

The **NORTH CAROLINA REGISTER**

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PROPOSED RULES

Cosmetic Art Examiners

Education

NRCD

LIST OF RULES AFFECTED

ISSUE DATE: FEBRUARY 15, 1989

Volume 3 • Issue 22 • Pages 1010-1025



INFORMATION ABOUT THE NORTH CAROLINA REGISTER AND ADMINISTRATIVE CODE

NORTH CAROLINA REGISTER

The *North Carolina Register* is published bi-monthly and contains information relating to agency, executive, legislative and judicial actions required by or affecting Chapter 150B of the General Statutes. All proposed, administrative rules and amendments filed under Chapter 150B must be published in the Register. The Register will typically comprise approximately fifty pages per issue of legal text.

State law requires that a copy of each issue be provided free of charge to each county in the state and to various state officials and institutions. The *North Carolina Register* is available by yearly subscription at a cost of one hundred and five dollars (\$105.00) for 24 issues.

Requests for subscriptions to the *North Carolina Register* should be directed to the Office of Administrative Hearings, P. O. Drawer 11666, Raleigh, N. C. 27604, Attn: *Subscriptions*.

ADOPTION, AMENDMENT, AND REPEAL OF RULES

An agency intending to adopt, amend, or repeal a rule must first publish notice of the proposed action in the *North Carolina Register*. The notice must include the time and place of the public hearing; a statement of how public comments may be submitted to the agency either at the hearing or otherwise; the text of the proposed rule or amendment; a reference to the Statutory Authority for the action and the proposed effective date.

The Director of the Office of Administrative Hearings has authority to publish a summary, rather than the full text, of any **amendment** which is considered to be too lengthy. In such case, the full text of the rule containing the proposed amendment will be available for public inspection at the Rules Division of the Office of Administrative Hearings and at the office of the promulgating agency.

Unless a specific statute provides otherwise, at least 30 days must elapse following publication of the proposal in the *North Carolina Register* before the agency may conduct the required public hearing and take action on the proposed adoption, amendment or repeal.

When final action is taken, the promulgating agency must file any adopted or amended rule for approval by the Administrative Rules Review Commission. Upon approval of ARRC, the adopted or amended rule must be filed with the Office of Administrative Hearings. If it differs substantially from the proposed form published as part of the public notice, upon request by the agency, the adopted version will again be published in the *North Carolina Register*.

A rule, or amended rule cannot become effective earlier than the first day of the second calendar month after the adoption is filed with the Office of Administrative Hearings for publication in the NCAC.

Proposed action on rules may be withdrawn by the promulgating agency at any time before final action is taken by the agency.

TEMPORARY RULES

Under certain conditions of an emergency nature, some agencies may issue temporary rules. A temporary rule becomes effective when adopted and remains in

effect for the period specified in the rule or 180 days whichever is less. An agency adopting a temporary rule must begin normal rule-making procedures on the permanent rule at the same time the temporary rule is adopted.

NORTH CAROLINA ADMINISTRATIVE CODE

The North Carolina Administrative Code (NCAC) is a compilation and index of the administrative rules of 25 state agencies and 38 occupational licensing boards. The NCAC comprises approximately 15,000 letter size, single spaced pages of material of which approximately 35% is changed annually. Compilation and publication of the NCAC is mandated by G.S. 150B-63(b).

The Code is divided into Titles and Chapters. Each state agency is assigned a separate title which is further broken down by chapters. Title 21 is designated for occupational licensing boards.

The NCAC is available in two formats.

- (1) Single pages may be obtained at a minimum cost of two dollars and 50 cents (\$2.50) for 10 pages or less, plus fifteen cents (\$0.15) per each additional page.
- (2) The full publication consists of 52 volumes, totaling in excess of 15,000 pages. It is supplemented monthly with replacement pages. A one year subscription to the full publication including supplements can be purchased for seven hundred and fifty dollars (\$750.00). Individual volumes may also be purchased with supplement service. Renewal subscriptions for supplements to the initial publication available.

Requests for pages of rules or volumes of the NCAC should be directed to the Office of Administrative Hearings.

NOTE

The foregoing is a generalized statement of the procedures to be followed. For specific statutory language, it is suggested that Articles 2 and 5 of Chapter 150B of the General Statutes be examined carefully.

CITATION TO THE NORTH CAROLINA REGISTER

The *North Carolina Register* is cited by volume, issue, page number and date. 1:1 NCR 101-201, April 1, 1986 refers to Volume 1, Issue 1, pages 101 through 201 of the *North Carolina Register* issued on April 1, 1986.

North Carolina Register. Published bi-monthly by the Office of Administrative Hearings, P.O. Drawer 11666, Raleigh, North Carolina 27604, pursuant to Chapter 150B of the General Statutes. Subscriptions one hundred and five dollars (\$105.00) per year.

North Carolina Administrative Code. Published in looseleaf notebooks with supplement service by the Office of Administrative Hearings, P.O. Drawer 11666, Raleigh, North Carolina 27604, pursuant to Chapter 150B of the General Statutes. Subscriptions seven hundred and fifty dollars (\$750.00). Individual volumes available.

NORTH CAROLINA REGISTER



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Publication Deadlines and Schedules
(January 1989 - May 1990)

Issue Date	Last Day for Filing	Last Day for Electronic Filing	Earliest Date for Public Hearing & Adoption by Agency	* Earliest Effective Date
*****	*****	*****	*****	*****
01/02/89	12/08/88	12/15/88	02/01/89	05/01/89
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04/16/90	03/23/90	03/30/90	05/16/90	08/01/90
05/01/90	04/09/90	04/17/90	05/31/90	09/01/90
05/15/90	04/24/90	05/01/90	06/14/90	09/01/90

* The "Earliest Effective Date" is computed assuming that the public hearing and adoption occur in the calendar month immediately following the "Issue Date", that the agency files the rule with The Administrative Rules Review Commission by the 20th of the same calendar month and that ARRC approves the rule at the next calendar month meeting.

**TITLE 15 - DEPARTMENT OF NATURAL
RESOURCES AND COMMUNITY
DEVELOPMENT**

Notice is hereby given in accordance with G.S. 150B-12 that the NRCDD, Division of Coastal Management intends to amend rule(s) cited as 15 NCAC 7H .0209; 7J .0203.

The proposed effective date of this action is June 1, 1989.

The public hearing will be conducted at 10:00 a.m. on March 30, 1989 at Blockade Runner, 275 Waynick Boulevard, Wrightsville Beach, NC 28480.

Comment Procedures: All persons interested in these matters are invited to attend the public hearing. The Coastal Resources Commission will receive written comments up to the date of the hearing. Any persons desiring to present lengthy comments is requested to submit a written statement for inclusion in the record of proceedings at the public hearing. Additional information concerning the hearing or the proposals may be obtained by contacting Portia Rochelle, Division of Coastal Management, P.O. Box 27687, Raleigh, NC 27611-7687, (919) 733-2293.

CHAPTER 7 - COASTAL MANAGEMENT

**SUBCHAPTER 7H - STATE GUIDELINES FOR
AREAS OF ENVIRONMENTAL CONCERN**

SECTION .0200 - THE ESTUARINE SYSTEM

.0209 ESTUARINE SHORELINES

(e) Use Standards

- (2) All development projects, proposals, and designs shall limit the construction of impervious surfaces and areas not allowing natural drainage to only so much as is necessary to adequately service the major purpose or use for which the lot is to be developed. Impervious surfaces shall not exceed 30 percent of the AEC area of the lot, unless the applicant can effectively demonstrate, through innovative design, that the protection provided by the design would be equal to or exceed the protection by the 30 percent limitation. Re-development of areas exceeding the 30 percent impervious surface limitation can be permitted if impervious areas are not increased and the applicant designs the

project to comply with the intent of the rule to the maximum extent practical.

Statutory Authority G.S. 113A-107(b); 113A-108; 113A-113(b); 113A-124.

**SUBCHAPTER 7J - PROCEDURES FOR
HANDLING MAJOR DEVELOPMENT
PERMITS: VARIANCE REQUESTS; APPEALS
FROM MINOR DEVELOPMENT PERMIT
DECISIONS: AND DECLARATORY RULINGS**

SECTION .0200 - APPLICATION PROCESS

.0203 PREPARATION OF WORK PLATS

(c) Applications are often made for permits to authorize projects that have a portion of the development outside Areas of Environmental Concern. Some information concerning plans for development outside AECs is necessary to determine compatibility with the local Land Use Plan and to be reasonably sure that such development will not adversely impact AECs. Therefore, any application for a CAMA or Dredge and Fill permit shall include, at a minimum, the following information:

- (1) detailed information on any development located in or directly impacting an AEC;
- (2) a plat showing the entire tract of land to be developed and possible access or roadway locations;
- (3) maps or statements concerning the location of wetlands within the project area to the extent that a wetlands examination has been made by a private consultant or government agency. Each developer of a project is urged, for his own protection and planning, to procure such information prior to submission for a CAMA permit;
- (4) a narrative description of the proposed development that shall include, at a minimum, the following information:
 - (A) the character of the development (i.e. residential, commercial, recreational, etc.);
 - (B) the maximum number of residential living units that will be permitted;
 - (C) the maximum acreage that will be utilized for non-residential purposes;
 - (D) a statement as to whether wastewater treatment is to be by municipal system, septic tank, or other on-site treatment system. A general description of any on-site treatment system shall be included;
 - (E) a statement that access, as required by all land use regulations, is available through the site to the Area of Environmental Concern without crossing any Section 404 wetland or, if such a crossing is required, a statement that said crossing

is properly authorized. If the site contains significant wetlands, such statement may be required from a qualified private consultant or government agency, based on an examination of the property by such private consultant or government agency. The CAMA permit when issued may be conditioned upon the procurement of any required wetlands permit, if the need for such is disclosed by such statement;

- (5) any maps or plans that have been prepared to meet other regulatory requirements such as stormwater management and sedimentation and erosion control.

Following review of the permit application, including the aforementioned supporting data (Subparagraphs 1-5), a permit may be issued conditioned upon compliance with the development parameters provided in the narrative statement accompanying the application. Any subsequent violation of these narrative standards as incorporated within the permit shall be a permit violation. No subsequent permit, permit modification, or other agency approval shall be required for any subsequent work performed outside the Area of Environmental Concern as long as such work is within the parameters described in the narrative statement presented with the permit, and included in the permit conditions. Any subsequent change in the development which changes the parameters of the narrative, statement shall be submitted to the staff, but no new permit or permit modification shall be required unless staff finds that the changes would have reasonable expectation of adversely affecting an Area of Environmental Concern or rendering the project inconsistent with Local Land Use Plans.

Statutory Authority G.S.113A-119; 113A-124.

Notice is hereby given in accordance with G.S. 150B-12 that the North Carolina Wildlife Resources Commission intends to amend rule cited as 15 NCAC 10B .0105.

The proposed effective date of this action is July 1, 1989.

The public hearing will be conducted at 7:30 p.m. on March 27, 1989 at North Carolina Marine Resources Center, Manteo, North Carolina.

Comment Procedures: Interested persons may present their views either orally or in writing at the hearing. In addition, the record of hearing will be open for receipt of written comments from March 13, 1989 to April 11, 1989. Such written comments must be delivered or mailed to the Wildlife Commission, 512 N. Salisbury St., Raleigh, NC 27611.

CHAPTER 10 - WILDLIFE RESOURCES AND WATER SAFETY

SUBCHAPTER 10B - HUNTING AND TRAPPING

SECTION .0100 - GENERAL REGULATIONS

.0105 MIGRATORY GAME BIRDS

(b) Notwithstanding the provisions of G.S. 113-291.1(a) and (b), the following restrictions apply to the taking of migratory game birds:

- (4) In that area of Roanoke Sound adjacent to and immediately Northeast of Roanoke Island as marked by buoys designating the waterfowl rest area, it shall be unlawful to harass or take any waterfowl.

Authority G.S. 113-134; 113-274; 113-274; 113-291.1; 50 C.F.R. 20.21; 50 C.F.R. 20.105.

Notice is hereby given in accordance with G.S. 150B-12 that the North Carolina Wildlife Resources Commission intends to amend rules cited as 15 NCAC 10B .0106, .0119; 10H .1003; adopt 15 NCAC 10H .1005.

The proposed effective date of this action is July 1, 1989.

The public hearing will be conducted at 10:00 a.m. on March 23, 1989 at Room 386, Archdale Building, 512 N. Salisbury Street, Raleigh, North Carolina.

Comment Procedures: Interested persons may present their views either orally or in writing at the hearing. In addition, the record of hearing will be open for receipt of written comments from March 8, 1989 to April 7, 1989. Such written comments must be delivered or mailed to the N.C. Wildlife Commission, 512 N. Salisbury St., Raleigh, NC 27611.

.0106 WILDLIFE KILLED FOR DEPREDACTIONS OR ACCIDENTALLY

(a) Depredation Permit.

(2) Other Wildlife Species. Except as provided in Subparagraph (1) of this Paragraph, the executive director of the Wildlife Resources Commission may, upon application of a landholder and after such investigation of the circumstances as he may require, issue a permit to such landholder to take any species of wildlife which is or has been damaging or destroying his property provided there is evidence of substantial property damage. No permit may be issued for the taking of any migratory birds and other federally protected animals unless a corresponding valid U.S. Fish and Wildlife Service depredation permit has been issued. The permit shall name the species allowed to be taken and, in the discretion of the Executive Director, may contain limitations as to age, sex or any other condition within the species so named. The permit may be used only by the landholder, except that, upon written request of the landholder and when it is conclusively determined on the basis of information submitted by him that he is incapable of accomplishing the necessary control without help, the names of additional persons may be entered upon the permit by the Executive Director as authorized users.

(3) Taking Without a Permit. Except as provided in Subparagraph (1) of this Paragraph, a landholder may take wildlife except migratory birds and other federally protected animals upon his own land without a permit during closed season on the species involved only when such wildlife is in the act of damaging or destroying the property of such landholder.

Statutory Authority G.S. 113-134; 113-273; 113-274; 113-291.4; 113-291.6; 113-300.1; 113-300.2.

.0119 WILDLIFE COLLECTORS

(a) Collection Licenses. The Executive Director is authorized to license qualified individuals to take or collect any species of wildlife resources, wild animal or wild bird, other than an endangered or threatened species. Such license shall be issued upon payment of a fee of five dollars (\$5.00), except that licenses may be issued to representatives of educational or scientific institutions or of governmental agencies without charge. Such license may be used in lieu of any other hunting or trapping license required by law and shall authorize possession and transportation

of the wildlife incidental to the authorized taking, except that it shall not authorize the taking, possession or transportation of any species of wildlife in violation of federal laws or regulations.

Statutory Authority G.S. 113-134; 113-272.4.

SUBCHAPTER 10H - REGULATED ACTIVITIES

SECTION .1000 - TAXIDERMY

.1003 RECORDS

(a) ~~Every licensed taxidermist shall keep an accurate record of each wildlife specimen accepted by him for taxidermy purposes.~~ Every licensed taxidermist shall keep an accurate record of each wildlife specimen contained within his place of business. Such record shall include the species and sex of the specimen, the date of delivery, the name and address of the person delivering the specimen, the name and address of the person killing the specimen if different from those of the person delivering the same, the date when and the location where the specimen was killed, and the date and disposition of the mounted specimen. Such records shall be maintained chronologically by dates of delivery of specimens to the taxidermist during the taxidermy license year, shall be retained by the taxidermist for at least one year after the termination of the applicable taxidermy license year, and shall be made available for inspection, upon request by any agent of the Wildlife Resources Commission.

(b) The records required by the United States Fish and Wildlife Service under its taxidermy permit regulations for migratory game birds (50 C.F.R. 21.24) are sufficient to satisfy requirements under this Rule.

Statutory Authority G.S. 113-134; 113-273.

.1005 TAXIDERMY PRESERVATION FACILITY

(a) Every individual operating a preservation facility for a licensed taxidermist shall be listed on the sponsoring taxidermist's annual license application and on the license itself. The taxidermist shall provide the operator of each sponsored preservation facility with a copy of the taxidermy license which shall serve as a permit authorizing the facility to possess wildlife owned by another. The purpose of this possession shall be to provide temporary storage for wildlife specimens accepted for taxidermy purposes. Preservation facility operators are not authorized to process, skin, or conduct any regulated taxidermy activities.

(b) Before an individual operating a preservation facility accepts delivery of any wildlife he must ascertain that the wildlife was lawfully taken

and shall keep written records as specified in Rule .1003 of this Subchapter.

(c) The preservation facility and its records shall be accessible for inspection upon request by any agent of the Wildlife Resources Commission.

(d) It shall be the responsibility of the sponsoring taxidermist to ensure that each preservation facility listed on his license is operated in compliance with all rules governing this activity.

Statutory Authority G.S. 113-134; 113-273.

TITLE 16 - DEPARTMENT OF PUBLIC EDUCATION

Notice is hereby given in accordance with G.S. 150B-12 that the State Board of Education intends to adopt rule(s) cited as 16 NCAC 6A .0003.

The proposed effective date of this action is July 1, 1989.

The public hearing will be conducted at 9:30 a.m. on March 17, 1989 at 3rd Floor Conference Room, Education Building, 116 West Edenton Street, Raleigh, NC 27603-1712.

Comment Procedures: Any interested person may present views and comments either in writing prior to or at the hearing or orally at the hearing.

CHAPTER 6 - ELEMENTARY AND SECONDARY EDUCATION

SUBCHAPTER 6A - ORGANIZATION PLAN

.0003 EMERGENCY CLOSING OF INDIVIDUAL SCHOOLS

If an individual school within an administrative unit is closed on account of emergency conditions that might be threatening to the health, safety, and welfare of students and staff, the LEA may petition the SBE to suspend the day or days from the 180 day school term without loss of credit to students or pay to staff, regardless of the status of school closings and make-up days for the administrative unit as a whole.

Authority G.S. 115C-84(c); N.C. Constitution, Article IX, Sec. 5.

TITLE 21 - OCCUPATIONAL LICENSING BOARDS

Notice is hereby given in accordance with G.S. 150B-12 that the N.C. State Board of Cosmetic Art Examiners intends to amend rule(s) cited as 21 NCAC 14L .0101 - .0102, .0202 - .0204, .0207 - .0212, .0214; and repeal 14L .0103 - .0104, .0201, .0205 - .0206, and .0213.

The proposed effective date of this action is June 1, 1989.

The public hearing will be conducted at 10:00 a.m. on March 20, 1989 at N.C. State Board of Cosmetic Art Examiners, 4101 North Blvd., Suite H, Raleigh, North Carolina.

Comment Procedures: Any person may request information or copies of the proposed rules by writing or calling Vicky R. Goudie, Executive Secretary, N.C. State Board of Cosmetic Art Examiners, 4101 North Blvd., Suite H, Raleigh, North Carolina 27604, (919) 790-8460. Written comments on these rules may be sent to Mrs. Goudie by February 20, 1989 at the above address. Written and oral (for no more than ten minutes) comments on these rules may be presented at the hearing. Notice should be given to Mrs. Goudie at least three days prior to the hearing if you desire to speak.

CHAPTER 14 - BOARD OF COSMETIC ART EXAMINERS

SUBCHAPTER 14L - TEACHING STAFF

SECTION .0100 - TEACHER EXAMINATIONS

.0101 QUALIFICATIONS

No person shall be eligible to take an examination to be certified as a teacher of cosmetic arts unless he or she has the following qualifications:

- (1) at least five years experience as a registered cosmetologist practicing cosmetic art in a beauty shop immediately prior to applying for examination; and*
- (2) is a licensed cosmetologist who has practiced as a registered cosmetologist in an approved beauty salon at least six months and has completed at least 400 hours of teacher training in an approved beauty school or college, consisting of the following:*
 - (a) 0 to 200 hours orientation unit planning, daily lesson planning and clinic management planning all under the supervision of a licensed instructor;*
 - (b) 200 to 400 hours to be used by the trainee in conducting theory classes, practical demonstrations and clinic management un-*

der the direct supervision of a licensed instructor;

(3) must be registered with the Board before entering the teacher training program and a copy of his/her high school diploma must be attached to the enrollment;

(a) Under no condition are hours for credit retroactive prior to registration with the Board;

(b) At no time shall the trainee do clinical work in the school;

(4) must comply with present regulations requiring a high school diploma or equivalency;

(5) must pay ten dollars (\$10.00) license fee.

(6) All teachers taking the State Board Examination will be required to take both cultures before being issued a license.

(a) To be a cosmetology teacher, an applicant must be a cosmetologist and must:

(1) Have a high school diploma or a high school graduation equivalency certificate;

(2) Have practiced cosmetology in a beauty salon for at least six months;

(3) Have completed a 1000-hour teacher training course in a cosmetology school; and

(4) Pass the cosmetology teacher's examination.

(b) This Rule applies to anyone who submits an application to be a cosmetology teacher on or after April 1, 1989, except those who were enrolled in a teacher training course on that date. The rules in effect until April 1, 1989, apply to applicants who were enrolled in a teacher training course on that date.

Statutory Authority G.S. 88-23.

.0102 TEACHER TRAINING CURRICULUM

Under a student program an applicant must have 1,000 hours of teachers training; and, make 85 percent or better on both practical and written examinations as prescribed by the Board.

To meet the approval of the Board, a teacher training course must consist of at least 1000 hours of instruction in theory and practical application, divided as follows:

(1) Two hundred hours of instruction on methods of teaching and the laws governing cosmetology, to include the following topics:

(a) instruction in teaching techniques;

(b) instruction in preparing lesson plans;

(c) instruction in preparing class lectures and presentations;

(d) instructions in preparing examinations; and

(c) Chapter 88 of the North Carolina General Statutes and the rules of the Board.

(2) One hundred fifty hours of instruction in practical cosmetology, to include the following topics:

(a) cold waving;

(b) hair shaping and hair cutting;

(c) hair and scalp treatment;

(d) temporary and semi-permanent coloring and bleaching of hair, hairpieces, and wigs;

(e) hairstyling;

(f) manicuring;

(g) relaxing hair by the use of chemicals;

(h) professional and personal operator development;

(i) use of electric marcel curling irons;

(j) hair chemistry;

(k) chemistry related to shampoos and other liquids applied to hair;

(l) tinting and arching eyebrows; and

(m) use of blow dryers.

During this phase of the teacher training course, the cosmetology teacher trainee must begin preparing daily lesson plans, lectures, and examinations and must observe lectures given by cosmetology teachers.

(3) Six hundred fifty hours of practice teaching, to include the following:

(a) conducting theory classes from prepared lesson plans;

(b) preparing and giving examinations; and

(c) giving practical demonstrations.

Statutory Authority G.S. 88-23.

.0103 SUBSTITUTES (REPEALED)

.0104 CHANGES IN TEACHING STAFF (REPEALED)

Statutory Authority G.S. 88-23.

SECTION .0200 - STUDENT INSTRUCTOR TRAINEE PROGRAM

.0201 REQUIREMENTS (REPEALED)

Statutory Authority G.S. 88-23.

.0202 INFORMATION REQUIRED BY THE BOARD

At the time an application for the examination in cosmetic arts is submitted to the Office of the Board, the following information must be enclosed by the prospective ~~instructor trainee~~ cosmetology teacher: proof of high school graduation.

(1) proof of high school graduation; and

- (2) a letter from the school owner or a teacher requesting that the student be given permission to remain in the school to begin his or her instructor trainee program.

Statutory Authority G.S. 88-23.

.0203 FAILURE TO SUBMIT REQUIRED INFORMATION

Failure to submit all of the information listed under 21 NCAC 14L .0202 at one time, will cause the trainee prospective cosmetology teacher to be denied permission to begin the trainee program. to take the examination.

Statutory Authority G.S. 88-23.

.0204 PASSING SCORE FOR A TEACHER'S LICENSE

(a) A passing score of 70 percent on both practical and the theory on the special examination, that is to be given by the members of the Board, will qualify the instructor trainee for the Registered Apprentice License.

(b) A score of at least 85 percent on both practical and theory, on the special examination given by the members of the Board, will qualify those requesting permission to be a student instructor trainee.

(c) A letter will be mailed to the school or college to give permission for the successful applicant to continue in the school or college to train toward their teachers examination.

(d) Applicants, for trainees, who make less than 85 percent on both practical and theory on the examination will not be permitted to continue in the school or college unless student re-applies within 30 days of the date of examination.

A cosmetologist must score at least 85 on each part of the cosmetology teacher's examination to pass the examination. An applicant who fails the cosmetology teacher's examination two or more times may not take the examination again until the applicant takes additional cosmetology courses or takes other steps to increase the likelihood that the applicant will pass the examination. The Board must determine the adequacy of steps taken by an applicant to enable the applicant to take the teacher's examination a third or subsequent time.

Statutory Authority G.S. 88-23.

.0205 DIVISION OF CURRICULUM DURING TRAINING (REPEALED)

.0206 CURRICULUM AND COURSE WORK (REPEALED)

Statutory Authority G.S. 88-23.

.0207 TEACHER TRAINEE NOTEBOOK

(a) The North Carolina State Board of Cosmetic Art Examiners will require each student instructor trainee to compile a notebook, containing a copy of all units, daily lesson plans, examinations, and other material which have been prepared by the trainee during his training.

(b) This notebook shall be made available at any time for the inspector's review and will be presented and used during the student instructor trainee examination.

Each cosmetology teacher trainee shall compile a notebook containing a copy of all units, daily lesson plans, examinations, and other materials prepared by the trainee. The trainee must present this notebook to the Board or its inspector upon request and may use this notebook during the cosmetology teacher's examination.

Statutory Authority G.S. 88-23.

.0208 SUPERVISION OF COSMETOLOGY TEACHER TRAINEE

At no time shall a student instructor teacher trainee be left in school without supervision of a licensed teacher. Violation of this Rule shall be just cause to revoke the permission to conduct the student cosmetology teacher trainee program for a period of one year.

Statutory Authority G.S. 88-23.

.0209 TIME REQUIREMENTS

(a) The student instructor teacher trainee program shall be a full time program. for those given permission by the members of the Board. Credit of time will be given from the time the examination application is received in the Office of the State Board, provided they pass the Student Trainee Examination with a grade of 85 percent on both parts.

(b) A full time program means the trainee shall be present all day, each day the school is open for business, unless out because of illness, or the attending of a teacher training course as required by the Board.

(c) The Office of the Board shall be advised in case of absence of the trainee.

(d) (c) The student instructor teacher trainee shall not be given credit for more than eight hours per day and 40 hours per week.

(e) (d) A record of the hours earned as a trainee each day shall be kept subject to an inspection.

Statutory Authority G.S. 88-23.

.0210 EFFECT ON STUDENT-TEACHER RATIO

(a) ~~The beauty school or college having as many as two full time teachers may be allowed up to two student instructor trainees in the school at one time, but not more than two.~~

(b) ~~Schools having only one full time teacher may be allowed only one student instructor trainee in the school at one time.~~

A student who is a cosmetology teacher trainee need not be counted as a student in computing the allowable student-teacher ratio set by Rule .0013 of Subchapter 14G. A cosmetology school, however, must have at least one cosmetology teacher for every five teacher trainees, and a cosmetology school may not count a teacher trainee as a cosmetology teacher in computing the allowable student-teacher ratio. A cosmetology teacher trainee shall not perform work on the public while at the cosmetology school.

Statutory Authority G.S. 88-23.

.0211 EXTRA STUDENTS

~~Schools and colleges cannot enroll extra students in the school for the student instructor trainee, teacher training.~~

Statutory Authority G.S. 88-23.

.0212 CREDIT

(a) ~~The hours earned in the school under the student instructor trainee teacher training program cannot be certified by this Board as anything other than student instructor trainee teacher training program.~~

(b) ~~The trainee will be given credit for the time served on his or her apprenticeship in the school.~~

Statutory Authority G.S. 88-23.

.0213 TRANSFER (REPEALED)

Statutory Authority G.S. 88-23.

.0214 LICENSING

(a) ~~A student instructor trainee must apply for a cosmetologist license upon completion of six months apprenticeship as a student instructor trainee.~~

(b) ~~To secure the cosmetologist license, the affidavit must be completed showing the date beginning and the date ending, the name of the school, the teacher's name and cosmetologist license number and have this information and the signature of the teacher (cosmetologist) notarized.~~

(c) ~~The affidavit, the apprentice license of the trainee, and the required fee for securing the cosmetologist license must be submitted to the Board.~~

(d) ~~After completing the student instructor trainee requirements as outlined in 24 NCAC 14L .0200, the trainee must apply, by letter, to the Board for the examination for a teacher's certificate.~~

(e) (a) ~~Must pay a ten dollar (\$10.00) license fee.~~

(f) (b) ~~The teacher trainee must be issued a cosmetologist license before he or she can qualify to apply for the teacher's examination.~~

Statutory Authority G.S. 88-23.

LIST OF RULES AFFECTED

NORTH CAROLINA ADMINISTRATIVE CODE

EFFECTIVE: February 1, 1989

AGENCY		ACTION TAKEN
<u>DEPARTMENT OF ADMINISTRATION</u>		
1	NCAC 11 .2103 - .2105	Amended
	.2116	Amended
	.2119 - .2121	Repealed
	.2123	Repealed
	.2201 - .2204	Adopted
<u>DEPARTMENT OF AGRICULTURE</u>		
2	NCAC 9L .1002	Amended
<u>GOVERNOR'S OFFICE</u>		
9	NCAC 2 Executive Order Number 79 Eff. January 5, 1989 Executive Order Number 80 Eff. January 10, 1989 Executive Order Number 81 Eff. January 12, 1989	
<u>DEPARTMENT OF HUMAN RESOURCES</u>		
10	NCAC 7A .0401	Amended
	10G .0901 - .0914	Temp. Adopted Expires 07-19-89
	14K .0365	Adopted
	15A .0104 - .0113	Repealed
	.0114 - .0129	Adopted
	18F .0312 - .0320	Adopted
	18M .1203 - .1204	Adopted
<u>DEPARTMENT OF INSURANCE</u>		
11	NCAC 6A .0101	Amended
	.0201	Amended
	.0202 - .0207	Repealed
	.0210 - .0217	Amended
	.0219	Amended
	.0220 - .0237	Adopted
	.0301 - .0306	Amended
	.0401 - .0408	Amended
	.0409	Repealed
	.0410	Amended
	.0411	Repealed
	.0412 - .0413	Adopted
	.0501 - .0505	Amended
	.0506 - .0507	Adopted
	.0601	Amended
	.0603 - .0604	Amended
	.0605	Repealed
	.0701 - .0706	Adopted

LIST OF RULES AFFECTED

DEPARTMENT OF LABOR

13	NCAC 7C	.0103	Amended
	13	.0401 - .0402	Amended
	15	.0503	Adopted

DEPARTMENT OF REVENUE

17	NCAC 6B	.0312	Amended
		.1706	Amended
		.2201	Amended
		.3704	Amended

SECRETARY OF STATE

18	NCAC 6	.1701 - .1714	Adopted
		.1801 - .1811	Adopted

DEPARTMENT OF STATE TREASURER

20	NCAC 2M	.0101 - .0103	Adopted
		.0201 - .0206	Adopted
		.0301 - .0308	Adopted

BOARD OF OPTICIANS

21	NCAC 40	.0101	Amended
		.0104	Amended
		.0106	Amended
		.0108	Amended
		.0109	Amended
		.0110	Repealed
		.0111 - .0112	Amended
		.0201	Repealed
		.0202	Amended
		.0203	Repealed
		.0205 - .0206	Amended
		.0209 - .0211	Amended
		.0301 - .0303	Amended
		.0304	Repealed
		.0307	Amended
		.0312	Amended
		.0314	Amended
		.0317	Repealed
		.0318 - .0321	Amended
		.0322	Repealed
		.0323	Amended

REAL ESTATE LICENSING BOARD

21	NCAC 58A	.0101	Amended
		.0103	Amended
		.0105 - .0108	Amended
		.0110 - .0112	Amended
		.0301 - .0302	Amended
		.0401	Amended
		.0406	Amended
		.0501 - .0504	Amended
		.0506	Amended
		.0509	Amended

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	.0601	Amended
	.0607	Amended
	.0609	Repealed
	.0610	Amended
	.0611	Repealed
	.0701	Amended
	.0803	Amended
	.0805	Amended
	.0902	Amended
	.1001 - .1006	Amended
	.1101 - .1102	Amended
	.1103	Repealed
	.1104 - .1105	Amended
	.1107 - .1109	Amended
	.1111	Amended
	.1201 - .1206	Repealed
	.1301	Amended
	.1304 - .1305	Amended
	.1307	Amended
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	.1314	Amended
	.1316 - .1317	Amended
	.1402 - .1404	Amended
58B	.0101	Amended
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	.0201 - .0202	Amended
	.0301	Amended
	.0501	Amended
	.0602	Amended

HOUSING FINANCE AGENCY

24	NCAC	1B	.0004	Adopted
		1L	.0201	Amended

OFFICE OF STATE PERSONNEL

25	NCAC	1D	.1603	Amended
			.1903	Adopted
			.1932	Adopted
			.1935	Adopted
			.1939 - .1941	Adopted
			.1945	Adopted
		1I	.0603	Amended
			.1307	Amended
			.1309	Amended
		1J	.0501	Amended
			.0807	Adopted

OFFICE OF ADMINISTRATIVE HEARINGS

26	NCAC	3	.0022	Amended
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3	Auditor, Department of State
4	Commerce, Department of
5	Corrections, Department of
6	Council of State
7	Cultural Resources, Department of
8	Elections, State Board of
9	Governor, Office of the
10	Human Resources, Department of
11	Insurance, Department of
12	Justice, Department of
13	Labor, Department of
14A	Crime Control and Public Safety, Department of
15	Natural Resources and Community Development, Department of
16	Public Education, Department of
17	Revenue, Department of
18	Secretary of State, Department of
19A	Transportation, Department of
20	Treasurer, Department of State
*21	Occupational Licensing Boards
22	Administrative Procedures
23	Community Colleges, Department of
24	Independent Agencies
25	State Personnel, Office of
26	Administrative Hearings, Office of

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6	Barber Examiners, Board of
8	Certified Public Accountant Examiners, Board of
10	Chiropractic Examiners, Board of
12	General Contractors, Licensing Board for
14	Cosmetic Art Examiners, Board of
16	Dental Examiners, Board of
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21	Geologists, Board of
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48	Physical Therapy, Examining Committee of
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52	Podiatry Examiners, Board of
53	Practicing Counselors, Board of
54	Practicing Psychologists, Board of
56	Professional Engineers and Land Surveyors, Board of
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