REQUEST FOR TECHNICAL CHANGE

AGENCY: NC BOARD OF COSMETIC ARTS EXAMINERS

RULE CITATION: 21 NCAC 14T – ALL RULES REVIEWED

DEADLINE FOR RECEIPT: THURSDAY, DECEMBER 8, 2011

***NOTE WELL: This request when viewed on computer may extend several pages. Please be sure you have reached the end of the document.***

***NOTE ALSO: This set of requests for changes applies to your rules that I previously had not provided any technical changes on but had requested that you withdraw the filing for failure to properly format the changes.***

***Although this deadline is earlier than our typical deadline you are receiving these requests earlier than you would normally receive them. It still provides almost two weeks to complete the requests. Because the changes are so extensive we will need sufficient time to review them after you submit them and time to make any further corrections prior to the RRC December meeting.***

***You will have the normal deadline for completing any technical change requests for the remaining rules which will follow in a few days.***

The Rules Review Commission staff has completed its opinion review of this rule or set of rules your agency filed with the RRC for review by the RRC at its next meeting. The Commission has not yet met and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.10.

*Be sure to use the copy of the rules printed in the NCR (and supplied by OAH if necessary) for all your submissions and to make any requested changes.*

*The introductory note to all these rules – whether or not a further change was made by the board or because of these requests – needs to reflect that they were “adopted as published” or “adopted as published with changes,” not just “published with changes.”*

*Please be sure that all the changes, both the original changes made by the board along with the changes based upon these requests, are properly formatted. (There is no difference in formatting your original changes and these requested changes; they are all shown the same.)*

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and deliver it to our office at 1711 New Hope Church Rd, Raleigh, North Carolina 27609.

If you have any questions or problems concerning this request, please contact me.

Joseph J. DeLuca

Commission Counsel

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC BOARD OF COSMETIC ARTS EXAMINERS

RULE CITATION: 21 NCAC 14T .0101

DEADLINE FOR RECEIPT: THURSDAY, DECEMBER 8, 2011

The Rules Review Commission staff has completed its opinion review of this rule or set of rules your agency filed with the RRC for review by the RRC at its next meeting. The Commission has not yet met and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.10.

*This rule has a different name from the Submission for Filing form. You may either correct the forms here or do new forms.*

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If you have any questions or problems concerning this request, please contact me.

Joseph J. DeLuca, Jr.

Commission Counsel

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC BOARD OF COSMETIC ARTS EXAMINERS

RULE CITATION: 21 NCAC 14T .0201

DEADLINE FOR RECEIPT: THURSDAY, DECEMBER 8, 2011

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In reviewing these rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.10.

*In (a)(1) line 8 change “and or” to “and” or “or” (more likely “and”). Actually it seems to me that if the minimum requirement is for a table and not a “table and stand” then “or tables and or stands” is not necessary since they are free to add any equipment they want.*

*At the end of (a)(2) line 14 add “have” after “shall” and before the colon.*

*Please verify that the spacing requirements in (a)(2) actually all work given any required sizes of table, spacing, chairs, etc.*

*The labels for the sub-sub-paragraphs in (a)(2) should be uppercase letters.*

*Delete the “and” at the end of (a)(2)(a) and (b) lines 16 and 17.*

*Since the sub-paragraphs (1) – (9) in (a) are not complete sentences I believe you should end (1) through (9) with a semicolon at the end of each sub-paragraph rather than a period. That would also apply to (a)(5) that has no punctuation. At the end of (9) line 34 add the word “and” after the semicolon.*

*In (b) you probably would be well-served by specifying the actual print size, even more so than the sign size.*

*In (b) page 2 line 37 it seems to me that “and in no other way” is unnecessary.*

*Line numbers should begin with a new “1” on each page. However since you have used continuous numbering then keep using that this time for ease of identifying these requested changes.*

*It seems to me that (e) is vague or unnecessary. You have rules specifying what the minimum space and equipment requirements are. One would presume that if a school meets those requirements then they would have “sufficient” space and equipment. If not then it is unclear what constitutes “sufficient.” If there is something that would keep the minimum requirements from being “sufficient” then the rule needs to be clear about what that is.*

*In (h) page 2 line 50 I am not quite certain what constitutes “good” repair. But if you are going to use the term then the comma earlier in that line after “order,” should be a semicolon and there should be a semicolon after “repair.”*

*In (j) line 54 delete the comma following “rules,”.*

*In (l) page 2 line 57 delete or define “clearly.”*

*In (m) page 2 line 58 it seems to me that “for classroom work, chair(s) suitable for ...” should be “for classroom work and chairs suitable for ....”*

*In (n) page 2 line 60 delete or define “otherwise associated.”*

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If you have any questions or problems concerning this request, please contact me.

Joseph J. DeLuca

Commission Counsel

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC BOARD OF COSMETIC ARTS EXAMINERS

RULE CITATION: 21 NCAC 14T .0302

DEADLINE FOR RECEIPT: THURSDAY, DECEMBER 8, 2011

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In reviewing these rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.10.

*In (a) specify what beginner department or discipline is referred to. Are these all cosmetology schools or only certain types?*

*Remember: the rule title is not part of the rule and is not read to explain the rule.*

*In (a) line 5 delete “minimum” as unnecessary. The list itself specifies by description the minimum required. The same applies in (b) line 14.*

*In (a)(2) line 6 change the comma after “Two shampoo bowls and chairs,” to a period or colon.*

*In (a)(2) at the end of line 7 and in line 8 change “apart center” to “apart, center.” The same applies in (b)(3), lines 18, 19 and 20.*

*At the end of (a)(5) line 12 add the word “and” after the semicolon.*

*At the end of (a)(6) line 13 change the semicolon to a period.*

*In (b)(1) it seems to me that “at least” should be deleted. It leads to the possibility that an overzealous inspector could argue that it means that there should be more depending on circumstances. At any rate the actual intent and requirement of the rule is more apparent if “at least” is deleted.*

*In (b) change the comma to a period or colon in the following:*

*“stations,” line 16*

*“chairs,” line 18*

*“station,” line 23*

*In (c)(1) – (6) lines 27 – 32, it seems to me that “every” should be at least “each additional” or something similar. (Note that it may be that “each additional” should actually be written as “each additional 1 – xx students” rather than “each additional xx students.”) If not then as soon as the 41st student is added it changes the number of required pieces of equipment for the first 40. E.g. for “up to 40 students” there would be “six hooded floor dryers” as required by (b)(2). But as soon as the 41st student is added there would now be only five required since the plain language of (c) requires the advanced department must be equipped “if there are more than 40 ... students” with (2) “one ... dryer for every 10 students.” That equates to five dryers (at most) for 41 students rather than six dryers for 40 students. That same sort of anomaly is present in other cases as well.*

*In (d) lines 34 and 35 the rule refers to “equipment requirements specific to the discipline.” I presume those requirements are set in the individual rules for each discipline. If they are not, then you need to delete the reference to “equipment requirements” or set the requirements out here (or in the other rules).*

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and deliver it to our office at 1711 New Hope Church Rd, Raleigh, North Carolina 27609.

If you have any questions or problems concerning this request, please contact me.

Joseph J. DeLuca

Commission Counsel

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC BOARD OF COSMETIC ARTS EXAMINERS

RULE CITATION: 21 NCAC 14T .0303

DEADLINE FOR RECEIPT: THURSDAY, DECEMBER 8, 2011

The Rules Review Commission staff has completed its opinion review of this rule or set of rules your agency filed with the RRC for review by the RRC at its next meeting. The Commission has not yet met and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.10.

*In (a) line 5 specify what school’s or discipline’s beginner department you are referring to; the title is not part of the rule.*

*Further in that line delete the word “minimum” as unnecessary.*

*At the end of (a)(2) line 7 change the semicolon to a period.*

*In (b)(1) line 9 delete the comma in “chairs, or treatment tables.*

*In (b)(2) line 10 change the semicolon after “stools;” to what I believe should be “and.”*

*In (c)(1) – (12) lines 23 and 24, there is presented the same situation as in the previous rule. It seems to me that “every” should be at least “each additional” or something similar.*

*In (c) line 21 delete “minimum.”*

*In (c)(1) line 23 you need some sort of punctuation or additional language after “One station for every two students.” From my point of view that could be either a colon or a period and begin a new sentence or make that entire sentence (“a station shall include ....”) a parenthetical expression. In that same sentence delete “at least.”*

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and deliver it to our office at 1711 New Hope Church Rd, Raleigh, North Carolina 27609.

If you have any questions or problems concerning this request, please contact me.

Joseph J. DeLuca, Jr.

Commission Counsel

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC BOARD OF COSMETIC ARTS EXAMINERS

RULE CITATION: 21 NCAC 14T .0304

DEADLINE FOR RECEIPT: THURSDAY, DECEMBER 8, 2011

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In reviewing these rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.10.

*In (a) line 5 specify what school’s or discipline’s beginner department you are referring to; the title is not part of the rule.*

*Further in that line, in (b) line 9 and (c) line 16 delete the word “minimum” as unnecessary.*

*In (c)(1) line 18, it seems to me that “every” should be at least “each additional” or something similar.*

*In (c)(1) line 18 you need some sort of punctuation or additional language after “One station for every two students.” From my point of view that could be either a colon or a period and begin a new sentence or make that entire sentence (“a station shall include ....”) a parenthetical expression. In that same sentence delete “at least.”*

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If you have any questions or problems concerning this request, please contact me.

Joseph J. DeLuca, Jr.

Commission Counsel

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC BOARD OF COSMETIC ARTS EXAMINERS

RULE CITATION: 21 NCAC 14T .0401

DEADLINE FOR RECEIPT: THURSDAY, DECEMBER 8, 2011

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In reviewing these rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.10.

*Please delete the word “minimum” in line 7.*

*In item 14 line 21 add the word “and” after the semicolon.*

*In item (15) line 22 delete the word “and” and change the semicolon following “dryer;” to a period.*

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and deliver it to our office at 1711 New Hope Church Rd, Raleigh, North Carolina 27609.

If you have any questions or problems concerning this request, please contact me.

Joseph J. DeLuca, Jr.

Commission Counsel

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC BOARD OF COSMETIC ARTS EXAMINERS

RULE CITATION: 21 NCAC 14T .0501

DEADLINE FOR RECEIPT: THURSDAY, DECEMBER 8, 2011

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*In line 5 insert a comma after “transfer.”*

*In line 6 change “Table 1” to “the following table:” (note the semicolon) or label the table as “Table 1.” If you choose the latter then there needs to be a period after “Table 1” in line 6.*

*This request might be a tad picky, and you don’t have to do it, but I’m curious why you have two separate boxes under the 30 days column. It’s not necessary and I believe it would look better to have a single box. It causes me to look twice at the rule and wonder if I’m missing anything; why is there a different box for each of the items under the 30 days column?*

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and deliver it to our office at 1711 New Hope Church Rd, Raleigh, North Carolina 27609.

If you have any questions or problems concerning this request, please contact me.

Joseph J. DeLuca, Jr.

Commission Counsel

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC BOARD OF COSMETIC ARTS EXAMINERS

RULE CITATION: 21 NCAC 14T .0502

DEADLINE FOR RECEIPT: THURSDAY, DECEMBER 8, 2011

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In reviewing these rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.10.

*In making the changes to this rule be sure to add page numbers to the rule.*

*In (a) line 8 change “can” to “may.”*

*In (c) it seems to me that “when a school withdraws a student” they are actually dismissing him or her. Please rewrite the sentence to reflect “withdrawals” and “dismissals” or explain why you want to keep the terminology. I also doubt that a student’s “graduation” is considered either a withdrawal or dismissal and does not need to be referenced in the rule as it is in lines 28 and 29, “for any reason other than graduation.”*

*In (d) lines 31 and 32 the phrase “hours earned during the time period prior to withdrawal” does not make any sense to me.*

*Paragraph (i) does not seem to correspond with the requirements in (a). Please reconcile the two requirements.*

*In (i) page 2 line 47 change “can” to “may.”*

*In (j) page 2 line 49 change “though” to “through.” It seems to me that the very next word, “alternate,” is unnecessary. If it is necessary I’m not quite sure what it means. What documentation is this “alternate” to? Does it actually mean “additional”? if so, additional to what?*

*In (k) there is a requirement pertaining to the maintenance of student records. There are already requirements in (a) and (i). Please reconcile all these requirements and put them in one location.*

*Does the statement in (k) page 2 line 53 that “records ... cannot be altered offsite” mean that it is permissible to alter them on campus?*

*In (m) page 2 line 57 should “pass/fail of performances” be “pass/fail of student performances”?*

*In (q) page 2 line 65 it seems to me that “cannot prevent” should be “shall not prevent” or “must not prevent.”*

*In (s)(1) page 3 lines 80 - 81 there are the words in an incomplete sentence: “With grades for examinations and performance.” Please correct.*

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and deliver it to our office at 1711 New Hope Church Rd, Raleigh, North Carolina 27609.

If you have any questions or problems concerning this request, please contact me.

Joseph J. DeLuca, Jr.

Commission Counsel

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC BOARD OF COSMETIC ARTS EXAMINERS

RULE CITATION: 21 NCAC 14T .0601

DEADLINE FOR RECEIPT: THURSDAY, DECEMBER 8, 2011

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*Even though the title of a rule is not part of the rule, it seems to me that in the title “Curriculum” should be the plural form “curricula” since it refers to the individual curriculum for each discipline.*

*In (a) line 5 the rule refers to a curriculum “once approved by the board.” Please refer to where the approval standards are found.*

*In (b) line 9 please change “can” to “may.”*

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and deliver it to our office at 1711 New Hope Church Rd, Raleigh, North Carolina 27609.

If you have any questions or problems concerning this request, please contact me.

Joseph J. DeLuca, Jr.

Commission Counsel

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC BOARD OF COSMETIC ARTS EXAMINERS

RULE CITATION: 21 NCAC 14T .0602

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In reviewing these rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.10.

*What follows is a set of general questions that apply to this rule and to the following rules in this section:*

*It seems that based on some of the questions that are to follow that these boxes need some better division, organization, or at least labeling. It could also be that some definitions would help.*

*In (a) line 5 please refer to what type of “student” or types of discipline or curriculum/a you are referring.*

*In (a) the rule states that the “following live model/mannequin performance completions shall be done.” But then there are two boxes above those performances in the table with live model/mannequin requirements that do not have any mannequin or live model hours required. It is unclear what those boxes are for or the requirements pertain to.*

*In the table beginning at line 8 isn’t there a better term than “Requirement Description” that you could use or should this be a heading for something else like “Theory Requirements” and “Performance Requirements”?*

*The first box is labeled “beginners.” There is no label in the second box to indicate who would be taking (or refused admission to) those courses.*

*It seems to me that at least some of the beginners courses in the first box sound as if they might be some of the same items as taught in the advanced department compared with e.g. Rule .0612(b).*

*It is unclear what the hyphens in some of the boxes under “Hours” stand for. Please verify (and explain) their necessity or delete.*

*In (b) page 2 line 10 “A minimum of” is not necessary, but I will not object if you choose to leave it in.*

*But in that same line 10 it seems as if “technical and practical instruction” refers to what is called elsewhere “theory and practice requirements.” These terms need to be held consistent throughout the rules so people do not get confused about what you are referring to.*

*Please either verify that there is a distinction between “performances on the public” in (b) line 11 and where that distinction is found and the use of a “live model” in (d) line 14.*

*Is the rule in (g) necessary? If so then change “cannot” to “shall [or ‘must’] not.”*

***In addition to those common questions above, the following apply:***

*In the first box “pressing/thermal” sounds like an adjective used to describe something else. But there is no noun following the term. Please verify or correct.*

*In the second box of the table insert a comma after “cleansing” in “cleansing cutting;” change the comma after “coloring hair,” to a semicolon and the one after “manicuring,” to a semicolon. Finally there should be the word “and” before “business management,” as well as before “salon business” and the comma after “business management,” deleted at least to be consistent with the construction in the first box.*

*In the hair styling box under the performance requirements it seems that the period after “press/flat iron.” should be the word “and.”*

*Are there any (other?) separate advanced department courses or requirements that must be taken that are not listed here?*

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and deliver it to our office at 1711 New Hope Church Rd, Raleigh, North Carolina 27609.

If you have any questions or problems concerning this request, please contact me.

Joseph J. DeLuca, Jr.

Commission Counsel

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC BOARD OF COSMETIC ARTS EXAMINERS

RULE CITATION: 21 NCAC 14T .0603

DEADLINE FOR RECEIPT: THURSDAY, DECEMBER 8, 2011

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In reviewing these rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.10.

*The first set of comments, questions and requests from the previous rule apply here as well. They are:*

*It seems that based on some of the questions that are to follow that these boxes need some better division, organization, or at least labeling. It could also be that some definitions would help.*

*In (a) line 5 please refer to what type of “student” or types of discipline or curriculum/a you are referring.*

*In (a) the rule states that the “following live model/mannequin performance completions shall be done.” But then in the table there are two boxes above those performances with live model/mannequin requirements that do not have any mannequin or live model hours required. It is unclear what those boxes are for or the requirements pertain to.*

*In the table beginning at line 7 isn’t there a better term than “Requirement Description” that you could use or should this be a heading for something else like “Theory Requirements” and “Performance Requirements”?*

*The first box is labeled “beginners.” There is no label in the second box to indicate who would be taking (or refused admission to) those courses.*

*It seems to me that at least some of the beginners courses in the first box sound as if they might be some of the same items as taught in the advanced department compared with e.g. Rule .0612(b).*

*It is unclear what the hyphens in some of the boxes under “Hours” stand for. Please verify (and explain) their necessity or delete.*

*In (b) page 2 line 9 “A minimum of” is not necessary, but I will not object if you choose to leave it in.*

*But in that same line 9 it seems as if “technical and practical instruction” refers to what is called elsewhere “theory and practice requirements.” These terms need to be held consistent throughout the rules so people do not get confused about what you are referring to.*

*Please either verify that there is a distinction between “performances on the public” in (b) line 11 and where that distinction is found and the use of a “live model” in (d) line 13.*

*Is the rule in (g) necessary? If so then change “cannot” to “shall [or ‘must’] not.”*

***In addition to those common questions above, the following apply:***

*In the second box of the table insert a comma after “cleansing” in “cleansing cutting” and delete the comma in “bleaching, or coloring.” Finally there should be the word “and” before “salon business” at least to be consistent with the construction in the first box.*

*In the hair styling box under the performance requirements it seems that the period after “press/flat iron.” should be the word “and.”*

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and deliver it to our office at 1711 New Hope Church Rd, Raleigh, North Carolina 27609.

If you have any questions or problems concerning this request, please contact me.

Joseph J. DeLuca, Jr.

Commission Counsel

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC BOARD OF COSMETIC ARTS EXAMINERS

RULE CITATION: 21 NCAC 14T .0604

DEADLINE FOR RECEIPT: THURSDAY, DECEMBER 8, 2011

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In reviewing these rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.10.

*The first set of comments, questions and requests from the previous rules apply here as well. They are:*

*It seems that based on some of the questions that are to follow that these boxes need some better division, organization, or at least labeling. It could also be that some definitions would help.*

*In (a) line 5 please refer to what type of “student” or types of discipline or curriculum/a you are referring.*

*In (a) the rule states that the “following live model/mannequin performance completions shall be done.” But then in the table there are two boxes above those performances with live model/mannequin requirements that do not have any mannequin or live model hours required. It is unclear what those boxes are for or the requirements pertain to.*

*In the table beginning at line 7 isn’t there a better term than “Requirement Description” that you could use or should this be a heading for something else like “Theory Requirements” and “Performance Requirements”?*

*The first box is labeled “beginners.” There is no label in the second box to indicate who would be taking (or refused admission to) those courses.*

*It seems to me that at least some of the beginners courses in the first box sound as if they might be some of the same items as taught in the advanced department compared with e.g. Rule .0612(b).*

*It is unclear what the hyphens in the boxes under “Hours” stand for. Please verify (and explain) their necessity or delete.*

*In (b) line 9 “A minimum of” is not necessary, but I will not object if you choose to leave it in.*

*But in that same line 9 it seems as if “technical and practical instruction” refers to what is called elsewhere “theory and practice requirements.” These terms need to be held consistent throughout the rules so people do not get confused about what you are referring to.*

*Please either verify that there is a distinction between “performances on the public” in (b) line 10 and where that distinction is found and the use of a “live model” in (d) line 13.*

*Is the rule in (g) necessary? If so then change “cannot” to “shall [or ‘must’] not.”*

***In addition to those common questions above, the following applies:***

*In the second box in the phrase “eyelash extensions, and applying brow ...” delete either the comma or the word “and” and add the word “and” before “professional ethics.”*

Please retype or otherwise correct the rule(s) or submission form(s) as necessary and deliver it to our office at 1711 New Hope Church Rd, Raleigh, North Carolina 27609.

If you have any questions or problems concerning this request, please contact me.

Joseph J. DeLuca, Jr.

Commission Counsel

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC BOARD OF COSMETIC ARTS EXAMINERS

RULE CITATION: 21 NCAC 14T .0605

DEADLINE FOR RECEIPT: THURSDAY, DECEMBER 8, 2011

The Rules Review Commission staff has completed its opinion review of this rule or set of rules your agency filed with the RRC for review by the RRC at its next meeting. The Commission has not yet met and therefore there has not been a determination as to whether the rule will be approved. You may call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that one or more technical changes need to be made. Approval of any rule is contingent on making this technical change as set out in G.S. 150B-21.10.

*The first set of comments, questions and requests from the previous rules apply here as well. They are:*

*In (a) line 4 please refer to what type of “student” or types of discipline or curriculum/a you are referring. That would probably be where the rule reads beginning in line 4 “... each student in the [?] before the student ....”*

*In the table beginning at line 7 isn’t there a better term than “Requirement Description” that you could use? Isn’t this the “Theory Requirements”?*

*Are there any separate advanced department courses or requirements as there references to in some of the other rules that need to be mentioned?*

*It seems to me that at least some of the beginners courses in the first box sound as if they might be some of the same items as taught in the advanced department compared with e.g. Rule .0612(b).*

*It seems that based on my previous questions that these boxes need some better division or organization or at least labeling.*

*It is unclear what the hyphens in the boxes under “Hours” and “Services” stand for. Please verify (and explain) their necessity or delete.*

*In (b) line 9 “A minimum of” is not necessary, but I will not object if you choose to leave it in.*

*But in that same line 9 it seems as if “technical and practical instruction” refers to what is called elsewhere “theory and practice requirements.” These terms need to be held consistent throughout the rules so people do not get confused about what you are referring to.*

*Please either verify that there is a distinction between “performances on the public” in (b) line 10 and where that distinction is found and the use of a “live model” in (d) line 13.*

*Is the rule in (g) necessary? If so then change “cannot” to “shall [or ‘must’] not.”*

***In addition to those common questions above, the following apply:***

*In the second box change the comma after “artificial nails” to a semicolon; the comma after “professional ethics” to a semicolon; and add the word “and” before “electric file.”*

*In the second box under “Performance Requirements” it seems that the parentheses should be removed and “nails (sets – a set ...)” should be changed to “nails or nail sets – a set ....” Also I realize that “all five fingers” is a colloquial phrase. It should be changed to the more correct “... including all four fingers and thumb.”*

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If you have any questions or problems concerning this request, please contact me.

Joseph J. DeLuca, Jr.

Commission Counsel

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC BOARD OF COSMETIC ARTS EXAMINERS

RULE CITATION: 21 NCAC 14T .0606

DEADLINE FOR RECEIPT: THURSDAY, DECEMBER 8, 2011

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*The first set of comments, questions and requests from the previous rules apply here as well. They are:*

*It seems that based on some of the questions that are to follow that these boxes need some better division, organization, or at least labeling. It could also be that some definitions would help.*

*In (a) the rule states that the “following live model/mannequin performance completions shall be done.” But then in the table there are two boxes above those performances with live model/mannequin requirements that do not have any mannequin or live model hours required. It is unclear what those boxes are for or the requirements pertain to.*

*In the table beginning at line 7 isn’t there a better term than “Requirement Description” that you could use or should this be a heading for something else like “Theory Requirements” and “Performance Requirements”?*

*The first box is labeled “beginners.” There is no label in the second box to indicate who would be taking (or refused admission to) those courses.*

*It seems to me that at least some of the beginners courses in the first box sound as if they might be some of the same items as taught in the advanced department compared with e.g. Rule .0612(b).*

*In (b) line 8 “A minimum of” is not necessary, but I will not object if you choose to leave it in.*

*But in that same line 8 it seems as if “technical and practical instruction” refers to what is called elsewhere “theory and practice requirements.” These terms need to be held consistent throughout the rules so people do not get confused about what you are referring to.*

*Please either verify that there is a distinction between “performances on the public” in (b) line 9 and where that distinction is found and the use of a “live model” in (d) line 12.*

*Is the rule in (g) necessary? If so then change “cannot” to “shall [or ‘must’] not.”*

***In addition to those common questions above, the following applies:***

*In the second box of the left-hand column change the comma after “and hot iron,” to a semicolon and add the word “and” after the semicolon.*

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Commission Counsel

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC BOARD OF COSMETIC ARTS EXAMINERS

RULE CITATION: 21 NCAC 14T .0607

DEADLINE FOR RECEIPT: THURSDAY, DECEMBER 8, 2011

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*Are there any separate advanced department courses or requirements as there references to in some of the other rules that need to be mentioned?*

*It seems to me that at least some of the beginners courses in the first box sound as if they might be some of the same items as taught in the advanced department compared with e.g. Rule .0612(b).*

*Since the first box seems to state that all the 150 hours in that box are for beginners and probably more “technical” than “practical,” and there is no breakdown for what constitutes “practical” I am not sure what is required under (b) or how to determine how much of each is required.*

*It seems that based on some of the questions that are to follow that these boxes need some better division, organization, or at least labeling. It could also be that some definitions would help.*

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Commission Counsel

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC BOARD OF COSMETIC ARTS EXAMINERS

RULE CITATION: 21 NCAC 14T .0612

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*Based on my questions and problems in some of the other .0600 rules I am not sure what hours are earned in the advanced department; what the courses in the advanced department are; what constitutes “theory” and “practice;” and what constitutes “study and performance completions. There may also be some lack of clarity or even inconsistency as to exactly when a student in the advanced department may work on a member of the public. It seems that the first two paragraphs could require some reworking to make sure all these questions are answered – unless changes in other rules make this unnecessary.*

*Be sure to review the requirements in (b) to make sure there are no conflicts, inconsistencies, or uncertainties with the requirements in the other curricula rules.*

*In (d) line 13 I would delete “the” in “the theory” since most of the other rules refer to “theory,” not “the theory. This is why it is important to have all labels used consistently so that there is little chance that someone would be unsure as to what the requirements are.*

*It seems to me that the requirements in (e)(1) – (3) are – or should be – in the other curricula requirement rules .0601 - .0606 rules at least. Please review and remove all redundancies and consolidate all requirements for the same curriculum in the same place. If necessary you can refer to the rule where the requirements are in a different rule.*

*Please review (f) to see how it affects or what should be in the labels or categories for the various boxes in the other rules.*

*In (k) line 31 “papers written” is usually found in the adjective-noun format, “written papers.” Better still would be dropping “written” since most papers are “written.”*

*In (l) line 32 it seems to me that “may only receive training and practice in the discipline” should be “may receive training and practice only in [or ‘in only’] the discipline.”*

*In (o) please define what is meant by “make text books ... available” to students.*

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REQUEST FOR TECHNICAL CHANGE

AGENCY: NC BOARD OF COSMETIC ARTS EXAMINERS

RULE CITATION: 21 NCAC 14T .0701

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*In (b) line 11 it seems to me that “services and performances” should be “services or performances.” But you can have it however you want it.*

*In (e) lines 15 and 16, I don’t understand what constitutes a “visit ... [to] ... educational resource rooms such as ... study under the supervision of a cosmetic art instructor” and why it is necessary to include such permission in a rule. Please verify and explain.*

*In (k) line 27 reference is made to “demonstration classes.” I am not sure if this is another term for “practical training” or “performances.” It seems you either need to settle on one term or provide definitions for these terms so that the differences can be understood.*

*In (k) either the “student teacher” ratio should be 25:1 or “student teacher” should be changed to “teacher student” ratio.*

*In (l) line 28 delete the comma in “live models, on the clinic floor.”*

*I won’t require this change but in current (m) page 2 line 32 the phrase “by written correspondence” could be made stronger, more direct and shortened to “in writing.” I would also move “in writing” to immediately after “notified” earlier in the sentence.*

*It seems to me that in (m) there should be a new paragraph, if not a new labeled paragraph beginning on page 2 line 38 with “A licensed cosmetologist not licensed to teach cosmetic art ... .” In that same sentence I believe it would be more accurate and more consistent to change “not licensed to teach cosmetic art” to “not licensed as a cosmetology teacher.”*

*It also seems to me that the phrase “not licensed as a [cosmetologist, manicurist, natural hair care specialist, esthetician] teacher” is actually unnecessary, but if you believe it should be left in I won’t raise any objection.*

*However in (m) page 2 line 42 please be consistent as to whether it is an “esthetic” teacher or an “esthetician” teacher.*

*I also believe that the sentence beginning in line 42 with “In no event...” should be a separate paragraph, if not a separate labeled paragraph.*

*In (p) page 2 line 51, change “section o” to “paragraph (o) [or whatever relabeled paragraph (o) might become].”*

*In (q) I do not understand the meaning of the second sentence, “The Board shall not certify student hours between any North Carolina open cosmetic art schools.” Can you explain this to me or clarify it in the written rule?*

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REQUEST FOR TECHNICAL CHANGE

AGENCY: NC BOARD OF COSMETIC ARTS EXAMINERS

RULE CITATION: 21 NCAC 14T .0704

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*Insert “to” in “prior examination” to make it “prior to examination” in line 5.*

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REQUEST FOR TECHNICAL CHANGE

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RULE CITATION: 21 NCAC 14T .0706

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*This rule has a different name from the Submission for Filing form. You may either correct the forms here or do new forms.*

*In (e) line 17 delete or define “final” in “student final hours.” It seems to be unnecessary or unclear. Would this not apply to processing all the hours a student had attended in a school that is closing? If not it is unclear what constitutes the “final” hours.*

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RULE CITATION: 21 NCAC 14T .0901

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*In (a) line 6 make “Statute” plural.*

*In (b)(2) lines 11 – 14 the labeling for the sub-sub-paragraphs (a) – (c) is incorrect. Please see OAH rule 26 NCAC 02C .0206 for the correct labeling.*

*It seems to me that in (b)(2) line 10 “at which” should be “in which.”*

*In (c) line 15 delete “one year” and “frame” as unnecessary.*

*In (d) line 19 delete the comma after “visits,”. At the end of that line insert a space in “toolsand.” (I am not sure what version of the rule you used for formatting this submission, but the version published in both the NCR – the version you should use in making any changes – and the version submitted last month both have the correct space inserted in the two words.)*

*In (e) line 21 make “Statute” plural.*

*In (e) line 23 change “school” to “school’s.” Later in that same sentence change “shall not” to “should not.” That is the normal terminology for a show cause order which is what this paragraph is addressing.*

*There is no indication of what happened to paragraph (f) that was originally proposed as part of this rule.*

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