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STATE OF WISCONSIN

DEPARTMENT OF REGULATION AND LICENSING

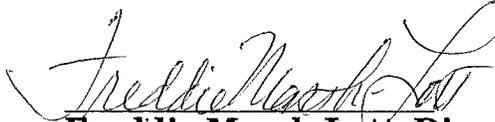
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Revisor of Statutes
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TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, Freddie Marsh-Lott, Director, Bureau of Business and Design Professions in the Wisconsin Department of Regulation and Licensing and custodian of the official records of Barbering and Cosmetology Examining Board do hereby certify that the annexed rules, were duly approved and adopted by the Barbering and Cosmetology Examining Board on the 22nd day of May, 1989

I further certify that said copy has been compared to me with the original on file in this office 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 board at 1400 East Washington Avenue, Madison, Wisconsin, this 22 day of May, 1989.



Freddie Marsh-Lott, Director
Bureau of Business and Design
Professions,
Department of Regulation and
Licensing

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MAY 24 1988

STATE OF WISCONSIN
BARBERING AND COSMETOLOGY EXAMINING BOARD

Revisor of Statutes
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IN THE MATTER OF RULEMAKING	:	ORDER
PROCEEDINGS BEFORE THE BARBERING	:	REPEALING AND CREATING RULES
AND COSMETOLOGY EXAMINING BOARD	:	(Clearinghouse Rule 89-3)

An order of the Barber and Cosmetology Examining Board to repeal chapters B 1 through 8 and C 1 through 4, 6 and 7 and create Wisconsin Administrative Code chapters BC 1 through 9 relating to definitions, professional conduct, barbering and cosmetology establishments, inspections, sanitation and safety, courses of instruction, apprenticeship procedures, apprenticeship standards, examinations, endorsement, reciprocity, license restoration and license reinstatement.

ANALYSIS

Statutes authorizing promulgation: ss. 15.08(5), 227.11(2)(a), Stats. 1987 Wis. Act 265

Statute Interpreted: Chapter 454, Stats.

In this order, the Barbering and Cosmetology Examining Board repeals the rules of the Barbers Examining Board and the rules of the Cosmetology Examining Board, and creates one unified set of rules to regulate the profession. The profession was previously separated into two branches, barbering and cosmetology, and is now recognized as a single, undivided profession pursuant to Chapter 454, Stats., effective November 1, 1988. These proposed rules effectuate the statutory change.

The proposed rules are, in the main, substantive equivalents of the rules of the Barbers Examining Board and the Cosmetology Examining Board, rephrased to enhance clarity. A number of the proposed rules harmonize minor differences between some of the rules of the defunct boards. The few major changes in the substantive rules are almost all required by the statutory mandates.

Proposed BC 3.05 is original to the new rules, and changes the timing of the inspection required for newly licensed establishments, or establishments under new ownership. Under BC 3.05, establishments may open for business before an inspection of the premises has been performed as long as the appropriate license has been issued. The inspection, which is currently required before the business opens, would take place within 45 days of the issuance of the license.

Proposed BC 4.05 and BC 4.06 are original to the new rules. They prescribe procedures for minimizing contact by practitioners or the public with the bodily fluids of any other person.

Proposed chapter BC 5 is a direct response to creation of license categories for aestheticians and manicurists, and the change in the number of hours of training required for licensure eligibility in all aspects of the profession. Chapter BC 5 contains a syllabus listing content and duration of training for each license category; the content and distribution in each case has been developed by the Board, but the duration of training was set by statute.

Proposed chapter BC 6 creates uniform apprenticeship standards, and sets equivalences between training received as an apprentice and training received in a school to facilitate comparisons between training programs for licensure eligibility.

Other changes are procedural only, or do not work a change in the substantive rights and obligations of the profession's practitioners beyond those changes which are required to conform to the statutory scheme.

TEXT OF RULE

Section 1. Chapters B 1 through 8 are repealed.

Section 2. Chapters C 1 through 4, 6 and 7 are repealed.

Section 3. Chapters BC 1 through 9 are created to read:

CHAPTER BC 1

DEFINITIONS

BC 1.01 DEFINITIONS. For the purposes of chs. BC 1 to 9:

- (1) "Board" means the barbering and cosmetology examining board.
- (2) "Cancel" means to terminate an apprenticeship or training program.
- (3) "Contagious" means that which can be transmitted by direct or indirect contact.
- (4) "Department" means the department of regulation and licensing.
- (5) "Direct supervision" means maintaining visual contact.
- (6) "Disinfectant" means an agent that destroys or neutralizes harmful microorganisms.
- (7) "Infectious" means that which is capable of being transmitted without physical contact.
- (8) "Interrupted" means to leave an apprenticeship or training program on a leave of absence.

(9) "Licensee" means a person who holds a license, permit, certificate or registration issued by the board or who has the right to renew a license, permit, certificate or registration issued by the board.

(10) "Manager of record" means a person who holds a current license issued under s. 454.06(3), Stats. and has the responsibility of coordinating statute and rule requirements for an establishment and has the responsibility for coordinating the supervision of apprentices and licensees holding temporary permits.

(11) "Patron" means a person to whom services from a barber or cosmetologist, aesthetician, electrologist or manicurist are provided for compensation.

(12) "Practitioner" means a person who holds the initial license to practice barbering and cosmetology.

(13) "Training manager" means a person who holds a current license issued under s. 454.06(3), Stats. and has the responsibility to train or supervise an apprentice, temporary permit holder, aesthetician-in-training, manicurist-in-training or electrologist-in-training, but is not responsible for salaries or establishment management.

CHAPTER BC 2

PRACTICE AND PROFESSIONAL CONDUCT

BC 2.01 PERSONAL CONDUCT. (1) Licensees shall be clean in person and dress. Licensees shall wash their hands thoroughly with soap and water prior to serving each patron.

(2) Licensees shall neither consume alcohol nor take controlled substances during practice, unless prescribed by a physician.

(3) Licensees shall not smoke while performing services on a patron. Licensees shall not smoke in areas of an establishment where flammable chemicals or substances are stored.

BC 2.02 TREATMENTS PROHIBITED, INFECTIOUS AND CONTAGIOUS DISEASES.

(1) No licensee may treat any disease of the skin unless under the direction of a physician.

(2) No licensee may provide services to a patron suffering from an infectious or contagious scalp or skin disease unless the licensee takes appropriate precautions and uses safeguards to prevent the spread of the disease to other patrons and to the licensee.

(3) No licensee may provide services to a patron while having a known infectious or contagious disease if the licensee is, by reason of the disease, unable to perform the duties customarily provided by a license holder.

(4) No licensee may provide services to a patron if the licensee has a known infectious or contagious disease unless the licensee takes appropriate precautions and uses safeguards which prevent the spread of the disease to patrons.

BC 2.03 PRACTICE STANDARDS. (1) Services provided by any licensee shall be performed in a manner that is consistent with basic and accepted practice standards and in accordance with all state statutes, board rules and local codes and ordinances.

(2) Licensees may provide only those services which they are competent to perform by training or experience and are licensed to provide.

(3) Licensees shall provide services to the best of their ability and make reasonable efforts to comply with requests in a manner that is satisfactory to a patron. Licensees shall not provide services to a patron without first obtaining the consent of the patron or legal guardian of the patron.

(4) Licensees shall maintain competency in all services they practice and maintain knowledge of all products and implements utilized in providing these services.

(5) Licensees shall take adequate and necessary precautions to protect the patron from health and safety hazards when performing services.

(6) Licensees shall not provide services outside of a licensed establishment or school except for inmates, patients or infirm persons in prisons, hospitals, private homes or nursing homes as follows:

(a) Licensees may provide any personal care service for inmates or patients regardless of whether it is done in a designated area or in the personal room of an inmate, patient or infirm person within an institution or private home. Licensees shall obtain the consent of the inmate, patient or infirm person before providing such services.

(b) Personal care services includes shampooing, setting, combing, brushing, cutting, permanents, bleaching or coloring the hair of inmates, patients or infirm persons. Personal care services also includes electrology, manicuring and aesthetic services.

BC 2.04 UNAUTHORIZED PRACTICE. (1) Licensees may not assist or participate in the unauthorized or unlicensed practice of barbering and cosmetology, aesthetics, electrology or manicuring.

(2) Licensees shall report to the board unauthorized or unlicensed practice or other violations of ch. 454, Stats., and chs. BC 1 to BC 9.

BC 2.05 ADVERTISING. (1) Advertising by licensees shall be truthful and accurate and may not mislead the public.

(2) An establishment shall either post a list of cost of services in a conspicuous place or display a sign which states: "All establishment patrons have the right to be informed of the cost of services before the services are provided."

BC 2.06 RESPONSIBILITIES OF OWNERS. (1) The owner of any licensed establishment shall be responsible for compliance with ch. 454, stats., and chs. BC 2, BC 3 and BC 4.

(2) The owner shall:

(a) Appoint a manager of record who shall have direct authority over the operations of the establishment.

(b) Notify the board of the name and address of the new owner or the new manager of record within 5 days of any changes of ownership or management.

(c) Upon permanently closing the licensed establishment return the current license to the board within 5 days.

(d) Provide supplies and equipment necessary to maintain safe and sanitary establishment conditions.

BC 2.07 RESPONSIBILITIES OF THE MANAGER OF RECORD. (1) The manager of record shall be responsible for the daily operations of an establishment.

(2) The manager of record shall:

(a) Maintain supplies and equipment necessary to ensure safe and sanitary establishment conditions.

(b) Ensure that the establishment is in compliance with ch. 454, stats., and chs. BC 3 and BC 4.

(c) Keep and provide employment records to enable apprentices or practitioners to meet the requirements of ss. 454.06 (3) (b), 440.63 (3) (a) 2., or 454.10 (2), Stats., for licensure as a manager or practitioner or certification as an instructor.

(d) Post all required licenses, permits and notices.

(e) Ensure that an apprentice is trained and directly supervised by the manager of record or training manager, one of whom shall maintain visual contact with the practical work of the apprentice.

(f) Ensure that a practitioner holding a temporary permit is directly supervised by a manager who shall maintain visual contact with the practical work of the temporary practitioner.

(g) Ensure that a training permit holder is trained and directly supervised by the manager of record or training manager, one of whom shall maintain visual contact with the practical work of the trainee.

BC 2.08 RESPONSIBILITIES OF THE TRAINING MANAGER. (1) The training manager may provide direct training or supervision to an apprentice, temporary permit holder, aesthetician-in-training, manicurist-in-training or electrologist-in-training, but is not responsible for salaries or establishment management.

(2) The training manager shall keep and provide training records to enable apprentices and trainees to meet the requirements for licensure.

BC 2.09 RESPONSIBILITIES OF LICENSEES. (1) Licensees holding current licenses or permits granted under ch. 454, Stats., shall:

(a) Be responsible for compliance with the sanitation and safety precautions contained in ch. BC 4.

(b) Be responsible for their own professional practice, conduct and compliance with ch. BC 2.

CHAPTER BC 3

ESTABLISHMENTS AND INSPECTIONS

BC 3.01 ESTABLISHMENT REQUIREMENTS. (1) Barbering and cosmetology, aesthetics, electrology, and manicuring shall not be practiced outside the confines of a licensed establishment except as provided in s. BC 2.03 (6). Establishments, including floors, walls ceilings, furniture, equipment, tools, utensils and instruments, shall at all times be in good repair and maintained in an orderly and sanitary condition.

(2) No barbering or cosmetology establishment shall operate without a licensed manager who has been designated on the application held by the board as manager of record. The manager of record is not required to be in an establishment at all times when an establishment is open for business.

(3) If public drinking facilities are provided, disposable drinking cups or a drinking fountain shall be available.

(4) Floor surfaces in an establishment shall be of a washable material. The floor of the work area shall be of a non-absorbant material such as tile, linoleum or commercial grade plastic floor protection. All floor coverings shall be kept in a clean, orderly and sanitary condition. Loose hair shall be swept regularly and placed in a closed container.

(5) Public toilet facilities for the establishment shall be provided within the building, directly adjacent to or accessible by a hallway. Toilet facilities shall be kept clean, sanitary and in working order at all times. Soap, disposable towels and a wash basin with hot and cold running water shall be provided. The toilet room shall not be used as a dispensary or for the providing of services. Items stored in the toilet rooms shall be in closed cabinets. Poisonous substances stored in the toilet room shall be locked in a cabinet or closet.

(6) Establishments shall provide areas designated for storing, cleaning and disinfecting equipment.

(7) Plastic or metal containers of adequate size shall be provided to store all soiled linen. All soiled linen shall be properly cleaned or disposed of after use.

(8) Establishments where apprentices are trained shall provide equipment, supplies and products for all barbering and cosmetology services.

(9) No smoking shall be allowed in areas of an establishment where flammable products or materials are being used or stored.

(10) Pets shall not be kept in an establishment during business hours.

(11) Where an establishment is located in the same building as a residence, the business and living quarters shall be separate. All doors leading to an establishment from rooms used for domestic purposes shall be kept closed.

BC 3.02 ESTABLISHMENTS FOR SPECIALTY SERVICES. Establishments for aesthetics, electrology or manicuring services shall comply with BC 3.01(1) and 3.01(3) to 3.01(11) and BC 4.

BC 3.03 BOOTH RENTAL AND DUAL LICENSURE. (1) More than one licensed establishment may be located within the same premises and share only a common waiting room and toilet facilities. Every licensed barbering and cosmetology establishment shall have separate and fully equipped work stations and a manager of record.

(2) Any licensed establishment which offers electrology shall be licensed as an electrology establishment.

BC 3.04 ESTABLISHMENT APPLICATIONS. (1) Before a person may open a new establishment, or relocate or change the ownership of an existing establishment, the person shall submit an application to the board on a form specified by the board, and secure the board's approval of the application.

(2) The application shall be notarized, and the board may require the identification or indication of the owner, business address, manager of record, type of business, floor plan, dimensions and required equipment, in addition to other information which may be needed to approve the issuance of a license.

(3) Upon approval of the application and posting of the license in the establishment, the establishment may open for business.

(4) Falsification of any information on the application may be grounds for denial, suspension or revocation of the establishment license and subject the applicant to penalties as indicated in s. 454.16, Stats.

BC 3.05 INSPECTIONS. (1) All new establishments, relocated establishments or establishments under new ownership which are licensed under s. 454.08, Stats., shall be inspected within 45 days of the date that the license is issued or reissued.

(2) Inspections by field representatives or agents of the board may be conducted to assure compliance with ch. 454, Stats., and chs. BC 1 to 6.

(3) Upon notification of violation, licensees shall respond within 5 days either by notifying the board of correction of the violation or presenting a proposed plan of correction for board approval.

(4) Failure to respond to a notice of violation, or to comply with a plan of correction approved by the board, is unprofessional conduct.

CHAPTER BC 4

SANITATION AND SAFETY

BC 4.01 SANITATION. (1) All areas of an establishment and the equipment, tools and implements used by licensees for services in an establishment shall be maintained in a clean, sanitary and safe condition.

BC 4.02 EQUIPMENT. Except as otherwise provided in this chapter, equipment and instruments shall be maintained as follows:

(1) Prior to use, all scissors, razors, clipper blades, tweezers, reusable manicure instruments and all other cutting instruments contaminated by contact with blood shall be cleaned with soap or detergent and water, dried, and disinfected by total immersion in 70% isopropyl alcohol for at least ten minutes and then air dried. Alcohol used for decontamination shall be changed daily and shall be kept in a covered container.

(2) Clipper blades, razors, scissors, tweezers, reusable manicure instruments and all other cutting instruments not contaminated by contact with blood shall be cleaned and disinfected prior to use. Disinfection may be accomplished by immersion as described in sub. (1), by use of alcohol wipe, or by use of an EPA-registered germicidal spray with demonstrated bactericidal, fungicidal and virucidal activity used according to manufacturer's instructions.

(3) All combs, lifts, and brushes, rollers and any other contact equipment shall be cleaned with soap or detergent and water, dried, and disinfected prior to use. Disinfection may be accomplished by immersion as described in sub. (1). Clean contact equipment shall be placed in one or more covered containers. One or more separate containers shall be provided for the immediate storage of soiled contact equipment until cleaned and disinfected.

(4) Powder puffs, sponges, and emery boards that cannot be cleaned with soap or detergent and water shall be disposed of following each use.

(5) All liquids, creams, powders and semi-solid substances shall be dispensed from a container in a manner which will prevent contamination of the unused portion of the substance.

(6) Shampoo bowls and basins shall be drained after each use and kept in a sanitary and safe condition.

(7) Clean towels shall be used for each patron. A neckstrip or towel shall be placed around the neck of the patron to prevent contact with the cape. The head rest of any operating chair or shampoo bowl shall be covered with fresh linen or paper for each patron.

(8) All other equipment and instruments shall be clean to sight and touch.

BC 4.03 STERILIZATION. (1) Sterilization, as required by ss. BC 4.07 and BC 4.09 shall be accomplished by use of a FDA-registered dry or steam sterilizer, used according to manufacturer's instructions.

(2) Equipment used to sterilize shall be maintained in working order. Equipment should be checked periodically to ensure that it is reaching required temperatures based upon manufacturer's recommendations.

BC 4.04 SUPPLIES. (1) All work stations shall be supplied with at least one of the topical disinfectants listed in BC 4.05 for use by licensees in case of injury.

(2) All licensees working in a licensed establishment shall be supplied with bandages and disposable gloves.

BC 4.05 PROCEDURE FOR EXPOSURE TO BLOOD. (1) When any patron or licensee is exposed to blood by scissors cut, razor cut, needle stick, laceration or other exposure to broken skin or a mucous membrane, the licensee shall stop, thoroughly wash the exposed area or wound on the patron's or the licensee's body with soap and water, and disinfect the exposed area or wound with a topical disinfectant such as iodine, 70% isopropyl alcohol, or 6% stabilized hydrogen peroxide or equivalent. In the case of mucous membrane exposure, the licensee shall wash or rinse the affected area with plenty of water.

(2) A licensed establishment shall post a written protocol describing the procedure for unintentional occupational exposure to bodily fluids described in sub. (1). The protocol shall be posted in a place conspicuous to licensees.

BC 4.06 PRECAUTIONARY PROCEDURES. (1) A licensee shall cover any abrasions, oozing or open lesions or wounds on his or her hands or forearms prior to patron contact. If a licensee has oozing or open lesions or weeping dermatitis on his or her hands or forearms that cannot be effectively covered, the licensee shall refrain from direct patron contact until the condition has been resolved.

(2) A licensee shall use disposable protective gloves when dealing with patrons with oozing or open lesions or weeping dermatitis. These gloves shall be changed between patrons and disposed of after use.

NOTE: It is recommended that licensees use protective gloves in handling caustic chemicals such as permanent waving solution and neutralizer or hair straightening preparations. The handling of these substances without protection can cause skin damage which may provide a route for infection to be transmitted to the licensee.

(3) Licensees shall carefully bag and dispose of paper products contaminated with blood and thoroughly cleanse and disinfect linens contaminated with blood.

BC 4.07 EAR PIERCING. Licensees performing ear piercing shall:

(1) Wear disposable protective gloves. These gloves shall be changed between patrons and disposed of after each use.

(2) Thoroughly wash the skin area to be pierced with soap and water.

(3) Apply a topical disinfectant (as listed in s. BC 4.05) to the skin surface of the area to be pierced and allow the disinfectant to air dry;

(4) Sterilize earrings, needles, or other piercing instruments prior to insertion. Pre-sterilized earrings may be utilized; and,

(5) Disinfect prior to each use all other surfaces that come into contact with the skin of the patron.

BC 4.08 WAXING. Licensees performing depilation by waxing shall:

(1) Apply a topical disinfectant (as listed in s. BC 4.05) to the skin surface of the area to be waxed and allow the disinfectant to air dry; and

(2) Dispose of spatulas after each use; and

(3) Dispose of wax and strips after each use.

BC 4.09 ELECTROLYSIS. Licensees performing electrolysis shall:

(1) Use sterilized needles for each patron. This may be accomplished through the use of pre-sterilized disposable needles or through sterilization of needles immediately prior to use.

(2) Wear disposable protective gloves when working on a patron. These gloves shall be changed between patrons and disposed of following use.

(3) Thoroughly wash the skin area to be pierced with soap and water. Apply a topical disinfectant (as listed in s. BC 4.05) to the skin surface of the patron and allow the disinfectant to air dry prior to commencing electrolysis.

(4) Dispose of needles in a puncture resistant container specifically designed for disposal.

CHAPTER BC 5

COURSES OF INSTRUCTION

BC 5.01 COURSES. (1) Schools which provide instruction to students for barbering and cosmetology practitioner or manager licenses or specialty schools which provide instruction to students for aesthetician, electrologist or manicurist licenses shall develop curricula for instruction which are based on the applicable syllabus approved by the board. A school or specialty school shall not deviate from the hours listed for subjects in the appropriate syllabus included in this section.

BC 5.02 PRACTITIONER LICENSE SYLLABUS. A syllabus for the practitioner license is shown below in Figure 5.02:

FIGURE 5.02

	SUBJECTS	THEORY HOURS	PRACTICAL HOURS
I.	Hygiene, grooming and personal development.	10	0
II.	Bacteriology, sterilization and sanitation.	20	20
III.	Tools, equipment and implements (identification and usage).	3	9
IV.	Haircutting, hair tapering (clipper-cuts), razor cutting, hairstyling, curling, thermal waving, finger-waving roller setting, pin curl placement, blow-drying, shampoos, scalp and hair treatments, conditioning, reconditioning, hair analysis, and care of hairpieces, wigs and wefts.	150	450
V.	Hair straightening, hair relaxing, thermal hair straightening, blow-outs, permanents, hair coloring, tinting, bleaching and chemistry.	190	400
VI.	Shaving, beard and mustache shaping, trimming, superfluous hair removal, waxing, facials, facial massages, facial makeup, eyelashes, light therapy, tanning, and introduction to electrology.	35	60
VII.	Manicuring.	10	25
VIII.	Anatomy and physiology of the hair, skin and nails and disorders of the hair, skin, scalp and nails.	50	0
IX.	Product knowledge, product use and sales, preparing and consulting with customer for services.	45	0
X.	Laws, rules, professional ethics and history of barbering and cosmetology.	18	0
XI.	Individual student needs, industry trends and electives (e.g. record-keeping, mathematics, communications, human relations, public relations, first aid, etc.).	117	188

TOTAL HOURS: 648

1152

BC 5.03 MANAGERS LICENSE SYLLABUS. A syllabus for the managers license is shown below in Figure 5.03:

FIGURE 5.03

SUBJECTS	THEORY HOURS
I. Business Management	50 hours
Retail Management, Advertising & Marketing	
Time Management	
Computer Applications	
II. Communication	50 hours
Communications	
Salesmanship	
Human Relations	
III Supervision	50 hours
Supervision and Personnel	
Leadership & Motivation	
Chemical and Tool Safety	
Sanitation Safety	

TOTAL HOURS: 150

BC 5.04 AESTHETICIANS LICENSE SYLLABUS. A syllabus for the aestheticians license is shown below in Figure 5.04:

FIGURE 5.04

SUBJECTS	THEORY HOURS	PRACTICAL HOURS
I. Introduction		
Law & Code, Bookkeeping, Business		
Management, History, & Ethics	26	
II. Safety, Sanitation & Sterilization	30	20
III. Anatomy & Physiology	30	
IV. Chemistry, Treatments & Process	24	
V. Treatment-Product and Techniques	32	96
VI. Electricity, Machines & Equipment	10	35
VII. Make-up and Color Analysis	12	20

VIII.	Individual Students Needs and Electives	65	50
	TOTAL HOURS:	229	221

BC 5.05 ELECTROLOGIST LICENSE SYLLABUS. A syllabus for the electrologist license is shown below in Figure 5.05:

FIGURE 5.05

	SUBJECTS	THEORY HOURS	PRACTICAL HOURS
I.	Introduction Law & Code, Bookkeeping, Business Management, History & Ethics	30	
II.	Basic Principles of Electricity & Equipment Usage	20	20
III.	Anatomy, Physiology & Microbiology	20	
IV.	Safety, Sanitation & Sterilization	30	20
V.	Modalities of Electrology	20	50
VI.	Electrology Techniques & Variables	20	50
VII.	Clinical Practice: Consultation, Evaluation, Complica- tions, Contraindications, Positioning and Draping, Lighting and Optics, and Epilatic Techniques	40	60
VIII.	Individual Student Needs & Electives	30	40
	TOTAL HOURS:	210	240

BC 5.06 MANICURIST LICENSE SYLLABUS. A syllabus for the manicurist license is shown below in Figure 5.06:

FIGURE 5.06

	SUBJECTS	THEORY HOURS	PRACTICAL HOURS
I.	Introduction Law and Codes, Bookkeeping Business Management, History and Ethics	36	
II.	Safety, Sanitation, Sterilization, First Aid and Bacteriology	10	25
III.	Nails and Skin Disorders	24	10
IV.	Anatomy & Physiology	18	8
V.	Manicuring and Pedicuring	24	112

VI.	Introduction to Advertising	12	
VII.	Individual Student Needs and Electives	7	14
	TOTAL HOURS:	131	169

CHAPTER BC 6

APPRENTICESHIP PROCEDURES AND STANDARDS

BC 6.01 APPLICATIONS AND PERMITS. (1) The manager to whom an apprentice is to be indentured shall contact the barbering and cosmetology examining board and the department of industry, labor and human relations for application and indenture forms.

(2) The manager shall send to the barbering and cosmetology examining board:

- (a) Completed application for permit.
- (b) Completed apprenticeship agreement.
- (c) Proof of applicant's education as required by s. 454.06(1)(c), Stats.
- (d) The fee specified by s. 440.05(6), Stats.

(3) The manager shall send the completed indenture forms to the department of industry, labor and human relations.

(4) An apprentice shall not engage in any barbering and cosmetology work or attend school until a permit has been issued by the board. A permit will not be issued until the indenture is completed with the department of industry, labor and human relations.

(5) Each apprentice shall be indentured to a manager of record. Any training manager who will assist in training an apprentice shall be listed on the application for the permit.

(6) The manager of record shall provide the apprentice with the equipment necessary to learn all phases of practical barbering and cosmetology as listed in BC 6.04 and keep records of all apprentice practical work hours.

(7) An apprentice transferring from one establishment to another within the state shall contact the board for transfer procedures. An apprentice shall not transfer without prior approval of the board.

BC 6.02 THEORY AND PRACTICAL INSTRUCTION Apprentices shall complete a course of theory instruction of not less than 288 hours at a school of barbering and cosmetology. Theory instruction shall be completed within the first 22 months from the date the permit is issued. After the first 22 months of the apprenticeship the apprentice may not continue working in an establishment until all theory instruction has been completed. The manager of record shall pay the apprentice for the hours of school attendance.

BC 6.03 THEORY SYLLABUS FOR APPRENTICES. Schools which provide theory instruction for apprentices shall develop a curriculum based on the syllabus in Figure 6.03 (1), below:

FIGURE 6.03 (1)

SUBJECTS	THEORY HOURS
I. Hygiene, grooming and personal development.	10
II. Bacteriology, sterilization and sanitation.	20
III. Tools, equipment and implements (identification and usage).	18
IV. Haircutting, hair tapering (clipper-cuts), razor cutting, hairstyling, curling, thermal waving, finger-waving roller setting, pin-curl placement, blow-drying, shampoos, scalp and hair treatments, conditioning, reconditioning, hair analysis, and care of hairpieces, wigs and wefts.	56
V. Hair straightening, hair relaxing, thermal hair straightening, blow-outs, permanents, hair coloring, tinting, bleaching and chemistry.	78
VI. Shaving, beard and mustache shaping, trimming, superfluous hair removal, waxing, facials, facial massages, facial makeup, eyelashes, light therapy, tanning, and introduction to electrology.	30
VII. Manicuring.	10
VIII. Anatomy and physiology of the hair, skin and nails and disorders of the hair, skin, scalp and nails.	50
IX. Laws, rules, professional ethics and history of barbering and cosmetology.	16
TOTAL HOURS:	288

BC 6.04 PRACTICAL TRAINING FOR APPRENTICES. (1) The manager of record to whom an apprentice is indentured shall supervise the training and work of the apprentice.

(2) No apprentice may provide services to a patron when the manager of record or training manager is not present in the establishment.

(3) Each apprentice must receive at least 3,712 hours of training and experience in the practical services of barbering and cosmetology to qualify for the examination as a practitioner. Training and experience shall include the subjects and practical hours of training shown below in Figure 6.04 (3):

FIGURE 6.04 (3)

SUBJECTS	PRACTICAL HOURS
I. Bacteriology, sterilization and sanitation in the establishment.	70
II. Haircutting, hair tapering (clipper-cuts), razor cutting, hairstyling, curling, thermal waving, finger-waving roller setting, pin curl placement, blow-drying, shampoos, scalp and hair treatments, conditioning, reconditioning, hair analysis, and care of hairpieces, wigs and wefts.	1,300
III. Hair straightening, hair relaxing, thermal hair straightening, blow-outs, permanents, hair coloring, tinting, bleaching and chemistry.	1,000
IV. Shaving, beard and mustache shaping, trimming, superfluous hair removal, waxing, facials, facial massages, facial makeup, eyelashes, light therapy, tanning, and introduction to electrolysis.	80
V. Manicuring.	30
VI. General patron service and individual apprentice needs	1,232
TOTAL PRACTICAL HOURS	3,712

BC 6.05 TRANSFER CREDIT. (1) Apprentices transferring to a school program shall be granted credit for hours attained at a ratio of one apprentice theory hour to one student theory hour and four apprentice practical hours to one student practical hour.

(2) Students transferring to an apprenticeship shall be granted credit for hours attained at a ratio of one student theory hour to one apprentice theory hour and one student practical hour to one apprentice practical hours.

CHAPTER BC 7

EXAMINATIONS

BC 7.01 ADMINISTRATION. (1) The department attempts to schedule applicants for examination at or near a requested examination site or date but may schedule at any site and date where space is available. Admission cards are mailed to applicants at the address provided by the applicant.

(2) The applicant shall present an admission card at the door of the examination room with the identification specified on the admission card.

(3) Applicants shall follow the rules of conduct for the examination provided at the beginning of the examination. Definite time limits may be placed on each portion of the examination.

(4) Issuance of a license may be denied if the board determines that the applicant violated the rules of conduct for the examination.

(5) During practical examinations, applicants shall wear a numeric identification tag. The number shall be used in lieu of the applicant's name on examination papers.

BC 7.02 COMPETENCY TESTED. (1) Examinations shall test entry level competency to practice.

(2) The board shall furnish to individuals upon request general information describing the competencies upon which the examination is based.

BC 7.03 FORM OF EXAMINATION. (1) BARBER AND COSMETOLOGIST. An applicant for licensure as a barber or cosmetologist shall pass a written examination and each part of a practical examination which includes the following parts: haircut, chemical waving, chemical relaxing, thermal curling, tint and shampoo (one part), and blow drying.

(2) MANAGER. An applicant shall pass a written examination.

(3) AESTHETICIAN, ELECTROLOGIST, OR MANICURIST. An applicant for a license as an aesthetician, electrologist or manicurist shall pass a written and a practical examination.

BC 7.04 PASSING SCORES. (1) BARBER AND COSMETOLOGIST. An applicant for licensure as a barber or cosmetologist who achieves a score of no less than 78 on the written examination, and a score of no less than 75 on each part of the practical examination shall receive a license.

(2) MANAGER. An applicant for licensure as manager who achieves a score of no less than 75 on the written examination shall receive a license.

(3) AESTHETICIAN. An applicant for a license as an aesthetician who achieves a score of no less than 70 on the written examination and 75 on the practical examination shall receive a license.

(4) MANICURIST. An applicant for a license as a manicurist who achieves a score of no less than 70 on the written examination and 75 on the practical examination shall receive a license.

(5) ELECTROLOGIST. An applicant for a license as an electrologist who achieves a score of no less than 70 on the written examination and 75 on the practical examination shall receive a license.

BC 7.05 UNAUTHORIZED ASSISTANCE. The board may withhold the score of an applicant who gives or receives unauthorized assistance during the examination and may schedule the applicant for reexamination at a future time.

BC 7.06 FAILURE OF PRACTICAL EXAMINATION. (1) If it appears at the conclusion of a part of a practical examination that an applicant will receive a failing score, two examiners shall confer on the applicant's performance. An applicant shall not receive a failing score on a practical examination part unless two examiners award a failing score and each signs the score sheet.

(2) A written description of the reasons for failure shall be provided to applicants failing practical examinations.

BC 7.07 EXAMINATION REVIEW. (1) An applicant who fails an examination may request a review of that examination by filing a written request with the board within 30 days of the date on which examination results were mailed.

(2) Examination reviews are by appointment only.

(3) The time for review shall be limited to 4 hours.

(4) The applicant may not be accompanied during the review by any person other than a proctor.

(5) The applicant shall be provided with a copy of the questions, a copy of the applicant's answer sheet and a copy of the master answer sheet.

(6) The applicant may review the examination in the presence of a proctor. The applicant shall be provided with a form on which to write comments, questions or claims of error regarding any items in the examination. Bound reference books shall be permitted. Applicants shall not remove any notes from the area. Notes shall be retained by the proctor and made available to the applicant for use at a hearing, if desired. The proctor shall not defend the examination nor attempt to refute claims of error during the review.

(7) An applicant may not review the examination more than once.

(8) The board shall take action on an examination review within 90 days of receiving the written appeal.

BC 7.08 CLAIM OF EXAMINATION ERROR. (1) To claim examination error, an applicant shall file a written request for board review in the board office within 30 days of the date the examination was reviewed. The request shall include:

(a) The applicant's name and address;

(b) The type of license for which the applicant applied;

(c) A description of the mistakes the applicant believes were made in the examination content, procedures, or scoring, including the specific questions or procedures claimed to be in error; and

(d) The facts which the applicant intends to prove, including reference text citations or other supporting evidence for the applicant's claim.

(2) The board shall review the claim, make a determination of the validity of the objections and notify the applicant in writing of the board's decision and any resulting score changes.

(3) If the decision does not result in the applicant passing the examination, a notice of denial of license shall be issued. If the board issues a notice of denial following its review, the applicant may request a hearing under s. RL 1.05.

BC 7.09 RE-EXAMINATION. (1) An applicant may retake any failed part of an examination within one year from the date of the original examination. Applicants need repeat only those parts failed. Applicants who fail the written examination shall retake it in its entirety.

(2) The score attained on a retaken examination shall be substituted for the original score.

(3) Applicants who do not pass all examination parts within one year shall retake and pass the entire examination in order to be licensed.

CHAPTER BC 8

RECIPROCITY OF LICENSES

BC 8.01 RECIPROCITY. (1) The board may grant a license to practice barbering and cosmetology, aesthetics, electrology or manicuring without examination to a licensee of another state provided that the following conditions are met:

(a) The board has entered into a written reciprocal agreement with the licensing authority of another state, where the education and services practiced are substantially equivalent to those in Wisconsin; and

(b) The applicant holds a current license in the other jurisdiction;
and

(c) The applicant pays the appropriate fee as indicated in s. 440.05.

NOTE: The board may issue a license by endorsement to an applicant who meets the criteria of s. 454.13, Stats.

CHAPTER BC 9

RESTORATION AND REINSTATEMENT

BC 9.01 RESTORATION OF LICENSE. Any person who held a license as a practitioner, manager, aesthetician, electrologist or manicurist and who failed to renew the license on or before the date of its expiration may renew the license as follows:

(1) If the application for renewal is filed less than one year after the expiration of the applicant's last license, the applicant may renew the license by payment of the fees as specified in s. 440.05(3) and (4) or (5).

(2) If the application for renewal is filed more than one year and less than four years after the expiration of the applicant's last license, the applicant may renew the license by completion of 8 hours of practical training for each year which the applicant was not licensed and by payment of the fees and specified in s. 440.05(3) and (4) or (5).

(a) Practical training obtained to meet the requirements of this chapter shall include, but not be limited to the following areas: chemicals, implement usage, safety, sterilization and sanitation. The number of hours assigned in each area shall be determined by the barbering and cosmetology instructor or manager according to individual needs.

(b) Practical training hours for renewal purposes shall be completed in a school, specialty school or establishment licensed to provide the practice in which the applicant requires training.

BC 9.02 REINSTATEMENT OF LICENSE. Any former licensee whose license has been suspended or revoked may be reinstated upon a determination by the board that the violation of the statute or rule which was the basis for the disciplinary action originally taken has been corrected. The board may require theory instruction, continuing education, practical training and examination as conditions for reinstatement of a suspended or revoked license.

The rules adopted under this order shall take effect on the first day of the month following publication in the Wisconsin administrative register, pursuant to s. 227.22(2)(intro), Stats.

Dated

May 22, 1989

Agency

Henry H. Moore
Chairperson, Barber and Cosmetology
Examining Board

CORRESPONDENCE/MEMORANDUM

STATE OF WISCONSIN

DATE: May 24, 1989

FILE REF:

TO: Gary Poulson,
Assistant Revisor of Statutes

FROM: William Dusso
Department of Regulation and Licensing

SUBJECT: Final Rulemaking Order

**Agency: BARBERING AND COSMETOLOGY EXAMINING BOARD
Emergency Rules**

Attached is a copy and a certified copy of an order adopting emergency rules.

Would you please publish these rules in the code. Thanks, Gary.

RULES-115
WLD