

REQUEST FOR § 150B-21.10 CHANGES

AGENCY: NC Board of Barber and Electrolysis Examiners

RULE CITATION: 21 NCAC 06N .0111

DEADLINE FOR RECEIPT: Friday, July 14, 2023

PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

In Paragraph (a), use of an active verb is preferred. Would it be better if it stated: "Each barber school shall submit a Form BAR-10 for each enrolled student and shall include the following:"

Is there a way to combine Paragraphs (b) and (c)? "The school shall submit Form BAR-10 unless a student completes..."

Please retype the rule accordingly and resubmit it to our office electronically.

Lawrence R. Duke
Commission Counsel
Date submitted to agency: July 10, 2023

1 21 NCAC 06N .0111 is amended as published in 37:19 NCR 1953 as follows:

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3 **21 NCAC 06N .0111 FORM BAR-10**

4 (a) The Form BAR-10 is a report that shall be filed monthly by the ~~manager of the~~ school for each student enrolled
5 in barber school. It requires the following:

6 (1) the name of the school submitting the report;

7 (2) the ~~name and date of enrollment of the student;~~ student's name;

8 (3) the month and year for which the report is filed; and

9 (4) ~~the dates and hours of the student's absences;~~

10 ~~(5)(4)~~ the dates and number of hours of the student's attendance; student attended during the month and
11 year for which the report is filed.

12 ~~(6) the number of patrons served for clinical services; and~~

13 ~~(7) the subject matter covered in practical and theory courses.~~

14 (b) The school shall submit Form BAR-10 ~~shall be submitted~~ to the Board ~~over the signature of the manager of the~~
15 ~~school and co-signed by the student.~~ online at the website address listed in 21 NCAC 06A .0102.

16 (c) ~~If~~ Notwithstanding the requirement in Paragraph (b) of this Rule to submit the Form BAR-10 online, if a student
17 completes his or her course of study, drops out of school, or transfers to another school, the barber school shall ~~return~~
18 submit a paper version of the Form BAR-10 to the Board:

19 (1) within five business days; or

20 (2) within 30 days if the student's enrollment ends during the effective period of a state of emergency
21 declared by the Governor.

22

23 *History Note: Authority G.S. 86A-22;*

24 *Eff. May 1, 1989;*

25 *Readopted Eff. July 1, 2016;*

26 *Emergency Adoption Eff. March 27, 2020;*

27 *Temporary Adoption Eff. June 1, 2020;*

28 *Amended Eff. January 1, 2024; February 1, 2021.*

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RULE CITATION: 21 NCAC 06N .0117

DEADLINE FOR RECEIPT: Friday, July 14, 2023

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In reviewing this Rule, the staff recommends the following changes be made:

In Paragraph (c), if the individual requesting the permit lacks access to a computer, where would they be able to get a paper copy of required form? Should this information be included in the Rule?

Please retype the rule accordingly and resubmit it to our office electronically.

1 21 NCAC 06N .0117 is adopted as published in 37:19 NCR 1953 as follows:

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3 **21 NCAC 06N .0117 REQUEST FOR TEMPORARY PERMIT**

4 (a) An individual who wishes to request a temporary permit shall submit the following information using the form
5 available at the website listed in 21 NCAC 06A .0102:

6 (1) the requester's name, mailing address, phone number, and email address;

7 (2) if the requester attended a North Carolina barber school, the name of the school;

8 (3) the type of license application the requester has submitted; and

9 (4) the name, permit number, and physical address of the barbershop where the requester would like to
10 work.

11 (b) Except as set forth in Paragraph (c) of this Rule, the Board shall not accept requests for temporary permits
12 submitted in paper form.

13 (c) If an individual wishes to submit a request for a temporary permit in paper form because he or she cannot submit
14 the request online, the individual shall submit a paper version of the form in Paragraph (a) of this Rule to the address
15 listed in 21 NCAC 06A .0102, along with an explanation for why the request cannot be submitted online. The Board
16 shall determine whether good cause exists for the individual not to submit a request online. For the purpose of this
17 Rule, "good cause" means that the applicant could not have submitted the request online as set forth in Paragraph (a)
18 of this Rule due to circumstances such as disability or lack of access to a computer or mobile device.

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20 *History Note: Authority G.S. 86B-2; 86B-27;*

21 *Eff. August 1, 2023.*