

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: NC Board of Cosmetic Art Examiners

RULE CITATION: 21 NCAC 14T .0402

DEADLINE FOR RECEIPT: November 7, 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:

Generally, to the rule: The rule is formatted incorrectly.

Line 4: What does the Board mean by "supply"? Are these items for use during the course of the class or is the Board requiring the school to give ownership of the items to the students? If the latter, explain the Board's authority to require the transfer of ownership of personal property?

Line 11: Explain the relevance of G.S. 88B-17 in the history note.

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

William W. Peaslee
Commission Counsel

Date submitted to agency: October 24, 2023

1 **21 NCAC 14T .0402 ESTHETICS STUDENT EQUIPMENT** is amended as published in 37:23 NCR 2174
2 as follows:

3 **21 NCAC 14T .0402 ESTHETICS STUDENT EQUIPMENT**

4 Each esthetics school shall supply each esthetician student with the following:

- 5 (1) Draping;
- 6 (2) Spatulas;
- 7 (3) Tweezers;
- 8 (4) Make up supplies; and
- 9 (5) One ~~mannequin~~ mannequin with head, neck and shoulders.

10

11 *History Note: Authority G.S. 88B-2; 88B-4; 88B-16; 88B-17;*

12 *Eff. January 1, 2012;*

13 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January*
14 *13, 2015*

15 *Amended Eff. October 1, 2023.*

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: NC Board of Cosmetic Art Examiners

RULE CITATION: 21 NCAC 14T .0404

DEADLINE FOR RECEIPT: November 7, 2023

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

Generally, to the rule: The rule is formatted incorrectly.

Line 4: What does the Board mean by "supply"? Are these items for use during the course of the class or is the Board requiring the school to give ownership of the items to the students? If the latter, explain the Board's authority to require the transfer of ownership of personal property?

Line 14: Explain the relevance of G.S. 88B-17 in the history note.

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

William W. Peaslee
Commission Counsel

Date submitted to agency: October 24, 2023

1 **21 NCAC 14T .0404 NATURAL HAIR CARE STYLING STUDENT EQUIPMENT** is amended as
2 published in 37:23 NCR 2174 as follows:

3 **21 NCAC 14T .0404 NATURAL HAIR CARE STYLING STUDENT EQUIPMENT**

4 Each natural hair care school shall supply each natural hair care student with the following:

- 5 (1) Six combs;
- 6 (2) Six brushes;
- 7 (3) Ten clips;
- 8 (4) Mannequin with hair;
- 9 (5) One electric flat iron;
- 10 ~~(5)~~ (6) One blowdryer; and
- 11 (7) One hard rubber or nonflammable comb for heat protection used in thermal styling; and
- 12 ~~(6)~~ (8) Two capes.

13

14 *History Note: Authority G.S. 88B-2; 88B-4; 88B-16; 88B-17;*

15 *Eff. January 1, 2012;*

16 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January*
17 *13, 2015;*

18 *Amended Eff. October 1, 2023.*

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: NC Board of Cosmetic Art Examiners

RULE CITATION: 21 NCAC 14T .0501

DEADLINE FOR RECEIPT: November 7, 2023

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

Generally, to the rule: The Permanent Rule 0400 cover form is incorrect in 9B. The explanation does not match the rule.

Line 5: Change "must" to "shall".

Line 5: Define or delete "appropriate".

Line 5: It is unclear which forms the Board requires be submitted. Which rules contain the contents and substantive requirements of these forms? See G.S. 150B-2(8a)(d).

Line 10: Explain the relevance of G.S. 88B-17 in the history note.

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

William W. Peaslee
Commission Counsel

Date submitted to agency: October 24, 2023

1 **21 NCAC 14T .0501 SUBMISSION OF RECORDS** is amended as published in 37:23 NCR 2174 as follows:

2 **SECTION .0500 - RECORD KEEPING**

3

4 **21 NCAC 14T .0501 SUBMISSION OF RECORDS**

5 All cosmetic art schools must submit to the Board the appropriate, completed, original Board form for each student
6 including enrollment, transfer, withdrawal and graduation. Cosmetic art student forms shall be submitted to the
7 Board within the required time frame established in the following table.

8

15 Days	30 Days
Esthetics, Manicuring, Natural Hair Care and Teacher trainee forms including: enrollments, withdrawals , and transfers	Cosmetology forms including: enrollments, withdrawals, transfers and graduations
	Esthetics, Manicuring, Natural Hair care and Teacher trainee trainee, withdrawal and graduation forms

9

10 *History Note: Authority G.S. 88B-2; 88B-4; 88B-16; 88B-17;*
 11 *Eff. January 1, 2012;*
 12 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January*
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