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TO: Members of the State Board of Education
FROM: Karen B. Salmon, Ph.D. *KBS/CLW*
DATE: October 25, 2016
SUBJECT: COMAR 13A.04.20 *Program for Barbers* (AMEND)
PERMISSION TO PUBLISH

PURPOSE:

The purpose of this item is to request publication of amendments to the Program for Barbers regulation COMAR 13A.04.20.

BACKGROUND/HISTORICAL PERSPECTIVE:

The Program for Barbers operates under regulations from the Department of Labor, Licensing and Regulation's State Board of Barbers as well as the Maryland State Department of Education's (MSDE's) regulations for secondary teachers. Thus, the proposed amendments are to align COMAR 13A.04.20 to changes made to MSDE's teacher certification regulations and to update language.

SUMMARY:

The Maryland State Department of Education proposes the following amendments to this regulation:

- 1) Update the name of the *Division of Career Technology and Adult Learning* to the *Division of Career and College Readiness*;
- 2) Clarify that the school—not MSDE—is responsible for submitting certifying documentation to the State Board of Barbers;
- 3) Update the names of student organizations cited in the regulations;
- 4) Clarify that students' work-study is conducted under a work-based learning agreement with the school; and
- 5) Update the reference of the teacher certification from COMAR 13A.12.02.47 to 13A.12.02.15.

ACTION:

I am requesting that the State Board grant permission to publish amendments to COMAR 13A.04.20.

KBS:lg

Attachment: Amended COMAR 13A.04.20

Title 13A STATE BOARD OF EDUCATION

Subtitle 04 SPECIFIC SUBJECTS

Chapter 20 Program for Barbers

Authority: Business Occupations and Professions Article, §§4-301, 4-302, 4-511, and 4-514, Annotated Code of Maryland

.01 Program Approval.

A. A barber program in a public school that possesses a school permit issued by the State Board of Barbers, that was valid as of June 30, 1991, shall be considered an approved barber program by the State Department of Education.

B. To obtain approval for a barber program after June 30, 1991, a local school system shall apply to the State Department of Education on a form provided by the Department. The proposal for approval of a barber program shall meet all the requirements in Regulations .02—.06 of this chapter.

.02 Program Completer Requirements for Barbers.

A. A program of instruction for barber shall require a minimum of 1,200 locally determined clock hours of instruction of which:

- (1) 200 hours shall be theory and demonstration; and
- (2) 1,000 hours shall be practical application.

B. The program shall include instruction in each of the following topics with hours as assigned by the local school system:

- (1) Careers in barbering;
- (2) Personal development;
- (3) Bacteriology, sterilization, and sanitation;
- (4) Implements, equipment, and supplies;
- (5) Techniques of honing and stropping;
- (6) Fundamentals of shaving;
- (7) Shampooing and rinsing;
- (8) Fundamentals and techniques of haircutting;
- (9) Techniques of cutting and styling curly and over-curly hair;

(10) Techniques of mustache and beard trimming, and design;

(11) Fundamentals of scalp and hair services;

(12) Massage techniques;

(13) Facial services;

(14) Fundamentals of hair styling;

(15) Fundamentals of permanent waving;

(16) Fundamentals of chemical hair relaxing;

(17) Hair coloring;

(18) Hair pieces;

(19) Histology;

(20) Diseases and disorders of skin, scalp, and hair;

(21) Anatomy and physiology in related barbering;

(22) Electricity;

(23) Related basic chemistry for barbering;

(24) Barber shop management; and

(25) State laws and regulations.

C. Related Instruction.

(1) Related instruction, not to exceed 240 hours, may apply toward the 1,200-hour requirement when the teacher of barbering approves hours for documented student participation in any of the following activities:

(a) Organizational activities of the [Vocational Industrial Clubs of America] *Skills USA* which are directly related to the subject of barbering;

(b) School-sponsored field trips planned for in the barber curriculum;

(c) Work-study employment after successful completion of 800 hours of barbering instruction, which is supervised by a master barber[.]*and conducted under a work-based learning agreement with the school.*

(2) The supervisor shall report on all matters concerning the student's progress in work-study employment as described in §C(1)(c) of this regulation to the work-study coordinator, or if none is assigned, to the school's teacher of barbering.

D. The barber teacher may certify the student's eligibility for admission to the State licensing examination upon:

- (1) Demonstrated competency upon the completion of the required minimum number of hours in the program; and
- (2) Certification of successful evaluation of the student's work by the teacher of barbering.

.03 Work Kit.

Each student shall have a work kit consisting of equipment and supplies, as determined by the teacher, needed to participate in the program. The work kit may be purchased from the school or any salon supplier in the marketplace.

.04 Student Records.

A. An enrollment record for each student shall be maintained as a permanent record by the school administrator of the building in which the barber program is housed.

B. The student record shall:

- (1) Be updated on a quarterly basis with the grade earned by the student;
- (2) Be updated on a semester basis with the documented instructional hours earned during the student's active participation in the program;
- (3) Support the student's eligibility for admission to the examination for journey barber; and
- (4) Be the basis for [submitting a certificate of completion, on a form prescribed by the State Department of Education,] *the local school to submit a document certifying student completion*, to the State Board of Barbers.

.05 Barber Teachers.

A. A barber teacher shall possess a master barber license and shall meet the teacher certification requirements in COMAR 13A.12.02.[47]15.

B. A barber teacher may not instruct more than 25 students at any one time.

.06 Sanitation.

A barber program shall comply with the sanitation requirements established by the State Board of Barbers in COMAR 09.16.03.

.07 Denial, Suspension, and Revocation of Approval.

A. Grounds. The State Board of Education may deny, suspend, or revoke approval of a barber program if the program:

- (1) Fails to meet the standards established in Regulations .02—.06 of this chapter;
- (2) Is cited by the State Board of Barbers, after a hearing, for one or more sanitation violations that are a direct hazard to a client's health or safety; or
- (3) Fails to pay a fine imposed by the State Board of Barbers, after a hearing for a sanitation violation, within 30 days.

B. Decision.

(1) The Assistant State Superintendent for the Division of Career [Technology and Adult Learning] *and College Readiness* shall make a recommendation to the State Board of Education to deny, suspend, or revoke approval of a barber program, stating the basis for the recommendation in writing. A copy of the recommendation shall be provided to the local school system.

(2) The local school system may file objections in response to the recommendation. The objections shall be filed with the State Board of Education within 30 days of receipt of the recommendation.

(3) The State Board of Education shall make the final decision. A copy of the decision shall be promptly delivered or mailed to the local school system.

C. Reinstatement. The State Department of Education may reinstate approval of a barber program for which approval has been revoked if the local school system:

(1) Applies for reinstatement of approval in accordance with Regulation .01B of this chapter; and

(2) Provides adequate evidence that the barber program:

(a) Has cured the deficiencies which were the basis for revocation, and

(b) Meets the standards established in Regulations .02—.06 of this chapter.

Administrative History

Effective date: August 3, 1992 (19:15 Md. R. 1392)

Regulation .01A amended effective September 12, 1994 (21:18 Md. R. 1511)

Regulation .07B amended effective September 12, 1994 (21:18 Md. R. 1511)