

1 21 NCAC 06A .0102 is readopted with changes as published in 30:14 NCR 1508 as follows:

2

3 **21 NCAC 06A .0102      ~~PHYSICAL AND MAILING~~ PHYSICAL, MAILING, AND WEBSITE ADDRESS**

4 (a) The address of the Board is 5809-102 Departure Drive, Raleigh, North Carolina 27616.

5 (b) The website address of the Board is www.ncbarbers.com.

6

7 *History Note:      Authority G.S. 86A-6;*

8 *Eff. February 1, 1976;*

9 *Readopted Eff. February 8, 1978;*

10 *Amended Eff. June 1, 2008; May 1, ~~1989~~, 1989;*

11 *Readopted Eff. July 1, 2016.*

1 21 NCAC 06B .0101 is readopted with changes as published in 30:14 NCR 1508 as follows:

2

3 **21 NCAC 06B .0101 PETITION FOR ~~ADOPTION OF NEW RULE~~ RULE-MAKING**

4 Any person ~~wishing to submit~~ submitting a petition ~~requesting the adoption of~~ to adopt, amend, or repeal a rule by the  
5 Board shall address a petition to the Chairman at the office ~~address. The petition should contain the following~~  
6 ~~information:~~ address in 21 NCAC 06A .0102.

7 (1) ~~a draft of the proposed rule; or~~ The petition shall contain the following:

8 (a) for petitions to adopt or amend a rule, a draft of the proposed rule or amendment;

9 (b) a statement of the effect of the requested rule change; and

10 (c) the name and address of the petitioner.

11 (2) ~~a summary of the contents of the proposed rule;~~ The petition may contain the following:

12 ~~(3)~~(a) the reason for the proposal;

13 ~~(4)~~(b) the effect of the new rule on existing rules; or

14 ~~(5)~~(c) any data supporting the rule ~~proposal;~~ proposal.

15 ~~(6)~~ effects of the rule on existing practices in the area involved; and

16 ~~(7)~~ name and address of each petitioner.

17

18 *History Note: Authority G.S. ~~150B-16;~~ 150B-20;*

19 *Eff. February 1, 1976;*

20 *Readopted Eff. February 8, 1978;*

21 *Amended Eff. May 1, ~~1989;~~ 1989;*

22 *Readopted Eff. July 1, 2016.*

1 21 NCAC 06B .0103 was published for re adoption in 30:14 NCR 1508 but is now repealed as follows:

2

3 **21 NCAC 06B .0103      PETITION FOR AMENDMENT OR REPEAL OF RULE**

4

5 *History Note:      Authority G.S. ~~150B-16~~, 150B-20;*

6 *Eff. February 1, 1976;*

7 *Readopted Eff. February 8, 1978;*

8 *Amended Eff. May 1, ~~1989~~, 1989;*

9 *Repealed Eff. July 1, 2016.*

1 21 NCAC 06B .0105 is readopted with changes as published in 30:14 NCR 1508 as follows:

2

3 **21 NCAC 06B .0105 GRANTING OR DENYING PETITIONS**

4 (a) The Chairman of the Board ~~will~~shall make a preliminary determination, based on a study of the facts stated in the  
5 petition, of whether the public interest will be better served by granting or denying a rule-making petition. ~~He will~~  
6 The Chairman shall consider all the contents of the submitted petition, plus any additional information deemed  
7 relevant.

8 (b) The Chairman ~~will~~shall make a recommendation ~~for the granting or denial of~~ to grant or deny the petition for  
9 rule-making to the Board.

10 (c) Within 120 days of submission of the ~~petition~~petition, the Board ~~will~~shall render a final decision. If the decision  
11 is to grant the petition, the ~~Board, within 120 days of submission, will~~Board shall initiate a rule-making proceeding  
12 by issuing a notice as provided for in G.S. ~~150B-12(e).~~ 150B-20(c). If the decision is to deny the petition, the Board  
13 ~~will~~shall send the petitioner written notice of the decision. The notice ~~will~~shall state the reasons for denying the  
14 ~~petition.~~ petition and refer to the appeal rights set forth in G.S. 150B-20(d).

15

16 *History Note: Authority G.S. ~~150B-16;~~ 150B-20;*

17 *Eff. February 1, 1976;*

18 *Readopted Eff. February 8, 1978;*

19 *Amended Eff. May 1, ~~1989.~~ 1989;*

20 *Readopted Eff. July 1, 2016.*

1 21 NCAC 06B .0202 is readopted with changes as published in 30:14 NCR 1508 as follows:

2

3 **21 NCAC 06B .0202 MAILING LIST**

4 ~~(a)~~ Any person or agency desiring to be placed on the mailing list for the Board's rule-making notices may file such  
5 request in writing furnishing his or her or the agency ~~its~~ name and mailing address to the Chairman at the office  
6 ~~address.~~ address listed in 21 NCAC 06A .0102.

7 ~~(b) The request should state the subject areas within the authority of the Board for which notice is requested.~~

8

9 *History Note: Authority G.S. ~~150B-11(1);~~ 150B-21.2(d);*

10 *Eff. February 1, 1976;*

11 *Readopted Eff. February 8, 1978;*

12 *Amended Eff. May 1, ~~1989.~~ 1989;*

13 *Readopted Eff. July 1, 2016.*

1 21 NCAC 06B .0204 was published with readoption in 30:14 NCR 1508 but is now repealed as follows:

2

3 **21 NCAC 06B .0204 INFORMATION REQUESTS**

4

5 *History Note: Authority G.S. ~~150B-11(1)~~; 150B-21.2(d);*

6 *Eff. February 1, 1976;*

7 *Readopted Eff. February 8, 1978;*

8 *Amended Eff. May 1, ~~1989~~; 1989;*

9 *Repealed Eff. July 1, 2016.*

1 21 NCAC 06B .0301 was published for readoption in 30:14 NCR 1508 but is now repealed as follows:

2

3 **21 NCAC 06B .0301 LOCATION OF HEARINGS**

4

5 *History Note: Authority G.S. 86A-5; 150B-21.2;*

6 *Eff. February 1, 1976;*

7 *Readopted Eff. February 8, 1978;*

8 *Amended Eff. June 1, 2008; May 1, ~~1989~~ 1989;*

9 *Repealed Eff. July 1, 2016.*

1 21 NCAC 06B .0302 was published for readoption in 30:14 NCR 1508 but is now repealed as follows:

2

3 **21 NCAC 06B .0302 ORAL PRESENTATIONS**

4

5 *History Note: Authority G.S. ~~150B-12~~, 150B-21.2(e);*

6 *Eff. February 1, 1976;*

7 *Readopted Eff. February 8, 1978;*

8 *Amended Eff. May 1, ~~1989~~, 1989;*

9 *Repealed Eff. July 1, 2016.*

1 21 NCAC 06B .0305 was published for readoption in 30:14 NCR 1508 but is now repealed as follows:

2

3 **21 NCAC 06B .0305 WRITTEN STATEMENT**

4

5 *History Note: Authority G.S. ~~150B-12~~; 150B-21.2(f);*

6 *Eff. February 1, 1976;*

7 *Readopted Eff. February 8, 1978;*

8 *Amended Eff. May 1, ~~1989~~; 1989;*

9 *Repealed Eff. July 1, 2016.*

1 21 NCAC 06B .0306 was published for re adoption in 30:14 NCR 1508 but is now repealed as follows:

2

3 **21 NCAC 06B .0306      ACKNOWLEDGMENT**

4

5 *History Note:      Authority G.S. ~~150B-12~~; 150B-21.2(f);*

6 *Eff. February 1, 1976;*

7 *Readopted Eff. February 8, 1978;*

8 *Amended Eff. May 1, ~~1989~~; 1989;*

9 *Repealed Eff. July 1, 2016.*

1 21 NCAC 06B .0307 is readopted with changes as published in 30:14 NCR 1508 as follows:

2

3 **21 NCAC 06B .0307 CONTROL OF HEARINGS**

4 (a) The presiding officer at a rule-making hearing shall have ~~complete~~ control of the proceedings including the  
5 following:

6 ~~(1) extension of any time limitations;~~

7 ~~(2)~~(1) the recognition of speakers;

8 ~~(3)~~(2) the time allotment for presentations and extension of any time allotments; and

9 ~~(4)~~(3) ~~direction of the flow of discussion and~~ the management of the hearing.

10 (b) The presiding officer at all times shall ~~take care to ensure~~ that each person participating in the hearing is given a ~~fair~~  
11 an equal opportunity to present views, ~~data data,~~ and comments.

12

13 *History Note: Authority G.S. ~~150B-11; 150B-12; 150B-21.2(e);~~*

14 *Eff. February 1, 1976;*

15 *Readopted Eff. February 8, 1978;*

16 *Amended Eff. May 1, ~~1989; 1989;~~*

17 *Readopted Eff. July 1, 2016.*

1 21 NCAC 06B .0308 was published for readoption in 30:14 NCR 1508 but is now repealed as follows:

2

3 **21 NCAC 06B .0308      REQUEST FOR STATEMENT ON FINAL DECISION**

4

5 *History Note:      Authority G.S. ~~150B-12~~; 150B-21.2(h);*

6 *Eff. February 1, 1976;*

7 *Readopted Eff. February 8, 1978;*

8 *Amended Eff. May 1, ~~1989~~; 1989;*

9 *Repealed Eff. July 1, 2016.*

1 21 NCAC 06B .0309 is readopted with changes as published in 30:14 NCR 1508 as follows:

2

3 **21 NCAC 06B .0309 RECORDS**

4 (a) A record of all rule-making proceedings ~~will~~ shall be maintained ~~as long as the rule is in effect and for five years~~  
5 ~~thereafter~~ permanently.

6 (b) The record ~~will~~ shall be maintained on file at the Board's office ~~address~~ address listed in 21 NCAC 06A .0102.

7

8 *History Note: Authority G.S. ~~150B-12~~; 150B-21.2(i);*

9 *Eff. February 1, 1976;*

10 *Readopted Eff. February 8, 1978;*

11 *Amended Eff. May 1, ~~1989~~; 1989;*

12 *Readopted Eff. July 1, 2016.*

1 21 NCAC 06B .0501 was published for repeal but is now readopted with changes as published in 30:14 NCR 1508 as  
2 follows:

3

4 **21 NCAC 06B .0501 REQUEST FOR DECLARATORY RULING**

5 All requests for declaratory rulings shall be in writing and mailed to the Chairman at the office ~~address.~~ address in 21  
6 NCAC 06A .0102.

7

8 *History Note: Authority G.S. ~~86A-4; 150B-4;~~*

9 *Eff. February 1, 1976;*

10 *Readopted Eff. February 8, 1978;*

11 *Amended Eff. June 1, 2008; May 1, ~~1989; 1989;~~*

12 *Readopted Eff. July 1, 2016.*

1 21 NCAC 06B .0502 was published for repeal but is now readopted with changes as published in 30:14 NCR 1508  
2 as follows:

3

4 **21 NCAC 06B .0502 CONTENTS OF REQUEST**

5 All requests for a declaratory ruling ~~must~~ shall include the following information:

- 6 (1) the name and address of petitioner;
- 7 (2) the statute or rule ~~statute, rule, or order~~ to which the petition relates;
- 8 (3) a concise ~~a~~ statement of the manner in which the petitioner is affected, or thinks that he or she may  
9 be affected, by the ~~rule or statute~~ rule, statute, or order and its application to ~~him;~~ him or her; and
- 10 (4) a statement of whether an oral hearing is desired and if ~~so~~ so, the reasons for ~~such~~ an oral hearing.

11

12 *History Note: Authority G.S. ~~150B-17; 150B-4;~~*  
13 *Eff. February 1, 1976;*  
14 *Readopted Eff. February 8, 1978;*  
15 *Amended Eff. May 1, ~~1989; 1989;~~*  
16 *Readopted Eff. July 1, 2016.*

1 21 NCAC 06B .0503 was published for repeal but is now readopted with changes as published in 30:14 NCR 1508  
2 as follows:

3

4 **21 NCAC 06B .0503 REFUSAL TO ISSUE DECLARATORY RULING**

5 Whenever the Board believes for good reason that the issuance of a declaratory ruling is undesirable it ~~may~~ shall  
6 refuse to do so. When good reason is deemed to ~~exist~~ exist, the Board will notify the petitioner of its decision in  
7 writing, stating reasons for the denial of a declaratory ruling.

8

9 *History Note: Authority G.S. ~~150B-17~~, 150B-4;*

10 *Eff. February 1, 1976;*

11 *Readopted Eff. February 8, 1978;*

12 *Amended Eff. May 1, ~~1989~~, 1989;*

13 *Readopted Eff. July 1, 2016.*

1 21 NCAC 06B .0505 was published for repeal but is now readopted with changes as published in 30:14 NCR 1508  
2 as follows:

3

4 **21 NCAC 06B .0505 PROCEDURE**

5 A declaratory ruling procedure may consist of written statements, oral ~~hearings~~ hearings, or such other procedures as  
6 may be appropriate in a particular case.

7

8 *History Note: Authority G.S. ~~150B-17~~; 150B-4;*

9 *Eff. February 1, 1976;*

10 *Readopted Eff. February 8, ~~1978~~; 1978;*

11 *Readopted Eff. July 1, 2016.*

1 21 NCAC 06C .0101 is readopted as published in 30:14 NCR 1509 as follows:

2

3 **21 NCAC 06C .0101 ADMINISTRATIVE HEARINGS**

4 Any person whose rights, duties, or privileges are affected by official actions of the Board shall be entitled to a hearing  
5 pursuant to G.S. 150B-38.

6

7 *History Note: Authority G.S. 150B-38;*

8 *Eff. February 1, 1976;*

9 *Readopted Eff. February 8, 1978;*

10 *Amended Eff. May 1, ~~1989~~, 1989;*

11 *Readopted Eff. July 1, 2016.*

1 21 NCAC 06C .0201 was published for readoption in 30:14 NCR 1509 but is now repealed as follows:

2

3 **21 NCAC 06C .0201 REQUEST**

4

5 *History Note: Authority G.S. 150B-38;*

6 *Eff. February 1, 1976;*

7 *Readopted Eff. February 8, ~~1978~~, 1978;*

8 *Repealed Eff. July 1, 2016.*

1 21 NCAC 06C .0202 is readopted with changes as published in 30:14 NCR 1509 as follows:

2

3 **21 NCAC 06C .0202      INFORMAL RESOLUTION ENCOURAGED**

4 Before a hearing request is made, the person affected is strongly encouraged to ~~make reasonable efforts attempt~~ to  
5 resolve the problem with the Board informally. To initiate informal resolution, the person ~~should~~ shall contact the  
6 Board.

7

8 *History Note:      Authority G.S. ~~150B-38; 150B-22;~~*

9 *Eff. February 1, 1976;*

10 *Readopted Eff. February 8, 1978;*

11 *Amended Eff. May 1, ~~1989; 1989;~~*

12 *Readopted Eff. July 1, 2016.*

1 21 NCAC 06C .0203 is readopted as published in 30:14 NCR 1509 as follows:

2

3 **21 NCAC 06C .0203 REQUEST AFTER INFORMAL EFFORTS**

4 Following informal contact with the Board as set out in 21 NCAC 06C .0202, if still dissatisfied, the person may file  
5 a written request for an administrative hearing with the Board.

6

7 *History Note: Authority G.S. 150B-38;*

8 *Eff. February 1, 1976;*

9 *Readopted Eff. February 8, 1978;*

10 *Amended Eff. June 1, 2008; May 1, ~~1989~~ 1989;*

11 *Readopted Eff. July 1, 2016.*

1 21 NCAC 06C .0204 is readopted with changes as published in 30:14 NCR 1509 as follows:

2

3 **21 NCAC 06C .0204 CONTENTS OF REQUEST**

4 A written request for an administrative hearing ~~must~~ shall contain the following information:

- 5 (1) the name and address of ~~petitioner,~~ petitioner;
- 6 (2) a ~~concise~~ statement of the Board action being ~~challenged,~~ challenged;
- 7 (3) a ~~concise~~ statement of the way in which the petitioner has been ~~aggrieved,~~ aggrieved; and
- 8 (4) a ~~clear and specific~~ demand for a hearing.

9

10 *History Note: Authority G.S. 150B-38;*

11 *Eff. February 1, 1976;*

12 *Readopted Eff. February 8, ~~1978,~~ 1978;*

13 *Readopted Eff. July 1, 2016.*

1 21 NCAC 06C .0205 was published for re adoption in 30:14 NCR 1509 but is now repealed as follows:

2

3 **21 NCAC 06C .0205      ACKNOWLEDGEMENT**

4

5 *History Note:      Authority G.S. 150B-38;*

6 *Eff. February 1, 1976;*

7 *Readopted Eff. February 8, 1978;*

8 *Amended Eff. June 1, 2008; May 1, ~~1989~~ 1989;*

9 *Repealed Eff. July 1, 2016.*

1 21 NCAC 06C .0501 was published for readoption in 30:14 NCR 1509 but is now repealed as follows:

2

3 **21 NCAC 06C .0501 REASONABLE NOTICE**

4

5 *History Note: Authority G.S. 150B-38;*

6 *Eff. February 1, 1976;*

7 *Readopted Eff. February 8, 1978;*

8 *Amended Eff. May 1, ~~1989~~, 1989;*

9 *Repealed Eff. July 1, 2016.*

1 21 NCAC 06C .0502 is readopted with changes as published in 30:14 NCR 1509 as follows:

2

3 **21 NCAC 06C .0502 NOTICE AND HEARING**

4 In determining periods between notice and hearing, ~~all pertinent factors will be considered and may include the~~  
5 ~~following:~~ the Chairman shall consider the following factors:

- 6 (1) the complexity of the issues involved;
- 7 (2) the probable length of the presentations at the hearing;
- 8 (3) the number of parties;
- 9 (4) the probable success of notifying all the parties without resorting to publication; and
- 10 (5) the time and place of regularly scheduled meetings of the Board.

11

12 *History Note: Authority G.S. 150B-38;*  
13 *Eff. February 1, 1976;*  
14 *Readopted Eff. February 8, 1978;*  
15 *Amended Eff. May 1, ~~1989~~, 1989;*  
16 *Readopted Eff. July 1, 2016.*

1 21 NCAC 06C .0503 was published for reoption in 30:14 NCR 1509 but is now repealed as follows:

2

3 **21 NCAC 06C .0503      ADDITIONAL INFORMATION ON NOTICES AND HEARINGS**

4

5 *History Note:      Authority G.S. 150B-38;*

6 *Eff. February 1, 1976;*

7 *Readopted Eff. February 8, 1978;*

8 *Amended Eff. May 1, ~~1989~~, 1989;*

9 *Repealed Eff. July 1, 2016.*

1 21 NCAC 06C .0504 was published for readoption in 30:14 NCR 1509 but is now repealed as follows:

2

3 **21 NCAC 06C .0504 WRITTEN ANSWERS TO NOTICE**

4

5 *History Note: Authority G.S. 150B-38;*

6 *Eff. February 1, 1976;*

7 *Readopted Eff. February 8, 1978;*

8 *Amended Eff. May 1, ~~1989~~, 1989;*

9 *Repealed Eff. July 1, 2016.*

1 21 NCAC 06C .0601 was published for re adoption in 30:14 NCR 1509 but is now repealed as follows:

2

3 **21 NCAC 06C .0601 WHO HEARS CONTESTED CASES**

4

5 *History Note: Authority G.S. 150B-40;*

6 *Eff. February 1, 1976;*

7 *Readopted Eff. February 8, 1978;*

8 *Amended Eff. May 1, ~~1989~~, 1989;*

9 *Repealed Eff. July 1, 2016.*

1 21 NCAC 06C .0701 was published for readoption in 30:14 NCR 1509 but is now repealed as follows:

2

3 **21 NCAC 06C .0701 LOCATION**

4

5 *History Note: Authority G.S. 150B-38;*

6 *Eff. February 1, 1976;*

7 *Readopted Eff. February 8, 1978;*

8 *Amended Eff. May 1, ~~1989~~, 1989;*

9 *Repealed Eff. July 1, 2016.*

1 21 NCAC 06C .0801 was published for re adoption in 30:14 NCR 1509 but is now repealed as follows:

2

3 **21 NCAC 06C .0801      REQUIREMENTS FOR INTERVENTION**

4

5 *History Note:      Authority G.S. 150B-38;*

6 *Eff. February 1, 1976;*

7 *Readopted Eff. February 8, 1978;*

8 *Amended Eff. May 1, ~~1989~~, 1989;*

9 *Repealed Eff. July 1, 2016.*

1 21 NCAC 06C .0807 is readopted with changes as published in 30:14 NCR 1509 as follows:

2

3 **21 NCAC 06C .0807 ALLOWANCE**

4 If the Board decides to allow intervention, notification of that decision ~~will~~shall be issued ~~promptly~~ to all parties,  
5 including the petitioner. In cases of permissive ~~intervention such~~intervention, the notification ~~will~~shall include a  
6 statement of the limitations, if any, of time, subject matter, ~~evidence~~evidence, or any other matters deemed necessary  
7 by the Board ~~which~~that are imposed upon the intervenor.

8

9 *History Note: Authority G.S. 150B-38;*

10 *Eff. February 1, 1976;*

11 *Readopted Eff. February 8, 1978;*

12 *Amended Eff. May 1, ~~1989~~. 1989;*

13 *Readopted Eff. July 1, 2016.*

1 21 NCAC 06C .0808 was published for readoption in 30:14 NCR 1509 but is now repealed as follows:

2

3 **21 NCAC 06C .0808 DENIAL**

4

5 *History Note: Authority G.S. 150B-38;*

6 *Eff. February 1, 1976;*

7 *Readopted Eff. February 8, ~~1978~~, 1978;*

8 *Repealed Eff. July 1, 2016.*

1 21 NCAC 06C .0903 is readopted with changes as published in 30:14 NCR 1509 as follows:

2

3 **21 NCAC 06C .0903 BIAS OF BOARD MEMBER**

4 If for any reason a member of the Board determines that personal bias or other factors ~~would keep him~~ precludes him  
5 or her from being able to hear a contested case and perform all duties in an impartial manner, he or she shall submit  
6 in writing to the Chairman his or her disqualification and the reasons therefore as required by Chapter 138A of the  
7 General Statutes.

8

9 *History Note: Authority G.S. 138A-36; 150B-38; 150B-40;*

10 *Eff. February 1, 1976;*

11 *Readopted Eff. February 8, 1978;*

12 *Amended Eff. June 1, 2008; May 1, ~~1989~~ 1989;*

13 *Readopted Eff. July 1, 2016.*

1 21 NCAC 06C .0904 was published for re adoption in 30:14 NCR 1509 but is now repealed as follows:

2

3 **21 NCAC 06C .0904      BIAS CLAIMED BY PARTY**

4

5 *History Note:      Authority G.S. 150B-40;*

6 *Eff. February 1, 1976;*

7 *Readopted Eff. February 8, 1978;*

8 *Amended Eff. May 1, ~~1989~~, 1989;*

9 *Repealed Eff. July 1, 2016.*

1 21 NCAC 06C .0905 is readopted with changes as published in 30:14 NCR 1509 as follows:

2

3 **21 NCAC 06C .0905 AFFIDAVIT OF DISQUALIFICATION**

4 An affidavit of disqualification ~~must~~shall state all facts the party deems relevant to the disqualification of the member  
5 of the Board.

6

7 *History Note: Authority G.S. 150B-40;*

8 *Eff. February 1, 1976;*

9 *Readopted Eff. February 8, 1978;*

10 *Amended Eff. May 1, ~~1989~~, 1989;*

11 *Readopted Eff. July 1, 2016.*

1 21 NCAC 06C .0906 is readopted with changes as published in 30:14 NCR 1509 as follows:

2

3 **21 NCAC 06C .0906 FILING AFFIDAVIT**

4 An affidavit of disqualification ~~will~~ shall be considered timely if filed before commencement of the hearing. ~~Any other~~  
5 ~~affidavit may be found timely provided it is filed at the first opportunity after the party becomes aware of facts which~~  
6 ~~give rise to a reasonable belief that a member of the Board may be disqualified.~~

7

8 *History Note: Authority G.S. 150B-40;*

9 *Eff. February 1, 1976;*

10 *Readopted Eff. February 8, 1978;*

11 *Amended Eff. May 1, ~~1989.~~ 1989.*

12 *Readopted Eff. July 1, 2016.*

1 21 NCAC 06C .0907 is readopted with changes as published in 30:14 NCR 1509 as follows:

2

3 **21 NCAC 06C .0907 DISQUALIFICATION**

4 The members of the Board who are not challenged in an affidavit of disqualification shall decide whether to disqualify  
5 the person being challenged by the following procedural rules:

6 (1) The person whose disqualification is to be determined shall not participate in the decision but may  
7 be called upon to furnish information to the remaining members of the Board.

8 (2) The Chairman shall appoint a member of the Board or the Executive Director to investigate the  
9 allegations of the affidavit, if necessary.

10 (3) ~~The~~ If appointed under Item (2), the investigator shall report his or her findings and  
11 recommendations to the remaining members of the ~~Board~~ Board, who shall then decide whether to  
12 disqualify the challenged individual.

13 ~~(4) A record of the proceedings shall be maintained as part of the contested case record.~~

14

15 *History Note: Authority G.S. ~~86A-5; 150B-40~~;*

16 *Eff. February 1, 1976;*

17 *Readopted Eff. February 8, 1978;*

18 *Amended Eff. September 1, 2013; May 1, ~~1989~~; 1989;*

19 *Readopted Eff. July 1, 2016.*

1 21 NCAC 06C .0909 was published for re adoption in 30:14 NCR 1509 but is now repealed as follows:

2

3 **21 NCAC 06C .0909 DISQUALIFICATION OF MAJORITY OF BOARD**

4

5 *History Note: Authority G.S. 150B-40;*

6 *Eff. February 1, 1976;*

7 *Readopted Eff. February 8, 1978;*

8 *Amended Eff. May 1, ~~1989~~, 1989;*

9 *Repealed July 1, 2016.*

1 21 NCAC 06D .0101 was published for re adoption in 30:14 NCR 1509 but is now repealed as follows:

2

3 **21 NCAC 06D .0101 CONTESTED CASE HEARINGS**

4

5 *History Note: Authority G.S. 150B-38;*

6 *Eff. February 1, 1976;*

7 *Readopted Eff. February 8, 1978;*

8 *Amended Eff. May 1, ~~1989~~, 1989;*

9 *Repealed Eff. July 1, 2016.*

21 NCAC 06F .0101 is readopted with changes as published in 30:14 NCR 1509 as follows:

**21 NCAC 06F .0101 PHYSICAL STRUCTURE**

(a) For the purpose of this Rule, “practical area” means the area of the school where barbering services are provided.

~~(a)~~(b) The physical structure of barber schools in North Carolina shall conform to the following criteria:

- (1) be a minimum of 14 linear feet wide;
- (2) be equipped with a minimum of ~~ten~~ 10 barber chairs ~~in sanitary and safe condition sufficient for the number of students enrolled; that meet the sanitary conditions required by G.S. 86A-15(a)(2);~~
- (3) have a minimum of 896 square feet in the practical area for the first ~~ten~~ 10 chairs;
- (4) have an additional 70 square feet in the practical area for each additional barber chair over the required ~~ten~~; 10;
- (5) have at least five linear feet of space between each chair, center to center;
- (6) have no more than two students enrolled per barber chair;
- (7) be equipped with toilet facilities with hand-washing sink or ~~basin sufficient to serve the number of people at the school;~~ basin;
- (8) have concrete or wood floors covered with smooth, nonporous materials;
- (9) have instructional materials, ~~for example, such as blackboard space, space or slide programs, programs; sufficient to teach barbering;~~
- (10) have a workstand, with a mounted mirror with minimum dimensions of 36 inches tall and 20 inches wide, for each barber chair in the practical ~~work~~ area, constructed of material that ~~renders it easily cleaned;~~ can be washed and cleansed;
- (11) have a tool cabinet for each barber chair, with a door ~~as nearly air tight as possible;~~ to limit exposure of the tools to the open air;
- (12) have a towel cabinet, or other method of storage, ~~such so~~ that clean towels are stored separate from used towels;
- (13) have at least one fully functional sink or lavatory, with hot and cold water, for each two barber chairs, located within seven unobstructed linear feet of each ~~barbering area;~~ barber chair. This sink distance requirement does not apply to schools permitted on or before September 1, 2009;
- (14) have the school separate from any other place or type of ~~business~~ business, except for a business allowed by G.S. 86A-15(a)(1)(b), by a wall of ceiling height;
- (15) have a classroom area, separate from the practical ~~area;~~ area, with desk chairs sufficient to serve the number of students enrolled, and a desk and chair for the instructors;
- ~~(16)~~ (16) have desk chairs sufficient to serve the number of students enrolled, and a desk and chair for the instructors;
- ~~(17)~~ (16) have a time clock means for electronic recordation of student hours;
- ~~(18)~~ (17) have an informational sign displayed in each practical area of the school ~~indicating~~ stating that all barbering services are performed by students; and

1           ~~(19)~~(18) have a bulletin board hanging in each classroom area with a posting of the sanitation rules and  
2           minimum school curricula as ~~prescribed under 21 NCAC 06F .0210, or any other memorandum,~~  
3           ~~letter or rule issued by the Board which states it is to be posted for the information of students.~~ set  
4           forth in 21 NCAC 06F .0120.

5           This Paragraph applies to barber schools permitted on or after December 1, 1994 or which undergo structural  
6           renovations after that date.

7           ~~(b) Barber schools permitted on or after July 1, 2008, shall have a minimum of 20 square feet per student in the~~  
8           ~~classroom as stated in the Occupancy Building Code Table.~~

9           ~~(c) The sink distance requirement set forth in Subparagraph (a)(13) of this Rule does not apply to barber schools~~  
10          ~~permitted on or before September 1, 2009.~~

11          ~~(d) All shops must comply with the minimum mirror dimensions set forth in Subchapter (a)(10) of this Rule by June~~  
12          ~~1, 2014.~~

13          ~~(e)~~(c) All barber schools ~~permitted after June 1, 2013, must seeking a new permit shall~~ receive a satisfactory building  
14          inspection by the jurisdiction having authority prior to obtaining a shop inspection pursuant to 21 NCAC 06L .0105.

15          ~~(f) The facilities of the barber school may be used for other purposes when not being used as a barber school. A barber~~  
16          ~~school may not operate simultaneously with any other school or educational purpose. It must be clear that the barber~~  
17          ~~school is the only activity offered in either academic or practical teaching areas and no other purpose.~~

18  
19          *History Note: Authority G.S. 86A-15; 86A-22;*  
20                                 *Eff. February 1, 1976;*  
21                                 *Readopted Eff. February 8, 1978;*  
22                                 *Amended Eff. September 1, 2013; October 1, 2009; June 1, 2008; December 1, 1994; May 1,*  
23                                 ~~*1989. 1989;*~~  
24                                 *Readopted Eff. July 1, 2016.*

1 21 NCAC 06F .0102 is readopted with changes as published in 30:14 NCR 1510 as follows:

2

3 **21 NCAC 06F .0102 MANAGER**

4 ~~(a) Each barber school shall have at least one manager who is responsible for the overall operation of the school and~~  
5 ~~who holds a current instructor's certificate.~~

6 (a) Each barber school shall designate one of the instructors required by G.S. 86A-22(2) as the school manager.

7 (b) The barber school manager is responsible for the school's compliance with G.S. 86A-15 and the rules in this  
8 Subchapter, whether present on the school premises or not.

9 ~~(b)(c) A barber school manager shall not also be a manager of a barber shop, manage a barber shop or another barber~~  
10 ~~school.~~

11 ~~(c) A barber school manager shall devote full time to the barber school by being present on the premises the majority~~  
12 ~~of the time instruction to students is being provided. The barber school manager is accountable for activities at the~~  
13 ~~school whether present on the premises or not.~~

14

15 *History Note: Authority G.S. 86A-15; 86A-22;*

16 *Eff. February 1, 1976;*

17 *Readopted Eff. February 8, 1978;*

18 *Amended Eff. April 1, 2010; May 1, 1989; March 1, ~~1983~~, 1983;*

19 *Readopted Eff. July 1, 2016.*

1 21 NCAC 06F .0103 is readopted with changes as published in 30:14 NCR 1510 as follows:

2

3 **21 NCAC 06F .0103 FILING**

4 (a) Each barber school shall file with the Board the name of the manager ~~or managers~~ of the school.

5 (b) When a change in the management of a barber school occurs, the school ~~must~~ shall report the change at least 30  
6 days before the change is effective, except in ~~emergencies.~~ emergencies, such as termination of a manager. If such  
7 change is due to an emergency, the filing shall be made not later than ~~ten~~ 10 days after the change of management has  
8 occurred.

9

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

11 *Eff. February 1, 1976;*

12 *Readopted Eff. February 8, 1978;*

13 *Amended Eff. June 1, 2008; May 1, 1989; March 1, ~~1983.~~ 1983.*

14 *Readopted Eff. July 1, 2016.*

1 21 NCAC 06F .0104 is readopted with changes as published in 30:14 NCR 1510 as follows:

2

3 **21 NCAC 06F .0104 INSTRUCTORS**

4 ~~(a) Each barber school required by G.S. 86A-22(2) to employ at least two instructors shall have at least two instructors~~  
5 ~~present at all times during instructional hours.~~

6 ~~(b)~~(a) At least one barber instructor shall ~~monitor~~ supervise students engaged in barbering activities at all times.

7 ~~(c)~~(b) ~~While present on the premises of the barber school, barber instructors shall not barber for compensation and~~  
8 ~~shall barber only for the purpose of instruction or demonstration.~~ Barber instructors shall barber only for the purpose  
9 of instruction or demonstration while on the premises of the barber school.

10 ~~(d)~~(c) All course work as outlined under ~~21 NCAC 06F .0120~~, must 21 NCAC 06F .0120 shall be taught by a ~~licensed~~  
11 certified barber instructor.

12

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

14 *Eff. February 1, 1976;*

15 *Readopted Eff. February 8, 1978;*

16 *Amended Eff. September 1, 2009; June 1, 2008; May 1, ~~1989~~, 1989;*

17 *Readopted Eff. July 1, 2016.*

1 21 NCAC 06F .0109 is readopted with changes as published in 30:14 NCR 1510 as follows:

2

3 **21 NCAC 06F .0109 RE-ENTERING SCHOOL**

4 A new application for a student permit ~~must~~ shall be filed with the Board ~~for~~ for:

5 (1) \_\_\_\_\_ each student who drops out and later re-enrolls in a barber ~~school.~~ school; and for

6 (2) \_\_\_\_\_ any barber re-enrolling in barber school for additional instruction.

7

8 *History Note: Authority G.S. 86A-22(3);*

9 *Eff. February 1, 1976;*

10 *Readopted Eff. February 8, 1978;*

11 *Amended Eff. May 1, ~~1989.~~ 1989;*

12 *Readopted Eff. July 1, 2016.*

1 21 NCAC 06F .0110 is readopted with changes as published in 30:14 NCR 1510 as follows:

2

3 **21 NCAC 06F .0110 ROSTER AND STUDENT RECORDS**

4 Each barber school shall:

- 5 (1) maintain an up-to-date written roster system ~~which that~~ shall be used to ensure that each student  
6 serves substantially equal numbers of ~~patrons;~~ patrons for practical work;
- 7 (2) maintain a ~~complete~~ record of each ~~student~~ student, including a weekly record of the number of days  
8 and hours the student attended classes in practical work and theory;
- 9 (3) maintain a separate daily record of the number of patrons the student served for haircuts, ~~shaves~~  
10 shaves, and other ~~clinical-barbering~~ services;
- 11 (4) maintain a weekly record of the subject matter taught to the student in theory classes;
- 12 (5) submit the Form BAR-10 as required by 21 NCAC 06N .0111;
- 13 ~~(5)~~(6) provide to the Board the list of students required by G.S. 86A-22(5) by the 15th day of each month;  
14 and
- 15 ~~(6)~~(7) maintain the signed acknowledgment regarding notification of the Board's rules regarding criminal  
16 convictions and sex offenders required by 21 NCAC 06F .0116.

17

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

19 *Eff. February 1, 1976;*

20 *Readopted Eff. February 8, 1978;*

21 *Amended Eff. April 1, 2010; June 1, 2008; May 1, 1989; March 1, ~~1983~~; 1983;*

22 *Readopted Eff. July 1, 2016.*

1 21 NCAC 06F .0111 is readopted with changes as published in 30:14 NCR 1510 as follows:

2

3 **21 NCAC 06F .0111 COPIES OF BARBER SCHOOL RECORDS**

4 (a) Barber schools shall furnish to the Board ~~upon request~~ copies of all records or reports the schools are required to  
5 ~~be kept by barber schools,~~ keep, either by the North Carolina General Statutes or by the rules of the Board, including  
6 time sheets for instructors to verify compliance with 21 NCAC 06F .0104, and time cards for students to verify  
7 compliance with 21 NCAC 06F .0123. 21 NCAC 06F .0104.

8 (b) A school shall not refuse to submit any required records or reports required due to a dispute or unfulfilled  
9 obligation with a student, instructor, or third party.

10

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

12 *Eff. February 1, 1976;*

13 *Readopted Eff. February 8, 1978;*

14 *Amended Eff. September 1, 2009; June 1, 2008; May 1, ~~1989, 1989;~~*

15 *Readopted Eff. July 1, 2016.*

1 21 NCAC 06F .0113 is readopted with changes as published in 30:14 NCR 1510 as follows:

2

3 **21 NCAC 06F .0113 STUDENT PERMIT**

4 (a) ~~An~~The barber school shall submit an application as required by 21 NCAC 06N .0104 for a student permit ~~shall be~~  
5 ~~submitted~~ to the Board at least 10 days prior to the student beginning classes.

6 (b) ~~A student shall be deemed enrolled for the purposes of compliance with the G.S. 86A-22 only from and after the~~  
7 ~~date of issuance of a student permit by the Board.~~ A student cannot be enrolled in the school until the Board issues the  
8 student permit. The student shall receive no credit for training received in barber school until a student permit has  
9 been issued for the student and received by the school.

10 (c) Within five ~~working-business~~ days of the date on which any student completes his or her course of study, drops  
11 out of ~~school-school~~, or transfers to another school, the barber school shall return the student permit to the ~~Board~~ the  
12 ~~student permit issued for the student when the student enrolled in the school.~~ Board.

13 (d) The Board issues a student permit only for the specific application. Once a student permit is issued, the Board  
14 shall not refund the fee.

15

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

17 *Eff. February 1, 1976;*

18 *Readopted Eff. February 8, 1978;*

19 *Amended Eff. June 1, 2008; May 1, 1989; March 1, ~~1983~~; 1983;*

20 *Readopted Eff. July 1, 2016.*

1 21 NCAC 06F .0114 was published for reoption in 30:14 NCR 1510 but is now repealed as follows:

2

3 **21 NCAC 06F .0114 SIGNATURES ON REPORTS**

4

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

6 *Eff. February 1, 1976;*

7 *Readopted Eff. February 8, 1978;*

8 *Amended Eff. December 1, 1994; May 1, ~~1989~~, 1989;*

9 *Repealed Eff. July 1, 2016.*

1 21 NCAC 06F .0116 is readopted as published in 30:14 NCR 1510 as follows:

2

3 **21 NCAC 06F .0116 STUDENTS WITH CRIMINAL RECORDS**

4 (a) Prior to enrollment and the acceptance of any enrollment fee or tuition, the barber school shall notify the applicant  
5 of the Board's statutes and rules regarding criminal convictions and registered sex offenders and have the applicant  
6 sign and date the notice indicating that the applicant has been so informed.

7 (b) Persons making application for student permits who have been convicted of a felony shall furnish to the Board a  
8 certified copy of their Federal Bureau of Investigation criminal record report.

9 (c) Failure to include any information regarding felony convictions on applications for student permits shall result in  
10 revocation of a student permit after a hearing.

11

12 *History Note: Authority G.S. 86A-18; 86A-22;*

13 *Eff. February 1, 1976;*

14 *Readopted Eff. February 8, 1978;*

15 *Amended Eff. March 1, 1983;*

16 *Legislative Objection Lodged Eff. March 7, 1983;*

17 *Amended Eff. September 1, 2013; April 1, 2010; May 1, ~~1989~~, 1989;*

18 *Readopted Eff. July 1, 2016.*

1 21 NCAC 06F .0118 was published for reoption in 30:14 NCR 1510 but is now repealed as follows:

2

3 **21 NCAC 06F .0118 FEES**

4

5 *History Note: Authority G.S. 86A-25;*

6 *Eff. February 1, 1976;*

7 *Readopted Eff. February 8, ~~1978~~, 1978;*

8 *Repealed Eff. July 1, 2016.*

1 21 NCAC 06F .0119 is readopted with changes as published in 30:14 NCR 1511 as follows:

2

3 **21 NCAC 06F .0119 INTRASTATE TRANSFERS**

4 Students attending barber schools ~~which~~that qualify under Chapter 86A of the North Carolina General Statutes and  
5 the ~~rules of the Board~~rules in this Subchapter may transfer from one school to another and receive credit for the  
6 attendance at each of the schools ~~in which~~where the student was enrolled.

7

8 *History Note: Authority G.S. 86A-22(5);*

9 *Eff. February 1, 1976;*

10 *Readopted Eff. February 8, 1978;*

11 *Amended Eff. May 1, 1989; March 1, ~~1983.~~ 1983;*

12 *Readopted Eff. July 1, 2016.*

1 21 NCAC 06F .0120 is readopted with changes as published in 30:14 NCR 1511 as follows:

2

3 **21 NCAC 06F .0120 BARBER SCHOOL CURRICULA**

4 (a) The following categories and courses shall comprise the minimum course work for all students at barber schools:

5

Hours

6

Classroom Lecture and Study Periods:

7

Hygiene and Good Grooming, Professional Ethics 25

8

Bacteriology, Sterilization, Sanitation 50

9

Implements, Honing, ~~Stropping~~ Stropping, and Shaving 30

10

Men's Haircutting 20

11

Cutting and Styling Curly Hair, ~~Mustaches~~ Mustaches, and Beards 10

12

Shampooing and Rinsing, Scalp and Hair Treatments 10

13

Theory of Massage and Facial Treatments 5

14

Men's Razor Cutting, Women's ~~Razor~~ Razor, and Shear Cutting 30

15

Finger Waving Men's Hair, Air ~~Waving~~ Waving, and Curling Iron Techniques 5

16

Permanent Waving For Men, Chemical Hair ~~Relaxing~~ Relaxing, and Blow Drying 25

17

Hair Coloring 10

18

Men's Hair Pieces 5

19

The Skin, ~~Scalp~~ Scalp, and Hair 30

20

Disorders of the Skin, ~~Scalp~~ Scalp, and Hair 15

21

Anatomy and Physiology 10

22

Electricity Therapy, Light ~~Therapy~~ Therapy, and Chemistry 10

23

Barber Styling, Shop Management, and Product Knowledge 70

24

Licensing Laws and Rules and History of Barbering 20

25

26

Supervised Practice in Barbering:

27

Shampooing and Scientific Hair and Scalp Treatments 55

28

Shaving 50

29

Tapered Hair Cutting 250

30

Hair Styling of Men and Women 400

31

Facials, ~~Massages~~ Massages, and Packs 10

32

Bleaching, Frosting, Hair ~~Coloring~~ Coloring, and Body Permanents 90

33

Cutting and Fitting Hair Pieces 5

34

Hair Straightening 5

35

The Analyzing and Treatment of Hair and Skin Disorders 10

36

37

Lectures and Demonstrations on Practical Work:

1	Shampooing and Scientific Hair and Scalp Treatments	15
2	Shaving	20
3	Tapered Hair Cutting	70
4	Hair Styling of Men and Women	100
5	Facials, <del>Massages</del> <u>Massages</u> , and Packs	5
6	Bleaching, Frosting, Hair <del>Coloring</del> <u>Coloring</u> , and Permanent Waving	30
7	Cutting and Fitting Hair Pieces	5
8	Hair Straightening	3
9	The Analyzing and Treating of Hair and Skin Disorders	10
10	Men's and Women's Razor Cutting	15
11		
12	Total Hours	1528

13

14 (b) All barber schools shall use course books and training materials specifically created for the purpose of teaching

15 barbering skills. Unless the course book or training material has separate and distinct sections covering the practice of

16 barbering, cosmetology course books and training materials are not acceptable.

17

18 *History Note:* Authority G.S. 86A-22(1); 86A-22(4);

19 *Eff. March 1, 1983;*

20 *Amended Eff. June 1, 2008; May 1, ~~1989~~ 1989;*

21 *Readopted Eff. July 1, 2016.*

1 21 NCAC 06F .0121 is readopted with changes as published in 30:14 NCR 1511 as follows:

2

3 **21 NCAC 06F .0121 PENAL INSTITUTIONS**

4 (a) The Board may enter into memoranda of understanding or other agreements with the North Carolina Department  
5 of ~~Correction~~Public Safety, Division of ~~Prisons Corrections~~Adult Correction and Juvenile Justice for the approval of  
6 schools of barbering at penal institutions within North Carolina.

7 (b) ~~With the exception of the requirement regarding toilet facilities set forth in 21 NCAC 06F .0101(7) and a tool~~  
8 ~~cabinet set forth in 21 NCAC 06F .0101(11), the Division of Prisons Corrections shall otherwise comply with the~~  
9 ~~same requirements as other barber schools.~~ Schools operated by the Division of Adult Correction and Juvenile Justice  
10 shall comply with all rules in this Subchapter; however, they are exempt from the requirements of Rule 21 NCAC 06F  
11 .0101(7) and (11).

12

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

14 *Eff. June 1, 2008; 2008;*

15 *Readopted Eff. July 1, 2016.*

1 21 NCAC 06F .0122 is readopted with changes as published in 30:14 NCR 1511 as follows:

2

3 **21 NCAC 06F .0122 UNIFORMS AND IDENTIFICATION**

4 All students ~~must~~shall wear a clean, washable uniform, smock, or similar professional attire along with a ~~self-~~  
5 ~~identifying~~ nametag ~~or pin~~ at all times during instructional hours.

6

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

8 *Eff. September 1, ~~2009~~ 2009;*

9 *Readopted Eff. July 1, 2016.*

1 21 NCAC 06F .0123 is readopted with changes as published in 30:14 NCR 1511 as follows:

2

3 **21 NCAC 06F .0123** ~~TIME CLOCK AND RECORDATION OF~~ **RECORDS OF STUDENT HOURS**

4 Each student shall use an electronic ~~time card~~ means for the recordation of ~~to record~~ instructional hours pursuant to

5 21 NCAC 06F .0124. The school shall maintain ~~originals of each student time card~~ data for ~~at least~~ one year following

6 ~~graduation of the individual student.~~ student's graduation, transfer to another school, or termination of enrollment.

7 Individual student time ~~cards~~ data shall be available for review by the Board.

8

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

10 *Eff. September 1, 2009. 2009;*

11 *Readopted Eff. July 1, 2016.*

1 21 NCAC 06F .0124 is readopted with changes as published in 30:14 NCR 1511 as follows:

2

3 **21 NCAC 06F .0124 STUDENT HOURS**

4 (a) No student shall be given credit for more than eight total hours during any instruction day.

5 (b) Students shall ~~punch clock in~~ record their individual start time cards by electronic means upon entering the school  
6 for practical or theory ~~hours~~ hours. ~~and shall clock out for~~ Students shall not record any period of break from  
7 instruction, even if remaining on school premises.

8 (c) In meeting the minimum course work and designated barber school ~~curricula~~ curricula required by 21 NCAC 06F  
9 .0120, no student shall be given credit for more than ~~40 total hours or 8 total~~ eight hours per month and 40 hours for  
10 the duration of enrollment in the school that were obtained by instruction or demonstration off school premises or  
11 from a field trip.

12

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

14 *Eff. September 1, ~~2009~~ 2009;*

15 *Readopted Eff. July 1, 2016.*

1 21 NCAC 06F .0125 is readopted with changes as published in 30:14 NCR 1511 as follows:

2

3 **21 NCAC 06F .0125 SCHOOL HANDBOOKS AND ENROLLMENT AGREEMENTS**

4 (a) Every school shall provide a school handbook to its students upon enrollment containing the enrollment agreement,  
5 tuition fee schedule, any monetary penalties and fees, reimbursement policies, school rules and regulations, tardiness  
6 and absenteeism policies, a syllabus or list of the school curricula containing the minimum hours for each subject  
7 matter to be taught in accordance with ~~21 NCAC 06F .0120~~ 21 NCAC 06F .0120, and the grading system for said  
8 curricula.

9 (b) A copy of the school handbook shall be submitted to the Board. An updated copy of the handbook shall be re-  
10 submitted to the Board ~~should the handbook be amended or revised~~ following any amendment or revision.

11

12 *History Note: Authority G.S. 86A-22;*  
13 *Eff. September 1, ~~2009~~ 2009;*  
14 *Readopted Eff. July 1, 2016.*

1 21 NCAC 06F .0126 is adopted with changes as published in 30:14 NCR 1511 as follows:

2  
3 **21 NCAC 06F .0126 EXTENDED EDUCATION**

4 For the purposes of this Rule, "Extended" "extended education" is additional course work coursework beyond the 1,528  
5 hours required to complete barber school, or to initially obtain a license from the North Carolina Board of Barber  
6 Examiners.

7 (1) When a barber school wishes to provide ~~instruction beyond the 1,528 hours required to complete a~~  
8 ~~barber education or to obtain barber licensing, extended education,~~ the school shall:

9 (a) Submit a proposed curriculum or syllabus ~~that that:~~

10 (i) describes the purpose of the instruction and instruction;

11 (ii) indicates how many students are expected to participate in the instruction,  
12 instruction;

13 (iii) states where the instruction would be provided, provided; and

14 (iv) states how many hours of instruction are required or will be provided in the course  
15 of instruction, instruction;

16 (b) Identify the instructors providing the ~~instruction, instruction; and~~

17 (c) Submit samples of the advertising or promotion for the program.

18 ~~(2) Upon receipt of the information, the Board will review the information and determine whether the~~  
19 ~~instruction is appropriate.~~

20 ~~(3)~~(2) After the instruction has been approved, the barber school ~~will shall~~ notify the Board if there are  
21 any changes to the instruction, including suspension or discontinuation the class.

22 ~~(4)~~(3) Upon approval, the course offering shall be subject to review of the barber school by the ~~board~~  
23 Board inspector. The inspector ~~will shall~~ evaluate:

24 (a) ~~Like other barber school classes, whether~~ Whether the school maintains accurate records  
25 as to the individuals in the class and the number of hours in the ~~class, class;~~

26 (b) The presentation of the ~~class, class;~~

27 (c) Whether the class is offered in ~~appropriate~~ classrooms for practical and academic  
28 ~~instruction, instruction that meet the requirements of 21 NCAC 06F .0101; and~~

29 (d) Whether the class complies with the requirements of other ~~barber school~~ barber school  
30 instruction.

31  
32 History Note: Authority G.S. 86A-1; 86A-22;

33 Eff. July 1, 2016.

1 21 NCAC 06G .0103 is readopted with changes as published in 30:14 NCR 1511 as follows:

2

3 **21 NCAC 06G .0103 ~~GRADES~~ INSTRUCTOR EXAMINATION**

4 (a) A prospective instructor of barbering ~~must~~ shall make a grade of at least 80 percent on ~~all both parts (written,~~  
5 ~~practical, and oral)~~ (written and practical) of the instructor's examination before being certified.

6 (b) If any applicant to be licensed as a barber school instructor fails ~~any one~~ portion of the examination, but passes  
7 ~~other portions, the other portion,~~ he ~~must~~ or she may take and pass the failed portion within six months of the  
8 notification of failure. If the failed portion is not ~~retaken~~ passed within six months of the notification of failure, the  
9 applicant ~~must~~ shall take all parts of the examination again.

10

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

12 Eff. February 1, 1976;

13 Readopted Eff. February 8, 1978;

14 Amended Eff. May 1, 1989; March 1, ~~1983.~~ 1983;

15 Readopted Eff. July 1, 2016.

1 21 NCAC 06G .0106 is adopted with changes as published in 30:14 NCR 1512 as follows:

2

3 **21 NCAC 06G .0106 INSTRUCTOR APPLICATION**

4 To become a registered barber instructor an applicant ~~must~~ shall:

5 ~~(1)~~ (1) ~~meet the qualifications in G.S. 86A-3;~~

6 ~~(2)~~(1) furnish the Board with the Form BAR-6 as set forth in 21 NCAC 06N .0107 and pay the fee  
7 ~~according to 21 NCAC 06N .0101; in 21 NCAC 06N .0101(a)(11);~~

8 ~~(3)~~ (2) ~~make a score of at least 70 percent or better on the clinical portion of the registered barber~~  
9 ~~examination;~~

10 ~~(4)~~(2) have been a ~~registered~~ registered barber in good standing for five years; and

11 ~~(5)~~(3) submit a FBI Criminal Record Check with the application.

12

13 History Note: Authority G.S. 86A-22(2); 86A-23(a); 86A-25;

14 Eff. July 1, 2016.

1 21 NCAC 06H .0101 is readopted with changes as published in 30:14 NCR 1512 as follows:

2

3 **21 NCAC 06H .0101 DUTIES AND RESPONSIBILITIES**

4 (a) Barber school managers shall:

- 5 (1) file for a school permit at least 30 days before opening the school for business;
- 6 (2) ensure that all students are instructed;
- 7 (3) ensure compliance with the North Carolina General Statutes governing barber schools and barbering
- 8 and the administrative rules of the Board.

9 (b) A barber school manager shall have 30 days to fill a vacancy to ensure compliance with G.S. 86A-22(2).

10 (c) Managers of schools that are organized as nonprofits, have obtained a determination from the Internal Revenue  
11 Service recognizing their tax-exempt status, and wish to have the lower number of instructors allowed under G.S.  
12 86A-22 shall provide to the Board a copy of the Internal Revenue Service determination before offering instruction  
13 with the reduced number of instructors.

14

15 *History Note: Authority G.S. 86A-13; 86A-15; 86A-22;*

16 *Eff. February 1, 1976;*

17 *Readopted Eff. February 8, 1978;*

18 *Amended Eff. September 1, 2013; June 1, 2008; May 1, 1989; March 1, ~~1983~~; 1983;*

19 *Readopted Eff. July 1, 2016.*

1 21 NCAC 06H .0102 was published for readoption in 30:14 NCR 1512 but is now repealed as follows:

2

3 **21 NCAC 06H .0102      STUDENT-INSTRUCTOR RATIO**

4

5 *History Note:      Legislative Objection Lodged Eff. March 7, 1983;*

6 *Authority G.S. 86A-22;*

7 *Eff. February 1, 1976;*

8 *Readopted Eff. February 8, 1978;*

9 *Amended Eff. March 1, 1983;*

10 *Curative Amended Eff. April 6, 1983;*

11 *Amended Eff. February 1, 1996; May 1, ~~1989~~, 1989;*

12 *Repealed Eff. July 1, 2016.*

1 21 NCAC 06I .0101 is readopted with changes as published in 30:14 NCR 1512 as follows:

2

3 **21 NCAC 06I .0101 CREDIT FOR OUT-OF-STATE TRAINING**

4 A student may receive credit for training in a barber school in another state if the Board determines that the school has  
5 substantially similar standards as those required by the statutes and rules of this ~~state~~. State.

6

7 *History Note: Authority G.S. ~~86A-15~~; 86A-15(b);*

8 *Eff. February 1, 1976;*

9 *Readopted Eff. February 8, 1978;*

10 *Amended Eff. May 1, ~~1989~~; 1989;*

11 *Readopted Eff. July 1, 2016.*

1 21 NCAC 06I .0105 is readopted with changes as published in 30:14 NCR 1512 as follows:

2

3 **21 NCAC 06I .0105 APPRENTICE BARBER**

4 A student who has trained in another state may take the examination to become a registered apprentice barber  
5 provided:

6 (1) ~~he or she proves satisfactorily to the Board that his or her hours of training in the out-of-state barber~~  
7 ~~school are the substantive equivalent to those in North Carolina;~~ have been credited under 21 NCAC  
8 06I .0101;

9 (2) he or she provides proof of completion of barber school training;

10 (3) he or she completes and furnishes to the Board Form ~~BAR-7;~~ BAR-7 that meets the requirements  
11 of 21 NCAC 06N .0108;

12 (4) he or she pays the required fee according to 21 NCAC 06N .0101; ~~and~~

13 (5) he or she furnishes a certified copy of his or her Federal Bureau of Investigation criminal record  
14 ~~report.~~ report; and

15 (6) he or she has completed high school or has a GED certificate.

16

17 *History Note: Authority G.S. 86A-5; 86A-18; 86A-24; 86A-25;*

18 *Eff. February 1, 1976;*

19 *Readopted Eff. February 8, 1978;*

20 *Amended Eff. March 1, 1983;*

21 *Legislative Objection Lodged Eff. March 7, 1983;*

22 *Amended Eff. September 1, 2013; June 1, 2008; May 1, ~~1989;~~ 1989;*

23 *Readopted Eff. July 1, 2016.*

1 21 NCAC 06J .0101 is readopted with changes as published in 30:14 NCR 1512 as follows:

2

3 **21 NCAC 06J .0101 REGISTERED APPRENTICE**

4 A registered apprentice ~~must~~ shall:

5 (1) attend an approved barber school for a period of at least 1528 hours ~~or the equivalent as determined~~  
6 ~~by the Board. (For curriculum requirements see 21 NCAC 06F .0120);~~ as set forth in Rule 21 NCAC  
7 06F .0120;

8 (2) furnish the Board with Form BAR-4 as set forth in 21 NCAC 06N .0105 and pay the fee according  
9 to 21 NCAC 06N .0101;

10 (3) make a score of at least 70 percent on both a written and practical apprentice examination; ~~and~~

11 (4) submit a certified copy of his or her Federal Bureau of Investigation criminal record ~~report.~~ report;  
12 and

13 (5) submit a copy of his high school diploma or GED certificate.

14

15 *History Note: Authority G.S. 86A-3; 86A-10; 86A-24; 86A-25;*

16 *Eff. February 1, 1976;*

17 *Readopted Eff. February 8, 1978;*

18 *Amended Eff. March 1, 1983;*

19 *Legislative Objection Lodged Eff. March 7, 1983;*

20 *Amended Eff. September 1, 2013; June 1, 2008; May 1, ~~1989.~~ 1989;*

21 *Readopted Eff. July 1, 2016.*

1 21 NCAC 06J .0102 was published for reoption in 30:14 NCR 1512 but is now repealed as follows:

2

3 **21 NCAC 06J .0102 FORFEITURE OF FEE**

4

5 *History Note: Authority G.S. 86A-25;*

6 *Eff. February 1, 1976;*

7 *Readopted Eff. February 8, 1978;*

8 *Amended Eff. February 1, 1996; December 1, 1994; May 1, ~~1989~~, 1989;*

9 *Repealed Eff. July 1, 2016.*

1 21 NCAC 06J .0103 was published for readoption in 30:14 NCR 1512 but is now repealed as follows:

2

3 **21 NCAC 06J .0103 RENEWAL AS REGISTERED APPRENTICE; WAIVER**

4

5 *History Note: Authority G.S. 86A-24; 93B-15;*

6 *Eff. February 1, 1976;*

7 *Readopted Eff. February 8, 1978;*

8 *Amended Eff. April 1, 2010; May 1, ~~1989.~~ 1989;*

9 *Repealed Eff. July 1, 2016.*

1 21 NCAC 06J .0106 was published for readoption in 30:14 NCR 1512 but is now repealed as follows:

2

3 **21 NCAC 06J .0106      STUDENT PERMISSION TO BARBER**

4

5 *History Note:      Authority G.S. 86A-11;*

6 *Eff. February 1, 1976;*

7 *Readopted Eff. February 8, 1978;*

8 *Amended Eff. May 1, ~~1989~~, 1989;*

9 *Repealed Eff. July 1, 2016.*

1 21 NCAC 06J .0108 is readopted with changes as published in 30:14 NCR 1512 as follows:

2

3 **21 NCAC 06J .0108 EXAMINATION**

4 If any applicant to be licensed as an apprentice barber fails either the written or practical portion of the examination,  
5 he ~~must~~ or she shall take and pass the failed portion within six months of the notification of failure. If the failed portion  
6 is not ~~retaken and~~ passed within six months of the notification of failure, the applicant ~~must~~ shall take both portions  
7 of the examination again.

8

9 *History Note: Authority G.S. 86A-24;*

10 *Eff. March 1, 1983;*

11 *Amended Eff. May 1, ~~1989~~, 1989;*

12 *Readopted Eff. July 1, 2016.*

1 21 NCAC 06J .0109 is readopted with changes as published in 30:14 NCR 1512 as follows:

2

3 **21 NCAC 06J .0109 IDENTIFICATION**

4 All apprentice barbers and student barbers with ~~permission to work temporary permits~~ shall maintain their ~~license,~~  
5 ~~which includes government issued photo identification,~~ license as defined in 21 NCAC 06P .0103(7) in their  
6 possession at all times while performing barbering ~~services and~~ services. The individual shall produce the  
7 identification to the Board's Executive Director or inspector upon request.

8

9 *History Note: Authority G.S. 86A-1; 86A-10;*

10 *Eff. June 1, 2008. 2008;*

11 *Readopted Eff. July 1, 2016.*

1 21 NCAC 06J .0110 is readopted with changes as published in 30:14 NCR 1512 as follows:

2

3 **21 NCAC 06J .0110 NOTIFICATION OF ADDRESS CHANGE**

4 All apprentice barbers and student barbers with ~~permission to work~~ temporary permits shall notify the Board within  
5 60 days of any change in their permanent mailing address.

6

7 *History Note: Authority G.S. 86A-11; 86A-24;*

8 *Eff. September 1, ~~2009~~ 2009;*

9 *Readopted Eff. July 1, 2016.*

1 21 NCAC 06K .0101 is readopted with changes as published in 30:14 NCR 1512 as follows:

2

3 **21 NCAC 06K .0101 REGISTERED BARBER**

4 To become a registered ~~barber~~-barber, an applicant ~~must~~-shall:

- 5 (1) meet the qualifications in G.S. 86A-3;
- 6 (2) furnish the Board with Form BAR-5 as set forth in 21 NCAC 06N .0106 and pay the fee according
- 7 to 21 NCAC 06N .0101; and
- 8 (3) make a score of at least 70 percent ~~or better~~ on the clinical portion of the registered barber
- 9 examination.

10

11 *History Note: Authority G.S. 86A-3; ~~86A-15~~; 86A-25;*

12 *Eff. February 1, 1976;*

13 *Readopted Eff. February 8, 1978;*

14 *Amended Eff. March 1, 1983;*

15 *Legislative Objection Lodged Eff. March 7, 1983;*

16 *Curative Amended Eff. April 6, 1983;*

17 *Amended Eff. June 1, 2008; May 1, ~~1989~~. 1989;*

18 *Readopted Eff. July 1, 2016.*

1 21 NCAC 06K .0103 was published for readoption in 30:14 NCR 1512 but is now repealed as follows:

2

3 **21 NCAC 06K .0103 FORFEITURE OF FEE**

4

5 *History Note: Authority G.S. 86A-25;*

6 *Eff. February 1, 1976;*

7 *Readopted Eff. February 8, 1978;*

8 *Amended Eff. February 1, 1996; December 1, 1994; May 1, ~~1989~~, 1989;*

9 *Repealed Eff. July 1, 2016.*

1 21 NCAC 06K .0104 is readopted with changes as published in 30:14 NCR 1512 as follows:

2

3 **21 NCAC 06K .0104 OUT-OF-STATE APPLICANTS**

4 An applicant who is licensed as a barber in another state and who wants to apply to become registered as a barber in  
5 this ~~state~~ State ~~must~~ shall establish his or her out-of-state license and experience and ~~must~~ provide:

6 (1) a certified copy of the applicant's out-of-state license;

7 ~~(2) three sworn affidavits verifying the experience of the applicant;~~

8 ~~(3)(2) form the Form BAR-8 as set forth in 21 NCAC 06N .0109 and the required fee; fee as set forth in~~  
9 21 NCAC 06N .0101(a)(21);

10 ~~(4)(3)~~ a certified copy of his or her Federal Bureau of Investigation criminal record report;

11 ~~(5)(4)~~ a certified statement from the applicant's out-of-state Board stating the following:

12 (a) the applicant's length of licensure in that state;

13 (b) whether such licensure has been continuous or has been interrupted by periods when the  
14 applicant was not licensed in the state;

15 (c) the reasons for any such interruptions in licensure; and

16 (d) whether or not there have been any disciplinary actions against the applicant's license; ~~and~~  
17 and

18 ~~(6)(5) a certified transcript describing the number of instructional hours and course content from the school~~  
19 ~~where the applicant received his barber training; training; and~~

20 ~~(6)(5)~~ a copy of his or her high school diploma or GED certificate.

21

22 *History Note: Authority G.S. 86A-12; ~~86A-15~~; 86A-25;*

23 *Eff. February 1, 1976;*

24 *Readopted Eff. February 8, 1978;*

25 *Amended Eff. March 1, 1983;*

26 *Legislative Objection Lodged Eff. March 7, 1983;*

27 *Amended Eff. September 1, 2013, May 1, ~~1989~~, 1989;*

28 *Readopted Eff. July 1, 2016.*

1 21 NCAC 06K .0110 is readopted with changes as published in 30:14 NCR 1513 as follows:

2

3 **21 NCAC 06K .0110 IDENTIFICATION**

4 All registered barbers shall maintain their ~~permit, which includes government issued photo identification,~~ permit as  
5 defined in 21 NCAC 06P .0103(7) in their possession at all times while performing barbering ~~and~~ services. The  
6 individual shall produce the identification to the Board's Executive Director or inspector upon request.

7

8 *History Note: Authority G.S. 86A-1; 86A-10;*

9 *Eff. June 1, ~~2008~~ 2008;*

10 *Readopted Eff. July 1, 2016.*

1 21 NCAC 06K .0111 is readopted as published in 30:14 NCR 1513 as follows:

2

3 **21 NCAC 06K .0111 NOTIFICATION OF CHANGE OF ADDRESS**

4 All registered barbers shall notify the Board within 60 days of any change in their permanent mailing address.

5

6 *History Note: Authority G.S. ~~86A-3; 86A-5; 86A-10; 86A-21;~~*

7 *Eff. ~~September 1, 2009; 2009;~~*

8 *Readopted Eff. July 1, 2016.*

1 21 NCAC 06L .0102 is readopted with changes as published in 30:14 NCR 1513 as follows:

2

3 **21 NCAC 06L .0102 MEASUREMENTS OF BARBER SHOP**

4 (a) Each barber shop shall be a minimum of 196 square feet measured from the inside walls of the shop, not including  
5 common areas shared with other businesses or residents.

6 ~~(b) In addition, each~~ Each chair shall be located in an area where there is no less than 12 linear feet from front wall  
7 to back wall, measured through the center of the chair, with the back wall being the wall or plain to which the backstand  
8 is affixed. There shall be a minimum of five linear feet of space between each barber chair, from center to center of  
9 each chair and there shall be no less than three linear feet from the center of any chair to any side wall. There shall be  
10 an unobstructed aisle in front of each chair of no less than four feet.

11 ~~(c) This Paragraph applies~~ Paragraphs (a) and (b) apply to barber shops ~~which are~~ permitted on or after December 1,  
12 1994 or ~~which that~~ undergo modification or structural renovations on or after that date.

13 ~~(b)(d)~~ Barber shops permitted prior to February 1, 1976, ~~must~~ shall be a minimum of 12 feet in width and 14 feet in  
14 length.

15 ~~(e)(e)~~ Barber shops permitted between February 1, 1976 and November 30, 1994, ~~must~~ 1994 shall be a minimum of  
16 14 feet in width and 14 feet in length.

17 ~~(d)(f)~~ Barber shops permitted within the North Carolina Department of Public Safety, Division of Prisons-Adult  
18 Correction and Juvenile Justice prior to July 1, ~~2010, 2010~~ are exempt from the requirements of this Rule.

19

20 *History Note: Authority G.S. 86A-15;*

21 *Eff. February 1, 1976;*

22 *Readopted Eff. February 8, 1978;*

23 *Amended Eff. September 1, 2009; June 1, 2008; December 1, 1994; May 1, ~~1989, 1989~~;*

24 *Readopted Eff. July 1, 2016.*

1 21 NCAC 06L .0103 is readopted with changes as published in 30:14 NCR 1513 as follows:

2  
3 **21 NCAC 06L .0103 EQUIPMENT**

4 (a) Each barber shall have a cabinet for barbering equipment. The cabinets shall be constructed of material that may  
5 be ~~easily~~ cleaned.

6 (b) Each shop shall have smooth finished walls, ~~ceilings~~ ceilings, and floors, ~~and with~~ no exposed pipes.

7 (c) Each barber chair shall be covered with a smooth, non-porous surface, such as vinyl or leather, which is easily  
8 ~~cleaned~~ cleaned as required by G.S. 86A-15(a)(2)(c).

9 (d) Each shop shall have within the shop or building functioning toilet facilities for employees and patrons.

10 (e) Each barber shop shall have a cabinet, or other method of storage, such that clean towels are stored separate from  
11 used towels.

12 (f) In addition to the requirements of Paragraph (d) of this Rule, barber shops ~~which that~~ are permitted on or after  
13 January 1, 1995 or ~~which~~ undergo structural renovations after that ~~date must~~ date, shall have within the shop or  
14 building a hand-washing sink or lavatory for patrons with hot and cold water, ~~soap~~ soap, and disposable towels.

15 (g) Where a barber shop is located within a shop licensed by the North Carolina Board of Cosmetic Art Examiners,  
16 the toilet facility and sink may be shared with the cosmetology shop.

17 (h) Paragraphs (a), ~~(d)~~ (d), and (f) of this Rule do not apply to barber shops operated by the ~~Division of Prisons~~ North  
18 Carolina Department of Public Safety, Division of Adult Correction and Juvenile Justice.

19 (i) All equipment and tools used in the ~~course of providing shaving, trimming the beard, cutting the hair, dyeing the~~  
20 ~~hair or applying hair tonics, permanent waving or marceling the hair, giving facial or scalp ma ssages or treatment~~  
21 ~~with oils, creams, lotions or other preparations must~~ practice of barbering as set forth in G.S. 86A-2 shall be suitable  
22 for the safe cutting of hair and shall be maintained in a sanitary and good operating ~~condition~~ condition as required  
23 by G.S. 86A-15(a)(2).

24  
25 *History Note: Authority G.S. 86A-2; 86A-15;*

26 *Eff. February 1, 1976;*

27 *Readopted Eff. February 8, 1978;*

28 *Amended Eff. September 1, 2013; September 1, 2009; June 1, 2008; January 1, 1995; May 1,*

29 *1989; March 1, ~~1983~~, 1983;*

30 *Readopted Eff. July 1, 2016.*

1 21 NCAC 06L .0104 is readopted with changes as published in 30:14 NCR 1513 as follows:

2

3 **21 NCAC 06L .0104 SHOP PERMITS**

4 (a) All applications for shop permits ~~must~~ shall be on file in the office of the Board 15 days prior to the date when a  
5 shop will be complete and ready for inspection. ~~Applications may be obtained from the Board or from the inspector~~  
6 ~~for the area in which where the shop is located.~~ Applications shall meet the requirements of 21 NCAC 06N .0102.

7 (b) If the shop is not ready for inspection on a scheduled date, the ~~Board should be notified to avoid the cost of sending~~  
8 ~~an inspector to the shop.~~ owner or manager shall notify the Board.

9 (c) Failure to notify the Board as to of a change of address will shall result in forfeiture of the inspection fee.

10

11 *History Note: Authority G.S. 86A-1; 86A-13;*

12 *Eff. February 1, 1976;*

13 *Readopted Eff. February 8, 1978;*

14 *Amended Eff. May 1, 1989; March 1, ~~1983.~~ 1983;*

15 *Readopted Eff. July 1, 2016.*

1 21 NCAC 06L .0105 is readopted with changes as published in 30:14 NCR 1513 as follows:

2

3 **21 NCAC 06L .0105 FEES**

4 ~~All newly established or re-opening barber shops shall be inspected before a permit can be issued, and the fees for~~  
5 ~~inspection and for issuance of a shop permit to operate the barber shop shall be in accordance with G.S. 86A-25.~~  
6 ~~These fees shall accompany the application for a shop permit. The Board shall inspect all newly established or~~  
7 ~~reopened barber shops before issuing a permit. The barber shop shall submit the fee established by 21 NCAC 06N~~  
8 ~~.0101(a)(19) for inspection when submitting the application for a shop permit.~~

9

10 *History Note: Legislative Objection Lodged Eff. March 7, 1983;*  
11 *Statutory Authority G.S. 86A-1; 86A-13; 86A-25;*  
12 *Eff. February 1, 1976;*  
13 *Readopted Eff. February 8, 1978;*  
14 *Amended Eff. March 1, 1983;*  
15 *Curative Amended Eff. April 6, 1983;*  
16 *Amended Eff. May 1, ~~1989~~, 1989;*  
17 *Readopted Eff. July 1, 2016.*

1 21 NCAC 06L .0106 is readopted with changes as published in 30:14 NCR 1513 as follows:

2  
3 **21 NCAC 06L .0106 SEPARATION FROM OTHER BUSINESSES; RESIDENTIAL SHOPS; MOBILE**  
4 **HOMES**

5 (a) When a building or room is used for both a barber shop and for some other business and the building or room ~~has~~  
6 ~~limited~~ does not have air conditioning, ventilation, or heat outlets, or air circulation, the required partition between the  
7 shop and the other business may be completed from the floor up to a minimum of six feet with ~~some open like~~ material  
8 from six feet to the ceiling ~~to permit that~~ permits good air circulation.

9 (b) Notwithstanding Paragraph (a) of this Rule and ~~21 NCAC 06L .0102 and where 21 NCAC 06L .0102~~, when a  
10 barber shop is located within a shop licensed by the North Carolina Board of Cosmetic Art Examiners and ~~which is~~  
11 was permitted on or after January 1, 1995, or ~~which~~ undergoes modifications or structural renovations after that date,  
12 the area where the barber chair or chairs are located ~~must~~ shall comply with ~~all the sanitary rules and laws regulations~~  
13 in G.S. 86A-15(a) and this Subchapter not inconsistent with this Rule.

14 (c) ~~For barber shops permitted on or after July 1, 2008, a~~ A barber shop permitted on or after July 1, 2008 that operates  
15 in a residential building shall maintain a separate entrance ~~which that~~ shall not open off the living quarters, and ~~which~~  
16 shall not have any doors or openings leading to the living quarters ~~which that~~ are unlocked during business hours.  
17 Entrance through garages or any other rooms is not permitted.

18 (d) The toilet facilities or any sink in the living quarters of any residence shall not be considered ~~in to~~ comply with  
19 the toilet facility and sink requirements in 21 NCAC 06L .0103 or the sink distance requirement in ~~21 NCAC 06L~~  
20 ~~.0105.~~ 21 NCAC 06L .0107.

21 (e) For barber shops permitted on or after July 1, 2008, mobile homes, motor homes, trailers or any type of recreational  
22 vehicle ~~must~~ shall be permanently affixed so ~~it they~~ cannot be ~~moved or they shall not be approved.~~ moved. Any such  
23 structure approved for a barber shop shall maintain a separate entrance ~~which that~~ shall not open off the living quarters,  
24 and shall not have any doors or openings to the living quarters ~~which that~~ are unlocked during business hours.

25  
26 *History Note: Authority G.S. ~~86A-1;~~ 86A-15;*

27 *Eff. February 1, 1976;*

28 *Readopted Eff. February 8, 1978;*

29 *Amended Eff. April 1, 2010; June 1, 2008; January 1, 1995; May 1, 1989; March 1, ~~1983.~~ 1983;*

30 *Readopted Eff. July 1, 2016.*

1 21 NCAC 06L .0107 is readopted with changes as published in 30:14 NCR 1513 as follows:

2

3 **21 NCAC 06L .0107 LAVATORY**

4 (a) Each ~~barber in a~~ barber shop permitted before January 1, 1995 ~~which that~~ is not modified or structurally renovated  
5 after that date shall ~~be provided with~~ have for each barber a functioning sink with hot and cold water, located ~~within~~  
6 ~~his immediate barbering area~~ at a convenient place as required by G.S. 86A-15(a)(1)(d).

7 (b) For barber shops permitted on or after January 1, 1995 or ~~which that~~ undergo modifications or structural renovation  
8 after that date, ~~the a~~ sink shall be located within seven unobstructed linear feet of each ~~barbering area~~ barber chair.

9

10 *History Note: Authority G.S. 86A-15;*

11 *Eff. February 1, 1976;*

12 *Readopted Eff. February 8, 1978;*

13 *Amended Eff. June 1, 2008; January 1, 1995; May 1, ~~1989~~ 1989;*

14 *Readopted Eff. July 1, 2016.*

1 21 NCAC 06L .0108 was published for readoption in 30:14 NCR 1513 but is now repealed as follows:

2

3 **21 NCAC 06L .0108      MOVED SHOP**

4

5 *History Note:      Authority G.S. 86A-1; 86A-15;*

6 *Eff. March 1, 1983;*

7 *Amended Eff. September 1, ~~2009~~, 2009;*

8 *Repealed Eff. July 1, 2016.*

1 21 NCAC 06L .0109 is readopted with changes as published in 30:14 NCR 1513 as follows:

2

3 **21 NCAC 06L .0109 COMMERCIAL CHEMICALS**

4 (a) No person, ~~shop-shop,~~ or school licensed or registered under Chapter 86A of the North Carolina General Statutes  
5 shall use any commercial chemical in the practice of barbering unless ~~said~~ the commercial chemical is received with  
6 a ~~complete~~ list of all contents and ~~full~~ instructions for its use.

7 (b) For the purposes of this Rule, "commercial chemical" is defined in G.S. 86A-5(b)(1).

8

9 *History Note: Authority G.S. 86A-5;*

10 *Eff. March 1, 1983;*

11 *Amended Eff. May 1, ~~1989.~~ 1989.*

12 *Readopted Eff. July 1, 2016.*

1 21 NCAC 06L .0111 is readopted with changes as published in 30:14 NCR 1513 as follows:

2

3 **21 NCAC 06L .0111 WHERE BARBER SERVICES MAY BE PERFORMED**

4 (a) Except as provided in this Rule, all barber services as defined in G.S. 86A-2 ~~and 21 NCAC 06P .0103~~ shall only  
5 be performed at a location permitted by the Board as a barber shop.

6 (b) A ~~Registered Barber~~ registered barber may perform barbering services in a client's home, and the home shall be  
7 exempt from the inspection requirements of G.S. 86A-15(b), under the following conditions:

8 (1) The client upon whom barber services are being performed is unable, due to a medical necessity, to  
9 come to a licensed barber shop;

10 (2) The licensed barber maintains a log of each instance where this exemption is used, including the  
11 name of the client, address of the home where the services were performed, ~~and~~ the date services  
12 were ~~performed~~ performed, and the medical necessity requiring that barber services be provided  
13 in the home. The log shall be made available to the Board and its inspectors for ~~review upon request;~~  
14 review; and

15 (3) The licensed barber otherwise complies with G.S. 86A-15(a).

16 (c) For purposes of this Rule, a "client's home" includes the client's residence, nursing homes, rest homes, retirement  
17 homes, mental ~~institutions~~ health institutions, and similar institutions where the client has established permanent  
18 residency.

19

20 *History Note: Authority G.S. ~~86A-15~~; 86A-15(c);*

21 *Eff. June 1, 2008;*

22 *Amended Eff. April 1, ~~2010~~, 2010;*

23 *Readopted Eff. July 1, 2016.*

1 21 NCAC 06L .0112 is readopted with changes as published in 30:14 NCR 1513 as follows:

2

3 **21 NCAC 06L .0112 RENTED BOOTH SPACE**

4 (a) Where a barber shop rents or leases space to ~~another licensee, a barber,~~ the Board shall hold the barbershop  
5 manager and licensee responsible for the barbering services performed in the rented or leased space and for the sanitary  
6 conditions of the rented or leased space.

7 (b) The Board's inspectors shall examine the entire premises of each shop irrespective of booth space allotments.

8

9 *History Note: Authority G.S. 86A-15;*

10 *Eff. June 1, ~~2008~~ 2008;*

11 *Readopted Eff. July 1, 2016.*

1 21 NCAC 06L .0113 is readopted with changes as published in 30:14 NCR 1513 as follows:

2

3 **21 NCAC 06L .0113 DISEASES**

4 (a) No holder of a ~~Registered Barber~~ registered barber, permit, apprentice ~~apprentice~~, or student barber permit shall  
5 serve a ~~patron~~ patron:

6 (1) with an open sore or ~~sores~~, sores;

7 (2) exhibiting symptoms of an infectious dermatologic disease or ~~disorder or disorder~~;

8 (3) with parasitic infestations of the skin or ~~hair~~ hair; or

9 (4) with a communicable disease.

10 (b) No holder of a ~~Registered Barber~~ registered barber, permit, apprentice ~~apprentice~~, or student barber ~~with a~~  
11 ~~permission to work permit~~ who ~~knowingly knows he or she~~ has an infectious dermatologic ~~disease, disease that can~~  
12 ~~be spread by providing barbering services,~~ infectious disease with open sore or sores on the hand or hands, or parasitic  
13 infestation of the skin or hair in a communicable stage or any other communicable disease shall provide barber service  
14 in a barber ~~shop~~ shop or, when authorized by 21 NCAC 06L .0111, in a client's home.

15 (c) The Board shall have the right to require a physical examination of any ~~person~~ barber employed in any barber  
16 shop who is suspected of having an infectious dermatologic disease, infectious disease with open sore or sores on the  
17 hand or hands, or parasitic infestation of the skin or hair in a communicable stage.

18

19 *History Note: Authority G.S. 86A-15;*

20 *Eff. June 1, 2008. 2008;*

21 *Readopted Eff. July 1, 2016.*

1 21 NCAC 06L .0114 is readopted with changes as published in 30:14 NCR 1513 as follows:

2

3 **21 NCAC 06L .0114      ~~POLICY PROHIBITING PETS PROHIBITED~~**

4 With the exception of trained guide or assistance ~~animals~~ animals, no animals ~~are~~ shall be permitted in a barber shop.

5

6 *History Note:      Authority G.S. 86A-15;*

7 *Eff. June 1, 2008;*

8 *Amended Eff. September 1, ~~2013~~, 2013;*

9 *Readopted Eff. July 1, 2016.*

1 21 NCAC 06L .0115 is readopted with changes as published in 30:14 NCR 1513 as follows:

2  
3 **21 NCAC 06L .0115 INSPECTIONS OF SHOPS**

4 (a) The Board's Executive Director and its inspectors may enter and make ~~reasonable~~ inspections of any shop during  
5 its ~~regular~~ business hours for the purpose of determining whether or not Chapter 86A and the Board's law and  
6 administrative rules are being ~~observed, followed.~~ Persons authorized to make an inspection of shops shall prepare a  
7 report ~~of such inspections on forms provided by the Board, according to 21 NCAC 06L .0119.~~ The report shall be  
8 signed by the ~~inspector and by the owner of the shop or by a person authorized to sign for the owner, inspector.~~ The  
9 inspector shall leave a carbon copy of such the inspection report shall be left with the owner or manager, or at the shop  
10 if the owner or manager are unavailable, and retained. ~~The manager shall retain the inspection report within the~~  
11 ~~barbering area barber shop~~ until the next inspection and ~~made~~ make it available for review by the public upon request.  
12 The ~~carbon~~ copy of any violation notice shall be left with the owner or manager, and retained within the barbering  
13 area until the violation is resolved with the Board.

14 (b) The Board's Executive Director and its inspectors may inspect all ~~aspects~~ areas of the ~~shop~~ shop, including the  
15 backstand and its drawers and cabinets, and any other drawers, closets or other enclosures within the permitted shop.

16 (c) The Board's Executive Director and its inspectors may determine and assign numerical and letter sanitary grades  
17 to a shop following inspections as set forth in 21 NCAC 06L .0118 and 21 NCAC 06L .0119. The grade shall be  
18 displayed ~~on the sanitary rules as required to be posted by G.S. 86A-15(b).~~ G.S. 86A-15(b) in a conspicuous place  
19 visible to the public at the front of the shop.

20 ~~(d) The shop manager shall keep the entire shop open for inspection, including space rented or leased to another~~  
21 ~~licensee.~~

22 ~~(e) The shop manager is responsible for the general sanitary condition of the entire shop.~~

23  
24 *History Note: Authority G.S. 86A-5(a)(1); 86A-15;*

25 *Eff. June 1, 2008;*

26 *Amended Eff. April 1, 2010, 2010;*

27 *Readopted Eff. July 1, 2016.*



1 21 NCAC 06L .0117 is readopted with changes as published in 30:14 NCR 1514 as follows:

2

3 **21 NCAC 06L .0117 GENERAL SANITATION**

4 All barber shops shall remain free of any ~~visible~~ signs of rodents, ~~vermin or insects or signs of~~ vermin, insects, mold,  
5 ~~mildew-mildew,~~ or water damage.

6

7 *History Note: Authority G.S. 86A-15;*

8 *Eff. June 1, ~~2008~~ 2008;*

9 *Readopted Eff. July 1, 2016.*

1 21 NCAC 06L .0118 is readopted with changes as published in 30:14 NCR 1514 as follows:

2  
3 **21 NCAC 06L .0118 SANITARY RATINGS AND POSTING OF RATINGS**

4 (a) The sanitary rating of a barber shop shall be based on a system of grading outlined in ~~this Subchapter.~~ 21 NCAC  
5 06L .0119. Based on the grading, all establishments shall be rated in the following manner:

6 (1) all establishments receiving a sanitary rating of at least 90 percent ~~or more~~, shall be awarded a grade  
7 A;

8 (2) all establishments receiving a sanitary rating of at least 80 percent, and less than 90 percent, shall  
9 be awarded a grade ~~B-B~~; and

10 (3) a ~~sanitation~~ sanitary rating of less than 80 percent shall be awarded a failing grade.

11 (b) Every barber shop shall be given a sanitary rating. ~~A barber school shall be graded one to three times a year, and~~  
12 ~~a barber shop shall be graded one to three times a year.~~

13 (c) The sanitary rating of A, B, or ~~Failing~~ failing given to a barber shop establishment shall be posted in a conspicuous  
14 place, defined as a place easily seen by the public at the front of the shop, at all times.

15 (d) No newly established barber shop shall be permitted to operate without first having obtained a sanitary rating card  
16 with a grade of not less than 80 percent.

17 (e) Barber inspectors shall give each barber shop a new sanitary rating ~~card each year.~~ card.

18 (f) Violation of Chapter 86A or any administrative rule adopted by the Board or the operation of a barber shop ~~which~~  
19 that fails to receive a sanitary rating of at least 80 percent (~~grade B~~) shall be sufficient cause for revoking or suspending  
20 the letter of approval or permit.

21 (g) A re-inspection for the purpose of raising a failing sanitary rating of a barber shop shall not be given within 30  
22 days.

23  
24 *History Note: Authority G.S. 86A-5(a)(1); 86A-15;*

25 *Eff. June 1, 2008;*

26 *Amended Eff. September 1, ~~2013~~, 2013;*

27 *Readopted Eff. July 1, 2016.*

1 21 NCAC 06L .0119 is readopted with changes as published in 30:14 NCR 1514 as follows:

2

3 **21 NCAC 06L .0119 SYSTEMS OF GRADING BARBER SHOPS AND BARBER SCHOOLS**

4 The system of grading the sanitary rating of all barber shops and schools, shall be as follows, setting out areas to be  
5 ~~inspected and considered,~~ inspected, and the maximum points given for compliance:

- |    |      |   |                 |
|----|------|---|-----------------|
| 6  | (1)  | clean entrance and waiting area   | 2;              |
| 7  | (2)  | water system; hot and cold running water, septic system                             | 2;              |
| 8  | (3)  | walls, <del>ceiling</del> <u>ceiling</u> , and floors:                              |                 |
| 9  | (a)  | construction and covering   | <del>6-9;</del> |
| 10 | (b)  | clean   | <del>5-7;</del> |
| 11 | (4)  | lighting and ventilation (windows included); their adequacy and cleanliness         | 3;              |
| 12 | (5)  | public toilet:  |                 |
| 13 | (a)  | clean and <del>well-ventilated</del> <u>well-ventilated</u>                         | 5;              |
| 14 | (b)  | soap and individual towels furnished  | 5;              |
| 15 | (c)  | hot and cold running water  | 2;              |
| 16 | (6)  | cleanliness as to person and dress  | 1;              |
| 17 | (7)  | linens:   |                 |
| 18 | (a)  | supply of clean towels  | 2;              |
| 19 | (b)  | soiled towels   | 3;              |
| 20 | (c)  | hair cloth  | 1;              |
| 21 | (8)  | soiled towel receptacle   | 4;              |
| 22 | (9)  | tools and instruments   | 4;              |
| 23 | (a)  | disinfectants selected from those approved by the Federal Environmental Protection  |                 |
| 24 |      | Agency  | 4;              |
| 25 | (b)  | disinfectants used properly   | 4;              |
| 26 | (c)  | all implements cleaned, disinfected, and <del>property</del> <u>properly</u> stored | 8;              |
| 27 | (10) | working area  |                 |
| 28 | (a)  | clean work stand  | 3;              |
| 29 | (b)  | clean lavatories  | 2;              |
| 30 | (c)  | clean and disinfected jars and containers   | 1;              |
| 31 | (d)  | no unnecessary articles in work area  | 1;              |
| 32 | (11) | certificate <del>posted;</del> <u>posted</u>  | 10;             |
| 33 | (12) | sanitary law <del>posted;</del> <u>posted</u>                                       | 1;              |
| 34 | (13) | sterilizing solution/container  | 20;             |

35

36 *History Note: Authority G.S. 86A-5(a)(1); 86A-15;*

37 *Eff. June 1, 2008;*

1                    *Amended Eff. September 1, ~~2013~~, 2013;*  
2                    *Readopted Eff. July 1, 2016.*

1 21 NCAC 06L .0120 is readopted with changes as published in 30:14 NCR 1514 as follows:

2

3 **21 NCAC 06L .0120 NOTIFICATION OF CHANGE OF ADDRESS**

4 ~~In all instances where a barber shop experiences a change in its mailing address or physical address, excluding those~~  
5 ~~outlined under 21 NCAC 06L .0108 for a moved shop, the barber shop owners and barber shop manager shall notify~~  
6 ~~the Board within five business days of any change in said address.~~ The barber shop owner or manager shall notify the  
7 Board of a change in the barber shop's mailing or, if changed by the United States Postal Service, the physical address,  
8 within five business days of the change.

9

10 *History Note: Authority G.S. 86A-1;*  
11 *Eff. September 1, 2009; 2009;*  
12 *Readopted Eff. July 1, 2016.*

1 21 NCAC 06M .0102 was published for readopted in 30:14 NCR 1514 but is now repealed as follows:

2

3 **21 NCAC 06M .0102 DUTIES AND RESPONSIBILITIES**

4

5 *History Note: Authority G.S. 86A-7; 86A-13; 86A-15; 86A-22;*

6 *Eff. February 1, 1976;*

7 *Readopted Eff. February 8, 1978;*

8 *Amended Eff. September 1, 2013; June 1, 2008; December 1, 1994; May 1, 1989; March 1, ~~1983~~.*

9 *1983;*

10 *Repealed Eff. July 1, 2016.*

1 21 NCAC 06N .0101 is readopted with changes as published in 30:14 NCR 1514 as follows:

2  
3 **SUBCHAPTER 06N – FEES AND FORMS**

4  
5 **21 NCAC 06N .0101 FEES**

6 (a) The Board charges the following amounts for the fees authorized by G.S. 86A-25:

7	(1)	Certificate of registration or renewal as a barber	\$50.00
8	(2)	Certificate of registration or renewal as an apprentice barber	\$50.00
9	(3)	Barbershop permit or renewal	\$50.00
10	(4)	Examination to become a registered barber	\$85.00
11	(5)	Examination to become a registered apprentice barber	\$85.00
12	(6)	Late fee for restoration of an expired barber certificate within first year after expiration	\$35.00
13	(7)	Late fee for restoration of an expired barber certificate after first year after expiration but within five years after expiration	\$70.00
14	(8)	Late fee for restoration of an expired apprentice certificate within the first year after expiration	\$35.00
15	(9)	Late fee for restoration of an expired apprentice certificate after first year after expiration but within three years of first issuance of the certificate	\$45.00
16	(10)	Late fee for restoration of an expired barber shop certificate	\$45.00
17	(11)	Examination to become a barber school instructor	\$165.00
18	(12)	Student permit	\$25.00
19	(13)	Issuance of any duplicate copy of a license, <del>certificate</del> <u>certificate</u> , or permit	\$10.00
20	(14)	Barber school permit or renewal	\$130.00
21	(15)	Late fee for restoration of an expired barber school certificate	\$85.00
22	(16)	Barber school instructor certificate or renewal	\$85.00
23	(17)	Late fee for restoration of an expired barber school instructor certificate within first year after expiration	\$45.00
24	(18)	Late fee for restoration of an expired barber school instructor certificate after first year after expiration but within three years after expiration	\$85.00
25	(19)	Inspection of newly established barbershop	\$120.00
26	(20)	Inspection of newly established barber school	\$220.00
27	(21)	Issuance of a registered barber or apprentice certificate by certification	\$120.00
28	(22)	Charge for certified copies of public documents \$10.00 for first page, \$0.25 per page thereafter	
29	(23)	Charge for duplication services and material shall be as set forth in <del>26 NCAC 01 .0103</del> <u>26 NCAC 01 .0103(a), including any subsequent amendments and editions of the Rule</u>	
30	(24)	Certificate of registration or renewal as a barber for barbers over 70 years of age	\$0.00



1 21 NCAC 06N .0102 is readopted with changes as published in 30:14 NCR 1514 as follows:

2

3 **21 NCAC 06N .0102 FORM BAR-1**

4 (a) The Form BAR-1 must shall be filed when one ~~desires~~ applies to open or manage a new barber shop. It requests  
5 ~~information such as, but not limited to,~~ the following:

6 (1) the name and address of the shop;

7 (2) the name, address, and certificate number of the manager;

8 (3) the name and address of the shop owner;

9 (4) the physical dimensions of the shop;

10 (5) for a new or renovated shop, a copy of the certificate of occupancy;

11 (6) the shop business hours;

12 ~~(5)~~ the type of fixtures installed; and

13 ~~(6)~~ the date the shop will be ready for inspection.

14 (b) ~~A~~ The fee as required in accordance with G.S. 86A-25 must by 21 NCAC 06N .0101(a)(19) shall accompany this  
15 form.

16 (c) The Form BAR-1 must shall be notarized.

17

18 *History Note: Legislative Objection Lodged Eff. March 7, 1983;*

19 *Statutory Authority G.S. 86A-1; 86A-13; 86A-15; 86A-25; 150B-11;*

20 *Eff. February 1, 1976;*

21 *Readopted Eff. February 8, 1978;*

22 *Amended Eff. March 1, 1983;*

23 *Curative Amended Eff. April 6, 1983;*

24 *Amended Eff. May 1, ~~1989~~, 1989;*

25 *Readopted Eff. July 1, 2016.*

1 21 NCAC 06N .0103 is readopted with changes as published in 30:14 NCR 1514 as follows:

2

3 **21 NCAC 06N .0103 FORM BAR-2**

4 (a) The Form BAR-2 must shall be filed when there is a change of management at any barber shop. It requires  
5 ~~information such as, but not limited to,~~ the following:

6 (1) ~~the name~~ name, mailing address, and permit number of the barber shop both before and after the  
7 change of management;

8 (2) the name of the barber shop after the change of management, if the barber shop name changes;

9 ~~(2)(3)~~ the name, address, and certificate number of the new manager or managers; and

10 (4) if the barber shop was closed at the time the Form BAR-2 was submitted, the date of closure; and

11 ~~(3)(5)~~ the former manager's name, name and certificate number.

12 (b) A new permit ~~must shall~~ be issued whenever there is a change of management in any barber shop.

13 (c) ~~A~~ The fee according to G.S. 86A-25 must in 21 NCAC 06N .0101(a)(3) shall accompany Form BAR-2 as a permit  
14 fee.

15 (d) The Form BAR-2 must shall be notarized.

16

17 *History Note: Legislative Objection Lodged Eff. March 7, 1983;*

18 *Statutory Authority G.S. 86A-1; 86A-25; ~~150B-11;~~*

19 *Eff. February 1, 1976;*

20 *Readopted Eff. February 8, 1978;*

21 *Amended Eff. March 1, 1983;*

22 *Curative Amended Eff. April 6, 1983;*

23 *Amended Eff. May 1, ~~1989, 1989;~~*

24 *Readopted Eff. July 1, 2016.*

1 21 NCAC 06N .0104 is readopted with changes as published in 30:14 NCR 1514 as follows:

2

3 **21 NCAC 06N .0104 FORM BAR-3**

4 (a) ~~The~~ Form BAR-3 ~~must~~ shall be filed for permission to enroll in barber school. It requires the following:

5 (1) the name, address, social security number, and birth date of the applicant;

6 (2) the applicant's prior barber school attendance, if any;

7 (3) the name of the school enrolled;

8 (4) the date of enrollment;

9 (5) the a certified copy of his or her Federal Bureau of Investigation criminal record report; ~~and~~

10 (6) the signature of the school ~~manager, manager;~~ and

11 (7) a copy of his or her high school diploma or GED certificate.

12 (b) ~~A~~ The fee as required in Rule .0101 of this Subchapter must 21 NCAC 06N .0101(a)(12) shall accompany this  
13 form.

14

15 *History Note: Authority G.S. 86A-18; 86A-22; 86A-25; 93B-14;*

16 *Eff. February 1, 1976;*

17 *Readopted Eff. February 8, 1978;*

18 *Amended Eff. March 1, 1983;*

19 *Legislative Objection Lodged Eff. March 7, 1983;*

20 *Curative Amended Eff. April 6, 1983;*

21 *Amended Eff. September 1, 2013; May 1, ~~1989.~~ 1989;*

22 *Readopted Eff. July 1, 2016.*

1 21 NCAC 06N .0105 is readopted with changes as published in 30:14 NCR 1514 as follows:

2

3 **21 NCAC 06N .0105 FORM BAR-4**

4 (a) The Form BAR-4 must shall be filed by one ~~desiring applying~~ to take the examination to receive a registered  
5 apprentice certificate. It requires the following:

6 (1) the name, address, social security number, and birthdate of the applicant;

7 (2) the name of any barber school ~~attended;~~ attended and the date of enrollment and graduation;

8 (3) the place of proposed employment as an apprentice barber; and

9 (4) a certified copy of his or her Federal Bureau of Investigation criminal record report.

10 (b) ~~The lower portion of the front page contains a course training certification to~~ shall be filled in by the manager of  
11 the barber school the applicant last attended.

12 (c) ~~A The fee as required in Rule .0101 of this Subchapter must~~ 21 NCAC 06N .0101(a)(5) shall be submitted with  
13 the application.

14 (d) The Form BAR-4 must shall be notarized.

15

16 *History Note: Authority G.S. 86A-1; 86A-10; ~~86A-15; 86A-24; 86A-25;~~ 86A-25; 93B-14;*

17 *Eff. February 1, 1976;*

18 *Readopted Eff. February 8, 1978;*

19 *Amended Eff. March 1, 1983;*

20 *Legislative Objection Lodged Eff. March 7, 1983;*

21 *Curative Amended Eff. April 6, 1983;*

22 *Amended Eff. September 1, 2013; May 1, ~~1989~~ 1989;*

23 *Readopted Eff. July 1, 2016.*

1 21 NCAC 06N .0106 is readopted with changes as published in 30:14 NCR 1514 as follows:

2

3 **21 NCAC 06N .0106 FORM BAR-5**

4 (a) ~~The Form BAR-5 must shall~~ be filed by one ~~desiring applying~~ to take the examination to receive a registered  
5 barber certificate. It requires the following:

6 (1) the name, address, social security number, and birthdate of the applicant;

7 (2) the place of proposed employment;

8 (3) barber school training;

9 (4) a certified copy of ~~his/her his or her~~ Federal Bureau of Investigation criminal record report; ~~and~~

10 (5) the length of barbering ~~experience~~ experience; and

11 (6) a copy of his or her high school diploma or GED certificate.

12 (b) ~~The Form BAR-5 must shall be notarized in two places. notarized.~~

13 (c) ~~A-The fee as required in Rule .0101 of this Subchapter must~~ 21 NCAC 06N .0101(a)(4) shall accompany this  
14 form.

15

16 *History Note: Authority G.S. 86A-1; 86A-3; 86A-10; 86A-25; 93B-14;*

17 *Eff. February 1, 1976;*

18 *Readopted Eff. February 8, 1978;*

19 *Amended Eff. March 1, 1983;*

20 *Legislative Objection Lodged Eff. March 7, 1983;*

21 *Curative Amended Eff. April 6, 1983;*

22 *Amended Eff. September 1, 2013; May 1, ~~1989~~ 1989;*

23 *Readopted Eff. July 1, 2016.*

1 21 NCAC 06N .0107 is readopted with changes as published in 30:14 NCR 1515 as follows:

2

3 **21 NCAC 06N .0107 FORM BAR-6**

4 (a) The Form BAR-6 must shall be filed by one ~~desiring applying~~ to take an examination as ~~an instructor of barbering,~~  
5 a barber school instructor. It requires ~~information such as, but not limited to,~~ the following:

6 (1) the name, address, social security number, and birthdate of the applicant;

7 (2) the current registered certificate number;

8 (3) the name of barber school attended; and

9 (4) the proposed place of employment, if any; and any.

10 ~~(5) —barbering experience.~~

11 (b) ~~A The fee for the examination to become a barber school instructor as required in G.S. 86A-25 must 21 NCAC~~  
12 06N .0101(a)(11) shall accompany this form.

13

14 *History Note: Legislative Objection Lodged Eff. March 7, 1983;*

15 *Statutory Authority G.S. 86A-23; 86A-25; 93B-14; -150B-11;*

16 *Eff. February 1, 1976;*

17 *Readopted Eff. February 8, 1978;*

18 *Amended Eff. March 1, 1983;*

19 *Curative Amended Eff. April 6, 1983;*

20 *Amended Eff. May 1, ~~1989.~~ 1989;*

21 *Readopted Eff. July 1, 2016.*

1 21 NCAC 06N .0108 is readopted with changes as published in 30:14 NCR 1515 as follows:

2  
3 **21 NCAC 06N .0108 FORM BAR-7**

4 (a) The Form BAR-7 must shall be filed by one who has practiced less than three years in some state other than North  
5 Carolina ~~and who desires applying~~ to take the examination to obtain an apprentice license in North Carolina. It requires  
6 the following:

7 (1) the name, ~~address-address, social security number,~~ and birthdate of the applicant;

8 (2) the name of any barber school attended;

9 (3) ~~experience background and~~ status of each barber license in another state; and

10 (4) a certified copy of his or her Federal Bureau of Investigation criminal record ~~report; and report.~~

11 (5) ~~a photograph approximately 2" x 3" in size.~~

12 (b) ~~An examination~~ The fee according to Rule .0101 of this Subchapter must in 21 NCAC 06N .0101(a)(5) shall  
13 accompany this form.

14 (c) The Form BAR-7 must shall be notarized.

15 (d) The Form BAR-7 must shall be accompanied by a copy of a barber school transcript and a letter from the other  
16 state Board verifying licensure in that state if licensed.

17 (e) The Form BAR-7 must shall be accompanied by one sworn affidavit verifying experience, if any.

18  
19 *History Note: Authority G.S. 86A-1; ~~86A-12;~~ 86A-25; 93B-14;*

20 *Eff. February 1, 1976;*

21 *Readopted Eff. February 8, 1978;*

22 *Amended Eff. March 1, 1983;*

23 *Legislative Objection Lodged Eff. March 7, 1983;*

24 *Curative Amended Eff. April 6, 1983;*

25 *Amended Eff. September 1, 2013; May 1, ~~1989.~~ 1989;*

26 *Readopted Eff. July 1, 2016.*

1 21 NCAC 06N .0109 is readopted with changes as published in 30:14 NCR 1515 as follows:

2

3 **21 NCAC 06N .0109 FORM BAR-8**

4 (a) ~~The~~ Form BAR-8 ~~must~~ shall be filed by one who has practiced as a barber in ~~some~~ a state other than North Carolina  
5 for three years or more and ~~who desires is applying~~ is applying to obtain a certificate as a registered barber in North Carolina. It  
6 ~~requires, requires~~ the following:

7 (1) ~~the name, address~~ the name, address, social security number, and birthdate of the applicant;

8 (2) ~~the name~~ and address of any barber school attended in ~~other~~ another state;

9 (3) barbering experience and the status of each barber license in another state; and

10 (4) a certified copy of his or her Federal Bureau of Investigation criminal record report.

11 (b) ~~A-The fee in accordance with in Rule .0101 in this Subchapter must~~ 21 NCAC 06N .0101(a)(21) shall accompany  
12 this form.

13 (c) ~~Form BAR-8 must be accompanied by a copy of a current out-of-state license and three notarized statements from~~  
14 ~~persons who can attest to the applicant's out-of-state experience.~~

15 (d) ~~(c)~~ The Form BAR-8 ~~must~~ shall be notarized.

16 (e) ~~(d)~~ The Form BAR-8 ~~must~~ shall be accompanied by a copy of a barber school transcript and verification from the  
17 applicant's out-of-state Board of the applicant's licensure in that state.

18

19 *History Note: Authority G.S. 86A-1; 86A-12; 86A-25;*

20 *Eff. March 1, 1983;*

21 *Legislative Objection Lodged Eff. March 7, 1983;*

22 *Curative Eff. April 6, 1983;*

23 *Amended Eff. September 1, 2013; May 1, ~~1989~~ 1989;*

24 *Readopted Eff. July 1, 2016.*

1 21 NCAC 06N .0110 is readopted with changes as published in 30:14 NCR 1515 as follows:

2

3 **21 NCAC 06N .0110 FORM BAR-9**

4 (a) The Form BAR-9 must shall be filed when one ~~desires~~ applies to open ~~or manage~~ a new barber school. It requires  
5 ~~information such as, but not limited to,~~ the following:

6 (1) the date the barber school will be ready for the Board inspection;

7 (2) the name and address of the barber school;

8 (3) the name and address of the owner;

9 ~~(2)(4)~~ the name and address of each the manager;

10 ~~(3)(5)~~ the name names, instructor certificate numbers, and address of the instructors;

11 ~~(4)(6)~~ the physical dimensions of the barber school; and

12 ~~(5)(7)~~ the number of barber ~~chairs~~ chairs, tool cabinets, towel cabinets, and ~~lavatories~~ lavatories; and

13 (8) a copy of the bond or alternative to a bond required by G.S. 86A-22(7)(a) or a request for waiver  
14 under G.S. 86A-22(7)(c).

15 (b) The Form BAR-9 must shall be notarized.

16 (c) The Form BAR-9 must shall be accompanied by ~~a the~~ the fee according to G.S. 86A-25. in 21 NCAC 06N  
17 .0101(a)(20).

18

19 *History Note: Authority G.S. 86A-1; 86A-22; ~~150B-11;~~*

20 *Eff. March 1, 1983;*

21 *Amended Eff. May 1, ~~1989.~~ 1989;*

22 *Readopted Eff. July 1, 2016.*

1 21 NCAC 06N .0111 is readopted with changes as published in 30:14 NCR 1515 as follows:

2

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

4 (a) The Form BAR-10 ~~must~~ is a report that shall be filed monthly by the manager of the school for each student  
5 enrolled in barber school. It requires ~~background information such as, but not limited to,~~ the following:

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

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

8 ~~(2)~~(3) the month and year for which the report is filed;

9 ~~(3)~~(4) the dates and hours of the student's absences;

10 ~~(4)~~(5) the dates and hours of the student's attendance;

11 ~~(5)~~(6) the number of patrons served for clinical services; and

12 ~~(6)~~(7) the subject matter covered in practical and theory courses; and courses.

13 (7) ~~date student completed, dropped out of or transferred from school.~~

14 (b) The Form BAR-10 ~~must~~ shall be submitted to the Board over the signature of the manager of the school and co-  
15 signed by the student.

16 (c) The Form BAR-10 ~~must~~ shall be returned to the Board within five ~~working~~ business days of the date on which a  
17 student completes his or her course of study, drops out of ~~school~~ school, or transfers to another school.

18

19 *History Note: Authority G.S. 86A-22; ~~150B-11;~~*

20 *Eff. May 1, ~~1989.~~ 1989;*

21 *Readopted Eff. July 1, 2016.*

1 21 NCAC 06N .0112 is readopted with changes as published in 30:14 NCR 1515 as follows:

2

3 **21 NCAC 06N .0112 ACCESS TO FORMS**

4 The forms ~~described set forth~~ in this Subchapter may be accessed ~~via downloadable document from~~ on the Board's

5 ~~Internet~~ website, [www.ncbarbers.com](http://www.ncbarbers.com), or may be obtained at the Board's ~~office~~ address listed in 21 NCAC 06A .0102.

6

7 *History Note: Authority G.S. ~~86-A-5, 86A-5; 150B-19.1;~~*

8 *Eff. May 1, 1989;*

9 *Amended Eff. September 1, ~~2013; 2013;~~*

10 *Readopted Eff. July 1, 2016.*

1 21 NCAC 06O .0101 is readopted with changes as published in 30:14 NCR 1515 as follows:

2

3 **21 NCAC 06O .0101 SCHEDULE OF PENALTIES**

4 The rules in this Subchapter establish the schedule of civil penalties required by G.S. 86A-27(c). The amounts stated  
5 are the presumptive amounts ~~which~~ that may be modified in accordance with G.S. 86A-27(b).

6

7 *History Note: Authority G.S. 86A-5(a)(6); 86A-27;*

8 *Eff. April 1, ~~2005~~, 2005;*

9 *Readopted Eff. July 1, 2016.*

1 21 NCAC 06O .0102 is readopted with changes as published in 30:14 NCR 1515 as follows:

2

3 **21 NCAC 06O .0102 LICENSING OF BARBER SHOPS**

4 (a) The presumptive civil penalty for operating a barber shop without first filing an application for a barber shop  
5 license, obtaining an inspection, ~~or~~ and obtaining a shop permit:

6 (1) 1st offense \$~~150.00~~200.00

7 (2) 2nd offense \$~~250.00~~300.00

8 (3) 3rd offense \$500.00

9 (b) The presumptive civil penalty for operating a barber shop with an expired permit:

10 (1) 1st offense \$~~100.00~~150.00

11 (2) 2nd offense \$~~250.00~~300.00

12 (3) 3rd offense \$500.00

13

14 *History Note: Authority G.S. 86A-1; 86A-5(a)(6); ~~86A-15~~; 86A-27;*

15 *Eff. April 1, ~~2005~~, 2005;*

16 *Readopted Eff. July 1, 2016.*

1 21 NCAC 06O .0103 is readopted with changes as published in 30:14 NCR 1515 as follows:

2

3 **21 NCAC 06O .0103 LICENSING OF BARBER SCHOOLS**

4 (a) The presumptive civil penalty for operating a barber school without first filing an application for a barber school  
5 license, obtaining an inspection, ~~or~~ and obtaining a school permit:

6 (1) 1st offense \$~~150.00~~200.00

7 (2) 2nd offense \$~~250.00~~300.00

8 (3) 3rd offense \$500.00

9 (b) The presumptive civil penalty for operating a barber school with an expired permit:

10 (1) 1st offense \$~~100.00~~150.00

11 (2) 2nd offense \$~~250.00~~300.00

12 (3) 3rd offense \$500.00

13

14 *History Note:* Authority G.S. 86A-1; 86A-5(a)(6); ~~86A-15~~; 86A-27;

15 Eff. April 1, ~~2005~~; 2005;

16 Readopted Eff. July 1, 2016.

1 21 NCAC 06O .0104 is readopted with changes as published in 30:14 NCR 1515 as follows:

2

3 **21 NCAC 06O .0104 UNSUPERVISED APPRENTICE**

4 (a) The presumptive civil penalty for a ~~barber shop registered barber~~ allowing an apprentice or ~~holder of permission~~  
5 ~~to work~~ student barber with a temporary permit to engage in barbering without supervision as required by G.S 86A-  
6 24(b):

7 (1) 1st offense ~~\$250.00~~300.00

8 (2) 2nd offense ~~\$350.00~~400.00

9 (b) The presumptive civil penalty for an apprentice or ~~holder of permission to work~~ student barber with a temporary  
10 permit engaging in barbering without supervision as required by G.S. 86A-24(b):

11 (1) 1st offense ~~\$150.00~~200.00

12 (2) 2nd offense ~~\$250.00~~300.00

13 (3) 3rd offense \$500.00

14

15 *History Note: Authority G.S. 86A-5(a)(6); 86A-24; 86A-27;*

16 *Eff. April 1, 2005;*

17 *Amended Eff. September 1, ~~2009~~, 2009;*

18 *Readopted Eff. July 1, 2016.*

1 21 NCAC 06O .0105 is readopted with changes as published in 30:14 NCR 1515 as follows:

2

3 **21 NCAC 06O .0105 UNLICENSED BARBER**

4 (a) The presumptive civil penalty for a barber shop manager allowing a barber to practice without a license:

5 (1) 1st offense ~~\$250.00~~300.00

6 (2) 2nd offense \$500.00

7 (b) The presumptive civil penalty for an individual engaging in barbering without a license:

8 (1) 1st offense ~~\$200.00~~250.00

9 (2) 2nd offense ~~\$400.00~~450.00

10 (3) 3rd offense \$500.00

11

12 *History Note: Authority G.S. 86A-1; 86A-5(a)(6); 86A-27;*

13 *Eff. April 1, ~~2005~~. 2005;*

14 *Readopted Eff. July 1, 2016.*

1 21 NCAC 06O .0106 is readopted with changes as published in 30:14 NCR 1515 as follows:

2

3 **21 NCAC 06O .0106 DISPLAY OF CURRENT LICENSE**

4 (a) The presumptive civil penalty for the failure of a barber shop or barber school to display a current shop or school  
5 license:

6 (1) 1st offense ~~\$50.00~~100.00

7 (2) 2nd offense ~~\$100.00~~150.00

8 (3) 3rd offense ~~\$200.00~~250.00

9 (b) The presumptive civil penalty for a barber shop or barber school to allow an individual to perform barbering  
10 without displaying a current license or permit:

11 (1) 1st offense ~~\$50.00~~100.00

12 (2) 2nd offense ~~\$100.00~~150.00

13 (3) 3rd offense ~~\$200.00~~250.00

14 (c) The presumptive civil penalty for an individual to practice barbering without displaying a current license or permit:

15 (1) 1st offense ~~\$50.00~~100.00

16 (2) 2nd offense ~~\$100.00~~150.00

17 (3) 3rd offense ~~\$200.00~~250.00

18

19 *History Note:* Authority G.S. 86A-1; 86A-5(a)(6); 86A-16; ~~86A-20(5)~~; 86A-27;

20 *Eff. April 1, 2005-2005;*

21 *Readopted Eff. July 1, 2016.*

1 21 NCAC 06O .0107 is readopted with changes as published in 30:14 NCR 1515 as follows:

2

3 **21 NCAC 06O .0107 FRAUDULENT MISREPRESENTATIONS OR SUBMISSION OF**  
4 **FRAUDULENT DOCUMENT**

5 The presumptive civil penalty for barbering or attempting to barber by fraudulent misrepresentations or the submission  
6 of fraudulent or false documents in connection with licensing or an application for ~~license~~: license as prohibited by  
7 G.S. 86A-20: 1st offense \$500.00.

8

9 *History Note:* Authority G.S. 86A-1; 86A-5(a)(6); ~~86A-1~~; 86A-20(2); 86A-20(3); 86A-27;

10 *Eff. April 1, 2005-2005;*

11 *Readopted Eff. July 1, 2016.*

1 21 NCAC 06O .0108 is readopted with changes as published in 30:14 NCR 1516 as follows:

2

3 **21 NCAC 06O .0108 INSPECTIONS OF SHOPS AND SCHOOLS**

4 The presumptive civil penalty for refusing to permit or ~~interfering with~~ preventing the inspection of a barber shop or  
5 barber school:

6 (1) 1st offense \$~~100.00~~150.00

7 (2) 2nd offense \$~~250.00~~300.00

8 (3) 3rd offense \$500.00

9

10 *History Note: Authority G.S. 86A-1; 86A-5(a)(6); 86A-15(b); 86A-27;*

11 *Eff. April 1, ~~2005~~. 2005;*

12 *Readopted Eff. July 1, 2016.*

1 21 NCAC 06O .0109 is readopted with changes as published in 30:14 NCR 1516 as follows:

2

3 **21 NCAC 06O .0109 EXPIRED LICENSE**

4 (a) The presumptive civil penalty for engaging in the practice of barbering with a ~~license or permit~~ registered barber  
5 certificate that has expired ~~or lapsed~~ for more than a six month duration:

- 6 (1) 1st offense \$~~50.00~~100.00
- 7 (2) 2nd offense \$~~100.00~~150.00
- 8 (3) 3rd offense \$~~150.00~~200.00

9 (b) The presumptive civil penalty for a barber shop manager allowing an individual to engage in the practice of  
10 barbering with a ~~license or permit~~ registered barber certificate that has expired ~~or lapsed~~ for more than a six month  
11 duration:

- 12 (1) 1st offense \$~~50.00~~100.00
- 13 (2) 2nd offense \$~~100.00~~150.00
- 14 (3) 3rd offense \$~~150.00~~200.00

15

16 *History Note:* Authority G.S. 86A-1; 86A-5(a)(6); 86A-17(b); 86A-27;

17 *Eff. April 1, 2005-2005;*

18 *Readopted Eff. July 1, 2016.*

1 21 NCAC 06O .0110 is readopted with changes as published in 30:14 NCR 1516 as follows:

2

3 **21 NCAC 06O .0110 ADEQUATE PREMISES**

4 (a) The presumptive civil penalty for a school to fail to maintain facilities as required by G.S. 86A-15 and 21 NCAC  
5 06F .0101, after two written warnings:

6 (1) 1st offense ~~\$200.00~~250.00

7 (2) 2nd offense ~~\$350.00~~400.00

8 (3) 3rd offense \$500.00

9 (b) The presumptive civil penalty for a shop to fail to maintain facilities as required by G.S. 86A-15 and the applicable  
10 rules in 21 NCAC 06L .0102 ~~thru~~ through .0109, after two written warnings:

11 (1) 1st offense ~~\$200.00~~250.00

12 (2) 2nd offense ~~\$400.00~~450.00

13 (3) 3rd offense \$500.00

14

15 *History Note:* Authority G.S. 86A-5(a)(6); 86A-15; 86A-18(6); 86A-18(7); 86A-22(6); 86A-27;

16 *Eff. April 1, ~~2005~~, 2005;*

17 *Readopted Eff. July 1, 2016.*

1 21 NCAC 06O .0111 is readopted with changes as published in 30:14 NCR 1516 as follows:

2

3 **21 NCAC 06O .0111 SCHOOL INSTRUCTORS**

4 The presumptive civil penalty for a school failing to provide sufficient instructors to meet ~~required~~ the student-teacher  
5 ~~ratios:~~ ratios set forth in G.S. 86A-22(2):

6 (1) 1st offense \$~~100.00~~150.00

7 (2) 2nd offense \$~~250.00~~300.00

8 (3) 3rd offense \$500.00

9

10 *History Note: Authority G.S. 86A-5(a)(6); 86A-22(2); 86A-27;*

11 *Eff. April 1, ~~2005~~. 2005;*

12 *Readopted Eff. July 1, 2016.*

1 21 NCAC 06O .0112 is readopted with changes as published in 30:14 NCR 1516 as follows:

2

3 **21 NCAC 06O .0112 IDENTIFICATION**

4 (a) The presumptive civil penalty for a barber shop owner or manager failing to positively identify a ~~Registered~~  
5 ~~Barber, apprentice-registered barber, apprentice, or holder of permission to work; a temporary permit:~~

6 (1) 1st offense \$~~50.00~~100.00

7 (2) 2nd offense \$~~100.00~~150.00

8 (3) 3rd offense \$~~200.00~~250.00

9 (b) The presumptive civil penalty for a ~~Registered Barber, apprentice-registered barber, apprentice,~~ or holder of  
10 ~~permission to work; a temporary permit~~ failing to maintain and produce a license or ~~permit, including identification,~~  
11 ~~permit~~ as defined in 21 NCAC 06P .0103(7):

12 (1) 1st offense \$~~50.00~~100.00

13 (2) 2nd offense \$~~100.00~~150.00

14 (3) 3rd offense \$~~200.00~~250.00

15 (c) The presumptive civil penalty for a barber student failing to wear identification as ~~defined~~ set forth in 21 NCAC  
16 06F .0122:

17 (1) 1st offense \$~~50.00~~100.00

18 (2) 2nd offense \$~~100.00~~150.00

19 (3) 3rd offense \$~~200.00~~250.00

20 (d) ~~The presumptive civil penalty for a barber school instructor or barber school manager failing to positively identify~~  
21 ~~a student:~~

22 (1) ~~1st offense~~ \$~~50.00~~100.00

23 (2) ~~2nd offense~~ \$~~100.00~~150.00

24 (3) ~~3rd offense~~ \$~~200.00~~250.00

25

26 *History Note: Authority G.S. 86A-1; 86A-10; 86A-11; 86A-27;*

27 *Eff. June 1, 2008;*

28 *Amended Eff. September 1, ~~2009~~, 2009;*

29 *Readopted Eff. July 1, 2016.*

1 21 NCAC 06O .0113 is readopted with changes as published in 30:14 NCR 1516 as follows:

2

3 **21 NCAC 06O .0113 BARBER SHOPS IN RESIDENCES AND MOBILE HOMES**

4 (a) The presumptive civil penalty for operating a barber shop in a residence in violation of 21 NCAC 06L .0106(c):

5 (1) 1st offense ~~\$100.00~~150.00

6 (2) 2nd offense ~~\$200.00~~250.00

7 (3) 3rd offense \$500.00

8 (b) The presumptive civil penalty for operating a barber shop in a mobile home in violation of ~~21 NCAC 06L .0106(d):~~

9 21 NCAC 06L .0106(e):

10 (1) 1st offense ~~\$150.00~~200.00

11 (2) 2nd offense ~~\$250.00~~300.00

12 (3) 3rd offense \$500.00

13

14 *History Note: Authority G.S. 86A-15; 86A-27;*

15 *Eff. June 1, 2008; 2008;*

16 *Readopted Eff. July 1, 2016.*

1 21 NCAC 06O .0114 is readopted with changes as published in 30:14 NCR 1516 as follows:

2

3 **21 NCAC 06O .0114 ANIMALS IN BARBER SHOPS**

4 ~~(a)–The presumptive civil penalty for a barber manager allowing an animal in a barber shop in violation of 21 NCAC~~  
5 ~~06L .0114 without first obtaining an exemption from the Board: 21 NCAC 06L .0114:~~

- 6 (1) 1st offense ~~\$50.00~~100.00  
7 (2) 2nd offense ~~\$100.00~~150.00  
8 (3) 3rd offense ~~\$200.00~~250.00

9 ~~(b) The presumptive civil penalty for allowing an animal in a barber shop in violation of 21 NCAC 06L .0114 with~~  
10 ~~an expired exemption:~~

- 11 ~~(1) 1st offense \$100.00~~  
12 ~~(2) 2nd offense \$250.00~~  
13 ~~(3) 3rd offense \$500.00~~

14

15 *History Note: Authority G.S. 86A-15; 85A-27;*

16 *Eff. June 1, 2008. ~~2008;~~*

17 *Readopted Eff. July 1, 2016.*

1 21 NCAC 06O .0115 is readopted with changes as published in 30:14 NCR 1516 as follows:

2

3 **21 NCAC 06O .0115 SCHOOL FAILING TO MAINTAIN, FALSIFYING, OR FAILING TO SUBMIT**  
4 **RECORDS**

5 (a) The presumptive civil penalty for a barber school failing to maintain ~~records by a barber school:~~ records:

6 (1) 1st offense \$~~150.00~~200.00

7 (2) 2nd offense \$~~200.00~~250.00

8 (3) 3rd offense \$500.00

9 (b) The presumptive civil penalty for a barber school falsifying ~~records by a barber school:~~ records:

10 (1) 1st offense \$~~200.00~~250.00

11 (2) 2nd offense \$~~350.00~~400.00

12 (3) 3rd offense \$500.00

13 (c) The presumptive civil penalty for a barber school failing to submit required ~~records by a barber school:~~ records:

14 (1) 1st offense \$~~150.00~~200.00

15 (2) 2nd offense \$~~300.00~~350.00

16 (3) 3rd offense \$500.00

17

18 *History Note: Authority G.S. 86A-22; 86A-27;*

19 *Eff. June 1, 2008;*

20 *Amended Eff. September 1, ~~2009,~~ 2009;*

21 *Readopted Eff. July 1, 2016.*

1 21 NCAC 06O .0116 is readopted with changes as published in 30:14 NCR 1517 as follows:

2

3 **21 NCAC 06O .0116 UNLICENSED SCHOOL INSTRUCTORS**

4 (a) The presumptive civil penalty for a barber school allowing an individual to instruct without a ~~license~~: an  
5 instructor's certificate:

6 (1) 1st offense \$~~150.00~~200.00

7 (2) 2nd offense \$~~250.00~~300.00

8 (3) 3rd offense \$500.00

9 (b) The presumptive civil penalty for ~~a an individual licensed barber or apprentice barber~~ engaging in instructing  
10 without a ~~license~~: an instructor's certificate:

11 (1) 1st offense \$~~100.00~~150.00

12 (2) 2nd offense \$~~400.00~~450.00

13 (3) 3rd offense \$500.00

14

15 *History Note: Authority G.S. 86A-22; 86A-23; 86A-27;*

16 *Eff. September 1, ~~2009~~ 2009;*

17 *Readopted Eff. July 1, 2016.*

1 21 NCAC 06O .0117 is readopted with changes as published in 30:14 NCR 1517 as follows:

2

3 **21 NCAC 06O .0117 BARBER FAILING TO MAINTAIN OR PRODUCE EXEMPTION LOG**

4 (a) The presumptive civil penalty for a barber failing to maintain the exemption log ~~as~~ required by 21 NCAC 06L  
5 .0111:

6 (1) 1st offense ~~\$50.00~~100.00

7 (2) 2nd offense ~~\$400.00~~150.00

8 (3) 3rd offense ~~\$200.00~~250.00

9 (b) The presumptive civil penalty for a barber failing to produce the exemption log required by 21 NCAC 06L .0111:

10 (1) 1st offense ~~\$50.00~~100.00

11 (2) 2nd offense ~~\$400.00~~150.00

12 (3) 3rd offense ~~\$200.00~~250.00

13

14 *History Note: Authority G.S. 86A-15(c); 86A-27;*

15 *Eff. April, 1, ~~2010~~, 2010;*

16 *Readopted Eff. July 1, 2016.*

1 21 NCAC 06O .0118 is adopted with changes as published in 30:14 NCR 1517 as follows:

2

3 **21 NCAC 06O .0118 UNLICENSED BARBER STUDENT**

4 (a) The presumptive civil penalty for a barber school allowing an individual to receive barber instruction without a

5 ~~Barber~~-barber student permit:

6 (1) 1st offense \$200.00

7 (2) 2nd offense \$300.00

8 (3) 3rd offense \$500.00

9 (b) The presumptive civil penalty for an individual engaging as a barber student without a barber student permit:

10 (1) 1st offense \$200.00

11 (2) 2nd offense \$300.00

12 (3) 3rd offense \$500.00

13

14 History Note: Authority G.S. 86A-1; 86A-22; ~~86A-25; 86A-27;~~

15 Eff. July 1, 2016.

1 21 NCAC 06O .0119 is adopted with changes as published in 30:14 NCR 1517 as follows:

2

3 **21 NCAC 06O .0119 FAILURE TO NOTIFY BOARD OF CHANGE OF ADDRESS**

4 (a) The presumptive civil penalty for the failure of a barber shop or barber school to fail to notify the Board ~~as to~~ of  
5 a change of address:

6 (1) 1st offense \$50.00

7 (2) 2nd offense \$100.00

8 (3) 3rd offense \$200.00

9 (b) The presumptive civil penalty for an individual manager for the failure to notify the Board of a change of address  
10 for a barber shop or barber school:

11 (1) 1st offense \$50.00

12 (2) 2nd offense \$100.00

13 (3) 3rd offense \$200.00

14

15 History Note: Authority G.S. 86A-1; 86A-5(a)(6); ~~86A-13;~~ 86A-27;

16 Eff. July 1, 2016.

1 21 NCAC 06O .0120 is adopted with changes as published in 30:14 NCR 1517 as follows:

2

3 **21 NCAC 06O .0120 FAILURE TO NOTIFY BOARD OF CHANGE OF SUPERVISING BARBER OF**  
4 **AN APPRENTICE BARBER**

5 (a) The presumptive civil penalty for the failure of a registered barber for failure to notify the Board ~~as to~~of a change  
6 of supervision of an apprentice barber:

- 7 (1) 1st offense \$50.00
- 8 (2) 2nd offense \$100.00
- 9 (3) 3rd offense \$200.00

10 (b) The presumptive civil penalty for an apprentice barber for failure to notify the Board ~~as to~~of a change in  
11 supervising registered barber:

- 12 (1) 1st offense \$50.00
- 13 (2) 2nd offense \$100.00
- 14 (3) 3rd offense \$200.00

15

16 History Note: Authority G.S. 86A-1; 86A-5(a)(6); 86A-24; 86A-27;  
17 Eff. July 1, 2016.

1 21 NCAC 06O .0121 is adopted with changes as published in 30:14 NCR 1517 as follows:

2

3 **21 NCAC 06O .0121 FAILURE TO DISPLAY SANITATION GRADE AND SHOP PERMIT ~~IN A~~**  
4 **~~CONSPICUOUS PLACE AT THE FRONT OF THE SHOP~~**

5 The presumptive civil penalty for the failure of a shop to ~~to~~ display its sanitation grade and shop permit in a  
6 ~~conspicuous~~ place visible to the public at the front of the shop:

- 7 (1) 1st offense \$50.00  
8 (2) 2nd offense \$100.00  
9 (3) 3rd offense \$200.00

10

11 History Note: Authority G.S. 86A-1; 86A-5(a)(6); ~~86A-13; 86A-15; 86A-16; 86A-27;~~

12 Eff. July 1, 2016.

1 21 NCAC 06O .0122 is adopted with changes as published in 30:14 NCR 1517 as follows:

2

3 **21 NCAC 06O .0122 FAILURE TO NOTIFY BOARD OF CHANGE OF BARBER SHOP OR SCHOOL**  
4 **MANAGER**

5 (a) The presumptive civil penalty for the failure of a barber shop or barber school to fail to notify the Board as to a  
6 change of barber shop manager:

- 7 (1) 1st offense \$50.00  
8 (2) 2nd offense \$100.00  
9 (3) 3rd offense \$200.00

10 (b) The presumptive civil penalty for an individual manager for the failure to notify the Board of a change of manager  
11 of a barber shop or barber school:

- 12 (1) 1st offense \$50.00  
13 (2) 2nd offense \$100.00  
14 (3) 3rd offense \$200.00

15

16 History Note: Authority G.S. 86A-1; 86A-5(a)(6); ~~86A-13~~; 86A-22; 86A-27;

17 Eff. July 1, 2016.

1 21 NCAC 06P .0101 is readopted with changes as published in 30:14 NCR 1518 as follows:

2

3 **21 NCAC 06P .0101 BARBERING**

4 Unless specifically exempted by ~~statute, G.S. 86A-14,~~ "the practice of barbering" or "barbering services" means any  
5 one or more of the activities defined in G.S. 86A-2 when performed upon a member of the public ~~for compensation,~~  
6 ~~free, or otherwise public.~~

7

8 *History Note: Authority G.S. 86A-2;*

9 *Eff. June 1, 2008. ~~2008;~~*

10 *Readopted Eff. July 1, 2016.*

1 21 NCAC 06P .0102 was published for readoption in 30:14 NCR 1518 but is now repealed as follows:

2

3 **21 NCAC 06P .0102 BARBERING EXEMPTIONS**

4

5 *History Note:* Authority G.S. 86A-2;

6 Eff. June 1, ~~2008~~, 2008;

7 Repealed Eff. July 1, 2016.

1 21 NCAC 06P .0103 is readopted with changes as published in 30:14 NCR 1518 as follows:

2  
3 **21 NCAC 06P .0103 GENERAL DEFINITIONS**

4 For purposes of the rules in this Chapter, the following definitions shall apply:

- 5 (1) "Barber" means any person who engages in or attempts to engage in the practice of barbering or  
6 provide barbering services.
- 7 (2) "Barber instructor" means any person who engages in or attempts to engage in the teaching of the  
8 practice of barbering.
- 9 (3) "Barber pole" means an actual or representation of a cylinder or pole with alternating stripes of any  
10 combination including red and white, and red, white, and blue that run diagonally along the length  
11 of the cylinder or pole.
- 12 ~~(2)(4)~~ "Barber school" means any establishment that engages in or attempts to engage in the teaching of  
13 the practice of barbering.
- 14 (5) "Barber student" means any person who is enrolled in barber school, including those taking classes  
15 beyond the 1528 required hours.
- 16 ~~(3)~~ "Barber instructor" means any person who engages in or attempts to engage in the teaching of the  
17 practice of barbering.
- 18 ~~(4)~~ "Barber pole" means a an actual or representation of a cylinder or pole with alternating stripes of  
19 any combination including red and white, and red, white, and blue, which that run diagonally along  
20 the length of the cylinder or pole.
- 21 ~~(5)(6)~~ "Board" means the State Board of Barber Examiners.
- 22 ~~(6)~~ "Braiding" means intertwining the hair in a systematic motion to create patterns in a three-  
23 dimensional form, inverting the hair against the scalp along part of a straight or curved row of  
24 intertwined hair, or twisting the hair in a systematic motion, and includes extending the hair with  
25 natural or synthetic hair fibers, and which work does not include cutting the hair or the application  
26 of dyes, reactive chemicals, or other preparations to alter the color or to straighten, curl, or alter the  
27 structure of the hair, or the application of heat to alter, straighten or curl the hair.
- 28 (7) "License" or "permit" or ~~"registration"~~ "certificate of registration" means the actual license or permit  
29 issued by the Board and ~~valid current~~ government issued photo identification depicting the licensee's  
30 or permittee's photograph and legal name.
- 31 (8) ~~"Pickup Order"~~ "Pick-up order" means an order issued by the Board and signed by the Executive  
32 Director authorizing an inspector to physically retrieve a permit or license.
- 33 (9) ~~"The practice"~~ "Practice of barbering" and "barber services" means all activities set forth in G.S.  
34 86A-2, and the sanitary requirements of Chapter 86A and the sanitary rules adopted by the Board.
- 35 ~~(10)~~ "The practice of natural hair styling" means work done for a fee or other form of compensation, by  
36 any person, utilizing techniques performed by hand that result in tension on the hair strands or roots  
37 such as twisting, wrapping, weaving, extending, locking, or braiding of the hair by hand or

1 ~~mechanical device, and which work does not include cutting the hair or the application of dyes,~~  
2 ~~reactive chemical(s), or other preparations to alter the color or to straighten, curl, or alter the~~  
3 ~~structure of the hair, or the application of heat to alter, straighten or curl the hair.~~

4 ~~(11)(10) "Sanitary" means free of infectious agents, diseases, or infestation by insects or vermin and free of~~  
5 ~~soil, dust, or foreign material. dirt.~~

6 ~~(12) "Barber Student" means any person who is enrolled in barber school or taking classes beyond the~~  
7 ~~1528 required hours.~~

8  
9 *History Note: Authority G.S. 86A-2; 86A-5; 86A-13; 86A-15; 86A-22; 86A-23;*

10 *Eff. June 1, 2008. 2008;*

11 *Readopted Eff. July 1, 2016.*

1 21 NCAC 06Q .0101 is readopted with changes as published in 30:14 NCR 1518 as follows:

2

3 **21 NCAC 06Q .0101 ADDITIONAL GROUNDS FOR DENIAL OR DISCIPLINE**

4 Except as provided in Chapter 86A of the General Statutes, the Board:

5 (1) ~~will~~shall find fraudulent misrepresentation in the following examples:

6 (a) An individual or entity operates or attempts to operate a barber shop or barber school  
7 without a permit;

8 (b) An individual or entity advertises barbering services unless the establishment and  
9 personnel employed therein are licensed or permitted;

10 (c) An individual or entity uses or displays a barber pole for the purpose of offering barber  
11 services to the ~~consuming~~ public without a barber shop or barber school permit;

12 ~~(d) An individual fails to positively identify a Registered Barber, registered barber apprentice  
13 barber, or student barber with a right to work permit prior to allowing the person to perform  
14 barbering services;~~

15 ~~(e)~~(d) An individual or entity fails to ~~maintain and~~ produce a license or permit as defined by 21  
16 NCAC 06P .0103(7) upon the request of the Board's Executive Director or ~~an~~ a Board  
17 inspector during an inspection;

18 (2) will determine ~~if whether~~ grounds for denial or discipline exist when:

19 (a) An individual violates a settlement agreement entered into with the Board;

20 (b) An individual or entity violates ~~the Board's law~~ G.S. 86A or any rule adopted by the Board  
21 ~~or a local department of health~~ for barbers, barber shops or barber schools; or

22 (c) An individual fails to disclose a felony criminal conviction in dealing with the Board.

23

24 *History Note: Authority G.S. 86A-1; 86A-2; 86A-5(a); 86A-10; 86A-11; 86A-13; 86A-15; 86A-16; 86A-17; 86A-*  
25 *18; 86A-20; 86A-22; 86A-23; 86A-24;*

26 *Eff. June 1, 2008;*

27 *Amended Eff. September 1, ~~2013~~, 2013;*

28 *Readopted Eff. July 1, 2016.*

1 21 NCAC 06Q .0102 was published for re adoption in 30:14 NCR 1519 but is now repealed as follows:

2

3 **21 NCAC 06Q .0102 EFFECT OF CHILD SUPPORT DEFAULT ON LICENSE OR CERTIFICATE**

4

5 *History Note: Authority G.S. 93B-13; 110-142.1;*

6 *Eff. June 1, ~~2008~~, 2008;*

7 *Repealed Eff. July 1, 2016.*

1 21 NCAC 06Q .0103 was published for readoption in 30:14 NCR 1519 but is now repealed as follows:

2

3 **21 NCAC 06Q .0103 REGISTERED SEX OFFENDER**

4

5 *History Note: Authority G.S. 86A-17; 86A-18;*

6 *Eff. June 1, 2008;*

7 *Amended Eff. April 1, ~~2010~~ 2010;*

8 *Repealed Eff. July 1, 2016.*

1 21 NCAC 06Q .0104 is readopted with changes as published in 30:14 NCR 1519 as follows:

2

3 **21 NCAC 06Q .0104 EFFECT OF NOTICE OF VIOLATION ON LICENSE OR CERTIFICATE**

4 (a) The Board shall refuse to issue or renew any license, ~~certificate~~ certificate, or permit issued pursuant to Chapter  
5 86A of the General Statutes until satisfied that the applicant meets all qualifications for licensure. For purposes of this  
6 Rule, a pending violation is not considered satisfaction of qualification for licensure with the Board until the applicant  
7 has complied with all provisions contained in the Notice of Probable Cause, Settlement Agreement or Final Agency  
8 Order entered by the Board.

9 (b) The Board shall refuse to renew any license, ~~certificate~~ certificate, or permit issued pursuant to Chapter 86A of  
10 the General Statutes until satisfied that the licensee meets all qualifications for licensure. For purposes of this Rule, a  
11 pending violation is not considered satisfaction of qualification for licensure with the Board until the licensee has  
12 complied with all provisions contained in the Settlement Agreement or Final Agency Order entered by the Board.

13

14 *History Note: Authority G.S. 86A-1; 86A-10; 86A-17; 86A-18; 86A-19; 86A-20;*

15 *Eff. October 1, ~~2009~~, 2009;*

16 *Readopted Eff. July 1, 2016.*

1 21 NCAC 06R .0101 is readopted with changes as published in 30:14 NCR 1519 as follows:

2

3 **21 NCAC 06R .0101 DISPLAY OF SIGN OR BARBER POLE**

4 Every establishment permitted to practice barbering shall display at its ~~main~~ entrance a sign ~~which~~ that is visible from  
5 the ~~street, and whose~~ street with lettering ~~is~~ no smaller than three inches, stating "barber shop," "barber salon," "barber  
6 ~~styling" styling, "~~ or similar use of the designation, "shop, salon or ~~styling" or shall styling."~~ Alternatively, an  
7 establishment may display a "barber pole" as defined in ~~21 NCAC 06P .0103(e), recognizable as such~~ 21 NCAC 06P  
8 .0103(3) that is visible from the street.

9

10 *History Note: Authority G.S. 86A-1; ~~86A-2~~; 86A-13;*

11 *Eff. June 1, 2008;*

12 *Amended Eff. September 1, ~~2009~~, 2009;*

13 *Readopted Eff. July 1, 2016.*

1 21 NCAC 06S .0101 is readopted with changes as published in 30:14 NCR 1519 as follows:

2  
3 **21 NCAC 06S .0101 GENERAL EXAMINATION INSTRUCTIONS**

4 (a) For the purposes of this Rule, “test center” means those rooms where the Board administers written and practical  
5 examinations while the examinations are being conducted.

6 ~~(a)~~(b) All candidates scheduled for an examination conducted by the Board ~~must~~ shall bring:

- 7 (1) two forms of identification, one of which ~~must be photo bearing;~~ shall have a photo of the candidate;  
8 (2) a signed copy of the exam approval documentation; instructions that the Board sent to the candidate;  
9 (3) tools and supplies as required by the ~~Board;~~ Board in its exam instructions; and  
10 (4) a hygienically clean model with natural hair and beard of sufficient length to demonstrate practical  
11 barbering proficiency as determined by the ~~Board.~~ Board in its qualifying model policy.

12 ~~(b)~~(c) No briefcases, bags, books, ~~papers~~ papers, or study materials ~~are~~ shall be allowed in the ~~examination room.~~ test  
13 center. The exam facility is ~~Board shall not be~~ responsible for lost or misplaced items.

14 ~~(c)~~(d) No cell phones, ~~calculators~~ calculators, or other electronic devices are permitted for use during the examination.

15 ~~(d)~~(e) No eating, drinking, ~~smoking~~ smoking, or ~~gum chewing is~~ chewing gum shall be permitted during the  
16 examination.

17 ~~(e)~~(f) No visitors, children, pets or guests ~~are~~ shall be allowed ~~at~~ in the test center.

18 ~~(f)~~(g) No extra time for the examination ~~will~~ shall be permitted unless mandated by State or federal ~~law~~ law, such as  
19 the Americans with Disabilities Act.

20 ~~(g)~~(h) No ~~leaving~~ candidate may leave the test center during the examination. Candidates may visit the restroom with  
21 the ~~test center manager's~~ Board staff's permission, but will not receive any additional time for the examination.

22 ~~(h)~~(i) No ~~giving or receiving~~ candidate may give or receive assistance during the examination. If a candidate gives or  
23 receives assistance during the examination, the ~~test center manager will~~ Board staff shall stop the candidate's  
24 examination and the candidate will be dismissed from the test center. The ~~Board's approved test center manager will~~  
25 Board staff shall not score the examination and will report the candidate to the Board, which ~~will~~ shall make any  
26 decisions regarding discipline.

27 ~~(i)~~(j) Candidates must ~~maintain silence~~ be silent during the ~~examination, and shall not mention the name of the school~~  
28 ~~attended or the names of instructors.~~ examination. Candidates shall not wear or carry any school identification on  
29 uniforms or equipment.

30  
31 *History Note: Authority G.S. 86A-5(a)(4); 86A-8; 86A-9; 86A-10; 86A-24;*

32 *Eff. September 1, 2009;*

33 *Amended Eff. September 1, ~~2013;~~ 2013;*

34 *Readopted Eff. July 1, 2016.*