

240 CMR: BOARD OF REGISTRATION OF COSMETOLOGY

240 CMR 4.00: OPERATION OF COSMETOLOGY SCHOOLS

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4.01: Licensure

- (1) No person or entity shall operate a cosmetology school without a license issued by the Board.
- (2) Each applicant for a license to conduct a cosmetology school shall submit to the Board:
 - (a) a certificate of occupancy or other authentic form issued by the appropriate city or town approving the premises intended to be used as a school. Such certificate or form shall be submitted to the Board prior to final inspection and approval by the Board;
 - (b) a bond of \$10,000 if enrollments do not exceed 25 students, which shall be subject of the approval by the Board;
 - (c) a bond of \$20,000 if the enrollments are 25 students or more;
 - (d) a true copy of the student contract and a minimum of at least 25 full-time students for first enrollment;
 - (e) a detailed outline of the school curriculum;
 - (f) a detailed professional floor plans;
 - (g) an initial enrollment report signed by the applicant which shall contain a list of at least 25 students, together with copies of birth certificates or other proofs that the students enrolled are at least 16 years of age; and
 - (h) a statement signed by the applicant that the school shall have an adequate library.
- (3) No school shall be conducted or advertised as a salon. No salon shall be conducted or advertised as a school.
- (4) A school license is valid only for the location named in the license and is not transferable. School licensees must immediately notify the Board in writing of the sale or change in ownership or management of a school. A school licensee seeking to change the location of the school shall notify the Board in writing at least 30 days before such change. Upon approval of a new location by the Board, the Board shall cancel the license for the previous location and re-issue a license to the licensee bearing the same number as the license for the previous location and indicating the new location. Each school shall display its license in a conspicuous place near its administrative area.

4.02: Premises

- (1) School premises shall be large enough to accommodate:
 - (a) a clinic area for at least 25 students, with not less than 20 square feet of area for each student;
 - (b) a lecture room with a minimum of 25 arm chairs properly equipped for demonstration or practical purposes; and
 - (c) a basic room completely separated from the lecture and clinic rooms sufficiently large to accommodate 25 students.
- (2) Every school shall have, and shall maintain in good working condition, equipment appropriate and sufficient for its student body. The following shall be the minimum equipment required at all times at a licensed school:
 - ten shampoo sinks and chairs
 - 25 all-purpose chairs
 - ten dryers with accompanying chairs

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two marcel stoves and irons
one heat lamp
one steamer
six heating caps
ten manicure tables
ten manicure sterilizers
12 complete sets of cold waving equipment
25 wet hospital grade sterilizers or more as needed for one per student
five dry sterilizers
two haircutting clippers with attachments

- (3) Every school shall provide each student with a separate locker sufficiently large to keep students' effects.
- (4) Every school shall maintain separate lavatories for men and women.
- (5) All sanitary regulations (240 CMR 3.00) applicable to salons shall in every respect apply to schools.
- (6) Every school shall at all times be in the charge of and under the immediate supervision of licensed instructors.
- (7) Every school shall regularly employ or have in attendance during school hours at least two approved instructors for 25 students or less, and shall employ or have in attendance one instructor or assistant instructor for each additional 25 students or less. No instructor or assistant instructor may supervise or teach more than one class at the same time.
- (8) Instructors in schools shall be licensed instructors competent to impart instruction in those branches of cosmetology which they teach. Instructors shall not be permitted to perform any work on a paying customer on school premises.
- (9) No school shall, directly or indirectly, accept any remuneration or make any charge for services rendered by its students in the course of their practical training. However, a school may impose a reasonable charge for materials used only.
- (10) No school shall permit any student to practice hairdressing, manicuring or aesthetics on a person paying for work.
- (11) Every school shall display, in conspicuous places or at each of its entrances, signs in display lettering at least two inches in height stating the following:

ALL WORK IN THIS SCHOOL IS DONE BY STUDENTS. CHARGE FOR MATERIALS
USED ONLY. NO CHARGE FOR SERVICES.

4.03: Conduct of Operations

- (1) Each school shall keep a daily record of the attendance of each student, and a record of studies completed, and shall record earned credits and hold examinations before issuing diplomas. Upon termination of a student's attendance at a school, the school shall forward to the Board a record of the student's hours and the date of the termination of attendance.
- (2) New students shall be enrolled on a monthly basis. Transfer students and participants in brush-up or advanced training courses may be enrolled at any time.

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- (3) No school shall permit a senior student to act as an instructor or to instruct a junior student.
- (4) Students, upon graduation from school and pending examination, may work in licensed salons only after obtaining from the Board a temporary permit to do so.
- (5) No students shall be permitted to enter a classroom unless their attire complies with the dress code established by the school.

4.04: Curriculum

(1) Hairdressing Program.

(a) Each school teaching hairdressing shall maintain a course of study of not less than 1,000 hours, extending over a period of not less than six months. No student shall be required to attend classes more than five days per week (Monday through Saturday).

(b) Every school shall maintain regular class hours with a daily schedule. Such schedule must be submitted to the Board for its approval.

(c) Every school shall maintain a course of practical training in:

- Shampooing
- Hairdressing
- Marcel Waving (optional)
- Finger Waving
- Permanent Waving
- Hair Coloring
- Hair Cutting
- Skin Care/Facial Grooming
- Scalp Massage
- Wig Instruction
- Hair Straightening
- Thermal Styling

(d) Every school shall furnish instruction in antiseptics, sterilization, sanitation, and the use of electrical apparatus and electricity as applicable to the practice of the various branches of cosmetology, and shall arrange courses devoted to each branch of cosmetology in accordance with the following outline of study and schedule of hours:

1. Outline of Study

<u>Theory</u>	<u>Practical</u>
Sanitation	Shampooing
Sterilization	Hairdressing
Hygiene	Marcel Waving (optional)
Bones	Finger Waving
Muscles	Permanent Waving
Nerves	Wig Instruction
Vascular System	Hair Straightening
Circulation	Hair Coloring (dyeing, tints, rinses, bleaching pack, reconditioning)
Skin	Hair Cutting
Nails	Manicuring
Electricity	Skin Care/Facial Grooming
Shop Management	Scalp Massage
Personal Hygiene	

4.03: continued

2. Schedule of Hours

Manicuring (including 12.5 hrs. of Artificial Nail Techniques)	50
Hair Straightening and Permanent Waving	250
Shampooing	25
Finger Waving	50
Marcelling and All Iron Curls	45
Skin Care/Facial Grooming	80
Wig Instruction and Scalp Treatments	50
Dyes and Bleaching (packs, tints, rinses, reconditioning)	150
Hair Cutting	125
Oral, Written and Practical Tests, Sterilization, Hygiene and Anatomy	125
Instruction and Lecture on Sanitation	25
Ethics, Salesmanship, Courtesy and Conduct	25
Unassigned Hours	<u>None</u>
	1,000

(e) Each school shall submit to the Board its schedule of hours in each category to be covered totalling 1,000 hours. All changes must likewise be submitted to the Board. A school may deviate from the submitted schedule of hours by a maximum range of plus or minus 10% of the hours scheduled for any individual subject, provided however that the total hours presented for the entire curriculum shall in no event be less than 1,000 hours.

(f) Schools must maintain records indicating that students have completed the required amount of instruction in each subject. Such records must be available for inspection by any member of the Board or agents of the Board.

(g) No student shall work on a customer paying for materials until after he/she has completed not less than 250 hours of class training. Between 250 and 400 hours of training, a student shall be permitted to perform work on persons paying for materials in the giving of scalp treatments, shampooing, manicuring, skin care/facial grooming, finger waving, pin curling, marcelling, and hair cutting. Upon completion of 400 hours of training a student may be permitted to perform the work of hair coloring, cold and permanent waving, bleaching, hair strengthening and hair styling.

(2) Manicuring Program

(a) Each school offering a manicuring program shall maintain a course of study of not less than 100 hours, extending over a period of not less than four weeks.

(b) No student shall be required to attend classes more than five days per week (Monday through Saturday) not more than 100 hours per month in class training. A minimum of one hour per day shall be directed to theory training in each school.

(c) New students shall be enrolled on a weekly basis.

(d) Each school shall maintain a daily schedule of regular class hours. Such schedule must be approved by the Board.

(e) Each school shall include the following curriculum as part of its course of study:

	HOURS
Safety/Sanitation	10 hours
Artificial Nail Techniques	25 hours
First Aid	2.5 hours
Basic Manicuring with Hand and Arm Massage	40 hours
Professional Ethics/Salon Management	
State Laws	12.5 hours
Oral-Written Practical Examinations	
<u>Hygiene and Anatomy</u>	<u>10 hours</u>

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Total

100 Hours

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(f) Each school shall submit to the Board its schedule of hours in each category to be covered totalling 100 hours. All changes must likewise be submitted to the Board. A school may deviate from the submitted schedule of hours by a maximum range of plus or minus 10% of the hours scheduled for any individual subject, provided however that the total hours presented for the entire curriculum shall in no event be less than 100 hours.

(g) Schools must maintain records indicating the students have completed the required amount of instruction in each subject. Such records must be available for inspection by any member or agent of the Board.

(h) No student shall work on a customer paying for materials until after he/she has completed not less than 25 hours of class training. Between 25 and 50 hours of training, a student shall be permitted to perform work on persons paying for materials for a basic manicure. Upon completion of 50 hours of training, a student may be permitted to perform artificial nail techniques on such paying customers.

4.05: Brush-Up and Advanced Training

(1) Any school duly licensed by the Board may offer brush-up or advanced training courses, provided that such school has been licensed for at least six months.

(2) For purposes of 240 CMR 4.00 the term "brush-up training" means any and all instruction in any branch of cosmetology (as defined in M.G.L. c. 112, § 87T) offered for a fee to persons who have completed 1,000 hours of instruction but who have not been licensed by the Board; and the term "advanced training" means any and all instruction, class or seminar in any branch of cosmetology (as defined in M.G.L. c. 112, § 87T) excluding a review of the basic course of instruction, offered for a fee to hairdressers who hold a current hairdresser's license, including a license issued by another state.

(3) Advanced training courses shall be taught only by persons licensed by the Board of Registration of Cosmetology as instructors pursuant to M.G.L. c. 112, § 87BB, or by such licensed hairdressers or aestheticians who have been approved by the Board as being qualified by expertise and experience to teach advanced courses.

(4) Any school desiring to offer advanced training courses shall submit the following information to the Board at least one month prior to the offering of any such course:

- (a) the title of the course;
- (b) the objective of the course;
- (c) the number of course hours;
- (d) the name, license number, educational background and experience of the instructors; and
- (e) a detailed curriculum of the course.

The Board shall notify the school whether or not the Board has approved the advanced training courses sought to be offered. Approval of the Board shall not be unreasonably withheld.

(5) Advanced training courses shall be offered for not less than eight hours and not more than 80 hours, and shall not be held over periods of time in excess of four weeks.

(6) Certificates of Completion shall be issued to each participant who has attended through its conclusion an advanced training course. Such certificates shall not contain language which implies in any way the attainment of higher or greater degrees of professional competence or skill by the individuals who receive such a certificate. No certificate and no credits shall be granted to participants in brush-up courses.

4.06: Crossover Licensure

(1) A person who has been issued a license to practice barbering may be credited a maximum of 650 hours toward the 1,000 hour hairdressing program course of study requirement for licensure by the Board.

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(2) The following schedule of hours must be completed by crossover licensure candidates:

Schedule of Hours for Crossover Licensure

Chemicals (Haircoloring, Bleaching Permanent Waving, Hair Relaxing)	225
Make-Up Application	25
Hair Styling, Pincurls, Rollers, Finger Waves	50
Manicuring	<u>50</u>
Total	350

(3) A student enrolled in a barbering program licensed by the regulatory body governing the operation of barber schools where such school is located may begin a course of instruction for crossover licensure at a cosmetology school prior to being issued a license to practice barbering. No student shall be eligible to take the written or practical examination for licensure by the Board prior to being issued a license to practice barbering. The registration, practice and licensure of any such student shall be governed by the provisions of M.G.L. c. 112, §§ 87U and 87V and 240 CMR 4.00.

(4) No crossover licensure student may perform chemical treatments, including hair coloring, bleaching, permanent waving, and hair relaxing, prior to the completion of at least 175 hours of training.

4.07: Public/Vocational Secondary and Post-Secondary School Programs

(1) Credit for hours completed in public/vocational secondary and post-secondary school programs shall only be granted by the Board when the requirements of 240 CMR 4.02(2) through 4.04 and 4.07 are met by such programs.

(2) No student may be granted credit for hours completed in a program prior to attaining the age of 16 years. No student may be granted credit for hours completed during the freshman or sophomore year of a program or as part of an "exploratory" or similarly titled program.

(3) No student may provide services outside of the program setting premises prior to successful completion of all required hours for the particular program in which the student is enrolled.

(4) Only those hours which are taught by instructors currently licensed by the Board may be granted credit towards licensure qualification.

4.08: Minimum Hours for Examination Qualification

Students successfully completing the minimum required number of earned credit hours for a hairdressing program (1,000 hours) or manicuring program (100 hours) must be permitted to take the appropriate licensure examination. Completion of any additional program hours above the required minimum curriculum hours may not be required of a student prior to being provided access to a licensure examination.

REGULATORY AUTHORITY

240 CMR 4.00: M.G.L. c. 112, §§ 87BB and 87CC.