score



of 70 as provided in the plan approved in accordance with the above mentioned procedure. An applicant who fails one or more subjects, whether a total passing score is obtained or not, shall be notified of the failures and the reasons for them. If the applicant is a student recently graduated from one of the cosmetology schools in Wisconsin, that school shall be notified of the subject failure to assist in their evaluation of their instruction program. Each such applicant shall provide, prior to renewing their license if one was issued, evidence satisfactory to the department, that they have taken additional training in that particular subject area or areas. Failure to do so will be cause for the department's refusal to renew such license. Any applicant who takes the practical examination three times without achieving a passing grade will not be permitted to again take the examination without first submitting proof acceptable to the department that the applicant has taken additional work to prepare for passing the examination.

Section H14.01(4) of Chapter H14, entitled "Cosmetology Examinations", Wisconsin Administrative Code is repealed and recreated to read:

H14.01(4) The department may name substitutes, when necessary, to act for the examiners in case of their absence at examinations.

Section H14.02 of Chapter H14, entitled "Cosmetology Examinations", Wisconsin Administrative Code is repealed and recreated to read:

H14.02 grading. (1) Persons who fail in obtaining a passing grade may be permitted to retake the examination at the next regular period when examinations are conducted but shall be required to repeat only those subjects in which a grade lower than 70 was obtained. The grade obtained on the subject repeated shall be substituted for the original subject grade. When a written examination is not divided

into subjects the entire examination must be repeated. At least two examiners shall review a failure in the practical examination, give the reason for failure and each examiner sign the grade sheet. (2) Any person who fails the written examination may request a review of that examination. Providing any grade is changed after review, a written statement of the change shall be placed in the examinee's file stating the circumstances of the change in the grade and the signatures of the examiners concurring in the change. The supervisor, when necessary, may substitute for one of the examiners in case of the absence of an examiner.

The rules contained herein shall take effect on July 1, 1975 as provided in Section 227.026(1), Wis. Stats., subject to the provisions of Section 14.06, Wis. Stats.



Wilbur J. Schmidt, Secretary  
Department of Health & Social Services

Dated May 23, 1975

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