

ALABAMA BOARD OF COSMETOLOGY
ADMINISTRATIVE CODECHAPTER 250-X-5
SCHOOLS

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250-X-5-.01 School Licensing.

(1) Any person, firm, corporation or association which either directly or indirectly receives compensation for teaching any branch of cosmetology, except for apprentice training, shall be classified as a school of cosmetology or barbering and will be required to comply with all provisions and rules and regulations of the Board.

(2) All applications for opening a school must be submitted to the Board with the proper license fee at least ninety (90) days before the school is expected to open.

(3) All schools must be inspected by an authorized representative of the Board and approved by the Board before receiving a license.

(4) If a school relocates it must furnish a floor plan and evidence of insurance acceptable to the Board, and the new location must be inspected for compliance with Board regulations before beginning operations.

(5) If the ownership of a school changes in a way that affects the controlling interest, an updated financial statement must be furnished to the Board and the controlling owner or stockholder must appear before the board.

(6) Name changes, location changes or ownership changes may be subject to a fee to cover administrative costs.

(7) School licenses and all instructor licenses must be displayed in a conspicuous place in school office.

Author: Bob McKee

Statutory Authority: Code of Ala. 1975, §34-7A-3(d).

History: Filed September 24, 1982. **New Rule:** Filed April 20, 2001; effective May 25, 2001. **Repealed (See Ed. Note):** Filed July 1, 2002; effective August 5, 2002. **Repealed and New Rule:** Filed September 7, 2005; effective October 12, 2005. **Amended:** Filed June 6, 2007; effective July 11, 2007. **Amended:** Filed April 18, 2008; effective May 23, 2008. **Repealed and New Rule:** Filed October 25, 2013; effective November 29, 2013.

Ed. Note: Rule 250-X-5-.01.01, Certificate Of Registration For A School, was renumbered 250-X-5-.01 after the original 250-X-5-.01, Persons Holding Current Licenses From Another State was repealed as per certification filed July 1, 2002; effective August 5, 2002.

250-X-5-.02 School Requirements.

(1) The Board must be furnished a statement by the proper zoning authority that the school will be located in an area approved for operation of a school. If there is no appropriate zoning authority, a statement to that effect must be furnished to the Board.

(2) A personal financial statement is required to open and operate a school.

(3) A bond in the amount of \$ 50,000 in favor of the State of Alabama underwritten by a company authorized to do business in Alabama is required to open and maintain a school. Code of Ala. 1975, §34-7B-26-1(a).

(4) A liability insurance policy for at least five hundred thousand (\$500,000) dollars is required to open and maintain a school.

(5) Any existing school which wishes to expand operations at the same physical location must notify the Board in writing and maintain student and instructor requirements provided in this section.

(6) Each school must furnish the Board a copy of its standard contract for students.

(7) Each school must furnish the Board a copy of all financial forms relating to tuition, grants and scholarships.

(8) Any school terminating operations must:

(a) Inform the Board at least thirty (30) working days prior to anticipated date of termination;

(b) Provide certified student records to the Board in a format approved by the Board on or before the last day of operation;

(c) Provide each current student a certified transcript of hours completed, and for which the school has been compensated;

(d) Refund any unearned tuition to students;

(e) Transfer to new owner all certified student records if the school is being sold or transferred.

(9) All schools must maintain at least 1,200 square feet inside wall dimensions of floor space to accommodate twenty (20) students. For each additional student over twenty (20) an additional fifteen (15) square feet of floor space is required.

(10) Schools must be completely segregated from any other type business by a solid wall from ceiling to floor without an opening of any type.

(11) Booths in work areas must be open and provide a clear view of students at work.

(12) Schools must be housed in a facility that is clean, properly lighted and ventilated and complies with all applicable health and building codes.

(13) An inventory of all equipment to be used in the school must be provided to the Board.

(14) Schools with less than twenty (20) students must maintain on staff at least one full-time instructor and one on-call instructor. For each additional twenty (20) students or fraction thereof, one additional full-time instructor must be provided on staff.

(15) The same person cannot be the on-call instructor for two schools.

Author: Bob McKee

Statutory Authority: Code of Ala. 1975, §34-7A-3(d).

History: Filed September 24, 1982. **New Rule:** Filed April 20, 2001; effective May 25, 2001. **Repealed (See Ed. Note):** Filed July 1, 2002; effective August 5, 2002. **Repealed and New Rule:** Filed September 7, 2005; effective October 12, 2005. **Amended:** Filed May 15, 2007; effective June 19, 2007. **Amended:** Filed May 3, 2013; effective June 7, 2013. **Repealed and New Rule:** Filed October 25, 2013; effective November 29, 2013.

Ed. Note: Rule 250-X-5-.02.01, Classification Of Schools, was renumbered 250-X-5-.02 after the original 250-X-5-.02, Persons Completing 1,200 Hours Schooling In Another State was repealed as per certification filed July 1, 2002; effective August 5, 2002.

250-X-5-.03 School Curriculum.

(1) All schools must establish and maintain a course of study consistent with standards set by the Board. Public schools are expected to set curricula under guidelines of their governing authority consistent with Board policies.

(2) Students will receive credit only for training physically conducted at a properly licensed school.

(3) The Board will accept hours from public institutions for credit hour programs if properly certified by a licensed instructor. Code of Ala. 1975, §34-7B-18(3)a.

(4) Day schools must conduct at least six hours of theory classes each week.

(5) Night schools must conduct at least three hours of theory classes each week.

Author: Bob McKee

Statutory Authority: Code of Ala. 1975, §34-7A-3(d).

History: Filed September 24, 1982. **New Rule:** Filed April 20, 2001; effective May 25, 2001. **Repealed (See Ed. Note):** Filed July 1, 2002; effective August 5, 2002. **Repealed and New Rule:** Filed September 7, 2005; effective October 12, 2005. **Amended:** Filed May 15, 2007; March 20, 2013. **Repealed and New Rule:** Filed October 25, 2013; effective November 29, 2013. **Amended:** Filed January 27, 2015; effective March 3, 2015.

Ed. Note: Rule 250-X-5-.03.01, School Application, was renumbered 250-X-5-.03 after the original 250-X-5-.03, Persons Holding Current Instructors License From Another State was repealed as per certification filed July 1, 2002; effective August 5, 2002.

250-X-5-.04 School Instructors.

(1) All services performed for the general public by instructors and instructor trainees must be without charge for demonstration purposes only, with students observing, and must directly relate to the practical curriculum offered by schools in the appropriate field.

- (2) Instructors may demonstrate work only in their appropriate field.
- (3) Instructors and school owners are jointly responsible for notifying the Board when an instructor transfers to another school or is terminated for any reason.
- (4) If an instructor who is necessary to maintain minimum school requirements transfers or is terminated, the school must replace that instructor within thirty (30) days of the date such transfer or termination occurs. A properly licensed instructor must be present at all times a school is operating.
- (5) Instructor trainees must have the equivalent of twelve (12) grades in school, hold a current license and be properly registered with the Board.
- (6) Instructor trainees must either:
 - (a) Complete 1,500 hours of instructor training in a registered or licensed school in the appropriate field;
 - (b) Or document at least one (1) year of full time work as a licensee in the appropriate field in a shop licensed in the appropriate field, and afterward complete 650 hours of instructor training in a licensed or registered school in the appropriate field.
- (7) Instructor trainees may instruct only in the presence of a licensed instructor.
- (8) Before enrolling as an instructor trainee an applicant must hold license in appropriate field.
- (9) Instructor trainees must pass appropriate examination to be licensed as an instructor.
- (10) Instructor trainees are responsible for scheduling their own examinations.
- (11) Each school must have one instructor for every two instructor trainees enrolled.
- (12) Instructors who teach in school and practice in a shop must post a license in each location. Duplicate license is subject to a copy fee. Only one license fee is applicable for such instructors.
- (13) A student may not receive credit for courses completed in a school which that person owns or is a principal.

Author: Bob McKee

Statutory Authority: Code of Ala. 1975, §34-7A-3(d).

History: New Rule: Filed August 25, 1995; effective September 29, 1995. **New Rule:** Filed April 20, 2001; effective May 25,

2001. **Repealed (See Ed. Note):** Filed July 1, 2002; effective August 5, 2002. **Repealed and New Rule:** Filed September 7, 2005; effective October 12, 2005. **Amended:** Filed May 15, 2007; effective June 19, 2007. **Amended:** Filed April 18, 2008; effective May 23, 2008. **Amended:** Filed May 3, 2013; effective June 7, 2013. **Repealed and New Rule:** Filed October 25, 2013; effective November 29, 2013. **Amended:** Filed May 28, 2014; effective July 2, 2014.

Ed. Note: Rule 250-X-5-.04.01, Persons Desiring To Open School Must Meet With Board, was renumbered 250-X-5-.04 after the original 250-X-5-.04, Persons Holding Current "Manicurist" License From Another State was repealed as per certification filed July 1, 2002; effective August 5, 2002.

250-X-5-.05 Night Schools (Repealed 6/19/07).

(Repealed)

Author: Bob McKee

Statutory Authority: Code of Ala. 1975, §34-7A-3(d).

History: New Rule: Filed April 20, 2001; effective May 25, 2001.

Repealed and New Rule: Filed September 7, 2005; effective October 12, 2005. **Repealed:** Filed May 15, 2007; effective June 19, 2007.

250-X-5-.06 General Rules For Schools.

(1) Student enrolment records must be received by the Board within thirty (30) days after students enroll. Any hours earned before the Board receives proper enrolment forms will not be credited.

(2) All schools must keep a record of daily attendance, daily, monthly and cumulative totals of hours earned by students, and furnish the Board a certified copy of hours after students finish training or leave school.

(3) Private schools are required to send student daily, monthly and cumulative attendance records to the board office by the 15th day of the month following the month in which hours are earned.

(4) Students may not receive credit for more than forty-eight (48) clock hours earned in one week, including any make up hours.

(5) Schools are not allowed to promise students guaranteed employment after completion of training

(6) No student may be called from theory class to perform service for the public.

(7) Any demonstration of new processes or products to students must be made in the presence of instructors on staff at the school.

(8) No school may prepare food for resale.

(9) No school may charge public for student services before students complete 15% of their training.

(10) No school may pay a student, instructor trainee or instructor for service performed on the public.

(11) All schools must hold both written and practical examinations on a regular basis, including content of Board law and regulations.

(12) No school may prohibit an authorized representative of the Board from conducting an inspection of the school premises, personnel or student records at any time during regular business hours.

(13) Schools are allowed to set their own rules for absenteeism and tardiness.

(14) When students complete appropriate hours of training, schools must submit a record of completion form certifying students for examinations.

(15) Barber, Cosmetology, Esthetician, and Manicure students must become licensed within two (2) years from record of completion date of original training or complete 375 hours of school training before applying or reapplying for examination. Code of Ala. 1975, §34-7B-15(f).

(16) Natural Hair Stylist students must become licensed within two (2) years from record of completion date or original training or complete 75 hours of school training before applying or reapplying for examination. Code of Ala. 1975, §34-7B-15(f)

(17) No student may be enrolled in more than one school at the same time.

(18) Schools may use students to perform services for the public for a fee and advertise for such services provided that:

(a) Any advertisement states in bold legible print that students are performing the services; and

(b) In all areas where students are performing services for the public, legible signs of appropriate size must be posted notifying public that students are being used to perform services.

Author: Jodi Respass

Statutory Authority: Code of Ala. 1975, §34-7A-3(d).

History: New Rule: Filed April 20, 2001; effective May 25, 2001.

Repealed and New Rule: Filed September 7, 2005; effective October 12, 2005. **Amended:** Filed May 15, 2007; effective June 19, 2007.

Amended: Filed April 18, 2008; effective May 23, 2008. **Amended:** Filed May 3, 2013; effective June 7, 2013. **Repealed and New Rule:** Filed October 25, 2013; effective November 29, 2013. **Amended:** Filed January 27, 2015; effective March 3, 2015. **Amended:** Filed July 26, 2016; effective September 9, 2016. **Amended:** Filed July 18, 2017; effective September 1, 2017.

250-X-5-.07 School Equipment And Supplies.

(1) Schools must provide a dispensing room which contains lavatory or sink, bottles and containers distinctly and correctly labeled, a large wet sterilizer, adequate supplies of clean towels, linens.

(2) Schools must provide a separate room for demonstration and study equipped with adequate visual teaching aids, chairs and /or desks for student use.

(3) Schools must provide a reference library stocked with up to date books and materials recommended by the Board for instruction. A copy of the most recent version of Board's law and regulations with any amendments must also be included in library.

(4) Schools must provide a wet sanitizer at each student work station.

(5) Schools must provide adequate lockers for student use.

(6) School restroom may not be used for storage.

(7) Schools must provide adequate office equipment for maintaining student records.

Author: Bob McKee

Statutory Authority: Code of Ala. 1975, §34-7A-3(d).

History: New Rule: Filed April 20, 2001; effective May 25, 2001.

Amended: Filed July 1, 2002; effective August 5, 2002. **Repealed and New Rule:** Filed September 7, 2005; effective October 12, 2005. **Amended:** Filed May 15, 2007; effective June 19, 2007.

Repealed and New Rule: Filed October 25, 2013; effective November 29, 2013.

250-X-5-.08 Barber Schools.

(1) The following minimum equipment and supplies are required for a barber school to become licensed:

- (a) Three (3) shampoo bowls
- (b) Three (3) barber chairs or all purpose chairs
- (c) One sink
- (d) Adequate drying equipment
- (e) Reference books, charts, supplies and equipment necessary for required curriculum.

Author: Bob McKee

Statutory Authority: Code of Ala. 1975, 34-7B-26.

History: New Rule: Filed October 25, 2013; effective November 29, 2013. **Amended:** Filed July 23, 2014; effective August 27, 2014.

250-X-5-.09 Cosmetology Schools.

(1) The following minimum equipment and supplies are required for a school of cosmetology to become licensed:

- (a) Five (5) shampoo bowls
- (b) Three (3) facial chairs or all purpose chairs
- (c) One sink
- (d) Six (6) dryers
- (e) Two (2) manicure tables
- (f) Six (6) styling chairs
- (g) Six (6) mannequins
- (h) Reference books, charts and equipment necessary for required curriculum.
- (i) An adequate quantity of cosmetology, manicuring, esthetics, sanitation sterilization supplies necessary for required curriculum.

Author: Bob McKee

Statutory Authority: Code of Ala. 1975, §34-7A-3(b).

History: New Rule: Filed April 20, 2001; effective May 25, 2001.

Amended: Filed April 1, 2004; effective May 6, 2004. **Repealed and New Rule:** Filed September 7, 2005; effective October 12, 2005. **Repealed and New Rule:** Filed October 25, 2013; effective November 29, 2013. **Amended:** Filed July 23, 2014; effective August 27, 2014.

Ed. Note: Rule 250-X-5-.08, was renumbered to 250-X-5-.09 as per certification filed October 2, 2013; effective November 29, 2013.

250-X-5-.10 Manicure Schools.

(1) The following minimum equipment and supplies are required for a school of manicure to become licensed:

- (a) Six (6) manicure tables
- (b) Six (6) manicure chairs
- (c) One sink
- (d) Reference books, charts and equipment necessary to teach required curriculum.
- (e) An adequate quantity of manicure, nail technology, sanitation and sterilization supplies necessary for required curriculum.

Author: Bob McKee

Statutory Authority: Code of Ala. 1975, §34-7A-3(d).

History: New Rule: Filed April 20, 2001; effective May 25, 2001.

Repealed and New Rule: Filed September 7, 2005; effective October 12, 2005. **Repealed and New Rule:** Filed October 25, 2013; effective November 29, 2013. **Amended:** Filed July 23, 2014; effective August 27, 2014.

Ed. Note: Rule 250-X-5-.09, was renumbered to 250-X-5-.10 as per certification filed October 2, 2013; effective November 29, 2013.

250-X-5-.11 Esthetics Schools.

(1) The following minimum equipment and supplies are required for an esthetics school to become licensed:

- (a) Three (3) facial treatment chairs, hydraulic chairs or treatment tables.
- (b) Three (3) esthetician stools.
- (c) Three (3) facial vaporizers
- (d) Three (3) Woods lamps
- (e) Three (3) footed magnifying lamps
- (f) One (1) electric wax heater

- (g) Three (3) utility tables or one adequate sized continuous counter top
- (h) Three (3) high frequency apparatuses
- (i) One (1) galvanic or faradic/sinusoidal apparatus
- (j) One sink
- (k) Reference books, charts and equipment necessary for curriculum.

Author: Bob McKee

Statutory Authority: Code of Ala. 1975, §34-7A-3(b).

History: New Rule: Filed April 20, 2001; effective May 25, 2001.

Repealed and New Rule: Filed September 7, 2005; effective October 12, 2005. **Amended:** Filed May 15, 2007; effective June 19, 2007.

Repealed and New Rule: Filed October 25, 2013; effective November 29, 2013.

Ed. Note: Rule 250-X-5-.10, was renumbered to 250-X-5-.11 as per certification filed October 2, 2013; effective November 29, 2013.

250-X-5-.12 Student Requirements.

(1) To enroll in school, a student must:

(a) Be at least sixteen (16) years old, documented by birth certificate, school records, driver's license, or insurance policy at least 5 years old.

(b) Furnish proof of having completed 10 grades in school or the equivalent.

(2) Students who complete 70% of their training may receive a permit to work in a licensed shop in the appropriate field when school is not in session. All other training must be physically conducted at a properly licensed school.

(3) Hours earned in a shop by students may not be credited toward required training hours.

(4) Permits for students who work in shops will expire six months after date of issue.

(5) Students may not be issued an apprentice permit to work in a shop.

Author: Jeannie G. Price, CPA

Statutory Authority: Code of Ala. 1975, §34-7A-3(d).

History: New Rule: Filed April 20, 2001; effective May 25, 2001.

Repealed and New Rule: Filed September 7, 2005; effective October 12, 2005. **Amended:** Filed May 15, 2007; effective June 19, 2007.

Amended: Filed April 18, 2008; effective May 23, 2008. **Repealed and New Rule:** Filed October 25, 2013; effective November 29, 2013. **Amended:** Filed October 21, 2014; effective November 25, 2014. **Amended:** Published October 31, 2019; effective December 15, 2019.

Ed. Note: Rule 250-X-5-.1, was renumbered to 250-X-5-.12 as per certification filed October 2, 2013; effective November 29, 2013.

250-X-5-.13 Natural Hair Stylist Schools.

The following minimum equipment and supplies are required for a natural hair stylist school to become licensed:

- (a) Three (3) shampoo bowls.
- (b) Three (3) all purpose chairs.
- (c) Adequate drying equipment.
- (d) One sink.
- (e) Reference books, charts and equipment necessary for required curriculum.
- (f) An adequate quantity of sanitation and sterilization supplies necessary for required curriculum.

Author: Jodi Respass

Statutory Authority: Code of Ala. 1975, §34-7A-26.

History: New Rule: Filed January 11, 2018; effective February 25, 2018.