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Sequence Number: 04-11-24
 Rule ID(s): 10075-10076
 File Date: 4/12/2024
 Effective Date: 7/11/2024

Rulemaking Hearing Rule(s) Filing Form

Rulemaking Hearing Rules are rules filed after and as a result of a rulemaking hearing (Tenn. Code Ann. § 4-5-205).

Pursuant to Tenn. Code Ann. § 4-5-229, any new fee or fee increase promulgated by state agency rule shall take effect on July 1, following the expiration of the ninety (90) day period as provided in § 4-5-207. This section shall not apply to rules that implement new fees or fee increases that are promulgated as emergency rules pursuant to § 4-5-208(a) and to subsequent rules that make permanent such emergency rules, as amended during the rulemaking process. In addition, this section shall not apply to state agencies that did not, during the preceding two (2) fiscal years, collect fees in an amount sufficient to pay the cost of operating the board, commission or entity in accordance with § 4-29-121(b).

Agency/Board/Commission: Tennessee Board of Cosmetology and Barber Examiners
Division: Regulatory Boards
Contact Person: Joseph Wharton
Address: 500 James Robertson Parkway, Davy Crockett Tower, Nashville, Tennessee
Zip: 37243
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Revision Type (check all that apply):

- Amendment Content based on previous emergency rule filed on _____
 New Content is identical to the emergency rule
 Repeal

Rule(s) (ALL chapters and rules contained in filing must be listed here. If needed, copy and paste additional tables to accommodate multiple chapters. Please make sure that ALL new rule and repealed rule numbers are listed in the chart below. Please enter only ONE Rule Number/Rule Title per row.)

Chapter Number	Chapter Title
0440-01	Licensing
Rule Number	Rule Title
0440-01-.03	Curriculum
0440-01-.04	High School Equivalents
0440-01-.13	Fees
Chapter Number	Chapter Title
0200-01	Licensing
Rule Number	Rule Title
0200-01-.08	Educational Equivalent

Chapter 0440-01
Sanitary Rules
Amendments

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0440-01-.02 Change of School Ownership and Relocation	0440-01-.12 Demonstrations
0440-01-.03 Curriculum	0440-01-.13 Fees
0440-01-.04 High School Equivalency Credential	0440-01-.14 Civil Penalties
0440-01-.05 Requirements for Schools	0440-01-.15 Practice by Instructor
0440-01-.06 Enrollment of Students	0440-01-.16 Schools Providing Limited Instruction
0440-01-.07 Student Kits	0440-01-.17 Communication with the Board
0440-01-.08 Examination of School Registration Renewal	0440-01-.18 Expedited Licensing for Certain Military Personnel and Spouses
0440-01-.09 Examinations and School Attendance Ratio	0440-01-.19 Mobile Shops
0440-01-.10 Original License Fee	

0440-01-.03(3) Curriculum is amended by adding the text below as subparagraph (3)(f) so that as amended, subparagraph (3)(f) shall read as follows.

0440-01-.03 Curriculum.

- (3) (a) The fifteen hundred (1,500) clock hours/45 credit hours of instruction required of applicants for a license to practice cosmetology shall be apportioned as follows:
1. General.....300 clock hours/9 credit hours
Sterilization, sanitation and bacteriology, anatomy and physiology, shop ethics, personality and salesmanship, state law.
 2. Chemical.....600 clock hours/18 credit hours
Permanent waves, hair relaxer, hair coloring, bleaching and toning, sculptured nails, hair structure and chemistry.
 3. Physical.....600 clock hours/18 credit hours
Shampooing and rinses, hair and scalp care, hair shaping, hairdressing and styling, facials, arching, lash and brow tinting, manicures and pedicures.
- (b) The six hundred (600) clock hours/18 credit hours of instruction required of an applicant for a license to practice manicuring shall be apportioned as follows:
1. General.....150 clock hours/4.5 credit hours
Sanitation and bacteriology, anatomy and physiology, state law, salon management, and ethics.
 2. Chemical.....100 clock hours/3 credit hours
Product knowledge, ingredients and usage of materials, manicuring and pedicuring, EPA and OSHA requirements.
 3. Physical.....350 clock hours/10.5 credit hours
Massage, manicuring, pedicuring, nail care, nail artistry, nail wraps, sculptured nails, nail tips, gel nails, and nail safety.
- (c) The seven hundred and fifty (750) clock hours/22.5 credit hours of instruction required of an applicant for a license to practice aesthetics shall be apportioned as follows:

Rules of Tennessee Board of Cosmetology and Barber Examiners

Chapter 0440-01 – Licensing & Chapter 0200-01 – Licensing

Rule 0440-01-.03 Curriculum, Rule 0440-01-.04 High School Equivalents, Rule 0440-01-.13 Fees, and Rule 0200-01.08 Education Equivalent

1. General.....150 clock hours/4.5 credit hours
Sterilization, sanitation and bacteriology, professional ethics, personality, salesmanship, anatomy and physiology, and state law.
 2. Chemical.....150 clock hours/4.5 credit hours
Skin conditions and disorders, nutrition, aging factors, product ingredients and usage, waxing, lash and brow tinting, OSHA and EPA requirements.
 3. Physical.....450 clock hours/13.5 credit hours
Massage movements and manipulations, masks and packs, facial treatments with and without the use of machines, skin analysis and consultation, application of all products and machines, color psychology, make-up and corrective make-up arching.
- (d) The three hundred (300) clock hours/9 credit hours of instruction required of an applicant for a natural hair stylist license shall be apportioned as follows:
1. General.....120 clock hours/3.6 credit hours
Sanitation, sterilization, bacteriology, shampooing, draping, disorders of hair and scalp, state law and salon management.
 2. Physical.....180 clock hours/5.4 credit hours
Twisting, wrapping, weaving, extending, locking, braiding and natural hair styling, by hand or mechanical appliances.
- (e) The three hundred (300) clock hours/9 credit hours of instruction required of applicants for an instructor’s license shall include no less than a total of one hundred (100) clock hours/3 credit hours in lesson planning and motivation.
- (f) The three hundred (300) clock hours/9 credit hours of classroom instruction and practical experience required of an applicant for an eyelash specialist license shall include a curriculum developed by the school and shall be controlled by T.C.A. Title 62, Chapter 4, including § 62-4-110.

Authority: T.C.A. §§ 62-4-102, 62-4-105(e), 62-4-108, 62-4-110, and 62-4-120.

0440-01-.04 High School Equivalents is amended by redesignating “High School Equivalents” as “High School Equivalency Credential” and by deleting the text of the rule and substituting the following so that as amended the rule shall read:

0440-01-.04 High School Equivalency Credential.

- (1) For the purpose of determining whether an applicant for a license to instruct in a cosmetology school has received a high school diploma or a high school equivalency credential, the Board will consider whether the diploma or high school equivalency credential is approved by the State Board of Education, or its equivalent agency, in the state where it was issued, pursuant to T.C.A. § 62-4-110.
- (2) For the purpose of determining whether an individual may be enrolled in a cosmetology school, the school will be responsible for verifying that each student is qualified to be enrolled as a student prior to the student’s enrollment in the school. Each school is responsible for verifying that each student has properly completed the necessary education requirements prior to enrollment, including verifying the student has completed the necessary level of education and/or attained the required score(s) on any high school equivalency test(s), pursuant to T.C.A. § 62-4-122.

Authority: T.C.A. §§ 62-4-105(e), 62-4-110 and 62-4-122.

0440-01-.13 Fees is amended by deleting the text of the rule and substituting the following so that as amended the rule shall read:

0440-01-.13 Fees.

- (1) Application/examination
 - (a) A candidate shall schedule the test needed for a specific license (cosmetologist, manicurist, instructor, aesthetician, natural hair stylist, or eyelash specialist) with the Board's designated testing agency and pay an examination fee that will include any fees charged by the designated testing agency.
 - (b) 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) Original License
 - (a) Cosmetologist.....sixty dollars (\$60.00)
 - (b) Manicurist.....sixty dollars (\$60.00)
 - (c) Instructor.....eighty dollars (\$80.00)
 - (d) Aesthetician.....sixty dollars (\$60.00)
 - (e) Natural Hair Stylist.....sixty dollars (\$60.00)
 - (f) Eyelash Specialist.....sixty dollars (\$60.00)
- (3) Renewal
 - (a) Cosmetologist.....sixty dollars (\$60.00)
 - (b) Manicurist.....sixty dollars (\$60.00)
 - (c) Instructor.....seventy dollars (\$70.00)
 - (d) Aesthetician.....sixty dollars (\$60.00)
 - (e) Natural Hair Stylist.....sixty dollars (\$60.00)
 - (f) Eyelash Specialist.....sixty dollars (\$60.00)
- (4) Penalty for late renewal
 - (a) Cosmetologist, manicurist, instructor, aesthetician, natural hair stylist, and eyelash specialist.....twenty-five dollars (\$25.00)
- (5) Cosmetology, manicure, skin care, natural hair stylist, manicure/skin care, or eyelash services shops
 - (a) Inspection (new shop, relocated shop, shop with change of ownership).....fifty dollars (\$50.00)
 - (b) License

- New shop.....one hundred dollars (\$100.00)
- Relocated shop.....one hundred dollars (\$100.00)
- Change of ownership.....one hundred dollars (\$100.00)
- (c) Renewal.....seventy-five dollars (\$75.00)
- (d) Penalty for late renewal.....fifty dollars (\$50.00)
- (e) Change of name only.....ten dollars (\$10.00)
- (f) Change of ownership due to death of immediate family, no charge, with a copy of the death certificate or obituary.
- (g) New Dual shop license.....one 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
- (6) School
 - (a) Application/license (new school).....three hundred and fifty dollars (\$350.00)
 - (b) License for relocated or change of ownership for a school.....one hundred and seventy-five dollars (\$175.00)
 - (c) Penalty for late monthly report from schools of hours attended by students.....twenty-five dollars (\$25.00)
 - (d) Annual school renewal.....one hundred and fifty dollars (\$150.00)
- (7) Replacement or correction of license
 - (a) Lost, misplaced or mutilated license.....twenty-five dollars (\$25.00)
 - (b) Change of name by any cosmetologist, aesthetician, manicurist, instructor, natural hair stylist, shampoo/manicurist, or eyelash specialist.....ten dollars (\$10.00)
 - (c) Certification for licensee.....fifty dollars (\$50.00)
 - 1. Fee should be sent with:
 - (i) Written request for certification
 - (ii) I.D. number
 - (d) Student certification of hours.....twenty-five dollars (\$25.00)
 - 1. Fee should be sent with:
 - (i) Certification request form
 - (ii) Completion/withdrawal form (unless previously submitted)
- (8) Surcharge to issue manicurist license to former shampoo/manicurist as in T.C.A. § 62-4-131(c).....twenty-five dollars (\$25.00)

- (9) Reciprocity.....one hundred dollars (\$100.00)
 The fee for application through reciprocity must be received along with the applicant's initial application documents. Any reciprocity application received without this fee shall be incomplete and will not be considered.
- (10) Retiring a license.....fifty dollars (\$50.00)
- (11) In the event that any check, draft or order for the payment of a fee to the Board of Cosmetology and Barber Examiners is returned because of insufficient funds, only cash, certified check or money order will be accepted for the amount due, plus twenty dollars (\$20.00) additional fee.
- (12) Applications for licensure of a salon are valid for ninety (90) days after approval by the Board. Failure to obtain an approved inspection for operation within the ninety (90) days shall invalidate the application and require a new application and fee.

Authority: T.C.A. §§ 62-4-102, 62-4-105(e), 62-4-110, 62-4-112, 62-4-115, 62-4-117, 62-4-118, 62-4-120, 62-4-121, 62-4-125, 62-4-131, 62-4-132 and 62-4-138.

Chapter 0200-01
 Licensing
 Amendments

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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 High School Equivalency Credential	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-.08 Educational Equivalent is amended by redesignating "Educational Equivalent" as "High School Equivalency Credential" and by deleting the text of the rule and substituting the following so that as amended the rule shall read:

0200-01-.08 High School Equivalency Credential.

- (1) For the purpose of determining whether an applicant for a certificate of registration as a master barber has received a high school diploma or a high school equivalency credential, the Board will consider whether the diploma or high school equivalency credential is approved by the State Board of Education, or its equivalent agency, in the state where it was issued, pursuant to T.C.A. § 62-3-110.
- (2) For the purpose of determining whether an individual may be enrolled in a school of barbering, the school will be responsible for verifying that each student is qualified to be enrolled as a student prior to the student's enrollment in the school. Each school is responsible for verifying that each student has properly completed the necessary education requirements prior to enrollment, including verifying the student has completed the necessary level of education and/or attained the required score(s) on any high school equivalency test(s), pursuant to T.C.A. § 62-3-123.

Authority: T.C.A. §§ 62-3-110, 62-3-123, and 62-3-128.

If a roll-call vote was necessary, the vote by the Agency on these rulemaking hearing rules was as follows:

Board Member	Aye	No	Abstain	Absent	Signature (if required)
Ron R. Gillihan II	X				
Rebecca M. Russell	X				
Monica Lemons	X				
David McElreath	X				
Judy McAllister				X	
Tamika Turner	X				
Mona Sappenfield				X	
Ryan Timmons	X				
Amy Tanksley	X				
Anita Charlton	X				
Perry Baldwin	X				
Jeffery Moran				X	
Layne Petty	X				

I certify that this is an accurate and complete copy of rulemaking hearing rules, lawfully promulgated and adopted by the Tennessee Board of Cosmetology and Barber Examiners (board/commission/other authority) on 02/05/2024 (mm/dd/yyyy) and is in compliance with the provisions of T.C.A. § 4-5-222.

I further certify the following:

Notice of Rulemaking Hearing filed with the Department of State on: 12/11/2023

Rulemaking Hearing(s) Conducted on: (add more dates). 02/05/2024

Date: February 7, 2024

Signature: Joseph Wharton

Name of Officer: Joseph Wharton

Title of Officer: Associate General Counsel

Agency/Board/Commission: Tennessee Board of Cosmetology and Barber Examiners

Rule Chapter(s) Number: 0440-01 Licensing & 0200-01 Licensing

All rulemaking hearing rules provided for herein have been examined by the Attorney General and Reporter of the State of Tennessee and are approved as to legality pursuant to the provisions of the Administrative Procedures Act, Tennessee Code Annotated, Title 4, Chapter 5.

Jonathan Skrmetti by delegation
 Jonathan Skrmetti
 Attorney General and Reporter

April 8, 2024
 Date

Department of State Use Only

Filed with the Department of State on: 4/12/2024

Effective on: 7/11/2024



Tre Hargett
Secretary of State

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Division of Publications

Public Hearing Comments

Comments made at the rulemaking hearing.

Zero (0) comments were made at the rulemaking hearing.

Comments made in advance of the rulemaking hearing.

Comment 1: Hello, my name is Emily Richardson, and I have a question regarding the requirements of become an eyelash specialist. I have been licensed as a cosmetologist for almost 3 years. I was doing lash extensions up until I took maternity leave. My question is with the new rules regarding eyelash specialists, will someone is already licensed, such as myself, need anymore requirements to be able to continue doing this service or does this only apply to people still in school? Thank you in advance.

Response 1: Chief General Counsel Jesse Gentry provided the following response via email, "Hi Emily, the new eyelash specialist requirements are only for individuals and shops that will solely provide eyelash services. Licensed cosmetologists and aestheticians will still be able to provide eyelash services. Thank you for your inquiry and happy holidays!"

Regulatory Flexibility Addendum

Pursuant to T.C.A. §§ 4-5-401 through 4-5-404, prior to initiating the rule making process, all agencies shall conduct a review of whether a proposed rule or rule affects small business.

- 1. The type or types of small business and an identification and estimate of the number of small businesses subject to the rule being proposed that would bear the cost of, or directly benefit from the rule being proposed;**

These rules may have a minor impact on small businesses by creating more flexibility for licensees to enter the job market as either an eyelash specialist or eyelash services shop owner.

- 2. The projected reporting, recordkeeping and other administrative costs required for compliance with the rule being proposed, including the type of professional skills necessary for preparation of the report or record;**

The Board does not anticipate a cost for the administration and enforcement of these rules.

- 3. A statement of the probable effect on impacted small businesses and consumers;**

These rules may have a minor impact on small businesses by creating more flexibility for licensees to enter the job market as either an eyelash specialist or eyelash services shop owner. Further, the requisite education and training requirements for the eyelash specialist license will require the applicant to learn proper sanitation techniques specific to that field resulting in safer services offered to consumers.

- 4. A description of any less burdensome, less intrusive or less costly alternative methods of achieving the purpose and objectives of the rule being proposed that may exist, and to what extent the alternative means might be less burdensome to small business;**

The Board knows of no other less restrictive or burdensome means than through the promulgation of these rules as amended.

- 5. A comparison of the rule being proposed with any federal or state counterparts; and**

These rules are in response to statutory changes made with the passage of Public Chapter(s) 114 and 214. These rules are like states that regulate the cosmetology industry which differentiate between cosmetologists and those individuals who desire to provide only eyelash services without the additional education and expense involved in first procuring a license in cosmetology. However, these rules are not modeled on the content of a federal rule or a rule from another jurisdiction.

- 6. Analysis of the effect of the possible exemption of small businesses from all or any part of the requirements contained in the rule being proposed.**

The Board does not anticipate the need for a possible exemption of the requirements in the proposed rules for small businesses since the proposed rules do not directly impact small businesses or create additional costs.

Impact on Local Governments

Pursuant to T.C.A. §§ 4-5-220 and 4-5-228, “On any rule and regulation proposed to be promulgated, the proposing agency shall state in a simple declarative sentence, without additional comments on the merits or the policy of the rule or regulation, whether the rule or regulation may have a projected financial impact on local governments. The statement shall describe the financial impact in terms of increase in expenditures or decrease in revenues.”

The Tennessee Board of Cosmetology and Barber Examiners foresees no impact on any local governments.

Additional Information Required by Joint Government Operations Committee

All agencies, upon filing a rule, must also submit the following pursuant to T.C.A. § 4-5-226(i)(1).

- (A) A brief summary of the rule and a description of all relevant changes in previous regulations effectuated by such rule;

The proposed rule amendments include regulations for the newly created eyelash specialist license as well as update the language regarding qualifying education to comply with statutory changes. Specifically, new definitions, application, and education requirements, as well as apprenticeship hours for the eyelash specialist license are proposed. Additionally, the language in the Cosmetology and Barber sections of the rules remove specific types of high school education and is amended to generally state licensees are required to have "high school equivalency credential approved by the state board of education."

- (B) A citation to and brief description of any federal law or regulation or any state law or regulation mandating promulgation of such rule or establishing guidelines relevant thereto;

Governor Bill Lee signed Public Chapter 114 into law on April 4, 2023, and Public Chapter 214 into law on April 25, 2023. Following passage of the chapters, these rules were necessary to reflect the statutory amendments passed by the General Assembly. There is no known federal law or regulation mandating promulgation of such rule or establishing guidelines relevant thereto.

- (C) Identification of persons, organizations, corporations or governmental entities most directly affected by this rule, and whether those persons, organizations, corporations or governmental entities urge adoption or rejection of this rule;

The rule amendments impact current and future eyelash specialist licensees. The proponents of this rule include industry stakeholders and members of the cosmetology industry who believe these rules will result in flexibility for individuals with specific interest in providing eyelash services to work in the industry without pursuing a cosmetology license which requires additional education and expenses. The Board does not foresee a particular segment of opponents to these rule amendments.

- (D) Identification of any opinions of the attorney general and reporter or any judicial ruling that directly relates to the rule or the necessity to promulgate the rule;

There are no known opinions of the Attorney General and Reporter or any judicial rulings that directly relate to this rule.

- (E) An estimate of the probable increase or decrease in state and local government revenues and expenditures, if any, resulting from the promulgation of this rule, and assumptions and reasoning upon which the estimate is based. An agency shall not state that the fiscal impact is minimal if the fiscal impact is more than two percent (2%) of the agency's annual budget or five hundred thousand dollars (\$500,000), whichever is less;

There is no foreseeable probable increase or decrease in state and local government revenues and expenditures resulting from the promulgation of this rule.

- (F) Identification of the appropriate agency representative or representatives, possessing substantial knowledge and understanding of the rule;

Joseph Wharton, Associate General Counsel for the Tennessee Board of Cosmetology and Barber Examiners
Roxana Gumucio, Executive Director for the Tennessee Board of Cosmetology and Barber Examiners

- (G) Identification of the appropriate agency representative or representatives who will explain the rule at a scheduled meeting of the committees;

Joseph Wharton, Associate General Counsel for the Tennessee Board of Cosmetology and Barber Examiners

Roxana Gumucio, Executive Director for the Tennessee Board of Cosmetology and Barber Examiners

- (H) Office address, telephone number, and email address of the agency representative or representatives who will explain the rule at a scheduled meeting of the committees; and

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500 James Robertson Parkway, Nashville TN 37243
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Roxana Gumucio
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- (I) Any additional information relevant to the rule proposed for continuation that the committee requests.

There is no known additional relevant information.

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Agency/Board/Commission:	Tennessee Board of Cosmetology and Barber Examiners
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Chapter 0440-01
 Sanitary Rules
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0440-01-.10 Original License Fee	

0440-01-.03(3) Curriculum is amended by adding the text below as subparagraph (3)(f) so that as amended, subparagraph (3)(f) shall read as follows.

0440-01-.03 Curriculum.

- (3) (a) The fifteen hundred (1,500) clock hours/45 credit hours of instruction required of applicants for a license to practice cosmetology shall be apportioned as follows:
 - 1. General.....300 clock hours/9 credit hours
Sterilization, sanitation and bacteriology, anatomy and physiology, shop ethics, personality and salesmanship, state law.
 - 2. Chemical.....600 clock hours/18 credit hours
Permanent waves, hair relaxer, hair coloring, bleaching and toning, sculptured nails, hair structure and chemistry.
 - 3. Physical.....600 clock hours/18 credit hours
Shampooing and rinses, hair and scalp care, hair shaping, hairdressing and styling, facials, arching, lash and brow tinting, manicures and pedicures.
- (b) The six hundred (600) clock hours/18 credit hours of instruction required of an applicant for a license to practice manicuring shall be apportioned as follows:
 - 1. General.....150 clock hours/4.5 credit hours
Sanitation and bacteriology, anatomy and physiology, state law, salon management, and ethics.
 - 2. Chemical.....100 clock hours/3 credit hours
Product knowledge, ingredients and usage of materials, manicuring and pedicuring, EPA and OSHA requirements.
 - 3. Physical.....350 clock hours/10.5 credit hours
Massage, manicuring, pedicuring, nail care, nail artistry, nail wraps, sculptured nails, nail tips, gel nails, and nail safety.
- (c) The seven hundred and fifty (750) clock hours/22.5 credit hours of instruction required of an applicant for a license to practice aesthetics shall be apportioned as follows:
 - 1. General.....150 clock hours/4.5 credit hours

Sterilization, sanitation and bacteriology, professional ethics, personality, salesmanship, anatomy and physiology, and state law.

2. Chemical.....150 clock hours/4.5 credit hours
Skin conditions and disorders, nutrition, aging factors, product ingredients and usage, waxing, lash and brow tinting, OSHA and EPA requirements.
 3. Physical.....450 clock hours/13.5 credit hours
Massage movements and manipulations, masks and packs, facial treatments with and without the use of machines, skin analysis and consultation, application of all products and machines, color psychology, make-up and corrective make-up arching.
- (d) The three hundred (300) clock hours/9 credit hours of instruction required of an applicant for a natural hair stylist license shall be apportioned as follows:
1. General.....120 clock hours/3.6 credit hours
Sanitation, sterilization, bacteriology, shampooing, draping, disorders of hair and scalp, state law and salon management.
 2. Physical.....180 clock hours/5.4 credit hours
Twisting, wrapping, weaving, extending, locking, braiding and natural hair styling, by hand or mechanical appliances.
- (e) The three hundred (300) clock hours/9 credit hours of instruction required of applicants for an instructor's license shall include no less than a total of one hundred (100) clock hours/3 credit hours in lesson planning and motivation.
- (f) The three hundred (300) clock hours/9 credit hours of classroom instruction and practical experience required of an applicant for an eyelash specialist license shall include a curriculum developed by the school and shall be controlled by T.C.A. Title 62, Chapter 4, including § 62-4-110.

Authority: T.C.A. §§ [62-4-102](#), 62-4-105(e), 62-4-108, 62-4-110, and 62-4-120(k).

0440-01-.04 High School Equivalents is amended by redesignating "High School Equivalents" as "High School Equivalency Credential" and by deleting the text of the rule and substituting the following so that as amended the rule shall read:

0440-01-.04 High School ~~Equivalents~~[Equivalency Credential](#).

- ~~(1) For the purpose of determining eligibility for enrollment in a school of cosmetology, an applicant must have completed and passed at least two (2) years of high school or obtained a score of at least four hundred and fifty (450) on a General Educational Development test.~~
- ~~(2) Public and vocational schools are exempt from the provisions of Tenn. Code Ann. § 62-4-122. However, the completion of at least ten (10) high school credits or obtaining a score of at least four hundred and fifty (450) on a General Educational Development test must be met prior to the completion of a cosmetology curriculum.~~
- ~~(3) The school considering acceptance of any candidate shall be responsible for verifying and accepting any submitted documentation for high school equivalency.~~
- (1) For the purpose of determining whether an applicant for a license to instruct in a cosmetology school has received a high school diploma or a high school equivalency credential, the Board will consider whether the diploma or high school equivalency credential is approved by the State Board of Education, or its equivalent agency, in the state where it was issued, pursuant to T.C.A. § 62-4-110.

(2) For the purpose of determining whether an individual may be enrolled in a cosmetology school, the school will be responsible for verifying that each student is qualified to be enrolled as a student prior to the student's enrollment in the school. Each school is responsible for verifying that each student has properly completed the necessary education requirements prior to enrollment, including verifying the student has completed the necessary level of education and/or attained the required score(s) on any high school equivalency test(s), pursuant to T.C.A. § 62-4-122.

Authority: T.C.A. §§ 62-4-105(e), 62-4-110 and 62-4-122.

0440-01-.13 Fees is amended by deleting the text of the rule and substituting the following so that as amended the rule shall read:

0440-01-.13 Fees.

- (1) Application/examination
 - (a) A candidate shall schedule the test needed for a specific license (cosmetologist, manicurist, instructor, aesthetician, ~~or~~ natural hair stylist, or eyelash specialist) with the Board's designated testing agency and pay an examination fee that will include any fees charged by the designated testing agency.
 - (b) 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) Original License
 - (a) Cosmetologist.....sixty dollars (\$60.00)
 - (b) Manicurist.....sixty dollars (\$60.00)
 - (c) Instructor.....eighty dollars (\$80.00)
 - (d) Aesthetician.....sixty dollars (\$60.00)
 - (e) Natural Hair Stylist.....sixty dollars (\$60.00)
 - (f) Eyelash Specialist.....sixty dollars (\$60.00)
- (3) Renewal
 - (a) Cosmetologist.....sixty dollars (\$60.00)
 - (b) Manicurist.....sixty dollars (\$60.00)
 - (c) Instructor.....seventy dollars (\$70.00)
 - (d) Aesthetician.....sixty dollars (\$60.00)
 - (e) Natural Hair Stylist.....sixty dollars (\$60.00)
 - (f) Eyelash Specialist.....sixty dollars (\$60.00)
- (4) Penalty for late renewal

- (a) Cosmetologist, manicurist, instructor, aesthetician, ~~and~~ natural hair stylist, and eyelash specialist.....twenty-five dollars (\$25.00)
- (5) Cosmetology, manicure, skin care, natural hair stylist ~~or~~, manicure/skin care shops, or eyelash services shops
 - (a) Inspection (new shop, relocated shop, shop with change of ownership).....fifty dollars (\$50.00)
 - (b) License
 - New shop.....one hundred dollars (\$100.00)
 - Relocated shop.....one hundred dollars (\$100.00)
 - Change of ownership.....one hundred dollars (\$100.00)
 - (c) Renewal.....seventy-five dollars (\$75.00)
 - (d) Penalty for late renewal.....fifty dollars (\$50.00)
 - (e) Change of name only.....ten dollars (\$10.00)
 - (f) Change of ownership due to death of immediate family, no charge, with a copy of the death certificate or obituary.
 - (g) New Dual shop license.....one 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
- (6) School
 - (a) Application/license (new school).....three hundred and fifty dollars (\$350.00)
 - (b) License for relocated or change of ownership for a school.....one hundred and seventy-five dollars (\$175.00)
 - (c) Penalty for late monthly report from schools of hours attended by studentstwenty-five dollars (\$25.00)
 - (d) Annual school renewal.....one hundred and fifty dollars (\$150.00)
- (7) Replacement or correction of license
 - (a) Lost, misplaced or mutilated license.....twenty-five dollars (\$25.00)
 - (b) Change of name by any cosmetologist, aesthetician, manicurist, instructor, natural hair stylist, ~~or~~ shampoo/manicurist, or eyelash specialist.....ten dollars (\$10.00)
 - (c) Certification for licensee.....fifty dollars (\$50.00)
 - 1. Fee should be sent with:
 - (i) Written request for certification
 - (ii) I.D. number

- (d) Student certification of hours.....twenty-five dollars (\$25.00)
 - 1. Fee should be sent with:
 - (i) Certification request form
 - (ii) Completion/withdrawal form (unless previously submitted)
- (8) Surcharge to issue manicurist license to former shampoo/manicurist as in T.C.A. § 62-4-131(c).....twenty-five dollars (\$25.00)
- (9) Reciprocity.....one hundred dollars (\$100.00)

The fee for application through reciprocity must be received along with the applicant’s initial application documents. Any reciprocity application received without this fee shall be incomplete and will not be considered.
- (10) Retiring a license.....fifty dollars (\$50.00)
- (11) In the event that any check, draft or order for the payment of a fee to the Board of Cosmetology and Barber Examiners is returned because of insufficient funds, only cash, certified check or money order will be accepted for the amount due, plus twenty dollars (\$20.00) additional fee.
- (12) Applications for licensure of a salon are valid for ninety (90) days after approval by the Board. Failure to obtain an approved inspection for operation within the ninety (90) days shall invalidate the application and require a new application and fee.

Authority: T.C.A. §§ [62-4-102](#), 62-4-105(e), 62-4-110, 62-4-112, 62-4-115, 62-4-117, 62-4-118, 62-4-120, 62-4-121, 62-4-125, 62-4-131, 62-4-132 and 62-4-138.

Chapter 0200-01
 Licensing
 Amendments

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0200-01-.08 Educational Equivalent is amended by redesignating “Educational Equivalent” as “High School Equivalency Credential” and by deleting the text of the rule and substituting the following so that as amended the rule shall read:

0200-01-.08 ~~Educational Equivalent~~[High School Equivalency Credential](#).

~~(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 Educational 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.~~
- ~~(3) The school considering acceptance of any candidate shall be responsible for verifying and accepting any submitted documentation for high school equivalency.~~
- (1) For the purpose of determining whether an applicant for a certificate of registration as a master barber has received a high school diploma or a high school equivalency credential, the Board will consider whether the diploma or high school equivalency credential is approved by the State Board of Education, or its equivalent agency, in the state where it was issued, pursuant to T.C.A. § 62-3-110.
- (2) For the purpose of determining whether an individual may be enrolled in a school of barbering, the school will be responsible for verifying that each student is qualified to be enrolled as a student prior to the student's enrollment in the school. Each school is responsible for verifying that each student has properly completed the necessary education requirements prior to enrollment, including verifying the student has completed the necessary level of education and/or attained the required score(s) on any high school equivalency test(s), pursuant to T.C.A. § 62-3-123.

Authority: T.C.A. §§ 62-3-110, 62-3-123, and 62-3-128.