



**GEORGIA STATE BOARD of
COSMETOLOGY AND BARBERS**
237 Coliseum Drive • Macon, GA 31217
(404) 424-9966 www.sos.ga.gov/plb/cosmetology
**RULES HEARING
MINUTES
March 21, 2022**

The Georgia State Board of Cosmetology and Barbers met on Monday, March 21, 2022 at the Professional Licensing Boards, 237 Coliseum Drive, Macon, GA 31217.

MEMBERS PRESENT

- Kay Kendrick, Chairperson
- Virgil Ergle
- Jacqueline Jones
- Kelly Kyle Murray
- Amy Cooper Smith
- Philamenia Rivers
- Daniel Brown
- Betty Carlisle

MEMBERS ABSENT

- Van Council

STAFF PRESENT

- Chris Jones, Executive Director
- Charita Hodges, Licensing Supervisor
- Valencia Bland, Licensing Supervisor
- Sara Nasworthy, Board Support Specialist
- Jessica Pennington, Licensing Analyst
- Tommy McNulty, Assistant Attorney General
- Betsy Cohen, Assistant Attorney General

COURT REPORTER

- Pat Hodges

VISTORS PRESENT

- Jocelyn Ash, Atlanta Institute of Esthetics
- Elaine Sterling, Elaine Sterling School of Esthetics
- Candace Dickerson, Elaine Sterling School of Esthetics
- Nick Carmini, Elaine Sterling School of Esthetics

PUBLIC PROPOSED RULES HEARING

Kay Kendrick, Chairperson, established a quorum was present and called the meeting to order at 10:00 a.m.

APPROVAL OF AGENDA

Virgil Ergle made a motion, Jaqueline Jones seconded, and the Board voted unanimously to approve the March 21, 2022 Agenda.

PROPOSED RULES HEARING

PROPOSED RULES 240-13-.04 & 240-13-.05

Executive Director Chris Jones read the Board's Proposed Rules 240-13-.04 & 240-13-.05 in its entirety. Executive Director Jones noted that the Board received one (1) public comment in writing regarding the proposed rule. The Board Members, Executive Director Chris Jones answered questions from visitor Elaine Sterling, Elaine Sterling Institute of Esthetics, to clarify various provisions of the Proposed Rule.

Philamenia Rivers made a motion to adopt the Board's Proposed Rule 240-13-.04 & 240-13-.05, Amy Cooper Smith seconded, and the Board voted unanimously in favor.

Rule 240-13-.04 School and Instructor Requirements for Student Records

Requirements for student records and transcripts shall be as follows:

- (a) Each school shall have a curriculum guide and lesson plan used by each instructor for each course taught. Such curriculum guides and lesson plans that encompasses but not limited to the curriculum established by the board for each modality, shall be made available to the Georgia State Board of Cosmetology and Barbers for inspection at all times.
- (b) Student attendance records, grades, test scores, and all records relating to online and distance learning for the theory portion of the curriculum shall be maintained on school premises by the school as part of the permanent record for each student for a period of five (5) years.
- (c) A weekly work sheet signed by the student and the instructor either in ink or by electronic signature shall be kept for each student indicating the number of hours of training in each subject. This work sheet shall be sub-totaled monthly and shall be subject to review by the Georgia State Board of Cosmetology and Barbers at any time.
- (d) Progress Reports on students' attendance and grades shall be current and shall be made available for inspection by the Georgia State Board of Cosmetology and Barbers at all times. Should a student withdraw for any purpose, a notarized transcript of total school hours for that student shall be signed by the school's owner or manager and submitted to the Georgia State Board of Cosmetology and Barbers within thirty (30) days of withdrawal.
- (e) Certification of completed training shall be included with the examination application.
- (f) Each school shall provide transcripts to students pursuant to O.C.G.A. § 43-10-12(D).

- (g) School hours and student records shall be submitted to the Board upon request regardless of any financial obligation the student has to the school.

Rule 240-13-.05 Online and Distance Learning Requirements

Board licensed or approved schools and supervising licensees may teach the theoretical portion of the curriculum to their students or apprentices through online or distance learning classes. All practical training must be hands-on and taught on the clinic floor inside the school by a Board licensed or approved instructor. Practical training for apprentices must be monitored by the designated licensed supervisor inside the Board approved salon or shop. Schools shall keep test results and records of the monitoring process in accordance to Rule 240-13-.04(b).

(a) Barbering

1. Master Barber

A student enrolled in a Board licensed or approved Master Barber program, or an apprentice apprenticing under a designated licensed supervisor, may accrue up to two hundred fifty (250) hours of Level I credit, and/or two hundred (200) hours of Level II credit through an online delivery system only for the theory portion of the curriculum. Schools are responsible for monitoring the student's online hours, course progress, and all testing.

2. Barber II

A student enrolled in a Board licensed or approved Barber II program, or an apprentice apprenticing under a designated licensed supervisor, may accrue up to one hundred ninety (190) hours of Level I credit, and/or two hundred (200) hours of Level II credit through an online delivery system only for the theory portion of the curriculum. Schools are responsible for monitoring the student's online hours, course progress, and all testing.

(b) Cosmetology

1. Master Cosmetology

A student enrolled in a Board licensed or approved Master Cosmetology program, or an apprentice apprenticing under a designated licensed supervisor, may accrue up to two hundred fifty (250) hours of Level I credit, and/or one hundred (100) hours of Level II credit through an online delivery system only for the theory portion of the curriculum. Schools are responsible for monitoring the student's online hours, course progress, and all testing.

2. Hair Design

A student enrolled in a Board licensed or approved Hair Design program, or an apprentice apprenticing under a designated licensed supervisor, may accrue up to two hundred fifty (250) hours of Level I credit, and/or one hundred (100) hours of Level II credit through an online delivery system only for the theory portion of the curriculum.

Schools are responsible for monitoring the student's online hours, course progress, and all testing.

3. Esthetician

A student enrolled in a Board licensed or approved Esthetician program, or an apprentice apprenticing under a designated licensed supervisor, may accrue up to two hundred fifty (250) hours of Level I credit, and/or one hundred (100) hours of Level II credit through an online delivery system only for the theory portion of the curriculum. Schools are responsible for monitoring the student's online hours, course progress, and all testing.

4. Nail Technician

A student enrolled in a Board licensed or approved Nail Technician program, or an apprentice apprenticing under a designated licensed supervisor, may accrue up to one hundred and forty (140) hours of Level I credit through an online delivery system only for the theory portion of the curriculum. Schools are responsible for monitoring the student's online hours, course progress, and all testing.

(c) Cosmetology and Barber Instructors

A student enrolled in a Board licensed or approved Master Cosmetology, Esthetician, Nail Technician, Hair Designer, Master Barber, or Barber II Instructor training program may accrue up to two hundred and twenty five (225) hours of credit through an online delivery system only for the theory portion of the curriculum. Schools are responsible for monitoring the student's online hours, course progress, and all testing.

ECONOMIC IMPACT OF THE PROPOSED RULE ON SMALL BUSINESSES

Executive Director Chris Jones asked the Board Chair Kay Kendrick about the economic impact of the proposed rules pursuant to O.C.G.A. § 50-13-4(a)(3)-(4). Specifically, the Board discussed whether the economic impact of the rules on small businesses could be reduced, where applicable, by establishing different reporting requirements, clarifying reporting requirements, establishing performance rather than design standards, or exempting small businesses from requirements of the rules. The Board also discussed whether the proposed rules imposed excessive regulatory cost or whether costs could be reduced by a less expensive alternative that accomplishes the objectives of the statutes forming the basis of the proposed rules. Virgil Ertle motioned, Philamenia Rivers seconded, and the Board voted unanimously to accept the motion about the Economic Impact and submit the economic impact statement with the proposed rules.

ATTORNEY GENERAL MEMORANDUMS

Upon advice from the Board's Attorney Betsy Cohen, Philamenia Rivers made a motion to release and submit the Georgia Department of Law Memorandum of Authority for the Proposed Rule to the Governor's Office for a Certificate of Active Supervision per the requirements of HB 956. Amy Cooper Smith seconded, and the Board voted unanimously in favor.

The meeting adjourned at 10:28 a.m.

The next scheduled meeting of the Georgia State Board of Cosmetology and Barbers is:

**Monday, May 9, 2022
Professional Licensing Boards Division
237 Coliseum Drive
Macon, Georgia 31217**

Minutes recorded by:

Sara Nasworthy, Board Support Specialist

Minutes reviewed and edited by:

Chris Jones, Executive Director

Kay Kendrick

Kay Kendrick, Board Chair

Chris Jones

Chris Jones, Executive Director

These minutes were approved on June 13, 2022.