

**RULES
OF
TENNESSEE BOARD OF COSMETOLOGY AND BARBER EXAMINERS**

**CHAPTER 0200-01
RULES OF THE BARBER BOARD**

TABLE OF CONTENTS

0200-01-.01	Requirements for School License	0200-01-.11	Fees
0200-01-.02	Curriculum	0200-01-.12	Inspections
0200-01-.03	Transcripts	0200-01-.13	License Qualifications
0200-01-.04	Applications for Examination	0200-01-.14	Teacher Training Programs
0200-01-.05	Posting of Licenses	0200-01-.15	Student Kits
0200-01-.06	Expiration of Certificates of Registration	0200-01-.16	Demonstrations
0200-01-.07	Equipment and Location Requirements	0200-01-.17	Alcoholic Beverages
0200-01-.08	Educational Equivalent	0200-01-.18	Civil Penalties
0200-01-.09	Examinations	0200-01-.19	Mobile Shops
0200-01-.10	Original License Fee	0200-01-.20	Residential Barber Services

0200-01-.01 REQUIREMENTS FOR SCHOOL LICENSE.

- (1) The Board of Barber Examiners will not issue, reissue, or renew a license to operate a new, change of ownership or location of a school of barbering unless the school is equipped with at least the following:
 - (a) A minimum of two (2) restroom facilities;
 - (b) One (1) work station with adjustable chair per student working on the clinic floor, with a minimum of fifteen (15) stations;
 - (c) Five (5) shampoo basins adequately spaced with hot and cold running water;
 - (d) Two (2) manicure tables;
 - (e) Two (2) floor based hooded dryers;
 - (f) One (1) sitting arrangement in the theory classroom for each student attending class;
 - (g) One (1) wet sterilizer at each student work station;
 - (h) Enclosed storage area for clean towels;
 - (i) Enclosed container for soiled towels;
 - (j) Covered trash containers maintained in a sanitary condition;
 - (k) Sufficient ultraviolet sanitizer and/or dry sterilization at each students' work station;
 - (l) Posted sign stating that all barber services are performed by students;
 - (m) Adequate waiting area for customers; and
 - (n) Time sheet/time clock.
- (2) A proposed floor plan must be submitted to and approved by the Board before:
 - (a) Issuance of a license to operate a new barber school;

(Rule 0200-01-.01, continued)

- (b) Issuance of a license to operate a barber school whose ownership has changed;
 - (c) Reissuance of a license to operate a relocated barber school;
 - (d) A branch school shall be considered a new school and closed to the public for ninety (90) days.
- (3) The floor plan shall provide for and the school shall contain, at least sixteen hundred square feet (1600 sq. ft.) of instructional floor space, including an enclosed classroom for theory instruction. The building shall meet all applicable fire and building regulations prescribed by state or local government.
- (4) The requirements of the school for enrollment of students are:
- (a) Every barber school shall maintain documentation in each student's file which evidences age and education which meets eligibility requirements for enrollment;
 - (b) Every enrollment of a student in a barber school shall be evidenced by a written enrollment agreement, signed by both parties, which clearly details the rights and obligations of both parties;
 - (c) The school shall furnish to the student an executed copy of the enrollment agreement and maintain a copy of the agreement in the student's file.
 - (d) The school must have at least fifteen (15) students enrolled (part-time or full-time) and the school must provide proof of same to the Board in the form of signed student enrollment agreements prior to being granted a barber school license.
 - (e) Full-time barber school students must attend school for at least twenty-five (25) hours per week and part-time barber school students must attend school for at least fifteen (15) hours per week.
- (5) Every student enrollment agreement shall:
- (a) Be signed and dated by the student and an authorized representative of the school;
 - (b) Specify the number of clock hours in the course of instruction and an approximate number of weeks or months required for completion;
 - (c) Identify all costs and charges which the student must bear;
 - (d) Indicate any grounds for termination of a student by the school;
 - (e) State in clear and understandable language the school's refund policy;
 - (f) List any special conditions or requirements for graduation; and
 - (g) Contain an acknowledgment that the student has read and understands the agreement before making any payment thereunder.
- (6) All documentation and enrollment agreements required under this rule shall be available for inspection by members or inspectors of the Board during business hours.

Authority: T.C.A. §§ 62-3-122, 62-3-123, and 62-3-128(a). **Administrative History:** Original rule certified June 7, 1974. Repeal by Public Chapter 261; effective July 1, 1983. New rule filed June 17,

(Rule 0200-01-.01, continued)

1983; effective July 18, 1983. Amendment filed January 3, 1986; effective February 2, 1986. Repeal and new rule filed July 10, 1997; effective September 23, 1997. Amendment filed September 2, 2015; effective December 1, 2015.

0200-01-.02 CURRICULUM.

- (1) The three hundred forty (340) hours of instruction which are required of applicants for a certificate of registration as a technician shall be apportioned as follows:

- (a) General Hours:

- Skin Care and makeup
 - Shampoos and rinses
 - Manicures and nail care (Limited to twenty-five (25) hours)
 - Hair coloring, tinting, and dyeing
 - Hair, skin and scalp
 - Disorders of hair, scalp, skin and nails
 - Anatomy, physiology and systems structures of the head, face and neck, including muscles and nerves
 - Elementary chemistry relating to sterilization, sanitation, bacteriology, and hygiene
 - Barber statutes, rules and regulations

- Required Total: 160 Hours

- (b) Physical Hours:

- Facial and makeup
 - Shampoos and rinses
 - Manicures
 - Massaging and manipulating of the muscles of the arms, hands and scalp

- Required Total: 155 Hours

- (c) Chemical Hours:

- Hair coloring, tinting and dyeing

- Required Total: 25 Hours

- Curriculum Total: 340 Hours

- (2) Fifteen hundred (1500) hours of training are required of applicants for a certificate of registration as a master barber with at least one (1) hour of theory class per day. The hours shall be apportioned as follows:

- (a) General Hours:

- History and fundamentals of barbering
 - Elementary chemistry relating to sterilization, sanitation, bacteriology, and hygiene
 - Barber implements
 - Shaving
 - Skin, scalp and hair
 - Haircutting, hairstyling and hairsetting
 - Hairpieces - (sales and service)

(Rule 0200-01-.02, continued)

- Chemical theory (permanent waving, hair coloring, bleaching and straightening)
- Manicure and nail care
- Anatomy, physiology and systems structure of the head, face and neck, including muscles and nerves
- Makeup and skin care
- Theory of massage and facial treatment
- Disorders of the skin, scalp, and hair
- Barber law, rules and regulations
- Business management and salesmanship
- Preparation for seeking employment

Required Total: 240 Hours

(b) Chemical Hours:

- Permanent waving
- Hair relaxer
- Hair coloring, bleaching and toning
- Manicures

Required Total: 360 Hours

(c) Physical Hours:

- Shampooing and rinses
- Hair care and scalp care
- Haircutting (male and female)
- Shaving (beards and mustaches)
- Hairpiece-fitting
- Hairstyling
- Facials and makeup
- Manicures

Required Total: 900 Hours

Curriculum Total: 1500 Hours

(3) The barber instructor training program curriculum shall consist of the following:

(a) Lesson Planning:

- Course outlining and development
- Lesson planning and motivation
- Record keeping
- Testing
- Grading

Required Total: 125 Hours

(b) General:

- Book Knowledge
- Teaching Techniques
- Visual Aid Equipment
- Classroom Management
- Student Motivation

(Rule 0200-01-.02, continued)

Product Knowledge
State Laws

Required Total: 125 Hours

(c) Physical:

Permanent Waving
Relaxers
Shampooing
Nail Care
Facials
Hair Coloring/Lightening
Haircutting
Clinic Floor Management

Required Total: 200 Hours

Total Hours: 450 Hours

(4) Every barber school shall:

- (a) Publish readily available and clearly expressed admission policies and requirements;
- (b) Provide to prospective students (before enrollment) published materials which explain requirements for licensure as a master barber, barber technician, and barber instructor in the State of Tennessee;
- (c) Provide each enrolled student with:
 - 1. The school's discrimination and anti-harassment policy;
 - 2. A contract with page numbers for each page and space on each page for the student to initial;
 - 3. A clearly defined policy on how the school will maintain sanitary code requirements and the student's role in maintaining those requirements, which must be based on the curriculum and industry practices; and
 - 4. An initialed acknowledgement by the student that the student has received a full and true copy of the student enrollment agreement for their own personal records;
- (d) Give a receipt to any student from whom money is collected by authorized school personnel;
- (e) Provide the Board with a sample copy of the school's catalog, brochure, enrollment contract, and cancellation and refund policies as a part of their school license application;
- (f) Have a backup method for logging hours that have been earned by students;
- (g) Keep all part-time and full-time student files separate;
- (h) Transfers, Cancellations and Refunds

(Rule 0200-01-.02, continued)

1. The school shall maintain documentation that the refunds owed to students are issued within 45 days of the student's last date of attendance.
 2. The school shall have a written policy that clearly defines how the school determines whether or not credit hours will be accepted from another institution. This policy shall apply to all students. Provided, however, that nothing in this rule shall require a school to accept credit hours from another institution except as provided in the school's policy.
 3. The school shall provide each student with a written policy of a teach out program, or outline the student's options in the event the school closes for an extended period of time, such as by way of license revocation, natural disaster, or other unforeseen consequences. Schools are encouraged to partner with neighboring institutions to achieve the best outcome for students;
 - (i) Keep a copy of all tests, evaluations, or progress reports in the student's file. The student must initial any evaluation or progress reports;
 - (j) Submit to the office of the Board, on the prescribed form, a monthly progress report on each student enrolled. The monthly reports must be received no later than the tenth (10th) of each month for the previous month's hours of instruction. If reports are not submitted by this date, a penalty set by the board will be issued for violation of this rule;
 - (k) Upon yearly renewal of the school license the school shall submit a Board approved form disclosing changes to student enrollment contracts, or other school changes affecting students; and
 - (l) Notwithstanding any provision to the contrary, any school operated under T.C.A. § 62-3-123 may develop courses of instruction and practice incorporating an apprenticeship curriculum, which allows an applicant to obtain fifty percent (50%) of the required hours for a specific license through classroom instruction and fifty percent (50%) of the required hours under the direct supervision and responsible charge of a licensed professional who meets the requirements set forth in this rule. Supervision hours received may not be used for credit for more than fifty percent (50%) of the required hours in any instruction subcategory (General, Chemical or Physical).
1. Definitions
 - (i) "Apprenticeship student" means a student enrolled in a school participating in an apprenticeship program with the intention of completing the school's curriculum under that school's apprenticeship program.
 - (ii) "Supervising licensed professional" means a licensee in the field of study of an enrolled apprenticeship student who is in charge of supervising and accounting for the creditable activities of the student's apprenticeship program and providing the participating school with the student's apprenticeship activity record.
 - (l) Any supervising licensed professional in responsible charge as provided in this rule shall have at least ten (10) years of experience as a licensed professional in the field of study in which the supervision is provided and shall hold a certificate of registration as both a master barber and barber instructor issued by the Board. The supervising licensed professional's license must be current at all times while providing supervision.

(Rule 0200-01-.02, continued)

- (II) Each supervising licensed professional shall be the responsible charge of no more than one apprenticeship student.
 - (iii) "Responsible charge" means a licensed professional in supervision of a student enrolled in an apprenticeship program curriculum, approved by the Board, and responsible for all aspects of that student's apprenticeship instruction.
2. Apprenticeship students shall complete instructional hours and pass the initial theory examination prior to initiating apprenticeship activities in a salon, shop, or establishment. A student shall be actively enrolled in a licensed school in order to participate in an apprenticeship program.
 3. Any school offering an apprenticeship curriculum shall maintain a record of all hours completed under the apprenticeship program, including classroom hours, for which credit is awarded in a student's academic file. This record shall include the number of hours completed under direct supervision and responsible charge, the dates these hours were earned, the license number of the professional in responsible charge who directly supervised the student, and the signatures of both the student and the supervising licensed professional in responsible charge.
 - (i) The required records shall be maintained in the student's file and made available for inspection during the student's academic career, shall be maintained for a period of not less than seven (7) years after a student is no longer attending the providing school, and shall be made available to the Board immediately upon request during this time.
 - (ii) A daily log accounting for all apprenticeship hours awarded under this chapter by any school offering an apprenticeship curriculum shall be maintained by the school and updated monthly. This log shall be made available for inspection at any time.
 - (iii) This daily log shall be submitted to the approving school no later than the close of business of the first (1st) day of the month for the previous month.
 - (iv) Should an apprentice change salon, shop, establishment, or supervising licensed professional, a notarized transcript of the total hours accumulated shall be signed by the salon, shop, or establishment owner or manager, along with the supervising licensed professional, and submitted to the approving school within ten (10) days of the change.
 4. A participating school shall be responsible for confirming a supervising licensed professional's qualifications to be placed in responsible charge of an apprenticeship student as provided by this rule.
 - (i) The participating school providing hours for supervised apprenticeship credit shall maintain documented proof of a supervising licensed professional's experience and a copy of the supervising licensed professional's current, valid Tennessee license. This documentation shall be maintained for a minimum of seven (7) years following the date that the supervising licensed professional last provided supervision for that school.
 - (ii) Apprenticeship experience earned in any jurisdiction other than Tennessee may be considered for purposes of complying with this rule, provided that the supervising licensed professional was appropriately licensed in that jurisdiction at all times when responsible charge was provided for the

(Rule 0200-01-.02, continued)

purpose of earning credit. Proof of the supervising licensed professional's credentials must be provided by the transferring student candidate.

- (iii) The owner of the business providing the student an apprenticeship shall provide the school with a written acknowledgement accepting the student.
 - (iv) Any salon, shop or establishment participating in an apprenticeship program shall provide a work station for the apprenticeship student.
 - (v) The supervising licensed professional must notify the participating school that the apprentice is no longer under his or her supervision and submit a transcript of all hours completed within ten (10) days of termination of the apprenticeship.
 - (vi) No participating school shall allow any person not appropriately licensed to provide any supervision for purposes of this rule, nor shall any participating school allow credit for hours under the supervision of unlicensed persons.
5. Students enrolled in an apprenticeship program must complete their apprenticeship within one-and-one-half times the length of enrollment under the school's standard full-time contract agreement.
6. All students participating in an apprenticeship program in a licensed school must wear attire prescribed by the school and participating shop collectively. The student must wear a name tag identifying the student as an apprenticeship student and identifying the school under which the student is participating in the apprenticeship program.

Authority: T.C.A. §§ 62-3-105, 62-3-123, and 62-3-128. **Administrative History:** Original rule certified June 7, 1974. Repeal by Public Chapter 261; effective July 1, 1983. New rule filed June 17, 1983; effective July 18, 1983. Amendment filed January 3, 1986; effective February 2, 1986. Amendment filed January 26, 1987; March 12, 1987. Amendment filed January 30, 1990; effective March 16, 1990. Repeal and new rule filed July 10, 1997; effective September 23, 1997. Amendments filed March 9, 2017; effective June 7, 2017.

0200-01-.03 TRANSCRIPTS.

- (1) Every barber school or college shall, upon completion or discontinuance of the course of instruction by a student, furnish him or her a transcript showing accumulated hours of instruction. The school or college shall simultaneously furnish a copy of such transcript to the office of the Board. The Board may not release hours until all money has been paid to the school.

Authority: T.C.A. §§ 62-3-110 and 62-3-128. **Administrative History:** Original rule certified June 7, 1974. Repeal by Public Chapter 261; effective July 1, 1983. New rule filed June 17, 1983; effective July 18, 1983. Amendment filed January 3, 1986; effective February 2, 1986. Amendment filed January 26, 1987; March 12, 1987. Amendment filed January 30, 1990; effective March 16, 1990. Repeal and new rule filed July 10, 1997; effective September 23, 1997.

0200-01-.04 APPLICATIONS FOR EXAMINATION.

- (1) All applications for examination for a certificate of registration as a master barber, instructor, or technician must be submitted on the prescribed form to the office of the Board.

(Rule 0200-01-.04, continued)

- (2) Barber applicants who attain a passing score on one (1) part of the examination may retake the failed portion for up to three (3) years. After three (3) years the applicant must resubmit an application and retake the full examination.

Authority: T.C.A. §§ 62-3-112 and 62-3-128. **Administrative History:** Original rule certified June 7, 1974. Repeal by Public Chapter 261; effective July 1, 1983. New rule filed June 17, 1983; effective July 18, 1983. Amendment filed July 24, 1984; effective August 23, 1984. Amendment filed January 26, 1987; effective March 12, 1987. Amendment filed January 30, 1990; effective March 16, 1990. Repeal and new rule filed July 10, 1997; effective September 23, 1997.

0200-01-.05 POSTING OF LICENSES.

- (1) All certificates of registration issued to master barbers, and technicians must be posted at the station where the licensee works, and shall not be laminated.
- (2) All certificates of registration issued to barber shops, barber schools or colleges, and barber instructors must be conspicuously posted on the premises and shall not be laminated.

Authority: T.C.A. §§ 62-3-118 and 62-3-128. **Administrative History:** Original rule certified June 7, 1974. Repeal by Public Chapter 261; effective July 1, 1983. New rule filed June 17, 1983; effective July 18, 1983. Amendment filed January 30, 1990; effective March 16, 1990. Repeal and new rule filed July 10, 1997; effective September 23, 1997.

0200-01-.06 EXPIRATION OF CERTIFICATES OF REGISTRATION.

- (1) All certificates of registration for master barbers and barber instructors shall expire biennially on the last day of the month in which the original certificate was granted.
- (2) All certificates of registration for barber shops shall expire biennially on the last day of the month in which the original certificate was granted.
- (3) All certificates of registration for technicians shall expire biennially on the last day of the month of licensure.
- (4) All certificates of registration for barber schools or colleges shall expire annually on the last date of the month of the original date of licensure. If a barber school or barber college certificate of registration is not renewed within one (1) year from the date of expiration of the license, a new barber school or barber college certificate of registration application will be required.
- (5) A master barber or barber instructor may place his or her certificate of registration into inactive status by completing a form as prescribed by the Board and by submitting that form to the Board prior to the expiration of his or her certificate of registration. A master barber or barber instructor whose certificate of registration is in inactive status may not engage in any conduct for which a certificate of registration is required while his or her certificate of registration is in inactive status.
- (6) When a master barber or barber instructor places his or her certificate of registration into inactive status, such certificate of registration may only remain in inactive status until the end of the current renewal period. The Board may, at its discretion, waive this requirement for good cause shown and may attach any lawful conditions it deems appropriate to such a waiver.
- (7) A master barber or barber instructor whose certificate of registration is in inactive status may reactivate his or her certificate of registration to active status by completing a form as

(Rule 0200-01-.06, continued)

prescribed by the Board and demonstrating compliance with all applicable requirements for certificate of registration reinstatement.

- (8) An applicant for licensure meeting the requirements of T.C.A. § 4-3-1304(d)(1) may:
- (a) Be issued a license or certificate under Tennessee Code Annotated title 62, chapter 3 upon application and payment of all fees required for issuance of a regular license or certificate of the same type if, in the opinion of the Board, the requirements for certification or licensure of such other state are substantially equivalent to that required in Tennessee; or
 - (b) Be issued a temporary permit as described herein if the Board determines that the applicant's license or certificate does not meet the requirements for substantial equivalency, but that the applicant could perform additional acts, including - but not limited to - education, training, or experience, in order to meet the requirements for the license or certificate to be substantially equivalent. The Board may issue a temporary permit upon application and payment of all fees required for issuance of a regular license or certificate of the same type, which shall allow such person to perform services as if fully licensed or certified for a set period of time that is determined to be sufficient for the applicant to complete such requirements.
 - 1. After completing those additional requirements and providing the Board with sufficient proof thereof as may be required, a full certificate of registration shall be issued to the applicant with an issuance date of the date of the original issuance of the temporary permit and an expiration date as if the full certificate of registration had been issued at that time.
 - 2. A temporary permit shall be issued for a period of less than the length of a renewal cycle for a full certificate of registration.
 - 3. A temporary permit shall expire upon the date set by the Board and shall not be subject to renewal except through the completion of the requirements for substantial equivalency as required by the Board or by an extension of time granted for good cause by the Board.
 - 4. Should an extension to a temporary permit cause the permit to be in effect longer than the renewal cycle of a full certificate of registration, the holder of the temporary permit shall file a renewal application with such documentation and fees, including completion of continuing education, as are required by the Board for all other renewals of a full certificate of registration of the same type.
- (9) Military education, training or experience completed by a person described in T.C.A. § 4-3-1304 toward the qualifications to receive any certification issued by the Board if such military education, training, or experience is determined by the Board to be substantially equivalent to the education, training, or experience required for the issuance of such certification.
- (10) Any licensee who is a member of the National Guard or a reserve component of the armed forces of the United States called to active duty whose certificate of registration expires during the period of activation shall be eligible for renewal upon the licensee being released from active duty without:
- (a) Payment of late fees or other penalties;
 - (b) Obtaining continuing education credits when:

(Rule 0200-01-.06, continued)

1. Circumstances associated with the person's military duty prevented the obtaining of continuing education credits and a waiver request has been submitted to the Board; or
 2. The person performs the licensed or certified occupation as part of such person's military duties and provides documentation sufficient to demonstrate such to the Board, or
- (c) Performing any other similar act typically required for the renewal of a license or certification.
- (11) The license, certification, or permit shall be eligible for renewal pursuant to paragraph (10) for six (6) months from the person's release from active duty.
- (12) Any person renewing under paragraph (10) shall provide the Board such supporting documentation evidencing activation as may be required by the Board prior to renewal of any certificate of registration pursuant to that paragraph.

Authority: T.C.A. §§ 4-3-1304, 56-1-302(b), 62-3-128, and 62-3-129. **Administrative History:** Original rule certified June 7, 1974. Repeal by Public Chapter 261; effective July 1, 1983. New rule filed June 17, 1983; effective July 18, 1983. Amendment filed January 30, 1990; effective March 16, 1990. Repeal and new rule filed July 10, 1997; effective September 23, 1997. Amendment filed September 2, 2015; effective December 1, 2015.

0200-01-.07 EQUIPMENT AND LOCATION REQUIREMENTS.

- (1) Every barber shop shall be equipped with at least:
 - (a) One (1) shampoo bowl with hot and cold running water and a chair;
 - (b) One (1) enclosed storage area for clean towels;
 - (c) One (1) covered container for soiled towels;
 - (d) One (1) dry sterilizer or sanitary compartment per station;
 - (e) One (1) work station and mirror for each licensee;
 - (f) One (1) covered container for trash, maintained in a sanitary condition;
 - (g) Adequate restroom facilities;
 - (h) One (1) wet sterilizing solution container per barber chair; and
 - (i) One (1) ultraviolet sanitizer.
- (2) Residential shops must maintain a separate entrance without requiring passage through any portion of a private residence. Separate restroom facilities must be provided apart from the living quarters.
- (3) A barber shop located in a mobile home or mobile unit will not be approved unless it is placed on a permanent foundation or otherwise rendered immobile.
- (4) A barber shop in a residential building must be located on the first floor (street level or one (1) level below).

(Rule 0200-01-.07, continued)

- (5) Laundry work may be performed on the premises of an establishment only:
 - (a) In an area not frequented by the general public nor used for instruction, rest or study by students;
 - (b) With workable equipment which has hot and cold water; and
 - (c) Bleach and detergent must be used.
- (6) Every shop shall contain sufficient equipment to enable it to perform all services offered competently and efficiently. All equipment must be in working order.
- (7) Every barber providing residential barber services pursuant to T.C.A. § 62-3-135 shall have a kit consisting of at least the following materials at all times when providing services in residences:
 - (a) One (1) enclosed and labeled container with clean towels separated from other equipment;
 - (b) One (1) enclosed and labeled container solely for soiled towels;
 - (c) One (1) wet surface cape;
 - (d) One (1) cape (not wet surface);
 - (e) Trash bags;
 - (f) One (1) leak tight container for wet sterilizer solution;
 - (g) One (1) bottle of wet sterilizer solution;
 - (h) One (1) aerosol spray disinfectant for clippers;
 - (i) One (1) portable ultra violet sanitizer;
 - (j) One (1) blood spill kit;
 - (k) Extra disposable gloves;
 - (l) One (1) bottle of alcohol;
 - (m) Hand sanitizer;
 - (n) Cotton balls;
 - (o) Cotton swabs;
 - (p) One (1) sharps disposal container;
 - (q) Neck strips; and
 - (r) Portable shampoo bowl, if required under Paragraph (8).
- (8) A portable shampoo bowl shall only be required pursuant to subparagraph (7)(r) when a barber is providing services in a residence involving removal of chemicals, including, but not limited to, color, permanents, relaxers and conditioners. If a barber intends to provide such

(Rule 0200-01-.07, continued)

services, the portable shampoo bowl shall be available for inspection prior to the issuance of the residential barber certificate. If a barber decides to provide such services after issuance of the residential barber certificate, the barber shall be obligated to notify the board and obtain a new equipment inspection at the barber's expense.

Authority: T.C.A. §§ 62-3-109, 62-3-113, 62-3-128, 62-3-128(a), and 62-3-135. **Administrative History:** Original rule certified Jun 7, 1974. Repeal by Public Chapter 261; effective July 1, 1983. New rule filed June 17, 1983; effective July 18, 1983. Repeal and new rule filed July 10, 1997; effective September 23, 1997. Amendments filed October 15, 2004; effective December 29, 2004. Amendment filed September 2, 2015; effective December 1, 2015. Amendments filed November 21, 2017; to have become effective February 19, 2018. However, a 75-day stay was filed on January 30, 2018. A withdrawal of the stay was filed on February 27, 2018; new effective date March 19, 2018.

0200-01-.08 EDUCATIONAL EQUIVALENT.

- (1) For the purpose of determining eligibility for enrollment in a school of barbering, the applicant must have:
 - (a) Completed and passed at least two (2) years of high school; or
 - (b) Completed and passed the General Education Development test with a score of at least thirty-eight (38). This shall be deemed to be the equivalent of two (2) years of high school.
- (2) Students in public and vocational schools shall be exempt from subparagraphs (a) and (b) above.

Authority: T.C.A. §§ 62-3-110 and 62-3-128. **Administrative History:** Original rule certified June 7, 1974. Repeal by Public Chapter 261; effective July 1, 1983. New rule filed June 17, 1983; effective July 18, 1983. Repeal by Public Chapter 969; effective June 30, 1984. Repeal and new rule filed July 10, 1997; effective September 23, 1997.

0200-01-.09 EXAMINATIONS.

- (1) Passing score. The minimum passing score on all examinations held by the Board shall be seventy (70).
- (2) Instructor Examination. Any person who desires a license to instruct in a school shall submit an application to the board on the prescribed form. The application shall be accompanied by satisfactory proof the applicant has been a master barber for three (3) years or has completed and passed a board-approved instructor training course consisting of at least four hundred fifty (450) hours. The examination of applicants for certificates of registration as an instructor shall consist of a theory examination and a practical demonstration. An applicant who attains a passing score on one (1) part of the examination shall be excused from retaking such part for up to three (3) additional examination attempts.
- (3) Models. All examination models must be male and at least sixteen (16) years of age. No owner of a barber school or college of barbering, master barber, barber student, barber instructor, or other applicant for examination may serve as an examination model.

Authority: T.C.A. §§ 62-3-113 and 62-3-128. **Administrative History:** Original rule filed July 24, 1984; effective August 23, 1984. Amendment filed January 26, 1987; effective March 12, 1987. Amendment filed January 30, 1990; effective March 16, 1990. Repeal and new rule filed July 10, 1997; effective September 23, 1997.

0200-01-.10 ORIGINAL LICENSE FEE.

- (1) The fee for an original certificate of registration as a master barber, technician, or instructor must be paid within six (6) months after the applicant is notified that they have qualified for registration. If such fee is not timely paid, the applicant must reapply for, take and pass the examination for a certificate of registration.
- (2) Barber shop and barber school applications shall expire within ninety (90) days of the date the application is submitted to the Board if the applicant fails to provide all necessary application documentation and information to the Board. The Board may, in its sole discretion and for good cause shown, waive this requirement upon written request by the applicant.

Authority: T.C.A. §§ 62-3-113, 62-3-128, and 62-3-129. **Administrative History:** Original rule filed July 24, 1984; effective August 23, 1984. Repeal and new rule filed July 10, 1997; effective September 23, 1997. Amendment filed September 2, 2015; effective December 1, 2015.

0200-01-.11 FEES.

- (1) The Board shall charge and collect the following fees and penalties:
 - (a) Master Barbers
 - 1. A candidate shall schedule an examination with the Board’s designated testing agency and pay an examination fee that will include any fees charged by the designated testing agency. The Board shall set the examination fee through choosing a contractor from a solicitation process pursuant to T.C.A. § 12-3-501, et seq. and the Comprehensive Rules and Regulations of the Central Procurement Office found at Tenn. Comp. R. & Reg. Chapter 0690-03-01, or any other predecessor rules and laws of the State of Tennessee regarding the procurement of such contracts.
 - 2. Certificate of registration.....sixty dollars (\$60.00)
 - 3. Renewal.....sixty dollars (\$60.00)
 - 4. Penalty for late renewal up until one (1) year of expiration.....sixty dollars (\$60.00).
 - 5. Reinstatement of certificate of registration if more than one (1) year but less than three (3) years, a fee as set forth in T.C.A. § 62-3-129(c)(1).
 - 6. For the reinstatement of a certificate of registration for a master barber license which has been expired for more than three (3) years, a new application for examination and the examination fee shall be submitted. If successful, the applicant shall pay the specified license fee. The examination shall consist of a practical examination before the board. Such applicant shall not be required to meet the qualifications for a certificate of registration established in T.C.A. § 62-3-110(b)(2) and (3).
 - 7. Change of name.....ten dollars (\$10.00)
 - 8. Retirement of licensefifty dollars (\$50.00)
 - (b) Technicians

(Rule 0200-01-.11, continued)

1. A candidate shall schedule an examination with the Board’s designated testing agency and pay an examination fee that will include any fees charged by the designated testing agency. The Board shall set the examination fee through choosing a contractor from a solicitation process pursuant to T.C.A. § 12-3-501, et seq. and the Comprehensive Rules and Regulations of the Central Procurement Office found at Tenn. Comp. R. & Reg. Chapter 0690-03-01, or any other predecessor rules and laws of the State of Tennessee regarding the procurement of such contracts.
2. Certificate of registrationsixty dollars (\$60.00)
3. Renewal.....sixty dollars (\$60.00)
4. Penalty for late renewal up until one (1) year of expiration.....sixty dollars (\$60.00).
5. For reinstatement of a certificate of registration over one (1) year after its expiration, a new examination application shall be submitted. If successful, the applicant shall pay the specified license fee. The examination shall consist of a practical and law examination. Such applicant shall not be required to meet the qualifications for a certificate of registration established in T.C.A. § 62-3-110(a).
6. Change of name.....ten dollars (\$10.00)
7. Retirement of licensefifty dollars (\$50.00)

(c) Residential Barber Services

1. Application (Initial and Renewal).....sixty dollars (\$60.00)
2. Certificate of registrationseventy-five dollars (\$75.00)
3. Renewal cardtwenty-five dollars (\$25.00)
4. Inspection of residential barbering kit (subsequent to issuance of residential barber certificate).....seventy-five dollars (\$75.00)
5. Penalty for late renewal (permissible for up to one (1) year following expiration of registration).....twenty-five dollars (\$25.00)
6. Retirement of license.....twenty-five dollars (\$25.00)

(d) Barber Schools or Colleges

1. Certificate of registration.....three hundred and fifty dollars (\$350.00)
2. Renewal.....one hundred and fifty dollars (\$150.00)
3. Reinstatement of certificate of registration within one (1) year of expiration (includes penalty).....one hundred and seventy five dollars (\$175.00)
4. Change of ownership and/or location.....one hundred and seventy five dollars (\$175.00)
5. Change of nameten dollars (\$10.00)

(Rule 0200-01-.11, continued)

(e) Barber Instructors

1. A candidate shall schedule an examination with the Board’s designated testing agency and pay an examination fee that will include any fees charged by the designated testing agency. The Board shall set the examination fee through choosing a contractor from a solicitation process pursuant to T.C.A. § 12-3-501, et seq. and the Comprehensive Rules and Regulations of the Central Procurement Office found at Tenn. Comp. R. & Reg. Chapter 0690-03-01, or any other predecessor rules and laws of the State of Tennessee regarding the procurement of such contracts.
2. Certificate of registration.....eighty dollars (\$80.00)
3. Renewal.....seventy dollars (\$70.00)
4. Penalty for late renewal of certificate of registration within one (1) year of expiration.....seventy (\$70.00) dollars
5. Reinstatement of certificate of registration if more than one (1) year since expiration (includes penalty) a fee as set forth in T.C.A. § 62-3-129(c)(3).
6. Change of name.....ten dollars (\$10.00)
7. Retirement of licensefifty dollars (\$50.00)

(f) Barber Shops

1. To register a new barber shop or for change of ownership and/or location, the following fees are required:
 - (i) Inspection..... fifty dollars (\$50.00)
 - (ii) Certificate of registration.....one hundred dollars (\$100.00)
2. Renewal.....seventy-five dollars (\$75.00)
3. Penalty for late renewal up until one (1) year of expiration....seventy five (\$75.00) dollars.
4. Reinstatement of certification if registration is more than one (1) year since expiration (includes penalty) as set forth in T.C.A. § 62-3-129(c)(4).
5. Change of name.....ten dollars (\$10.00)

(g) New Dual shop licenseone hundred and fifty dollars (\$150.00)

(h) Dual shop license renewal.....one hundred dollars (\$100.00)

(i) Dual shop penalty for late renewal.....fifty dollars (\$50.00) per year.

(j) Certifications to other Jurisdictions

1. License certification.....fifty dollars (\$50.00)
2. Student certification of hours.....twenty five dollars (\$25.00)

(Rule 0200-01-.11, continued)

- (k) Barber instructor assistant certificate of registration.....twenty-five dollars (\$25.00)
- (l) Reciprocity.....one hundred dollars (\$100.00)
- (m) In the event that any check, draft or money order for the payment of a fee to the Board of Cosmetology and Barber Examiners is returned because of insufficient funds, only cash, certified checks or money orders will be accepted for the amount due, plus a penalty fee of twenty dollars (\$20.00).
- (n) Change of ownership in a barber school or shop due to the death of an immediate family member.....no charge.
Application must be accompanied by death certificate or notice.
- (o) Replacement of lost, misplaced or mutilated certificate of registration.....twenty five dollars (\$25.00).

Authority: T.C.A. §§ 62-3-113, 62-3-117, 62-3-122, 62-3-128, 62-3-129, and 62-3-135. **Administrative History:** Original rule filed July 24, 1984; effective August 23, 1984. Amendment filed January 26, 1987; effective March 12, 1987. Amendment filed February 5, 1991; effective March 22, 1991. Repeal and new rule filed July 10, 1997; effective September 23, 1997. Repeal and new rule filed October 15, 2004; effective December 29, 2004. Amendments filed March 9, 2017; effective June 7, 2017. However, the Board of Cosmetology and Barber Examiners filed a 23-day stay of the effective date of the rule April 28, 2017; new effective date June 30, 2017. Amendments filed November 21, 2017; to have become effective February 19, 2018. However, a 75-day stay was filed on January 30, 2018. A withdrawal of the stay was filed on February 27, 2018; new effective date March 19, 2018.

0200-01-.12 INSPECTIONS.

- (1) Members or inspectors of the Board shall be accorded access to each establishment for the purpose of conducting any inspections authorized by law.
- (2) The results of any inspection of an establishment may be reduced to a grade or rating on a form prescribed by the Board. Such form shall be furnished to the establishment and posted in a conspicuous place therein. This form must be signed personally, by either the school owner, school manager, shop owner or shop manager and a Board member/inspector.
- (3) Upon receipt of an application for a new or relocated barber establishment which will be located in an existing, licensed cosmetology shop, the barber shop may open for business prior to inspection. The shop application must be submitted immediately. Inspection will be conducted within ten (10) days of receipt of application.

Authority: T.C.A. § 62-3-128. **Administrative History:** Original rule filed July 24, 1984; effective August 23, 1984. Amendment filed January 26, 1987; effective March 12, 1987. Amendment filed January 30, 1990; effective March 16, 1990. Repeal and new rule filed July 10, 1997; effective September 23, 1997.

0200-01-.13 LICENSE QUALIFICATIONS.

- (1) Any person holding a valid Tennessee cosmetology license may appear before the board and request to sit for the Master Barber Exam. The board may approve the applicant to test if they:
 - (a) Complete three hundred (300) barbering school hours at a registered barber college learning the fundamentals of straight razor shaving and barbering technique. This student will be given credit for the remaining twelve hundred (1200) hours required to obtain a Tennessee master barber certification upon finishing the required three hundred (300) hours in a barber school, or

(Rule 0200-01-.13, continued)

- (b) Have held their cosmetology license in Tennessee or another Jurisdiction with reciprocity with Tennessee for five continuous years.
- (2) In order to activate a retired license:
- (a) A licensee sixty-five (65) years of age or older may activate a retired license by submitting proof of age, along with payment of license;
 - (b) A licensee under the age of sixty-five (65) will be required to retake and pass the practical and law portions of the examination, before payment of license to activate.

Authority: T.C.A. §§ 62-3-110 and 62-3-128. **Administrative History:** Original rule filed July 24, 1984; effective August 23, 1984. Amendment filed July 14, 1989; effective August 28, 1989. Amendment filed January 30, 1990; effective March 16, 1990. Repeal and new rule filed July 10, 1997; effective September 23, 1997. Amendments filed March 9, 2017; effective June 7, 2017.

0200-01-.14 TEACHER TRAINING PROGRAMS.

- (1) An application for approval of a teacher training program in barbering shall include:
- (a) A summary of education and experience of each instructor for the program;
 - (b) The scheduled dates for the program; and
 - (c) The proposed curriculum of the program.
- (2) The applicant shall demonstrate to the satisfaction of the board that the teacher training program submitted for approval will:
- (a) Contain at least sixteen (16) hours of actual instruction;
 - (b) Emphasize teaching methodology for its entire duration;
 - (c) Restrict the size of classes sufficiently to ensure adequate attention to all participants;
 - (d) Proceed for not more than two (2) hours without a break; and
 - (e) Prohibit demonstrations or presentations for commercial purposes in classrooms. Training programs may not sell, take orders, or in any way promote a product.
 - (f) Conform to professional standards as determined by the Board. This may be determined by, but not limited to, the following: fraud, unprofessional, immoral or dishonorable conduct, a violation of T.C.A. § 62-3 et seq. or of any rules duly promulgated under this chapter, or failure to comply with a lawful order of the Board.
- (3) Promptly after the completion of a teacher training program approved by the Board, the sponsor shall send to the Board a roster showing the names, social security number, and I.D. number of the persons who attended the program and the number of hours that such persons completed.
- (4) The sponsor shall provide an opportunity for the attendees to evaluate each class and the overall program. The original evaluations shall be forwarded to the office of the Board.

Authority: T.C.A. §§ 62-3-124, 62-3-128, 62-3-128(a), and 62-3-124(b). **Administrative History:** Original rule filed July 24, 1984; effective August 23, 1984. Repeal and new rule filed July 10, 1997;

(Rule 0200-01-.14, continued)

effective September 23, 1997. Amendment filed October 15, 2004; effective December 29, 2004. Amendments filed March 9, 2017; effective June 7, 2017.

0200-01-.15 STUDENT KITS.

- (1) Each student, with school assistance, shall be required to have a kit consisting of the following materials, for a master barber course after one hundred (100) hours of enrollment.
 - (a) One (1) taper comb
 - (b) One (1) styling comb
 - (c) One (1) pick
 - (d) One (1) vent-type brush
 - (e) One (1) styling brush
 - (f) Six (6) duckbill clips
 - (g) Six (6) butterfly clips
 - (h) One (1) blow dryer
 - (i) One (1) curling iron
 - (j) Adjustable clippers
 - (k) T-edger/trimmer
 - (l) Straight razor and blades
 - (m) One (1) pair shears and one (1) pair blending shears
 - (n) One (1) pair snippers
 - (o) Three (3) orangewood sticks
 - (p) One (1) box emery boards
 - (q) One (1) cuticle pusher
 - (r) One (1) finger bowl
 - (s) One (1) file
 - (t) One (1) nail brush
 - (u) Facial cream
 - (v) Chair cloth
 - (w) One (1) textbook
 - (x) One (1) workbook

(Rule 0200-01-.15, continued)

- (y) Mannequin
- (2) Each student, with school assistance, shall be required to have a kit consisting of the following materials, for a course as a barber technician after fifty (50) hours of enrollment:
 - (a) One (1) pair snippers
 - (b) Three (3) orangewood sticks
 - (c) One (1) box emery boards
 - (d) One (1) cuticle pusher
 - (e) One (1) finger bowl
 - (f) One (1) file
 - (g) One (1) nail brush
 - (h) One (1) cape
 - (i) One (1) color applicator bottle or color bowl and brush
 - (j) One (1) comb
 - (k) One (1) shampoo cape
 - (l) Clips
 - (m) One (1) textbook
 - (n) One (1) workbook
 - (o) Facial cream
- (3) It shall be the responsibility of the student to maintain all materials in the kits.
- (4) Each school shall have rubber gloves and safety goggles available to all students.

Authority: T.C.A. §§ 62-3-123 and 62-3-128. **Administrative History:** Original rule filed July 24, 1984; effective August 23, 1984. Amendment filed January 26, 1987; effective March 12, 1987. Repeal and new rule filed July 10, 1997; effective September 23, 1997.

0200-01-.16 DEMONSTRATIONS.

- (1) Any person who does not hold a valid license as a barber may not demonstrate any teaching practices of barbering in a shop or school.

Authority: T.C.A. §§ 62-3-107 and 62-3-128. **Administrative History:** Original rule filed July 24, 1984; effective August 23, 1984. Amendment filed January 26, 1987; effective March 12, 1987. Repeal and new rule filed July 10, 1997; effective September 23, 1997.

0200-01-.17 ALCOHOLIC BEVERAGES.

- (1) The sale or distribution of alcoholic beverages on the premises of any barber shop, barber school or college is prohibited during business hours.

(Rule 0200-01-.17, continued)

Authority: T.C.A. § 62-3-128. **Administrative History:** Original rule filed July 24, 1984; effective August 23, 1984. Amendment filed July 14, 1989; effective August 28, 1989. Amendment filed January 30, 1990; effective March 16, 1990. Repeal and new rule filed July 10, 1997; effective September 23, 1997.

0200-01-.18 CIVIL PENALTIES.

- (1) The Tennessee State Board of Barber Examiners may, in a lawful proceeding with respect to any person licensed or required to be licensed, in addition to or in lieu of any other lawful disciplinary action, assess civil penalties for violation of statutes, rules or orders enforceable by the Board in accordance with the following schedule:

Violation	Penalty
T.C.A. § 62-3-121(1)	\$0-\$1000.00
T.C.A. § 62-3-121(2)	\$0-\$1000.00
T.C.A. § 62-3-121(3)	\$0-\$1000.00
T.C.A. § 62-3-121(4)	\$0-\$1000.00
T.C.A. § 62-3-121(5)	\$0-\$1000.00
T.C.A. § 62-3-121(6)	\$0-\$1000.00
T.C.A. § 62-3-121(7)	\$0-\$1000.00

- (2) With respect to any person required to be registered in this state as a barber, the Board may assess a civil penalty against such person for each separate violation of a statute in accordance with the following schedule:

Violation	Penalty
(a) T.C.A. § 62-3-107	\$0-1,000.00
(b) T.C.A. § 62-3-121	\$0-1,000.00

- (3) In determining the amount of any penalty to be assessed pursuant to this rule, the Board may consider such factors as the following:
 - (a) Willfulness of the violation;
 - (b) Repetitions of the violation;
 - (c) Magnitude of the risk or harm caused by the violation; and
 - (d) Extent to which the licensee has sought to compensate any victim(s) of the violation.

Authority: T.C.A. §§ 56-1-308 and 62-3-128. **Administrative History:** Original rule filed July 24, 1984; effective August 23, 1984. Amendment filed January 26, 1987; effective March 12, 1987. Amendment filed January 30, 1990; effective March 16, 1990. Repeal and new rule filed July 10, 1997; effective September 23, 1997.

0200-01-.19 MOBILE SHOPS.

Mobile shops where barber services are performed shall meet the requirements in Rule 0440-01-.19 [Mobile Shops] and pay the fees set out in Rule 0440-01-.13 for mobile shops; provided, however, that the provision of barbering services in such shops shall be controlled by T.C.A. Title 62, Chapter 3 and these rules.

(Rule 0200-01-.19, continued)

Authority: T.C.A. §§ 62-3-128 and 62-4-125 and Public Chapter 983 (2016). **Administrative History:** Emergency rule filed July 24, 2017; effective through January 20, 2018. Original rule filed August 29, 2017; effective November 27, 2017.

0200-01-.20 RESIDENTIAL BARBER SERVICES.

- (1) An applicant for a residential barber certificate shall apply to the Board on a form prescribed by the Board accompanied by the application fee set out in 0200-01-.11(1)(c).
- (2) Upon approval of the applicant's initial application for a residential barber certificate, the applicant shall undergo an inspection of the applicant's residential barber kit to ensure that the kit complies with the requirements set out by 0200-01-.07(7). In the event of any initial or later inspection of a barber's residential kit, payment for the certificate of registration or of the inspection fee must be made before the inspection is completed. No residential services shall be rendered until the barber's residential kit has been approved.
- (3) If a residential barber certificate is not renewed within one (1) year of its expiration, the residential barber certificate shall not be subject to renewal and the master barber shall file a new initial application for a residential barber certificate, including paying for and passing a new residential barber kit inspection.
- (4) The expiration date of an issued or renewed residential barber certificate shall be the same as the expiration date of the applicant's master barber registration and the fees for issuance or renewal shall not be prorated irrespective of the length of such issuance.

Authority: T.C.A. §§ 62-3-113 and 62-3-135. **Administrative History:** Original rule filed November 21, 2017; to have become effective February 19, 2018. However, a 75-day stay was filed on January 30, 2018. A withdrawal of the stay was filed on February 27, 2018; new effective date March 19, 2018.