

ILLINOIS REGISTER

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

The Department of Financial and Professional Regulation is posting these proposed amendments in an effort to make the public aware of possible changes that may have an impact on the profession.

The general public may submit written comments to the Department during the first 45 day public comment period. Any suggested changes will be considered by the Department and the appropriate Board.

These proposed rules were published in the April 22, 2011 Illinois Register. The 45 day comment period will end June 6, 2011.

Please submit written comments to Craig Cellini as stated in the attached notice.

THESE PROPOSED CHANGES ARE NOT IN EFFECT AT THIS TIME AND THE ADOPTED RULES MAY DIFFER FROM THOSE ORIGINALLY PUBLISHED.

- 1) Heading of the Part: The Barber, Cosmetology, Esthetics, and Nail Technology Act of 1985
- 2) Code Citation: 68 Ill. Adm. Code 1175
- 3)

<u>Section Numbers</u> :	<u>Proposed Action</u> :
1175.100	Amendment
1175.230	Amendment
1175.420	Amendment
1175.805	Amendment
1175.810	Amendment
1175.1210	Amendment
1175.1300	Amendment
1175.1400	New Section
1175.1405	New Section
1175.1410	New Section
1175.1420	New Section
1175.1430	New Section
1175.1435	New Section
1175.1500	New Section
1175.1505	New Section
1175.1510	New Section
1175.1515	New Section
1175.1520	New Section

ILLINOIS REGISTER

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

1175.1525	New Section
1175.1530	New Section
1175.1535	New Section
1175.1540	New Section
1175.1545	New Section
1175.1550	New Section
1175.1555	New Section
1175.1560	New Section
1175.1565	New Section
1175.1570	New Section
1175.1575	New Section

- 4) Statutory Authority: Implementing the Barber, Cosmetology, Esthetics, Hair Braiding, and Nail Technology Act of 1985 [225 ILCS 410] and authorized by Section 2105-15(7) of the Civil Administrative Code of Illinois [20 ILCS 2105/2105-15(7)].
- 5) A complete description of the subjects and issues involved: Public Act 96-1246, effective January 1, 2011, amended the Barber, Cosmetology, Esthetics, and Nail Technology Act of 1985 to add hair braiding to the title of the Act. P.A. 96-1246 defined “hair braiding” and “hair braiding teacher” and set licensing requirements and qualifications. This proposed rulemaking codifies the requirements in P.A. 96-1246 for applicants for licensure for hair braiders and hair braiding teachers, sets renewal dates, fees, and restoration requirements.

The proposed amendments also provide requirements and procedures for the establishment of hair braiding schools and cosmetology schools approved to teach hair braiding by setting standards for space, equipment, sanitation, enrollment agreements and refund policies as well as setting curriculum and examination requirements. Provisions regulating advertising, record keeping, and change of ownership, location, name, and expansion for hair braiding schools are also included.

Section 1175.420, in accordance with PA 96-1246, is also being amended regarding endorsement applications of cosmetologists and cosmetology teachers to simplify requirements for those licensed in other states. Requirements for esthetics schools are also being updated.

- 6) Any published studies or reports, along with the sources of underlying data, that were used when comprising this rulemaking: None
- 7) Will this rulemaking replace any emergency rulemaking currently in effect? No

ILLINOIS REGISTER

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this rulemaking contain incorporations by reference? No
- 10) Are there any other proposed rulemakings pending on this Part? No
- 11) Statement of Statewide Policy Objectives: This rulemaking has no impact on local governments.
- 12) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking:

Craig Cellini, Rules Coordinator
Department of Financial and Professional Regulation
320 West Washington, 3rd Floor
Springfield, Illinois 62786

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- 13) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, small municipalities, and not-for-profit corporations affected: Those providing the services of barbers, cosmetologists, nail technicians, esthetics, and hair braiding.
- B) Reporting, bookkeeping, or other procedures required for compliance: None
- C) Types of professional skills necessary for compliance: Barber, cosmetology, nail technician, esthetics, and hair braiding skills are required.
- 14) Regulatory Agenda on which this rulemaking was summarized: January 2011

The full text of the Proposed Amendments begins on the next page:

ILLINOIS REGISTER

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

TITLE 68: PROFESSIONS AND OCCUPATIONS

CHAPTER VII: DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

SUBCHAPTER b: PROFESSIONS AND OCCUPATIONS

PART 1175

THE BARBER, COSMETOLOGY, ESTHETICS, HAIR BRAIDING,
AND NAIL TECHNOLOGY ACT OF 1985

SUBPART A: GENERAL

Section

1175.100	Fees
1175.105	English Translations
1175.110	Granting Variances
1175.115	Sanitary Standards

SUBPART B: BARBER

Section

1175.200	Examination – Barber
1175.205	Examination – Barber Teacher
1175.210	Examination Requirements
1175.215	Application for Licensure
1175.220	Endorsement
1175.225	Renewals
1175.230	Restoration – Barber
1175.235	Restoration – Barber Teacher

SUBPART C: BARBER SCHOOLS

Section

1175.300	School Approval Application
1175.305	Physical Site Requirements
1175.310	Student Contracts
1175.315	Advertising
1175.320	Recordkeeping – Transcripts
1175.325	Recordkeeping – Hours Earned
1175.330	Curriculum Requirements – Barber
1175.335	Curriculum Requirements – Barber Teacher
1175.340	Final Examination

ILLINOIS REGISTER

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

- 1175.345 Change of Ownership
- 1175.350 Change of Location
- 1175.355 Change of Name
- 1175.360 Expansion
- 1175.365 Discontinuance of Program
- 1175.370 Withdrawal of Approval

SUBPART D: COSMETOLOGY

Section

- 1175.400 Examination – Cosmetology
- 1175.405 Examination – Cosmetology Teacher and Cosmetology Clinic Teacher
- 1175.410 Examination Requirements
- 1175.415 Application for Licensure
- 1175.420 Endorsement
- 1175.425 Renewals
- 1175.430 Restoration – Cosmetology
- 1175.435 Restoration – Cosmetology Teacher

SUBPART E: COSMETOLOGY SCHOOLS

Section

- 1175.500 School Approval Application
- 1175.505 Physical Site Requirements
- 1175.510 Enrollment Agreements and Refund Policies
- 1175.515 Advertising
- 1175.520 Recordkeeping – Transcripts
- 1175.525 Recordkeeping – Hours Earned
- 1175.530 Curriculum Requirements – Cosmetology
- 1175.535 Curriculum Requirements – Cosmetology Teacher
- 1175.536 Curriculum Requirements – Cosmetology Clinic Teacher
- 1175.540 Final Examination
- 1175.545 Change of Ownership
- 1175.550 Change of Location
- 1175.555 Change of Name
- 1175.560 Expansion
- 1175.565 Discontinuance of Program
- 1175.570 Withdrawal of Approval

SUBPART F: CONTINUING EDUCATION –

ILLINOIS REGISTER

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

COSMETOLOGY/COSMETOLOGY TEACHER

Section

- 1175.600 Sponsor Approval (Repealed)
- 1175.605 Department Supervision (Repealed)
- 1175.610 Credit Hours (Repealed)
- 1175.615 Waiver of Continuing Education Requirements (Repealed)

SUBPART G: ESTHETICS

Section

- 1175.700 Examination – Esthetics
- 1175.705 Examination – Esthetics Teacher
- 1175.710 Examination Requirements
- 1175.715 Application for Licensure
- 1175.720 Endorsement
- 1175.725 Renewals
- 1175.730 Restoration – Esthetics
- 1175.735 Restoration – Esthetics Teacher

SUBPART H: ESTHETICS SCHOOLS

Section

- 1175.800 Esthetics School Application
- 1175.805 Cosmetology Schools Approved to Teach Esthetics
- 1175.810 Physical Site Requirements
- 1175.815 Enrollment Agreements and Refund Policy
- 1175.820 Advertising
- 1175.825 Recordkeeping – Transcripts
- 1175.830 Recordkeeping – Hours Earned
- 1175.835 Curriculum Requirements – Esthetics
- 1175.840 Curriculum Requirements – Esthetics Teacher
- 1175.841 Curriculum Requirements – Esthetics Clinic Teacher
- 1175.845 Final Examination
- 1175.850 Change of Ownership
- 1175.855 Change of Location
- 1175.860 Change of Name
- 1175.865 Expansion
- 1175.870 Discontinuance of Program
- 1175.875 Withdrawal of Approval

ILLINOIS REGISTER

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

SUBPART I: CONTINUING EDUCATION – ESTHETICIAN/ESTHETICS TEACHER

Section

- 1175.900 Sponsor Approval (Repealed)
- 1175.905 Department Supervision (Repealed)
- 1175.910 Credit Hours (Repealed)
- 1175.915 Waiver of Continuing Education Requirements (Repealed)

SUBPART J: NAIL TECHNOLOGY

Section

- 1175.1000 Application for Licensure under Sections 3C-4 and 3C-5 of the Act (Grandfather) (Repealed)
- 1175.1001 Examination – Nail Technician
- 1175.1005 Examination – Nail Technology Teacher
- 1175.1010 Examination
- 1175.1015 Application for Licensure
- 1175.1020 Endorsement
- 1175.1025 Renewals
- 1175.1030 Restoration – Nail Technician
- 1175.1035 Restoration – Nail Technology Teacher

SUBPART K: NAIL TECHNOLOGY SCHOOLS

Section

- 1175.1100 Nail Technology School Application
- 1175.1105 Cosmetology Schools Approved to Teach Nail Technology
- 1175.1110 Physical Site Requirements
- 1175.1115 Enrollment Agreements and Refund Policies
- 1175.1120 Advertising
- 1175.1125 Recordkeeping – Transcripts
- 1175.1130 Recordkeeping – Hours Earned
- 1175.1135 Curriculum Requirements – Nail Technology
- 1175.1140 Curriculum Requirements – Nail Technology Teacher
- 1175.1141 Curriculum Requirements – Nail Technology Clinic Teacher
- 1175.1145 Final Examination
- 1175.1150 Change of Ownership
- 1175.1155 Change of Location
- 1175.1160 Change of Name

ILLINOIS REGISTER

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

- 1175.1165 Expansion
- 1175.1170 Discontinuance of Program
- 1175.1175 Withdrawal of Approval

SUBPART L: CONTINUING EDUCATION

Section

- 1175.1200 Sponsor Approval
- 1175.1205 Division Supervision
- 1175.1210 Credit Hours
- 1175.1215 Waiver of Continuing Education Requirements

SUBPART M: SALON OR SHOP REGISTRATION

Section

- 1175.1300 Application for a Barber Shop or Cosmetology, Nail Technology, Hair Braiding or Esthetics Salon Certificate of Registration

SUBPART N: HAIR BRAIDING

Section

- 1175.1400 Requirements for Licensure under Article IIIE of the Act (Grandfather)
- 1175.1405 Application for Licensure – Hair Braider
- 1175.1410 Application for Licensure – Hair Braiding Teacher
- 1175.1420 Renewals
- 1175.1430 Restoration – Hair Braider
- 1175.1435 Restoration – Hair Braiding Teacher

SUBPART O: HAIR BRAIDING SCHOOLS

Section

- 1175.1500 Hair Braiding School Application
- 1175.1505 Cosmetology Schools Approved to Teach Hair Braiding
- 1175.1510 Physical Site Requirements
- 1175.1515 Enrollment Agreements and Refund Policies
- 1175.1520 Advertising
- 1175.1525 Recordkeeping – Transcripts
- 1175.1530 Recordkeeping – Hours Earned
- 1175.1535 Curriculum Requirements – Hair Braiding
- 1175.1540 Curriculum Requirements – Hair Braiding Teacher

ILLINOIS REGISTER

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

<u>1175.1545</u>	<u>Final Examination</u>
<u>1175.1550</u>	<u>Change of Ownership</u>
<u>1175.1555</u>	<u>Change of Location</u>
<u>1175.1560</u>	<u>Change of Name</u>
<u>1175.1565</u>	<u>Expansion</u>
<u>1175.1570</u>	<u>Discontinuance of Program</u>
<u>1175.1575</u>	<u>Withdrawal of Approval</u>

AUTHORITY: Implementing the Barber, Cosmetology, Esthetics, Hair Braiding, and Nail Technology Act of 1985 [225 ILCS 410] and authorized by Section 2105-15(7) of the Civil Administrative Code of Illinois [20 ILCS 2105/2105-15(7)].

SOURCE: Adopted at 12 Ill. Reg. 20488, effective November 29, 1988; emergency amendments at 13 Ill. Reg. 6810, effective April 10, 1989, for a maximum of 150 days; amended at 13 Ill. Reg. 15034, effective September 7, 1989; amended at 14 Ill. Reg. 14090, effective August 20, 1990; amended at 16 Ill. Reg. 13276, effective August 18, 1992; amended at 18 Ill. Reg. 4856, effective March 14, 1994; amended at 21 Ill. Reg. 7277, effective May 29, 1997; amended at 23 Ill. Reg. 5749, effective April 30, 1999; amended at 27 Ill. Reg. 19293, effective December 11, 2003; amended at 30 Ill. Reg. 9503, effective May 10, 2006; amended at 35 Ill. Reg. 1888, effective January 20, 2011; amended at 35 Ill. Reg. _____, effective _____.

SUBPART A: GENERAL

Section 1175.100 Fees

- a) Licensure fees for cosmetologists, barbers, estheticians, hair braiders, nail technicians, cosmetology teachers, cosmetology clinic teachers, barber teachers, esthetics teachers, esthetics clinic teachers, hair braiding teachers, nail technology teachers and nail technology clinic teachers are:
- 1) License. The fee for a license is \$30 and is to be submitted with the application.
 - 2) Examination. Applicants for any examination shall be required to pay, either to the Department of Financial and Professional Regulation – Division of Professional Regulation (Division) or to the designated testing service, a fee covering the cost of providing the examination.

ILLINOIS REGISTER

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

- 3) Renewal. The fee for renewal of a license shall be calculated at the rate of \$25 per year.
 - 4) Restoration. The fee for restoration of a license is \$50 plus payment of all lapsed renewal fees.
 - 5) Restoration From Inactive Status. The fee for restoration of a license from inactive status is the current renewal fee.
 - 6) Endorsement. The fee for a license for a cosmetologist, barber, esthetician, hair braider, nail technician, cosmetology teacher, barber teacher, esthetics teacher, hair braiding teacher, or nail technology teacher licensed under the laws of another jurisdiction is \$45.
- b) Licensure fees for cosmetology schools, barber schools, esthetics schools, hair braiding schools or nail technology schools are:
- 1) License. The fee for a license is \$150 plus the cost of inspection (\$50).
 - 2) Change of Ownership. The fee for a license resulting from a change of ownership is \$150 plus the cost of inspection (\$50).
 - 3) Change of Location. The fee for a license resulting from a change of location is \$150 plus the cost of inspection (\$50).
 - 4) Change of Name. The fee for a license resulting from a change of name is \$20.
 - 5) Renewal. The fee for renewal of a license shall be calculated at \$100 per year.
 - 6) Expansion. The fee for on-site and off-site expansion is \$50.
 - 7) Cosmetology School Approval to Teach Esthetics. The fee for approval to upgrade to teach esthetics shall be the cost of the inspection (\$50).
 - 8) Cosmetology School Approval to Teach Nail Technology. The fee for approval to upgrade to teach nail technology shall be the cost of the inspection (\$50).

ILLINOIS REGISTER

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

- 9) Cosmetology School Approval to Teach Hair Braiding. The fee for approval to upgrade to teach hair braiding shall be the cost of the inspection (\$50).
- c) Salon Fees
- 1) Registration. The fee for registration of a barber shop or cosmetology, nail technician, hair braiding or esthetics salon (salon) is \$40.
 - 2) Change of Name. The fee for changing the name or address of a registered barber shop or salon is \$20.
 - 3) Renewal. The fee for renewal of a registration for a barber shop or salon is calculated at \$20 per year.
- d) Sponsor Fees
- 1) Registration. The fee for registration as a continuing education sponsor shall be \$500.
 - 2) Renewal. The fee for renewal as a continuing education sponsor shall be \$250 every two years. If a sponsor allows the registration to lapse, he/she will be required to submit \$500 to restore the registration.
 - 3) State agencies, State colleges and State universities in Illinois who are approved as continuing education sponsors shall be exempt from registration and renewal fees.
- e) General Fees
- 1) Duplicate/Replacement. The fee for the issuance of a duplicate or replacement license is \$20.
 - 2) Change of Name or Address. The fee for issuance of a license with a change of name or address other than during the renewal period is \$20. No fee is required for name and address changes on Division records when no license is issued.
 - 3) Certification of Record. The fee for certification of a licensee's record for any purpose is \$20.

ILLINOIS REGISTER

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

- 4) Wall Certificate. The fee for a wall certificate showing licensure is the actual cost of producing such a certificate.
- 5) Roster. The fee for a roster of persons licensed as cosmetologists, cosmetology teachers, cosmetology clinic teachers, barbers, barber teachers, estheticians, esthetics teachers, esthetics clinic teachers, nail technicians, nail technology teachers, nail technology clinic teachers, hair braiders, hair braiding teachers, cosmetology schools, esthetics schools, nail technology schools, hair braiding schools, barber schools, and shops and salons is the actual cost of producing such a roster.

(Source: Amended at 35 Ill. Reg. _____, effective _____)

SUBPART B: BARBER

Section 1175.230 Restoration – Barber

- a) A person applying for restoration of his/her license as a barber that has been expired for less than 5 years shall submit an application on forms provided by the Division and ~~the required fee \$10 plus payment of lapsed renewal fees~~ as set forth in Section 1175.100(a)(4). If restoring after active military service, the applicant shall submit a copy of the applicant's Honorable Discharge form (DD-214) and the current renewal fee.
- b) A person applying for restoration of his/her license as a barber that has been expired for 5 years or more shall submit an application on forms provided by the Division along with:
 - 1) Verification of employment as a barber in another jurisdiction within the 5 years preceding application for restoration;
 - 2) Certification of licensure from the licensing authority in the jurisdiction of employment;
 - 3) A completed Restoration Questionnaire;
 - 4) The required fee set forth in Section 1175.100; or

ILLINOIS REGISTER

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

- 5) If restoring from active military service, a copy of the applicant's DD-214 and the current renewal fee.
- c) An applicant for restoration who has not maintained a practice in another jurisdiction shall also submit official transcripts showing successful completion of a 250 hour refresher course from a licensed barber or cosmetology school or successful completion of the examination set forth in Section 1175.210 within 2 years before application for restoration.
- d) If an applicant takes and fails the examination, the license will not be restored until such time as he/she has successfully completed the examination.

(Source: Amended at 35 Ill. Reg. _____, effective _____)

SUBPART D: COSMETOLOGY

Section 1175.420 Endorsement

- a) An applicant who is currently registered or licensed as a cosmetologist in a foreign country or province ~~another jurisdiction~~ and who is seeking licensure in Illinois by endorsement shall file an application, on forms provided by the Division, that shall include:
 - 1) An official~~A certification from the state of original licensure from the Government Board or Council in the applicant's jurisdiction of original licensure stating the applicant's legal name, the cosmetologist license number, the original issuance date, the expiration date, a:~~ ~~A) A~~ brief description of any licensure examination taken to qualify for the license and the grades received; and whether~~B) Whether~~ the applicant's file contains any record of disciplinary actions taken or pending;
 - 2) An official transcript~~Official transcripts~~ from the school or schools attended by the applicant showing the individual subject areas~~programs~~ completed and the hours completed by the applicant~~received~~ with the school seal affixed or an official certification~~a verification~~ from the Government Board or Council showing the individual subject areas completed and~~licensing authority of the number of hours completed by required for licensure at the time the applicant with the Board or Council seal affixed~~ was originally licensed;

ILLINOIS REGISTER

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

- 3) An official certification of current licensure from the state or country in which the applicant is currently licensed and practicing, if other than the original, stating the applicant's legal name, the cosmetologist license number, the original issuance date, the expiration date, a brief description of any licensure examination taken to qualify for the license and the grades received, and whether the applicant's file contains any record of disciplinary actions taken or pending licensure;
 - 4) Evidence that the applicant has practiced cosmetology in another jurisdiction for at least 3 years after completing the requirements to qualify for registration or licensure in that particular jurisdiction. This may be in the form of affidavits from at least 3 clients or business owners who can verify the applicant's practice as a cosmetologist; Two completed Verification of Employment forms showing at least 3 years of lawful practice in another jurisdiction if: A) The jurisdiction of original licensure does not require a licensing examination or has not provided an examination score; or B) The applicant is applying under Section 3-8 of the Act;
 - 5) Any document submitted in a foreign language must be accompanied by an original, notarized English translation. The translator must certify on the translation that he or she is fluent in English and the language of the document. The translator must certify to the accuracy of the translation;
 - 6) Proof of any name change (i.e., marriage license, divorce decree, affidavit or court order) if name is other than that shown on submitted documents; and
 - 7) The required fee set forth in Section 1175.100; and
 - 7) A copy of the licensing Act applicable on the date of original licensure showing the requirements for licensure if requested by the Division in the application review. The Division will make such a request if the application materials are incomplete.
- b) An applicant who is currently licensed as a cosmetologist in another state or territory of the United States and who is seeking licensure in Illinois by endorsement shall file an application, on forms provided by the Division, that shall include:

ILLINOIS REGISTER

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

- 1) An official certification of licensure from the state board in the applicant's jurisdiction of original licensure and the state in which the applicant is currently licensed and practicing, if other than the original, stating the applicant's legal name, the cosmetologist license number, the original issuance date, the expiration date, a brief description of any licensure examination taken to qualify for the license and the grades received, and whether the applicant's file contains any record of disciplinary actions taken or pending;
 - 2) Proof of any name change (i.e., marriage license, divorce decree, affidavit or court order) if name is other than that shown on submitted documents; and
 - 3) The required fee set forth in Section 1175.100.
- c) An applicant who is currently registered or licensed as a cosmetology teacher ~~or cosmetology clinic teacher in a foreign country of province~~ ~~another jurisdiction~~ and who is seeking licensure as a cosmetology teacher ~~or cosmetology clinic teacher~~ in Illinois by endorsement shall file an application, on forms provided by the Division, which shall include:
- 1) An official ~~A certification from the state of original~~ certification from the Government Board or Council in the applicant's jurisdiction of original licensure stating the applicant's legal name, the cosmetology teacher license number, the original issuance date, the expiration date, a: A) A brief description of any licensure examination taken to qualify for the license and the grades received; and whether B) Whether the applicant's file contains any record of disciplinary action taken or pending;
 - 2) An official transcript ~~Official transcripts from the school or schools attended by the applicant showing the individual subject areas programs completed and the hours completed by the applicant received with the school seal affixed or an official certification a verification from the Government Board or Council showing the individual subject areas completed and licensing authority of the number of hours completed by required for licensure at the time the applicant with the Board or Council seal affixed was originally licensed;~~
 - 3) An official certification ~~Certification of current~~ certification of current licensure from the state or country in which the applicant is currently licensed and practicing, if other

ILLINOIS REGISTER

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

than the original, stating the applicant's legal name, the cosmetologist license number, the original issuance date, the expiration date, a brief description of any licensure examination taken to qualify for the license and the grades received, and whether the applicant's file contains any record of disciplinary actions taken or pending licensure;

- 4) Evidence that the applicant has practiced as a cosmetology teacher in another jurisdiction for at least for 3 years after completing the requirements to qualify for registration or licensure in that particular jurisdiction. This may be in the form of affidavits from at least 3 clients or business owners who can verify the applicant's practice as a cosmetology teacher~~One of the Following: A)Two Verification of Employment forms submitted by an applicant who completed a program of at least 500 hours of teacher training. A cosmetology teacher applicant shall verify 2 years of lawful practice as a cosmetologist; or B)Two Verification of Employment forms submitted by an applicant who completed a program of at least 250 hours of clinic teacher training. A cosmetology clinic teacher applicant shall verify 2 years of lawful practice as a cosmetologist; or C)Two completed Verification of Employment forms showing at least 3 years of lawful practice as a cosmetology teacher or cosmetology clinic teacher submitted by an applicant who is applying as a cosmetology teacher or cosmetology clinic teacher on the basis of 3 years of lawful practice;~~
- 5) Any document submitted in a foreign language must be accompanied by an original, notarized English translation. The translator must certify on the translation that he or she is fluent in English and the language of the document. The translator must certify to the accuracy of the translation;
- 6) Proof of name change (i.e., marriage license, divorce decree, affidavit or court order) if name is other than that shown on any of the documents submitted; and
- ~~7)6) The required fee set forth in Section 1175.100;~~ and
- 7) ~~A copy of the licensing Act applicable on the date of original licensure showing the requirements for licensure if requested by the Division in the application review. The Division will make such a request if the application materials are incomplete.~~

ILLINOIS REGISTER

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

- d) An applicant who is currently licensed as a cosmetology teacher in another state or territory of the United States and who is seeking licensure in Illinois by endorsement shall file an application, on forms provided by the Division, that shall include:
- 1) An official certification of licensure from the state board in the applicant's jurisdiction of original licensure and the state in which the applicant is currently licensed and practicing, if other than the original, stating the applicant's legal name, the cosmetology teacher license number, the original issuance date, the expiration date, a brief description of any licensure examination taken to qualify for the license and the grades received, and whether the applicant's file contains any record of disciplinary actions taken or pending;
 - 2) Proof of any name change (i.e., marriage license, divorce decree, affidavit or court order) if name is other than that shown on submitted documents; and
 - 3) The required fee set forth in Section 1175.100.
- e) When the accuracy of any submitted documentation or the relevance or sufficiency of the course work or training is questioned by the Division or the Board because of lack of information, discrepancies or conflicts in information given, or a need for clarification, the applicant seeking licensure shall be requested to:
- 1) Provide information as may be necessary;
 - 2) Appear for an interview before the Board to explain the relevance or sufficiency, clarify information or clear up any discrepancies or conflicts in information; and/or
 - 3) Pass an examination pursuant to Section 3-8 of the Act or complete a 250 hour refresher course at a licensed cosmetology or barber school.
- f)e) An applicant for licensure as a cosmetologist who is licensed in another jurisdiction shall be given 300 hours of educational credit for every 12 month period during which he/she was lawfully employed as a cosmetologist. To obtain credit for work experience, the applicant must submit verification of employment on forms provided by the Division in support of the work experience. A

ILLINOIS REGISTER

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

certification of licensure from the jurisdiction in which the lawful practice is claimed must also be submitted.

- g)d) An applicant applying for licensure as a cosmetologist or cosmetology teacher ~~or cosmetology clinic teacher~~ on the basis of endorsement who has previously failed the licensing examination in Illinois shall not be approved for licensure on the basis of endorsement unless and until he/she provides verification of successful completion of a substantially equivalent licensure examination and fulfills the requirements set forth in Section 1175.410(c). The successful completion of the substantially equivalent examination and fulfillment of applicable requalification requirements must occur after the most recently failed examination attempt in Illinois.

(Source: Amended at 35 Ill. Reg. _____, effective _____)

SUBPART H: ESTHETICS SCHOOLS

Section 1175.805 Cosmetology Schools Approved to Teach Esthetics

- a) Existing cosmetology schools that wish to provide esthetics instruction shall:
- 1) provide 200 square feet of space to accommodate 5 work stations and a maximum of 10 students. If attendance exceeds 10 on the clinic floor at any time, an additional 40 square feet is required for each additional work station required by subsection (a)(4)(B) of this Section. The use of this space shall not reduce the square footage for the conduct of an approved cosmetology school below the minimum requirements set forth in this Part.
 - 2) File an application with the Division, on forms provided by the Division, which shall include:
 - A) A detailed floor plan;
 - B) A signed copy of fire inspection report from the local fire authority within 6 months prior to application giving approval for use of the site as a school;
 - C) A ~~financial~~ statement prepared by a ~~licensed~~ certified public accountant licensed by the Division pursuant to the Illinois Public

ILLINOIS REGISTER

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

Accounting Act who is not an employee of the school, showing that the owner has ~~indicating~~ sufficient ~~current~~ finances exist to operate the school for at least 3 months;

- D) A copy of the enrollment agreement to be used by the school;
 - E) A copy of the esthetics curriculum;
 - F) A listing of all esthetics and cosmetology teachers, including their teacher license numbers, who will be in the school's employ;
 - G) A copy of the school's official transcript; and
 - H) The required fee set forth in Section 1175.100.
- 3) When the items listed in subsection (a)(2) have been received, the Division shall inspect the school premises, prior to school approval, to determine compliance.
- 4) In addition, the school shall have the following:
- A) ~~At least one facial chair for every 2 students enrolled.~~ At least one work station or position for every 2 students. Every work station shall include 1 facial chair, 1 steamer, 1 magnification lamp and 1 wood lamp.
 - B) ~~At least one facial chair for every 2 students enrolled.~~ Every school work station shall also have 1 set of facial equipment to include manual, mechanical, or electrical apparatus as follows:
 - i) ~~Steamer~~ Brushing;
 - ii) ~~iii)~~ Vacuum/spray machine;
 - iii) ~~iv)~~ Glass electrode or high frequency current; and
 - iv) ~~v)~~ Disencrustation machine.
 - vi) ~~One magnification lamp~~
 - vii) ~~Woods lamp.~~

ILLINOIS REGISTER

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

- D) Provide an esthetics curriculum in accordance with Sections 1175.835 and 1175.840.
- b) Cosmetology schools approved to teach esthetics shall be required to comply with all provisions in this Part except for Section 1175.810(a) and (b).

(Source: Amended at 35 Ill. Reg. _____, effective _____)

Section 1175.810 Physical Site Requirements

- a) Space Requirements
 - 1) A school shall have a minimum of 1,800 square feet for a maximum of 20 students. An additional 40 square feet is required for each additional student if attendance exceeds 20 on the clinic floor at any given time.
 - 2) The school shall be partitioned to provide for the following areas:
 - A) Dispensary
 - B) Student Spa~~Laboratory~~
 - C) Classrooms
 - D) Separate restrooms for males and females
 - E) Cloak space
 - F) Public waiting area separated from the work area
 - G) Student lounge area
 - H) Storage space
 - I) Locker space
 - J) Conference room
 - K) Other areas for school administration

ILLINOIS REGISTER

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

- L) Work stations.
- 3) All areas of the school shall be ventilated and lighted.
- b) Equipment Requirements – All equipment shall be in working condition and sufficient for the number of students enrolled. Minimum requirements for school equipment are:
 - 1) An entrance sign designating the name of the school;
 - 2) A school seal;
 - 3) A time clock or other equipment necessary for verification of attendance and hours earned;
 - 4) ~~A minimum of 10 facial chairs. For enrollment over 20, one facial chair per 2 students;~~5) A minimum of 5-10 work stations. Every work station shall include 1 facial chair, 1 steamer, 1 magnification lamp and 1 wood lamp~~For enrollment over 20, 1 work station or position per 2 students;~~
 - 5)6) Every school station shall also have 1 set of facial equipment to include manual, mechanical, or electrical apparatus as follows:
 - A) ~~Steamer~~B) Brushing;
 - B)C) Vacuum/spray machine;
 - C)D) Glass electrode or high frequency current; and
 - D)E) Disencrustation machine.
 - F) ~~Magnification lamp~~
 - G) ~~Wood lamp;~~
 - 6)7) Trays for facial supplies;
 - 7)8) One dry sterilizer per 2 work stations;

ILLINOIS REGISTER

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

- ~~8)9)~~ One facial supply cabinet containing astringents, lotions, creams, makeup and other necessary supplies for facials;
 - ~~9)10)~~ Desk/table space and a chair for each student in the classroom;
 - ~~10)11)~~ Adequate covered disposal cans placed at convenient locations;
 - ~~11)12)~~ One covered container for soiled towels for each 10 students in clinical work area;
 - ~~12)13)~~ Closed cabinets equipped for storing towels; and
 - ~~13)14)~~ One head form or chart per class.
- c) Sanitary Regulations
- 1) Clean outer garments must be worn at all times. No open toed shoes shall be worn by students.
 - 2) All instruments shall be sanitized before and after use on each patron.
 - 3) Clean towels shall be used for each patron.
 - 4) Hands must be cleansed before and after serving each patron.
 - 5) After each patron is served, electrical equipment must be sanitized according to manufacturer's specifications. All other equipment should be washed in water and sanitized before use.
 - 6) The head rests of any chair shall be protected with a disposable cover and changed after each patron.
 - 7) Non-disposable head coverings must be laundered and sanitized after each separate use.
 - 8) All powders, lotions, creams, and other cosmetics shall be kept in clean, closed containers. All cosmetics shall be applied by sanitary applicators and removed from the container with a sanitary spatula.

ILLINOIS REGISTER

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

- 9) No owner, manager, teacher or school administrator shall knowingly permit any person suffering from a serious communicable disease as defined in 77 Ill. Adm. Code 690 to work on the premises, or knowingly permit a student to serve a patron with a serious communicable disease.
- 10) No animals or pets, except animal assistants for the physically impaired, shall be permitted on school premises.
- 11) The floors, walls and furniture shall be kept clean at all times.
- 12) An adequate supply of hot and cold running water shall be available for school operation.
- d) Textbooks/Teaching Materials – Textbooks shall be provided for each student in attendance.
- e) Teachers – The student/teacher ratio during clinical instruction shall not exceed a 25 to 1 ratio.

(Source: Amended at 35 Ill. Reg. _____, effective _____)

SUBPART L: CONTINUING EDUCATION

Section 1175.1210 Credit Hours

- a) With the exception of program hours earned under subsection (e) of this Section, an approved CE program hour shall include at a minimum 50 minutes of actual class time, exclusive of time devoted by participants to pre-class or post-class preparation.
- b) Participants completing courses at a university or college shall receive 15 CE credit hours for each semester hour or 10 CE hours for each quarter hour of school credit awarded.
- c) A licensee who serves as an instructor, speaker or discussion leader of an approved course shall be allowed CE credit for actual presentation time. For preparation time, 1 hour of credit will be awarded for each 2 hours of actual presentation time. Preparation time for repetitious presentations shall not receive credit. No more than 10 hours can be earned under this subsection during any renewal period.

ILLINOIS REGISTER

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

- d) Credit shall be awarded for successful completion of courses taken pursuant to continuing education requirements in another state. Credit hours shall be awarded as stated in subsections (a), (b) and (c).
- e) Renewal applicants may earn a maximum of 50% of the total hours required for each renewal through completion of individual study courses (see Section 1175.1200(c)(6)).
- f) Continuing Education Earned in Other States. If a licensee has earned CE hours in another state or territory for which he/she will be claiming credit toward full compliance in Illinois, the applicant shall submit an out of state CE approval form along with a \$10 processing fee within 90 days after completion of the course. The Committee shall review and recommend approval or disapproval of this program using the criteria set forth in this Section.
- g) For the first renewal of the license, a licensee who obtained a hair braider or hair braiding teacher license under Section 1175.1400 (grandfather) shall successfully complete at least 65 hours of relevant training in health, safety, hygiene and business management.

(Source: Amended at 35 Ill. Reg. _____, effective _____)

SUBPART M: SALON OR SHOP REGISTRATION

Section 1175.1300 Application for a Barber Shop or Cosmetology, Nail Technology, Hair Braiding or Esthetics Salon Certificate of Registration

- a) Pursuant to Article IIID of the Act, all cosmetology, nail technology, hair braiding or esthetics salons and barber shops shall obtain a certificate of registration from the Division in order to operate in Illinois. The owner shall file an application with the Division, on forms supplied the Division. The application shall include the following:
 - 1) If the application is for a change of ownership, the salon or shop registration number of previous owner, a signed, dated statement from previous owner, and original salon or shop certificate registration;
 - 2) Ownership structure: individual/sole proprietorship, corporation, limited liability company (LLC) or partnership;

ILLINOIS REGISTER

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

- 3) Name, address and telephone number of owner. If a corporation, LLC, or partnership, the name, address and telephone number of chief executive officer (CEO) or managing partner;
- 4) Federal employer identification number (FEIN) of owner;
- 5) Name, address and telephone number of salon or shop;
- 6) Franchise disclosure;
- 7) Name and license number of any owner, managing partner or CEO holding an Illinois license in any profession regulated under the Act;
- 8) If an Illinois corporation, a copy of the entire Articles of Incorporation as filed with the Illinois Secretary of State;
- 9) If a foreign corporation, a copy of the entire Articles of Incorporation as filed with the jurisdiction where the corporation is registered and a copy of the certificate of authority to transact business in Illinois as filed with the Illinois Secretary of State;
- 10) If an LLC, a copy of the entire Articles of Organization as filed with the Illinois Secretary of State;
- 11) If a foreign LLC, a copy of the entire Articles of Organization as filed with the jurisdiction where the LLC is organized and a copy of the certificate of authority to transact business in Illinois as filed with the Illinois Secretary of State;
- 12) If a partnership, a copy of the signed and dated partnership agreement including the name of the partnership, business address and name of each partner;
- 13) If a franchise, a copy of the signed and dated franchise agreement showing that franchisee has been granted the right to use trade name, trademark, service name, service mark or any other right to the exclusive use of names or symbols;

ILLINOIS REGISTER

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

- 14) If using an assumed name, a certificate from the county clerk's office where the assumed name is filed or a certificate from the Illinois Secretary of State showing authorization to transact business under the assumed name;
- 15) The required fee set forth in Section 1175.100.
- b) **Registration Requirements.** The requirement to obtain a certificate of registration from the Division is only applicable to salons or shops offering cosmetology, esthetics, nail technology, hair braiding or barbering services. A separate certificate of registration is required for each salon or shop location. A separate application, fee and supporting documents shall be submitted to the Division. The Division may reject any application including a business name that states or implies a service that cannot be legally offered by the business, which is misleading to consumers, or is otherwise inconsistent with the purposes of the Act.
- c) **Change of Location.** The owner shall file written notice with the Division at least 30 days in advance of the change of location of a salon or shop. The notice shall include the owner's name and signature, date, FEIN, name of salon or shop, previous address of salon or shop, new address of salon or shop and effective date of change. The notice shall be accompanied by the original certificate of registration and a \$20 reprint fee. The Division shall reprint the certificate of registration with the new salon or shop address.
- d) **Change of Ownership.** When the ownership of a salon or shop changes, the new owner shall, within 5 working days after the date of sale, file with the Division an affidavit stating that the sale is contingent on a certificate of registration being issued to the new owner. If this is not provided, the salon or shop must close and remain closed until a certificate of registration is issued to the new owner. The new owner shall obtain a certificate of registration from the Division as set forth in subsection (a) of this Section.
- e) **Change of Name.** The owner shall file written notice with the Division at least 30 days in advance of the change of name of a salon or shop. The notice shall include the owner's name and signature, date, FEIN, previous name of salon or shop, address of salon or shop, new name of salon or shop and effective date of change. The notice shall be accompanied by the original certificate of registration, a \$20 reprint fee, and if using an assumed name, a certificate from the county clerk's office where the assumed name is filed or a certificate from the

ILLINOIS REGISTER

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

Illinois Secretary of State showing authorization to transact business under the assumed name.

- f) Renewal. All certificates of registration shall expire on November 30 of even numbered years. A salon or shop may renew the certificate of registration during the 2 months preceding the expiration date by paying the required fee.
- g) Restoration. An owner seeking restoration of a certificate of registration that has expired or been placed on inactive status shall file written notice with the Division. The notice shall include the owner's name and signature, date, FEIN, name of salon or shop, previous address of salon or shop, current address of salon or shop, and \$40 fee. If using an assumed name, the notice shall also include a certificate from the county clerk's office where the assumed name is filed or a certificate from the Illinois Secretary of State showing authorization to transact business under the assumed name.

(Source: Amended at 35 Ill. Reg. _____, effective _____)

SUBPART N: HAIR BRAIDING

Section 1175.1400 Requirements for Licensure under Article III E of the Act (Grandfather)

- a) An applicant for licensure as a hair braider under the grandfather provision shall file an application with the Division postmarked no later than December 31, 2012, together with:
 - 1) Proof that the applicant has practiced hair braiding for at least 2 consecutive years immediately prior to the date of his or her application. This may be in the form of affidavits from at least 3 clients or business owners who can verify the applicant's practice as a hair braider. The applicant may provide tax records in lieu of one of the required affidavits; and
 - 2) The required fee set forth in Section 1175.100.
- b) An applicant for licensure as a hair braiding teacher under the grandfather provision shall file an application with the Division postmarked no later than December 31, 2012, together with:

ILLINOIS REGISTER

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

- 1) Proof that the applicant has practiced hair braiding for at least 2 consecutive years immediately prior to the date of his or her application. This may be in the form of affidavits from at least 3 clients or business owners who can verify the applicant's practice as a hair braider. The applicant may provide tax records in lieu of one of the required affidavits; and
 - 2) The required fee set forth in Section 1175.100.
- c) When the accuracy of any submitted documentation or the relevance or sufficiency of the work experience is questioned by the Division or the Board because of lack of information, discrepancies or conflicts in information given, or a need for clarification, the applicant seeking licensure shall be requested to:
- 1) Provide information as may be necessary; and/or
 - 2) Appear for an interview before the Board to explain the relevance or sufficiency, clarify information or clear up any discrepancies or conflicts in information.

(Source: Added at 35 Ill. Reg. _____, effective _____)

Section 1175.1405 Application for Licensure – Hair Braider

- a) An applicant for hair braider licensure who does not meet the requirements of Section 1175.1400 (grandfather) shall file an application on forms provided by the Division, together with:
 - 1) An official transcript showing successful completion of the required training outlined in Section 3E-2(a)(3) of the Act and Section 1175.1535 of this Part and a passing grade on the final examination administered by the school as set forth in Section 1175.1545 of this Part; and
 - 2) The required fee set forth in Section 1175.100.
- b) When the accuracy of any submitted documentation or the relevance or sufficiency of the course work or experience is questioned by the Division because of lack of information, discrepancies or conflicts in information given, or a need for clarification, the applicant seeking licensure shall be requested to:

ILLINOIS REGISTER

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

- 1) Provide information as may be necessary; and/or
- 2) Appear for an interview before the Board to explain the relevance or sufficiency, clarify information or clear up any discrepancies or conflicts in information.

(Source: Added at 35 Ill. Reg. _____, effective _____)

Section 1175.1410 Application for Licensure – Hair Braiding Teacher

- a) An applicant for hair braiding teacher licensure who does not meet the requirements of Section 1175.1400 (grandfather) shall file an application on forms provided by the Division, together with:
 - 1) An official transcript showing successful completion of the required training outlined in Section 3E-3 of the Act and Section 1175.1540 of this Part and a passing grade on the final examination administered by the school as set forth in Section 1175.1545 of this Part; and
 - 2) The required fee set forth in Section 1175.100.
- b) When the accuracy of any submitted documentation or the relevance or sufficiency of the course work or experience is questioned by the Division because of lack of information, discrepancies or conflicts in information given, or a need for clarification, the applicant seeking licensure shall be requested to:
 - 1) Provide the information as may be necessary; and/or
 - 2) Appear for an interview before the Board to explain the relevance or sufficiency, clarify information or clear up any discrepancies or conflicts in information.

(Source: Added at 35 Ill. Reg. _____, effective _____)

Section 1175.1420 Renewals

- a) The first hair braider, hair braiding teacher and hair braiding school licenses issued under the Act shall expire on October 31, 2014. Thereafter, every license issued under the Act shall expire on October 31 of each even numbered year. The

ILLINOIS REGISTER

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

holder of a license may renew the license during the month preceding its expiration date.

b) First and Subsequent Renewal

1) For the first renewal of the license, a licensee who obtained a hair braider or hair braiding teacher license under Section 1175.1400 (grandfather) shall:

A) Return a completed renewal application;

B) Certify on the renewal application that he or she has successfully completed at least 65 hours of relevant training in health, safety, hygiene and business management in accordance with the requirements of Section 1175.1210(g);

C) Submit the required fee set forth in Section 1175.100.

2) Subsequent renewals must comply with the renewal requirements set forth in subsection (c).

c) Applicants for renewal shall:

1) Return a completed renewal application.

2) Hair Braider. Certify on the renewal application that they have successfully completed a minimum of 10 hours of continuing education from a sponsor registered with the Division, in accordance with Section 1175.1200, within the 2 years prior to the expiration date of the license.

3) Hair Braiding Teacher. Certify on the renewal application that they have successfully completed a minimum of 20 hours of continuing education from a sponsor registered with the Division, in accordance with Section 1175.1200, within the 2 years prior to the expiration date of the license. Ten of the 20 hours shall be in the following areas:

A) Teaching Methodology;

B) Educational Psychology;

ILLINOIS REGISTER

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

- C) Classroom Management; or
- D) Other teaching related courses.
- 4) Submit the required fee set forth in Section 1175.100.
- d) A renewal applicant is not required to comply with continuing education requirements for the first renewal after issuance of the original license except for licensees who obtained a hair braider or hair braiding teacher license under Section 1175.1400 (grandfather).
- e) The Division may require additional evidence demonstrating compliance with the continuing education requirements (i.e., certificate of attendance or certificate of completion). It is the responsibility of each renewal applicant to retain or otherwise produce evidence of compliance. The evidence shall be required in the context of the Division's random audit.
- f) It is the responsibility of each licensee to notify the Division of any change of address. Failure to receive a renewal form from the Division shall not constitute an excuse for failure to renew a license.
- g) Practicing or operating on a license that has expired shall be consider unlicensed activity and shall be grounds for discipline pursuant to Section 4-7 of the Act.

(Source: Added at 35 Ill. Reg. _____, effective _____)

Section 1175.1430 Restoration – Hair Braider

- a) Application for Restoration
 - 1) A person applying for restoration of a license as a hair braider that has expired or been on inactive status for less than 5 years shall submit an application on forms provided by the Division and:
 - A) Pay the required fee set forth in Section 1175.100; and
 - B) Provide evidence of successful completion of 10 hours of continuing education from a sponsor registered with the Division, in accordance with Section 1175.1200, within the 2 years prior to the application for restoration.

ILLINOIS REGISTER

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

- 2) If restoring after active military service, the applicant shall submit a copy of the applicant's Honorable Discharge form (DD-214) and the current renewal fee.

- b) A person applying for restoration of a license as a hair braider that has been expired or been on inactive status for 5 years or more shall submit an application on forms provided by the Division along with either:
 - 1) All of the following:
 - A) Verification of lawful employment as a hair braider in another jurisdiction within the 5 years preceding application for restoration;
 - B) Certification of licensure from the licensing authority in the jurisdiction of employment stating that the practice was authorized;
 - C) A completed Restoration Questionnaire;
 - D) Evidence of successful completion of 10 hours of continuing education from a sponsor registered with the Division, in accordance with Section 1175.1200 of this Part, within the 2 years prior to the application for restoration; and
 - E) The required fee set forth in Section 1175.100; or
 - 2) A copy of the applicant's DD-214 form and the current renewal fee, if restoring from active military service.

- c) A person applying for restoration under subsection (b) who has not maintained lawful employment as a hair braider in another jurisdiction shall also submit evidence of successful completion of at least 65 hours of relevant training in health, safety, hygiene and business management, in accordance with the requirements of Section 3E-2 of the Act, within the 2 years prior to the application for restoration.

- d) Practicing or operating on a license that has expired shall be consider unlicensed activity and shall be grounds for discipline pursuant to Section 4-7 of the Act.

ILLINOIS REGISTER

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

(Source: Added at 35 Ill. Reg. _____, effective _____)

Section 1175.1435 Restoration – Hair Braiding Teacher

a) Application for Restoration

1) A person applying for restoration of a license as a hair braiding teacher that has expired or been on inactive status for less than 5 years shall submit an application on forms provided by the Division and:

A) Pay the required fee set forth in Section 1175.100; and

B) Provide evidence of successful completion of 20 hours of continuing education from a sponsor registered with the Division, in accordance with Section 1175.1200, within the 2 years prior to the application for restoration.

2) If restoring after active military service, the applicant shall submit a copy of the applicant's Honorable Discharge form (DD-214) and the current renewal fee.

b) A person applying for restoration of a license as a hair braiding teacher that has been expired or been on inactive status for 5 years or more shall submit an application on forms provided by the Division along with either:

1) All of the following:

A) Verification of lawful employment as a hair braiding teacher in another jurisdiction within the 5 years preceding application for restoration;

B) Certification of licensure from the licensing authority in the jurisdiction of employment stating that the practice was authorized;

C) A completed Restoration Questionnaire;

D) Evidence of successful completion of 20 hours of continuing education from a sponsor registered with the Division, in accordance with Section 1175.1200, within the 2 years prior to the application for restoration; and

ILLINOIS REGISTER

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

- E) The required fee set forth in Section 1175.100; or
- 2) A copy of the applicant's DD-214 form and the current renewal fee, if restoring from active military service.
- c) A person applying for restoration under subsection (b) who has not maintained lawful employment as a hair braiding teacher in another jurisdiction shall also submit evidence of successful completion of at least 65 hours of relevant training in health, safety, hygiene and business management, in accordance with the requirements of Section 3E-2 of the Act, within the 2 years prior to the application for restoration.
- d) Practicing or operating on a license that has expired shall be consider unlicensed activity and shall be grounds for discipline pursuant to Section 4-7 of the Act.

(Source: Added at 35 Ill. Reg. _____, effective _____)

SUBPART O: HAIR BRAIDING SCHOOLS

Section 1175.1500 Hair Braiding School Application

- a) An applicant for a hair braiding school license shall submit a completed application to the Division with the following information and documentation:
 - 1) Name, address and telephone number of the person, corporation or other entity that owns the school;
 - 2) If the school is owned by a legal entity other than an individual, the name, address and telephone number of the chief executive officer of the corporation or other legal entity that owns the school;
 - 3) Name, address and telephone number of the school;
 - 4) Name, address and telephone number of the chief managing employee;
 - 5) If the school is owned by a legal entity formed in Illinois (domestic), a copy of the required business filing with the Illinois Secretary of State;

ILLINOIS REGISTER

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

- 6) If the school is owned by a legal entity formed outside of Illinois (foreign), a copy of the required filing from that jurisdiction and a copy of the certificate of authority to transact business in Illinois as filed with the Illinois Secretary of State;
- 7) If the school is owned by a partnership, a copy of the signed and dated partnership agreement including the name of the partnership and the name, address and telephone number of each partner;
- 8) If the school name is different from the owner's full legal name, a certificate from the Illinois Secretary of State showing authorization to transact business under an assumed name or certificate from the county clerk's office where the assumed name is filed;
- 9) A Commitment Statement from each officer of a corporation, each manager or member of a limited liability company or each member of partnership;
- 10) A listing of all teachers who will be in the school's employ, showing a sufficient number of qualified teachers who are holders of a current hair braiding teacher license or cosmetology teacher license issued by the Division;
- 11) A detailed floor plan consistent with the requirements of Section 1175.1510. Floor plan must be drawn to a scale specified on the floor plan and show each detail of the school site;
- 12) A copy of a lease showing at least a 1 year commitment to the use of the school site or certification of ownership of the school site;
- 13) A signed fire inspection report from the local fire inspection authority, conducted in the 6 months immediately preceding application, giving approval for use of the site as a school;
- 14) A statement prepared by a certified public accountant licensed by the Division pursuant to the Illinois Public Accounting Act who is not an employee of the school, showing that the owner has sufficient finances to operate the school for at least 3 months after the school license is approved;

ILLINOIS REGISTER

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

- 15) A copy of the official student contract to be used by the school, which shall be consistent with the requirements of Section 1175.1515;
 - 16) A copy of the curricula to be used by the school, which shall be consistent with the requirements of this Part;
 - 17) A copy of the transcript to be used by the school, which shall be consistent with the requirements of Section 1175.1525;
 - 18) A copy of the final examination to be used by the school which shall be consistent with the requirements of Section 1175.1545;
 - 19) A sample of the school seal to be used by the school;
 - 20) A photograph of the school sign to be used by the school; and
 - 21) The required fee set forth in Section 1175.100.
- b) When the items listed in subsection (a) have been received, the Division shall inspect the school premises, prior to school approval, to determine compliance with this Subpart. School operations shall not begin nor shall the school in any way solicit student enrollment until the school has received notice of approval from the Division. Approval shall be granted if all the requirements of this Subpart O have been met.
- c) Hair braiding schools shall only offer instruction in hair braiding and hair braiding teacher education.

(Source: Added at 35 Ill. Reg. _____, effective _____)

Section 1175.1505 Cosmetology Schools Approved to Teach Hair Braiding

- a) Existing cosmetology schools that wish to provide a course of instruction in hair braiding shall:
- 1) Provide at least 200 square feet of work space to accommodate 5 work stations. If attendance exceeds 10 in the work space at any time, an additional 40 square feet is required for each additional work station required by subsection (a)(4)(E). The use of this space shall not reduce

ILLINOIS REGISTER

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

the square footage for the conduct of an approved cosmetology school below the minimum requirements set forth in this Part.

- 2) File an application with the Division, on forms provided by the Division, that shall include:
 - A) A detailed floor plan consistent with the requirements of this Section. The floor plan must be drawn to a scale specified on the floor plan and show each detail of the school site;
 - B) A signed fire inspection report from the local fire inspection authority conducted in the 6 months immediately preceding application giving approval for use of the site as a school;
 - C) A statement prepared by a certified public accountant licensed by the Division pursuant to the Illinois Public Accounting Act who is not an employee of the school, showing that the owner has sufficient finances to operate the school for at least 3 months after the school license is approved;
 - D) A copy of the official student contract to be used by the school, which shall be consistent with the requirements of Section 1175.1515;
 - E) A copy of the curricula to be used by the school, which shall be consistent with the requirements of this Part;
 - F) A listing of all teachers who will be in the school's employ, showing a sufficient number of qualified teachers who are holders of a current hair braiding teacher license or cosmetology teacher license issued by the Division;
 - G) A copy of the transcript to be used by the school, which shall be consistent with the requirements of Section 1175.1525 and;
 - H) The required fee set forth in Section 1175.100.
- 3) When the items listed in subsection (a)(2) have been received, the Division shall inspect the school premises, prior to school approval, to determine compliance with this Subpart. The school shall not solicit

ILLINOIS REGISTER

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

student enrollment for the hair braiding program until the school has received notice of approval from the Division. Approval shall be granted if all the requirements of this Section have been met.

- 4) In addition, the school shall have the following:
- A) Desk/table space and chairs suitable for demonstrating hair braiding practices for each licensed teacher in the classroom.
 - B) 1 mannequin practice table to accommodate at least 5 students.
 - C) 1 shampoo bowl and chair with adequate hot and cold running water.
 - D) 1 dryer and chair.
 - E) At least 1 work station, including a styling chair for every 2 students in attendance.
 - F) 1 mannequin for each student in attendance.
 - G) Sufficient hair braiding tools, devices and supplies for each student in attendance.
 - H) 1 cape for each student in attendance.
- b) Cosmetology schools approved to teach hair braiding shall be required to comply with all provisions in this Part except Section 1175.1510(a) and (b).

(Source: Added at 35 Ill. Reg. _____, effective _____)

Section 1175.1510 Physical Site Requirements

- a) Space Requirements
- 1) A hair braiding school shall have a minimum of 650 square feet of work space for a maximum of 10 students. If attendance exceeds 10 in the work space at any time, an additional 40 square feet is required for each additional work station required by subsection (b)(10).

ILLINOIS REGISTER

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

- 2) Work space shall include only the dispensary and laboratory area.
 - 3) A hair braiding school shall have at least 1 classroom of no less than 150 square feet for a maximum of 10 students. If attendance exceeds 10 in the classroom at any time, an additional 30 square feet of classroom space is required for each additional student.
 - 4) Classroom shall be equipped with desk/table space and chairs suitable for classroom work and demonstrating hair braiding practices.
 - 5) Locker space shall be provided for the number of students in attendance at any time.
 - 6) A student lounge area shall be provided that is separated from the work space.
 - 7) Separate restrooms for males and females shall be provided.
 - 8) A public waiting area shall be provided that is separated from the work space.
 - 9) Cloak space shall be provided that may be used both by students and the public. Cloak space must be separated from the work space.
 - 10) All areas of the school shall be lighted and ventilated.
- b) Equipment Requirements – All equipment shall be in working condition and sufficient for the number of students enrolled. Minimum requirements for school equipment are:
- 1) An entrance sign designating the name of the school.
 - 2) A school seal.
 - 3) A time clock or other equipment necessary for verification of attendance and hours earned.
 - 4) Desk/table space and a chair suitable for classroom work for each student in the classroom.

ILLINOIS REGISTER

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

- 5) Desk/table space and chairs suitable for demonstrating hair braiding practices for each licensed teacher in the classroom.
 - 6) Locker space for each student in attendance.
 - 7) 1 mannequin practice table to accommodate at least 5 students.
 - 8) 1 shampoo bowl and chair with adequate hot and cold running water.
 - 9) 1 dryer and chair.
 - 10) 5 work stations with styling chairs. If attendance exceeds 10 in the work space at any time, at least 1 additional work station with a styling chair for every 2 students.
 - 11) One mannequin for each student in attendance.
 - 12) Sufficient hair braiding tools, devices and supplies for each student in attendance.
 - 13) One cape for each student in attendance.
 - 14) Storage drawers for hair braiding tools, devices and supplies.
 - 15) Adequate covered waste disposal containers placed at convenient locations.
 - 16) Closed or covered space equipped for storing clean towels. Space shall be large and sturdy enough to store 5 dozen towels per 10 students in the work area.
 - 17) One covered container for soiled towels for each 10 students in the work area. Containers shall be large and sturdy enough to store soiled towels.
 - 18) Adequate lighting and ventilation shall be provided as required by the city, county or municipality.
- c) Sanitary Regulations

ILLINOIS REGISTER

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

- 1) Clean outer garments must be worn at all times. No open toed shoes shall be worn by students.
- 2) New or cleaned and disinfected tools and devices shall be used for each patron.
- 3) After each patron is served, combs, brushes and scissors must be cleaned, then immersed in a disinfectant as specified by the manufacturer's instructions, then rinsed in water and dried. They shall be kept in a closed container separately from all others.
- 4) Clean towels shall be used for each patron.
- 5) A neck strip or towel shall be placed around the patron's neck, and changed after each use, to prevent direct contact between a common use hair cloth or cape and the patron's skin.
- 6) The head rests of each styling chair shall be protected with a head cover or a cleaned and disinfected towel. Disposable head covers shall be changed after each patron. Non-disposable head covers shall be cleaned and disinfected before use on a patron. Towels shall be cleaned and disinfected before use on a patron.
- 7) Teachers and students shall observe and follow thorough hand washing with soap and water or any equally effective cleansing solution or waterless hand sanitizer before and after serving each patron.
- 8) Shampoo bowls and sinks shall be clean and free of hair and residue after each use.
- 9) All disinfecting agents shall be kept at adequate strengths to maintain effectiveness, be free of residue and be available for immediate use at all times the school is open for business.
- 10) Oils and other items used within the field of practice that are subject to cross-contamination shall be kept in clean, closed containers. They shall be dispensed from containers to prevent contamination of the unused portion.

ILLINOIS REGISTER

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

- 11) All clean towels shall be kept in a closed or covered space separately from all others that is equipped for storing towels.
- 12) All soiled towels shall be kept in a covered container. Containers shall be large and sturdy enough to store soiled towels after use.
- 13) Storage drawers for clean tools, devices and supplies shall be kept clean and free of residue and used only for clean tools, devices and supplies.
- 14) Storage cabinets, work stations and vanities shall be kept clean and free of residue.
- 15) Floor surfaces shall be kept clean, orderly and in good repair.
- 16) Walls, doors, windows and ceilings shall be clean and free of excessive spots, mildew, condensation or peeling paint.
- 17) Equipment, mirrors, lights and similar closures, furnishings, attached equipment, decorative materials and fixtures shall be kept clean and in good repair.
- 18) Outer surfaces of waste disposal containers shall be kept clean.
- 19) All schools shall provide adequate ventilation as required by the city, county or municipality to keep the school free of excessive heat, steam, condensation, vapors, obnoxious odors, smoke and fumes.
- 20) All schools shall provide a safe and adequate supply of continuous hot and cold running water from an approved source. Sinks located in the restroom do not qualify as a water source.
- 21) No owner, manager, teacher or school administrator shall knowingly permit any person suffering from a serious communicable disease, as defined in 77 Ill. Adm. Code 690, to work on the premises, or knowingly permit a student to serve a patron with a serious communicable disease.
- 22) Pets or other animals shall not be permitted in a school at any time. This prohibition does not apply to an animal assistant for the physically impaired.

ILLINOIS REGISTER

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

- d) Textbooks/Teaching Materials – Textbooks shall be provided for each student in attendance.
- e) Teachers – The student/teacher ratio during clinical instruction shall not exceed a 25 to 1 ratio.

(Source: Added at 35 Ill. Reg. _____, effective _____)

Section 1175.1515 Enrollment Agreements and Refund Policies

- a) All licensed hair braiding schools shall have enrollment agreements that meet the requirements of Section 3B-12 of the Act.
- b) All licensed hair braiding schools shall implement refund policies pursuant to Section 3B-13 of the Act and this Part.
 - 1) When notice of cancellation is given within 5 days after the date of enrollment, all application and registration fees, tuition and any other charges shall be refunded to the student.
 - 2) When notice of cancellation is given after the fifth day following enrollment but before the completion of the student's first day of class attendance, the school may retain the application and registration fee, not to exceed \$100 and the cost of any books or materials that have been provided by the school and retained by the student (Section 3B-13(b) of the Act).
 - 3) When notice of cancellation is given after the student's completion of the first day of class attendance but prior to the student's completion of 5% of the course of instruction, the school may retain the application and registration fee, not to exceed \$100, 10% of the tuition, other instructional charges or \$300, whichever is less, and the cost of any books or materials that have been provided by the school and retained by the student.
 - 4) When a student has completed 5% or more of the course of instruction, the school may retain the application fee and registration fee, not to exceed \$100 and the cost of any books or materials provided by the school, but shall refund a part of the tuition and other instructional charges in accordance with the requirements of the school's regional or national

ILLINOIS REGISTER

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

accrediting agency, if any, or in accordance with subsection (c) of this Section.

- c) For students who enroll in and begin classes, the following schedule of tuition adjustment will be considered to meet the Division standards for refunds:

<u>PERCENTAGE OF A SCHEDULED COURSE COMPLETED</u>	<u>AMOUNT OF TUITION OWED TO THE SCHOOL</u>
<u>0.01% to 4.9%</u>	<u>10%</u>
<u>5% to 9.9%</u>	<u>30%</u>
<u>10% to 14.9%</u>	<u>40%</u>
<u>15% to 24.9%</u>	<u>45%</u>
<u>25% to 49.9%</u>	<u>70%</u>
<u>50% and over</u>	<u>100%</u>

(Source: Added at 35 Ill. Reg. _____, effective _____)

Section 1175.1520 Advertising

All school advertising for patrons must contain the words "Work Done Exclusively by Students" or "All Work Done by Students" displayed in a conspicuous manner.

(Source: Added at 35 Ill. Reg. _____, effective _____)

Section 1175.1525 Recordkeeping – Transcripts

- a) Each hair braiding school shall provide an official transcript showing the entire program work of each student. The official transcript shall contain the following information:

- 1) School name and address;
- 2) School seal;
- 3) School license number;
- 4) Signature of the owner, registrar or director of the school;

ILLINOIS REGISTER

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

- 5) Student's name, address and social security number;
 - 6) Actual dates student attended;
 - 7) Subject areas, hours earned and grades received;
 - 8) Any transfer hours citing the name and address of the school transferred from, subject areas, hours earned and grades received;
 - 9) Final examination grades; and
 - 10) Graduation date.
- b) The official transcript and school records for each student who completed the program shall be permanently maintained by the school in the following manner:
- 1) If maintained on the school premises, they shall be maintained in a locked, fire-resistant cabinet. If official transcripts are maintained on a computer system, history tapes or discs of all official records must be stored in a locked, fire-resistant cabinet.
 - 2) If records cannot be maintained on the premises in locked fire-resistant cabinets, duplicate student records, including the official transcripts, shall be maintained at a separate location that shall be made known to the Division. The records shall be accessible to Division officials for inspection.
- c) An official transcript and school records for students who withdrew or dropped out of a program shall be maintained by the school for 7 years from the student's first day of attendance at the school.
- d) A copy of the transcript shall be given to the student upon graduation or other permanent exit from the school, provided the student has met all financial obligations set forth in the enrollment agreement set forth in Section 3B-12 of the Act.

(Source: Added at 35 Ill. Reg. _____, effective _____)

Section 1175.1530 Recordkeeping – Hours Earned

ILLINOIS REGISTER

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

- a) Student Hours. A licensed hair braiding school shall have a written, published attendance policy.
- 1) When determining student hours, a school may define its attendance requirements to include 100% attendance for the program length or may allow excused absences for not more than 10% of the program for satisfactory completion. Satisfactory completion is defined as completion of all theory and practical work as outlined in the school's curricula.
 - 2) Student attendance policies shall be written and applied uniformly and fairly.
 - 3) The school must maintain documentation of excused absences for a period of not less than 5 years.
 - 4) The school must maintain attendance records for each student to verify that the minimum attendance standard set forth by the school is being met.
- b) A complete and accurate record of hours of attendance for each student must be recorded and maintained by the school.
- c) If a time clock is used, each student shall punch his/her own time card. No student, teacher or any other person shall punch the time card of another student. If a time clock is not used, there shall be another verifiable method used by the school to record student hours. The records must be in a form that allows the student to receive a written report of hours earned. This report of hours earned shall be provided to the student on a monthly basis.
- d) Credit for hours earned away from the school premises shall be awarded only if students are supervised by a qualified teacher who is the holder of a current hair braiding teacher license or cosmetology teacher license issued by the Division or by a licensed cosmetologist or a licensed hair braider in the case of an internship. Credit hours for outside study may include workshops, educational programs, films, demonstrations and internship training in a registered salon.
- e) Hours earned away from the school premises shall be recorded on school time forms. These forms shall include the school seal, name of student, event or program attended, date attended, signature of student, signature of supervising licensed teacher.

ILLINOIS REGISTER

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

- f) A qualified teacher who is the holder of a current hair braiding teacher license or cosmetology teacher license issued by the Division shall review the hours earned by each student monthly. Each month the teacher shall issue a signed monthly report to the student showing the actual number of hours earned by the student.
- g) Time cards may be destroyed after two years from the student's permanent exit from the school and after all hours earned are recorded on the official transcript.
- h) An hour is 60 minutes of instruction but not less than 50 minutes.
- i) A qualified teacher who is the holder of a current hair braiding teacher license or cosmetology teacher license issued by the Division shall supervise all classroom and practical instruction. No credit shall be given for unsupervised study.
- j) A student enrolled in the 300-hour hair braiding program may practice on the public only after completing 35 hours of general theory, practical application, and technical application instruction as specified in Section 3E-2 of the Act.
- k) A student enrolled in the 600-hour or 500-hour hair braiding teacher program may practice student teaching only after completing 20 hours of Educational Psychology and 20 hours of Teaching Methods as specified in Section 1175.1540.

(Source: Added at 35 Ill. Reg. _____, effective _____)

Section 1175.1535 Curriculum Requirements – Hair Braiding

Each licensed hair braiding school shall provide a program consisting of a minimum of 300 clock hours or a 10 credit hour equivalency (1 credit hour equals 30 clock hours) of instruction as follows:

- a) Basic Training – 35 hours of classroom instruction in general theory, practical application, and technical application shall be provided in the following subject areas:
 - 1) history of hair braiding
 - 2) disinfection and sanitation
 - 3) bacteriology

ILLINOIS REGISTER

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

- 4) disorders and diseases of the hair and scalp
 - 5) OSHA standards relating to material safety data sheets (MSDS) on chemicals, hair analysis and scalp care, and technical procedures
 - 6) personal hygiene and public health
 - 7) professional ethics
- b) Related Concepts – 35 hours of classroom instruction shall be provided in the following subject areas:
- 1) tools and equipment
 - 2) basic styling knowledge
 - 3) client consultation and face shapes
 - 4) growth patterns
 - 5) braid removal and scalp care
 - 6) styles and sectioning
 - 7) client education, pre-care, post-care, home care and follow-up services
- c) Practices and Procedures – 200 hours of instruction, which shall be a combination of classroom instruction and clinical instruction, shall be provided in the following subject areas:
- 1) single braids with and without extensions
 - 2) cornrows with and without extensions
 - 3) twists and knots
 - 4) multiple strands
 - 5) hair locking

ILLINOIS REGISTER

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

- 6) weaving/sewn-in
 - 7) other procedures as they relate to hair-braiding
 - 8) product knowledge as it relates to hair braiding
- d) Business Practices – 30 hours of classroom instruction shall be provided in the following subject areas:
- 1) Illinois Barber, Cosmetology, Esthetics, Hair Braiding and Nail Technology Act of 1985 and rules
 - 2) salon management
 - 3) human relations and salesmanship
 - 4) Workers' Compensation Act
- e) A student may practice on the public only after completing 35 hours of general theory, practical application, and technical application instruction as specified in Section 3E-2 of the Act.
- f) Internship program is an optional part of the curriculum. Each licensed hair braiding school may choose to set up an internship program and shall adhere to the following guidelines:
- 1) An internship program:
 - A) May be substituted for 30 hours of the 300 hours required by this Section.
 - B) May be part of the curriculum of a licensed hair braiding school and shall be an organized pre-planned training program designed to allow a student to learn hair braiding under the direct supervision of a licensed cosmetologist or licensed hair braider in a registered salon.
 - 2) A student in the internship program:

ILLINOIS REGISTER

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

- A) May participate in an internship program only after completing 150 hours of training with a minimum average grade of 80 out of 100. A school may, however, set the average grade higher and set other standards that a student must meet to participate in the internship program.
 - B) May not spend more than 30 hours in an internship program.
 - C) May not be paid while participating in this internship program as it is a part of the hair braiding curriculum of the school.
 - D) May work a maximum of 8 hours a day and shall be required to spend 1 day a week at the school.
 - E) Shall be under the direct, on-site supervision of a licensed cosmetologist or licensed hair braider. Only 1 student shall be supervised by 1 licensed cosmetologist or 1 licensed hair braider at any given time.
- 3) A licensed hair braiding school shall state clearly in the student contract that the school offers an internship program.
 - 4) The licensed hair braiding school shall enter into a written internship contract with the student, the registered salon, and the licensed cosmetologist or licensed hair braider. The contract shall contain all the provisions set forth in subsection (f)(2) and any other requirements of the internship established by the school. The contract shall be signed by the student, an authorized representative of the school, and the licensed cosmetologist or licensed hair braider who will supervise the student. Any party to the contract may terminate the contract at any time.

(Source: Added at 35 Ill. Reg. _____, effective _____)

Section 1175.1540 Curriculum Requirements – Hair Braiding Teacher

- a) An approved hair braiding school that intends to provide hair braiding teacher training must utilize a teacher program that includes a minimum of 600 clock hours or a 20 credit hour equivalency (1 credit hour equals 30 clock hours) of instruction as follows:

ILLINOIS REGISTER

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

- 1) 100 hours of Post-Graduate School Training that includes subjects in the basic curriculum in Section 1175.1535, including theory and practice. Presentation of material must include the concepts that are intended to be taught and the skills to be acquired during the various phases of basic education.
 - 2) 20 hours of Educational Psychology that shall include, but not be limited to, topics in educational objectives, student characteristics and development, the learning process and an evaluation of learning that relates to teaching. These hours shall be waived on behalf of cosmetology teacher students who have completed a course in Educational Psychology at an accredited college or university.
 - 3) 20 hours of Teaching Methods (Theory) that shall include, but not be limited to, topics in individual differences in learning, lesson planning and design, lesson delivery, assessment of learning performance, classroom management, student motivation and classroom climate. These hours shall be waived on behalf of cosmetology teacher students who have completed a course in Teaching Methods-Secondary Level at an accredited college or university.
 - 4) 150 hours of Application of Teaching Methods that include preparation and organization of subject matter to be presented on a unit by unit basis and presentation of subject matter through application of varied methods (lecture, demonstration, testing and assignments). Presentations must provide teaching objectives to be accomplished and correlate theoretical with practical application.
 - 5) 50 hours of Business Methods that include inventory, recordkeeping, interviewing, supplies, the Illinois Barber, Cosmetology, Esthetics, Hair Braiding and Nail Technology Act of 1985 and this Part.
 - 6) 260 hours of Student Teaching under the on-site supervision of a qualified teacher who is the holder of a current teacher's license issued by the Division. The student teacher shall present theoretical and practical demonstrations to students in the basic curriculum.
- b) A student may practice student teaching only after completing 20 hours of Educational Psychology and 20 hours of Teaching Methods as specified in subsections (a)(2) and (a)(3).

ILLINOIS REGISTER

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

- c) The approved program for a 500-hour Teacher Training Course shall be based on 2 years of practical experience as a hair braider and shall consist of the teacher training curriculum outlined in subsection (a) with the exception of the 100 hours of post-graduate training.

(Source: Added at 35 Ill. Reg. _____, effective _____)

Section 1175.1545 Final Examination

- a) A hair braiding school shall require each candidate for graduation to pass a final examination that shall test the student's theoretical and practical knowledge of the curriculum studied.
- b) The practical examination shall test the candidate's skills in the following areas:
- 1) Client Preparation, Analysis and Consultation
 - 2) Single Braids With and Without Extensions
 - 3) Cornrows With and Without Extensions
 - 4) Double Strand Twisting
 - 5) Knots
 - 6) Locking
 - 7) Weaving and Styling
 - 8) Safety and Sanitation Procedures
- c) The examination shall be administered by the uniform application of standard performance criteria established by the school for each skill area. The standard performance criteria for each skill area shall be delineated in the examination records as specified in subsection (g).
- d) A passing score of 75 or greater shall be required on both the theoretical and practical portions of the final examination.

ILLINOIS REGISTER

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

- e) The school shall allow each candidate for graduation at least 3 attempts to pass the final examination.
- f) The Division may monitor the administration of the final examination:
 - 1) As a result of a complaint received;
 - 2) For random sampling; and/or
 - 3) To collect data.
- g) The school shall maintain records of the final examination for a period of no less than 5 years in the manner prescribed in Section 1175.1525(b). These records shall include:
 - 1) A copy of the final examination administered; and
 - 2) Each student's examination grades.

(Source: Added at 35 Ill. Reg. _____, effective _____)

Section 1175.1550 Change of Ownership

- a) When the ownership of a licensed hair braiding school changes, the new owner shall, within 5 working days from the date the title to the school is transferred, file with the Division an affidavit stating that the sale is contingent on a license being issued to the new owner. If this is not provided, the school must close on the date of the transfer and remain closed until a hair braiding school license is issued to the new owner. The new owner shall file an application with the Division, on forms supplied by the Division, with the following information and documentation:
 - 1) Name, address and telephone number of the person, corporation or other entity that owns the school;
 - 2) If the school is owned by a legal entity other than an individual, the name, address and telephone number of the chief executive officer of the corporation or other legal entity that owns the school;
 - 3) Name, address and telephone number of the school;

ILLINOIS REGISTER

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

- 4) Name, address and telephone number of the chief managing employee;
- 5) If the school is owned by a legal entity formed in Illinois (domestic), a copy of the required business filing with the Illinois Secretary of State;
- 6) If the school is owned by a legal entity formed outside of Illinois (foreign), a copy of the required filing from that jurisdiction and a copy of the certificate of authority to transact business in Illinois as filed with the Illinois Secretary of State;
- 7) If the school is owned by a partnership, a copy of the signed and dated partnership agreement including the name of the partnership and the name, address and telephone number of each partner;
- 8) If the school name is different from the owner's full legal name, a certificate from the Illinois Secretary of State showing authorization to transact business under an assumed name or certificate from the county clerk's office where the assumed name is filed;
- 9) A Commitment Statement from each officer of the corporation, each manager or member of the limited liability company or each member of the partnership;
- 10) A listing of all teachers who will be in the school's employ, showing a sufficient number of qualified teachers who are holders of a current hair braiding teacher license or cosmetology teacher license issued by the Division;
- 11) A detailed floor plan consistent with the requirements of Section 1175.1510. The floor plan must be drawn to a scale specified on the floor plan and show each detail of the school site;
- 12) A copy of a lease showing at least a 1 year commitment to the use of the school site or certification of ownership of the school site;
- 13) A signed fire inspection report from the local fire inspection authority, conducted in the 6 months immediately preceding application, giving approval for use of the site as a school;

ILLINOIS REGISTER

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

- 14) A statement prepared by a certified public accountant licensed by the Division pursuant to the Illinois Public Accounting Act who is not an employee of the school, showing that the owner has sufficient finances to operate the school for at least 3 months after the school license is approved;
 - 15) A copy of the official student contract to be used by the school which shall be consistent with the requirements of Section 1175.1515;
 - 16) A copy of the curricula to be used by the school, which shall be consistent with the requirements of this Part;
 - 17) A copy of the transcript to be used by the school, which shall be consistent with the requirements of Section 1175.1525;
 - 18) A copy of the final examination to be used by the school, which shall be consistent with the requirements of Section 1175.1545;
 - 19) A sample of the school seal to be used by the school;
 - 20) A photograph of the school sign to be used by the school; and
 - 21) The required fee set forth in Section 1175.100.
- b) When the items listed in subsection (a) have been received, the Division shall inspect the school premises, prior to school approval, to determine compliance with this Subpart. Approval shall be granted if all the requirements of this Subpart O have been met.
- c) Hair braiding schools shall only offer instruction in hair braiding and hair braiding teacher education.

(Source: Added at 35 Ill. Reg. _____, effective _____)

Section 1175.1555 Change of Location

- a) When the location of a licensed hair braiding school changes, the school owner shall, at least 30 days prior to the change in school site, submit to the Division the following:

ILLINOIS REGISTER

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

- 1) Written notice to the Division that the licensed hair braiding school is changing location;
 - 2) A signed and completed school application;
 - 3) A detailed floor plan of the new school site consistent with the requirements of Section 1175.1510. The floor plan must be drawn to a scale specified on the floor plan and show each detail of the new site;
 - 4) A copy of a lease showing at least a 1 year commitment to the use of the school site or certification of ownership of the school site;
 - 5) A signed fire inspection report from the local fire inspection authority, conducted in the 6 months immediately preceding application, giving approval for use of the site as a school; and
 - 6) The required fee set forth in Section 1175.100.
- b) Once the items listed in subsection (a) have been received, the Division shall inspect the premises to determine compliance with this Part. School operations shall not commence at the new location nor may the school in any way solicit student enrollment at the new location until the owners have received notice of approval from the Division. Approval will be granted if all of the requirements of this Subpart O have been met.
- c) If the change of location is due to natural destruction of the original premises, a temporary site may be used to teach theory classes only.
- 1) The temporary site must be inspected prior to its use and must possess light and ventilation and tables and chairs for the number of students in a classroom, and must be clean.
 - 2) The temporary site may be used for a period of 2 months. The 2 month period can be extended for good cause. Good cause includes, but is not limited to, unexpected delays in construction, delays in lease arrangements, or delays in equipment delivery.

(Source: Added at 35 Ill. Reg. _____, effective _____)

Section 1175.1560 Change of Name

ILLINOIS REGISTER

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

- a) When the name of a licensed hair braiding school changes, the school owner shall, at least 30 days prior to the change in school name, submit to the Division the following:
- 1) Written notice to the Division that the licensed hair braiding school name is changing. Notice shall include the owner's name, school license number, previous name of school, address of school, new name of school and effective date of change;
 - 2) If the school name is different from the owner's full legal name, a certificate from the Illinois Secretary of State showing authorization to transact business under an assumed name or certificate from the county clerk's office where the assumed name is filed; and
 - 3) The required fee set forth in Section 1175.100.
- b) Once the items listed in subsection (a) have been received and processed, the Division shall issue a new certificate. All identifying signs and materials must conform to the new school name.

(Source: Added at 35 Ill. Reg. _____, effective _____)

Section 1175.1565 Expansion

- a) Written notice shall be given to the Division 30 days prior to any expansion of a licensed hair braiding school.
- b) When an on-site expansion is to accommodate an increased enrollment, a completed school application shall be submitted along with:
- 1) A statement from the school owner outlining the purpose of the expansion;
 - 2) A detailed floor plan of the school site consistent with the requirements of Section 1175.1510. The floor plan must be drawn to a scale specified on the floor plan and show each detail of the existing school site and expansion;
 - 3) A listing of any additional teachers who will be added to the teaching staff as a result of the expansion; and

ILLINOIS REGISTER

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

- 4) The required inspection fee set forth in Section 1175.100.
- c) Off-site locations
- 1) An off-site classroom location is defined as a separate classroom that is located within 5 miles of the main school site that serves to provide adequate space in which to train an overflow of students. A clinic may not be operated at an off-site classroom location. A school may establish only one off-site classroom location. All identifying signs and materials must reflect the name of the main school.
 - 2) When the expansion will result in an off-site classroom location, a completed school application shall be submitted along with:
 - A) A statement from the school owner outlining the purpose of the off-site classroom location;
 - B) A detailed floor plan of the off-site classroom location;
 - C) A copy of a lease showing at least a 1 year commitment to the use of the off-site classroom location or certification of ownership of the off-site classroom location;
 - D) A signed fire inspection report from the local fire inspection authority, conducted in the 6 months immediately preceding application, giving approval for use of the site as an off-site classroom location;
 - E) A listing of any additional teachers who will be added to the teaching staff as a result of the expansion; and
 - F) The required fee set forth in Section 1175.100.
- d) Upon receipt of the items listed in subsections (b) and (c), the Division shall inspect the expansion site to determine compliance with this Part. The expansion site shall not be used until the inspection has occurred and the owner has received notice of approval from the Division. Approval will be granted if all of the requirements of this Subpart O have been met.

ILLINOIS REGISTER

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

(Source: Added at 35 Ill. Reg. _____, effective _____)

Section 1175.1570 Discontinuance of Program

- a) The Division shall receive a minimum of 30 days written notice of a school's intent to discontinue its program. The notice shall include the exact location where the student records are to be stored.
- b) The school owner shall notify the Division in writing of the actual closing date of the school.
- c) All school records shall be maintained after the school closes.
- d) The school must continue to meet the requirements of the Act and this Part until the actual closing date.
- e) Each student enrolled at the time of discontinuation must be provided an official transcript of all hours earned while enrolled in the program.
- f) All refunds shall be given to students in accordance with the refund provisions set forth in the enrollment agreement.

(Source: Added at 35 Ill. Reg. _____, effective _____)

Section 1175.1575 Withdrawal of Approval

The Division may withdraw, suspend or place on probation, pursuant to 68 Ill. Adm. Code 1110, the approval of a licensed hair braiding school when the quality of the program has been affected by any of the following:

- a) Gross or repeated violations of any provisions of the Act or this Part;
- b) Fraud or dishonesty in furnishing transcripts or documentation for evaluation of the school;
- c) Failure to meet the criteria for school approval specified in this Part;
- d) Failure to administer the final examination specified in this Part;

ILLINOIS REGISTER

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

- e) Failure to maintain final examination grades for each student and a master of the examination administered by the school, as specified in this Part;
- f) Fraud or dishonesty in providing transcripts to students who have fulfilled all obligations under Section 1175.1515;
- g) Failure to provide transcripts to students;
- h) A finding by the U.S. Office of Education or Illinois Student Assistance Commission that a school has misappropriated or misused grant or loan monies or has aided in obtaining monies by providing fraudulent or untruthful information; and
- i) Any other violations of the Act or this Part.

(Source: Added at 35 Ill. Reg. _____, effective _____)