

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 Division during the first 45 day public comment period. Any suggested changes will be considered by the Division and the appropriate Board.

These proposed amendments were published in the September 3, 2010 Illinois Register. The 45 day comment period will end October 18, 2010.

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) Section Numbers: Proposed Action:

1175.100	Amendment
1175.115	Amendment
1175.200	Amendment
1175.205	Amendment
1175.220	Amendment
1175.230	Amendment
1175.235	Amendment
1175.330	Amendment
1175.400	Amendment
1175.405	Amendment
1175.415	Amendment
1175.420	Amendment
1175.430	Amendment
1175.435	Amendment
1175.500	Amendment
1175.510	Amendment
1175.700	Amendment

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1175.705	Amendment
1175.715	Amendment
1175.720	Amendment
1175.730	Amendment
1175.735	Amendment
1175.805	Amendment
1175.815	Amendment
1175.1001	Amendment
1175.1005	Amendment
1175.1015	Amendment
1175.1020	Amendment
1175.1030	Amendment
1175.1035	Amendment
1175.1115	Amendment
1175.1200	Amendment
1175.1300	Amendment

- 4) Statutory Authority: Implementing the Barber, Cosmetology, Esthetics, 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: The proposed rule adds more stringent sanitary, safety and compliance standards. The rule also amends the required curriculum hours for barbers. The current language requires a minimum of 150 hours of classroom instruction with the remaining 1350 hours left to the discretion of the instructor. The proposed rule gives the instructor the discretion to allow 1350 hours of practical application or a combination of classroom instruction and practical application. The rule also amends the section on school refund policies in accordance with Public Act 96-506. It also provides more explicit guidelines for the application forms. The fee for restoring a lapsed license is also being increased due to the considerable time and resources involved in their processing.
- 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
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this rulemaking contain incorporations by reference? No

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- 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
(217) 785-0813 Fax #: 217/557-4451

- 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, and esthetics.
- B) Reporting, bookkeeping, or other procedures required for compliance: None
- C) Types of professional skills necessary for compliance: Barber, cosmetology, nail technician, and esthetics skills are required.
- 14) Regulatory Agenda on which this rulemaking was summarized: January 2010

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

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TITLE 68: PROFESSIONS AND OCCUPATIONS

CHAPTER VII: DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

SUBCHAPTER b: PROFESSIONS AND OCCUPATIONS

PART 1175

THE BARBER, COSMETOLOGY, ESTHETICS,
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
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1175.320	Recordkeeping – Transcripts
1175.325	Recordkeeping – Hours Earned
1175.330	Curriculum Requirements – Barber
1175.335	Curriculum Requirements – Barber Teacher
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- 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

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- 1175.400 Examination – Cosmetology
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- 1175.410 Examination Requirements
- 1175.415 Application for Licensure
- 1175.420 Endorsement
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- 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 –

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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
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- 1175.870 Discontinuance of Program
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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

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- 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 Technician or Esthetics Salon Certificate of Registration

AUTHORITY: Implementing the Barber, Cosmetology, Esthetics, 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 34 Ill. Reg. _____, effective _____.

SUBPART A: GENERAL

Section 1175.100 Fees

- a) Licensure fees for cosmetologists, barbers, estheticians, nail technicians, cosmetology teachers, cosmetology clinic teachers, barber teachers, esthetics

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teachers, esthetics clinic 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.
 - 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~~\$40 plus payment of all lapsed renewal fees, ~~but not to exceed \$135~~.
 - 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, nail technician, cosmetology teacher, barber teacher, esthetics teacher or nail technology teacher licensed under the laws of another jurisdiction is \$45.
- b) Licensure fees for cosmetology schools, barber schools, esthetics 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.

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- 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).
- c) Salon Fees
- 1) Registration. The fee for registration of a barber shop or cosmetology, nail technician 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 ~~pursuant to Section 4-1.5(e) of the Act.~~
 - 2) Renewal. The fee for renewal as a continuing education sponsor shall be \$250 every two years ~~pursuant to Section 4-1.5(e) of the Act.~~ If a sponsor allows the registration to lapse, he/she will be required to submit \$500 to restore the registration ~~pursuant to Section 4-1.5(e) of the Act.~~
 - 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

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- 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.
- 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, cosmetology schools, esthetics schools, nail technology schools, barber schools, and shops and salons is the actual cost of producing such a roster.
- 6) ~~Inactive Status. The fee to place a license on inactive status, other than during renewal, is \$20.~~

(Source: Amended at 34 Ill. Reg. _____, effective _____)

Section 1175.115 Sanitary Standards

The sanitary standards set forth in this Section shall be followed by all licensees as appropriate to their practice. Failure to comply with these standards shall be considered unprofessional conduct and may be determined to be a violation pursuant to Section 4-7 of the Act.

a) Definitions

- 1) "Clean" means free of soil, dust, contaminants or impurities, or recently laundered and unused, or the removal of soil, dust, etc., by washing, sweeping, clearing away, or any other appropriate method~~"Hospital Grade Disinfectant" is defined as a disinfectant that is registered with the Environmental Protection Agency as a hospital level disinfectant and that~~

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~~performs the functions of bactericides (kill harmful bacteria), virucides (kill pathogenic viruses), and fungicides (destroy fungus).~~

- 2) ~~"Disinfect" means the use of a chemical to clean with an agent that eliminates harmful bacteria, fungi and viruses on surfaces that eliminates microbacteria growth.~~
- 3) ~~"Disinfectant Sanitize" means a chemical agent that eliminates harmful bacteria, fungi and viruses to clean with hot water and soap.~~
- 4) ~~"Hospital Grade Disinfectant" means a disinfectant that is registered with the Environmental Protection Agency (EPA) as a hospital-level disinfectant and that performs the functions of bactericides (kill harmful bacteria), virucides (kill pathogenic viruses), and fungicides (destroy fungus).~~

b) Sanitary Requirements

- 1) ~~Adequate disinfecting or sterilizing equipment shall be maintained for the number of licensees, usage requirements, and volume of business. All instruments and tools shall be sanitized before and after each patron and kept in an air tight container until used.~~
- 2) ~~All disinfecting agents nondisposable manicure implements shall be kept at adequate strengths to maintain effectiveness, be free of residue and be available for immediate use at all times the salon or shop is open for business cleaned with a hospital grade disinfectant.~~
- 3) ~~All tools, implements and items that come in direct contact with a client Manicure tables shall be cleaned and disinfected or disposed of after use on each client with an antibacterial disinfectant.~~
- 4) ~~All non-disposable manicure tools and implements Clean towels shall be cleaned and disinfected with a hospital grade disinfectant after use on used for each client patron.~~
- 5) ~~All items designed to be disposed of after a single use, such as orangewood sticks, cotton, gauze, neck strips, nail wipes, tissues, sponges, paper towels, wooden applicators and spatulas, emery boards or porous nail files, buffer blocks, pumice stones, sanding bands or sleeves and~~

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~~disposable nail bits~~ Wood sticks and files (except sanitizable file and buffing blocks) shall be disposed of~~discarded~~ after each use.

- 6) New and/or disinfected and cleaned tools shall be stored separately from all others~~Shampoo bowls must be sanitized after each use.~~
 - 7) Manicure tables, work stations and facial chairs shall~~Hands must be cleaned and disinfected with a hospital grade disinfectant~~cleaned before and after serving each client~~patron~~.
 - 8) Head rests of any chair shall be protected with a disposable cover and changed after each use, or a clean washable towel may also be used.
 - 9) Items subject to cross-contamination by re-dipping into a multi-use container such as creams, All cosmetics, astringents, lotions, removers, waxes, moisturizers, masks and oils used within a field of practice shall be dispensed from containers to prevent contamination of the unused portion. Any product that becomes contaminated shall be discarded after use on that particular client~~applied with sanitized or disposable applicators and removed from the container with a sanitary spatula.~~
 - 10) Paraffin wax must be used in such a manner that prevents contamination of wax remaining in the paraffin bath or container, such as application with a single use or sanitized spatula or applicator, or disposal of any used wax. Paraffin must be covered when not in use and maintained at a temperature specified by the manufacturer's instructions.
 - 11) All articles that come in direct contact with the client's skin that cannot be cleaned or disinfected shall be disposed of immediately after use.
 - 12) All clean towels shall be kept in a closed or covered space.
 - 13) All clean~~Clean~~ or disposable esthetics sheets, gowns and head coverings shall be kept in a closed or covered space~~used for each patron.~~
- ~~11) Animals, such as birds and cats, are not permitted (with the exception of animal assistant for the physically impaired). 12) All floors, walls and furniture shall be kept clean at all times. 13) All soiled towels shall be kept in a covered container.~~

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- 14) Licenseses 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 client~~All clean towels shall be kept in a closed or covered space.~~
- 15) Licenseses shall ensure that each client's hands or feet are washed with soap and water or waterless hand sanitizer prior to performing any manicuring or pedicuring services~~All hair that is swept up from the floor shall be kept in a covered container.~~
- 16) ~~Proper disposal of unused products and packaging is required. 17) Proper disposal and handling of hazardous materials is required. 18) The use of nail products or the distribution of nail products containing monomer Methyl Methacrylate (MMA) is prohibited.~~
- 17) Clean towels shall be used for each client.
- 18) Clean or disposable esthetics sheets, gowns and head coverings shall be used for each client.
- 19) A neck strip or towel shall be placed around the client's neck and changed after each use, to prevent direct contact between a common use hair cloth or cape and the client's skin~~No owner or manager of a salon or shop shall knowingly permit any person suffering from a serious communicable disease, as defined in public health regulations, to work on the premises.~~
- 20) Hair clippings shall not be allowed to accumulate and shall be disposed of in a covered container~~All owners or managers of salons or shops shall provide adequate ventilation as required by the city, county or municipality and insure that an adequate supply of hot and cold running water is available.~~
- 21) Floor surfaces shall be kept clean, orderly and in good repair.
- 22) Storage drawers for clean tools and implements shall be clean, free of hair and used only for clean tools and implements.
- 23) All soiled towels shall be kept in a covered container. Containers shall be large and sturdy enough to store soiled items, towels or linens after use.

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- 24) Shampoo bowls and sinks shall be clean and free of hair and residue after each use.
- 25) Equipment, mirrors, lights and similar closures, furnishings, attached equipment, decorative materials and fixtures shall be kept clean and in good repair.
- 26) Walls, doors, windows and ceilings shall be clean and free of excessive spots, mildew, condensation or peeling paint.
- 27) Storage cabinets, work stations and vanities shall be kept clean.
- 28) Roller-storage receptacles and contents shall be clean and free of hair and residue.
- 29) Outer surfaces of waste disposal containers shall be kept clean.
- 30) All salons and shops shall provide adequate ventilation as required by the city, county or municipality to keep them free of excessive heat, steam, condensation, vapors, obnoxious odors, smoke and fumes.
- 31) All salons and shops 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.
- 32) Licensees shall have immediate access to a supply of hot and cold running water.
- 33) No owner or manager of a salon or shop shall knowingly permit any person suffering from a serious communicable disease, as defined in public health regulations, to work on the premises.
- 34) No licensee shall be required or permitted to massage any surface of the skin or scalp where the skin is inflamed or where a skin infection or eruption is present.
- 35) No licensee shall be required or permitted to work upon a person suffering from a serious communicable disease, as defined in public health regulations.

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36) Pets or other animals shall not be permitted in a salon or shop at any time. This prohibition does not apply to an animal assistant for the physically impaired.

c) Pedicure Equipment Cleaning and Disinfecting Procedures

The following procedures, as developed by the International Nail Technicians Association, shall be followed for all pedicure equipment such as whirlpool pedicure foot spas, self-contained foot basins, sinks and pedicure bowls:

- 1) After each client:
 - A) Drain all water from the foot spa, pedicure basin or bowl;
 - B) Clean the interior surfaces and walls of the foot spas or basin with soap or detergent to remove all visible debris; rinse with clean, clear water;
 - C) Disinfect by spraying the interior surface of the foot basin or bowl with either an EPA-registered disinfectant (demonstrated bactericidal, fungicidal, and virucidal activity used according to manufacturer's instructions), or 10% bleach solution; and
 - D) Wipe dry.
- 2) At the end of every day, after the last client:
 - A) Perform the procedures of (c)(1);
 - B) Remove the screen from whirlpool basin. All debris trapped behind the screen of each foot spa shall be removed with a brush and soap or detergent; then the screen and the inlet shall be cleaned to remove all visible debris with soap or detergent and water;
 - C) Before replacing the screen, totally immerse the screen in either an EPA-registered disinfectant or 10% bleach solution;
 - D) Fill the basin with warm water and low-sudsing soap, turn the system on and flush the spa system for 5 minutes, then rinse and drain.

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- 3) Once every week:
 - A) Repeat the procedures of (c)(2); then fill the foot spa or basin with cold water and one tablespoon of 5.25% liquid household bleach (or the equivalent) for each one gallon of water based on the capacity of unit;
 - B) Turn unit on and circulate the bleach solution through the system for 5 to 10 minutes; turn unit off;
 - C) Let the bleach solution sit in the spa or pedicure basin overnight (at least 6-10 hours);
 - D) The following morning, and before the first client, drain bleach solution;
 - E) Fill the basin with clean water, turn the system on and flush the system with clean water and drain;
- 4) Logs:

Make a record of the date and time of the weekly cleaning and disinfecting. The record for the last 90 days shall be readily accessible and available upon client or inspector request. Separate logs for weekly and daily procedures are needed but may be kept in the same document log.

d) Devices/Equipment

- 1) All manual or mechanical devices and equipment used in the practice of barbering, cosmetology, esthetics or nail technology must meet all "product registration requirements" imposed by any federal, State, county or local authority.
- 2) All manual or mechanical devices or equipment used in the practice of barbering, cosmetology, esthetics or nail technology must be used in accordance with the "product safety requirements" imposed by any federal, State, county or local authority.

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- 3) Each licensee must verify, maintain, or be able to access documentation related to any device classified by the FDA that is used in the practice of barbering, cosmetology, esthetics or nail technology.
- 4) Licenses may not use any manual or mechanical device or equipment unless the use is part of the delivery of services within the licensee's scope of practice and is consistent with the manufacturer's intended use of the device and with client health and safety.
- e) Compliance with All Applicable Regulations

Owners or managers of a salon or shop and licensees shall observe and be subject to all Illinois Department of Public Health as well as other city, county and State regulations pertaining to public health and safety. Compliance with building, State fire, plumbing, and electrical regulations is also required.

(Source: Amended at 34 Ill. Reg. _____, effective _____)

SUBPART B: BARBER

Section 1175.200 Examination – Barber

- a) Eligibility.
 - 1) Each applicant must meet the requirements in Section 2-2(a), (b) and (c) or 2-3(a), (b), (c) and (d) of the Act prior to filing an application for the Division authorized examination.
 - 2) An applicant's training must be received from a barber school approved by the Division that meets the requirements set forth in Subpart C of this Part.
- b) Application. Each applicant shall file an application for examination, on forms provided by the Division, at least 45 days prior to an examination date. The application shall include:
 - 1) An official transcript showing successful completion of the required training outlined in Section 2-2(c) and 2-3(c) and (d) of the Act and a passing grade on the final examination administered by the school as set forth in Section 1175.340;

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- 2) ~~A complete work history since graduation from barber school;~~ 3) Proof of any name change (i.e., marriage license, divorce decree, affidavit, or court order); and
- 3)4) The required examination fee.
- c) Individuals who do not obtain a license within 5 years of graduation from barber school will be required to complete a 250 hour refresher course before they may obtain a license.

(Source: Amended at 34 Ill. Reg. _____, effective _____)

Section 1175.205 Examination – Barber Teacher

- a) Eligibility. Each applicant must meet the requirements in Section 2-4(a), (b), (c) and (d) of the Act prior to filing an application for the barber teacher examination.
- b) Application. Each applicant shall file an application, on forms provided by the Division, at least 45 days prior to an examination date. The application shall include:
 - 1) Proof of any name change (i.e., marriage license, divorce decree, affidavit or court order);
 - 2) The required examination fee;
 - 3) Either:
 - A) An official transcript from an approved barber school (see Subpart C) showing successful completion of 500 hours of teacher training as outlined in Section 1175.335 of this Part; employment verification showing at least 3 years of practical experience as a registered barber; or
 - B) An official transcript from an approved barber school showing successful completion of 1000 hours of barber teacher training as outlined in Section 1175.335 of this Part; and
 - 4) ~~A complete work history since graduation from barber school; and~~ 5) A

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copy of the applicant's current Illinois barber license.

(Source: Amended at 34 Ill. Reg. _____, effective _____)

Section 1175.220 Endorsement

- a) An applicant who is currently licensed as a barber in another jurisdiction and who is seeking licensure in Illinois by endorsement shall file an application, on forms provided by the Division, which shall include:
 - 1) A certification from the state of original licensure stating:
 - A) A brief description of any licensure examination taken and the grades received; and
 - B) Whether the applicant's file contains any record of disciplinary actions taken or pending;
 - 2) Official transcripts from the school attended by the applicant showing the courses completed and the hours received with the school seal affixed or a verification from the licensing authority of the number of hours required for licensure at the time the applicant was originally licensed;
 - 3) Certification of current licensure if other than original licensure;
 - 4) 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 2-4a of the Act;
 - 5) ~~A complete work history showing all employment since graduation from barber school to present;~~ 6) Proof of any 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;
 - ~~6) 7) The required fee set forth in Section 1175.100; and~~

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- ~~7)8)~~ 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 barber teacher in another jurisdiction and who is seeking licensure in Illinois by endorsement shall file an application, on forms provided by the Division, which shall include:
- 1) A certification from the state of original licensure stating:
 - A) A brief description of any licensure examination taken and the grades received; and
 - B) Whether the applicant's file contains any record of disciplinary action taken or pending;
 - 2) Official transcripts from the school attended by the applicant showing the courses completed and the hours received with the school seal affixed or a verification from the licensing authority of the number of hours required for licensure at the time the applicant was originally licensed;
 - 3) Certification of current licensure if other than original licensure;
 - 4) Two Verification of Employment forms shall be submitted by the applicant who completed at least 500 hours of teacher training but less than 1000 hours. A barber teacher applicant shall verify 3 years of lawful practice as a barber;
 - 5) ~~A complete work history showing all employment since graduation from basic barber school to present;~~ 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;
- ~~6)7)~~ A copy of the applicant's barber license or verification from the licensing authority that the applicant has the ability to practice barbering with a barber teacher license;
- ~~7)8)~~ The required fee set forth in Section 1175.100; and

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- ~~8)9)~~ 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.
- c) An applicant for licensure as a barber 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 barber. 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 certification of licensure from the jurisdiction in which the lawful practice is claimed must also be submitted.
- d) An applicant applying for licensure as a barber or barber 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. The successful completion of the substantially equivalent examination must occur after the most recently failed examination attempt in Illinois.

(Source: Amended at 34 Ill. Reg. _____, effective _____)

Section 1175.230 Restoration – Barber

- a) A person applying for restoration of his/her license as a barber ~~that~~^{which} has been expired for less than 5 years shall submit an application on forms provided by the Division and \$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 which 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;

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- 3) ~~A complete work history showing all employment since the Illinois license lapsed;~~ 4) A completed Restoration Questionnaire;
 - 4) ~~5)~~ The required fee set forth in Section 1175.100; or
 - 5) ~~6)~~ 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 34 Ill. Reg. _____, effective _____)

Section 1175.235 Restoration – Barber Teacher

- a) A person applying for restoration of a license as a barber teacher ~~that~~which has been expired for less than 5 years shall file an application, on forms provided by the Division, and the required fee. If restoring after active military service, the applicant shall submit a copy of the applicant's DD-214 and the current renewal fee.
- b) A person applying for restoration of a license as a barber teacher ~~that~~which 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 teacher in another jurisdiction within the 5 years preceding application for restoration;
 - 2) A certification of licensure from the appropriate licensing authority in the jurisdiction of employment;
 - 3) ~~A complete work history showing all employment since the Illinois teacher license lapsed;~~ 4) A completed Restoration

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Questionnaire~~restoration questionnaire~~;

- ~~4)5)~~ The required fee set forth in Section 1175.100; or
- ~~5)6)~~ If restoring after active military service, a copy of the applicant's DD-214 form and the current renewal fee.
- c) An applicant for restoration who has not maintained an active teaching practice in another jurisdiction shall also submit official transcripts showing successful completion of a 250 hour barber teacher refresher course or successful completion of the examination set forth in Section 1175.210 within 2 years after applying for restoration of the license.
- 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 34 Ill. Reg. _____, effective _____)

SUBPART C: BARBER SCHOOL

Section 1175.330 Curriculum Requirements - Barber

Each licensed barber school shall provide a program consisting curriculum of a minimum of 1500 clock hours of instruction in general theory and practical application, as follows:

- a) 150 hours of classroom instruction in general theory ~~that which~~ shall be divided into specific subject areas as specified in subsection (b).
- b) 1350 hours shall be at the discretion of the instructor based on the instructor's evaluation of the individual student's needs. However, the training shall cover, at least, the following subject areas: ~~set forth in Section 2A-7(4) of the Act.~~
 - 1) Barber history;
 - 2) Bacteriology;
 - 3) Infection control and safe work practices;
 - 4) Implements, tools and equipment;

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- 5) Anatomy and physiology;
- 6) Chemistry;
- 7) Electricity and light therapy;
- 8) Properties and disorders of the skin;
- 9) Properties and disorders of the hair and scalp;
- 10) Treatment of the hair and scalp;
- 11) Facial and scalp massage;
- 12) Shaving and facial hair design;
- 13) Haircutting and styling;
- 14) Chemical texture services;
- 15) Hair coloring and lightening;
- 16) Barbershop management; and
- 17) Pertinent State and local laws and rules.

(Source: Amended at 34 Ill. Reg. _____, effective _____)

SUBPART D: COSMETOLOGY

Section 1175.400 Examination – Cosmetology

- a) Eligibility.
 - 1) Each applicant must meet the requirements in either Section 3-2(1)(a), (b) and (c) or 3-3(a), (b) and (c) of the Act prior to filing an application for the Division authorized cosmetology examination.

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- 2) An applicant's training must be received from a school of cosmetology approved by the Division that meets the requirements set forth in Subpart E of this Part.
- b) Application. Each applicant shall file an application for examination, on forms provided by the Division, at least 45 days prior to an examination date. The application shall include:
- 1) An official transcript showing successful completion of the required training outlined in Section 3-2(c) or 3-3(c) of the Act; official transcripts showing successful completion of remedial training when required by Section 1175.410(c) of this Part and a passing grade on the final examination administered by the school as set forth in Section 1175.540;
 - 2) A request, if desired, to take the written examination in the Spanish language;
 - 3) Proof of any name change (i.e., marriage license, divorce decree, affidavit or court order) if name is other than that shown on any documents submitted;
 - 4) If licensed as a cosmetologist in another state, a certification of licensure from the state of original licensure and from the state of current licensure or most recent practice; and
 - 5) ~~A complete work history since graduation from cosmetology school; and~~
6) The required examination fee.

(Source: Amended at 34 Ill. Reg. _____, effective _____)

Section 1175.405 Examination – Cosmetology Teacher and Cosmetology Clinic Teacher

- a) Eligibility. Each applicant must meet the requirements in Section 3-4(a) and (b) of the Act prior to filing an application for the cosmetology teacher examination.
- b) Application. Each applicant shall file an application, on forms provided by the Division, at least 45 days prior to an examination date. The application shall include:

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- 1) Proof of any name change (i.e., marriage license, divorce decree, affidavit, or court order) if name is other than that shown on any document submitted;
- 2) The required examination fee;
- 3) For cosmetology teacher:
 - A) Either:
 - i) An official transcript from an approved school of cosmetology showing successful completion of a program of 500 hours of teacher training as outlined in Section 1175.535 of this Part and 2 employment verification forms showing at least 2 years of practical experience as a licensed cosmetologist; or
 - ii) An official transcript from an approved school of cosmetology (see Subpart E) showing successful completion of a program of 1000 hours of teacher training as outlined in Section 1175.535 of this Part; and
 - B) If licensed as a cosmetology teacher in another state, a certification of licensure from the state of original licensure and from the state of current licensure or most recent practice;
- 4) For cosmetology clinic teacher:
 - A) an official transcript from an approved school of cosmetology showing successful completion of a program of 250 hours of clinic teacher training in a licensed school of cosmetology; or
 - B) Proof that the teacher, within 5 years preceding the examination, has obtained a minimum of 2 years of practical experience working at least 30 full-time hours per week as a licensed cosmetologist and has completed an instructor's institute of 20 hours, as approved by the Division, prior to submitting an application for examination; and
- 5) ~~A complete work history since obtaining a cosmetologist license from~~

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~~cosmetology school; and 6)~~ A copy of the applicant's current Illinois cosmetology license.

(Source: Amended at 34 Ill. Reg. _____, effective _____)

Section 1175.415 Application for Licensure

- a) Each applicant shall submit to the Division:
 - 1) A signed and completed licensure application that the applicant will receive with the notification of successful completion of the examination;
 - 2) Proof of name change (i.e., marriage license, divorce decree, affidavit or court order) if different from that shown on pre-printed licensure application; and
 - 3) The required fee set forth in Section 1175.100.

- b) Any licensed nail technology teacher or licensed esthetics teacher shall not be required to take the examination set forth in Section 1175.405. An application shall be submitted to the Division that includes:
 - 1) A copy of his/her current nail technician teacher license or esthetics teacher license;
 - 2) A copy of his/her nail technician license or esthetics license;
 - 3) ~~A complete work history since obtaining a nail technology teacher license or esthetics teacher license;~~
 - 4) Either:
 - A) Proof of two years experience as an esthetician or nail technician; or
 - B) An official transcript verifying completion of 500 hours of post-graduate school training that includes all subjects in the basic cosmetology curriculum in Section 1175.535, 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; and

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~~4)5)~~ The required fee set forth in Section 1175.100.

(Source: Amended at 34 Ill. Reg. _____, effective _____)

Section 1175.420 Endorsement

- a) An applicant who is currently licensed as a cosmetologist in 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) A certification from the state of original licensure stating:
 - A) A brief description of any licensure examination taken and the grades received; and
 - B) Whether the applicant's file contains any record of disciplinary actions taken or pending;
 - 2) Official transcripts from the schools attended by the applicant showing the programs completed and the hours received with the school seal affixed or a verification from the licensing authority of the number of hours required for licensure at the time the applicant was originally licensed;
 - 3) Certification of current licensure if other than original licensure;
 - 4) 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) ~~A complete work history showing all employment since graduation from cosmetology school to present;~~ 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;
- ~~6)7)~~ The required fee set forth in Section 1175.100; and

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- ~~7)8)~~ 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 cosmetology teacher or cosmetology clinic teacher in 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) A certification from the state of original licensure stating:
 - A) A brief description of any licensure examination taken and the grades received; and
 - B) Whether the applicant's file contains any record of disciplinary action taken or pending;
 - 2) Official transcripts from the schools attended by the applicant showing the programs completed and the hours received with the school seal affixed or a verification from the licensing authority of the number of hours required for licensure at the time the applicant was originally licensed;
 - 3) Certification of current licensure if other than original licensure;
 - 4) One of the Following~~Either~~:
 - 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

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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) ~~A complete work history showing all employment since graduation from basic cosmetology school to present;~~ 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;
- ~~6)7)~~ The required fee set forth in Section 1175.100; and
- ~~7)8)~~ 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.
- c) 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 certification of licensure from the jurisdiction in which the lawful practice is claimed must also be submitted.
- 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 34 Ill. Reg. _____, effective _____)

Section 1175.430 Restoration – Cosmetology

- a) Application for Restoration

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- 1) A person applying for restoration of a license as a cosmetologist 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 14 hours of continuing education earned within the 2 years immediately preceding the 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 cosmetologist 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 employment as a cosmetologist 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 said practice was authorized;
 - C) ~~A complete work history showing all employment since the Illinois license lapsed or was placed on inactive status;~~ D) A completed Restoration Questionnaire;
 - ~~D)E)~~ Evidence of successful completion of 14 hours of continuing education earned within the 2 years immediately preceding restoration if restoring a cosmetology license; and
 - ~~E)F)~~ 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

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restoring from active military service.

- 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 cosmetology or barber school or passage of the examination set forth in Section 1175.410 within 2 years prior to or within 2 years after application for restoration. A cosmetology applicant who completes this refresher course or takes the examination shall not be required to complete 14 hours of continuing education.
- 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 34 Ill. Reg. _____, effective _____)

Section 1175.435 Restoration – Cosmetology Teacher

- a) A person applying for restoration of a certificate as a licensed cosmetology teacher or cosmetology clinic teacher that has been expired or been on inactive status for less than 5 years shall file an application, on forms provided by the Division. An applicant shall also submit proof of 24 hours of continuing education in accordance with Section 1175.1200 earned within the 2 years preceding the restoration and the required fee set forth in Section 1175.100. If restoring after active military service, an applicant shall submit a copy of his/her DD-214 and the current renewal fee.
- b) A person applying for restoration of a license as a cosmetology teacher or cosmetology clinic teacher that has been expired 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 employment as a cosmetology teacher or cosmetology clinic 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;
 - C) Evidence of successful completion of 24 hours of continuing

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education earned within the 2 years immediately preceding the restoration;

D) ~~A complete work history showing all employment since the Illinois teacher license lapsed;~~ E) A completed Restoration Questionnaire~~restoration questionnaire~~; and

E)F) The required fee set forth in Section 1175.100; or

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

c) An applicant for restoration of a cosmetology teacher license who has not maintained an active teaching practice in another jurisdiction shall submit official transcripts showing successful completion of a 250 hour cosmetology teacher refresher course or passage of the examination set forth in Section 1175.410 within 2 years prior to or within 2 years after application for restoration of a license. Those who successfully complete a 250 hour refresher course or take the examination shall not be required to complete continuing education before restoring a license.

d) An applicant for restoration of a cosmetology clinic teacher license who has not maintained an active teaching practice in another jurisdiction shall submit official transcripts showing successful completion of a 60 hour cosmetology teacher refresher course or passage of the examination set forth in Section 1175.410 within 2 years prior to or within 2 years after application for restoration of a license. Those who successfully complete a 60 hour refresher course or take the examination shall not be required to complete continuing education before restoring a license.

e) 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 34 Ill. Reg. _____, effective _____)

SUBPART E: COSMETOLOGY SCHOOLS

Section 1175.500 School Approval Application

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- a) An applicant for a cosmetology school license shall submit a completed application to the Division with the following information and documentation:
- 1) A detailed floor plan consistent with the requirements of Section 1175.505 of this Part;
 - 2) 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 proposed school site;
 - 3) If owner is a corporation, a copy of the Articles of Incorporation;
 - 4) If owner is a partnership, a listing of all partners and their current addresses;
 - 5) A signed fire inspection report from the local fire inspection authority within 6 months prior to filing an application giving approval for use of the site as a school;
 - 6) A financial statement prepared by a public accountant licensed by the Division pursuant to the Illinois Public Accounting Act who is not an employee of the school, indicating sufficient current finances exist to operate the school for at least 3 months;
 - 7) A copy of the official student contract to be used by the school, which shall be consistent with the requirements of Section 1175.510 of this Part;
 - 8) A listing of all teachers, including their teacher license numbers, who will be in the school's employ;
 - 9) A copy of the curricula that will be followed;
 - 10) A copy of the school's official transcript; and
 - 11) The required fee set forth in Section ~~1175.1004-1.5(d) of the Act~~ 1175.1004-1.5(d) of the Act.
- b) New schools that wish to offer nail technology and/or esthetics in addition to cosmetology shall comply with Section 1175.805 and 1175.1105.
- c) When the above items have been received, the Division shall inspect the school premises, prior to school approval, to determine compliance with this Subpart.

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School operations shall not commence nor shall the school in any way solicit student enrollment, until the school has received written notice of approval from the Division. Approval will be granted if all of the requirements of Subpart E have been met.

(Source: Amended at 34 Ill. Reg. _____, effective _____)

Section 1175.510 Enrollment Agreements and Refund Policies

- a) All licensed cosmetology schools shall have enrollment agreements that meet the requirements of Section 3B-12 of the Act.
- b) All licensed cosmetology 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 ~~no more than the application and registration fee,~~ not to exceed \$100 and plus the cost of any books or materials that which have been provided by the school and retained by the student (Section 3B-13(b) of the Act). ~~The cost of books, for purposes of refunds, is the cost of the books charged to the student, not the cost of the books to the school.~~*
 - 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

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

- c)2) For students who enroll in and begin classes, the following schedule of tuition adjustment will be considered to meet the Division standards for refunds shall be made in the following manner:

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

(Source: Amended at 34 Ill. Reg. _____, effective _____)

SUBPART G: ESTHETICS

Section 1175.700 Examination – Esthetics

- a) Eligibility. Each applicant must meet the following requirements:
- 1) Be at least 16 years of age.
 - 2) Pursuant to Section 3A-2 of the Act:
 - A) Be a high school graduate or its equivalent or be beyond the age of compulsory school attendance; and
 - B) Graduate from an esthetics or cosmetology school approved by the Division to teach esthetics in accordance with Subpart H of this Part, which includes a 750 hour program in the study of esthetics extending over a period of not less than 18 weeks nor more than 4 consecutive years.

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- b) Application. Each applicant shall file an application for examination, on forms provided by the Division, at least 45 days prior to an examination date. The application shall include:
- 1) An official transcript showing successful completion of the required training outlined in subsection (a) and a passing grade on the final examination administered by the school as set forth in Section 1175.845; or official transcripts showing successful completion of remedial training (125 hour refresher course) when required by Section 3A-2 of the Act;
 - 2) Proof of any name change (i.e., marriage license, divorce decree, affidavit or court order) if different than shown on the supporting documents;
 - 3) If licensed as an esthetician or holding a related license in another state, a certification of licensure from the state of original licensure and from the state of current licensure or most recent practice; and
 - 4) ~~A complete work history since graduation from an esthetics school or a cosmetology school approved to teach esthetics; and~~ 5) The required fee set forth in Section 1175.100.

(Source: Amended at 34 Ill. Reg. _____, effective _____)

Section 1175.705 Examination – Esthetics Teacher and Esthetics Clinic Teacher

- a) Eligibility. Each applicant must meet the following requirements pursuant to Section 3A-3 of the Act prior to filing an application for the esthetics teacher examination.
- 1) Be at least 18 years of age;
 - 2) Be a high school graduate or its equivalent;
 - 3) Hold a current license as a cosmetologist or esthetician;
 - 4) For esthetics teacher:
 - A) Complete a program of 500 hours of teacher training in an approved cosmetology or esthetics school and 2 years of experience as a licensed cosmetologist or esthetician within 5 years

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preceding application; or

- B) Complete a program of 750 hours of teacher training in a licensed cosmetology school approved to teach esthetics or in an esthetics school; and
- 5) For esthetics clinic teacher: An official transcript from an approved school of esthetics or cosmetology showing successful completion of a program of 250 hours of clinic teacher training as outlined in Section 1175.536 or 1175.841 of this Part and 2 employment verification forms showing at least 2 years of practical experience as a licensed cosmetologist within 5 years prior to application.
- b) Application. Each applicant shall file an application, on forms provided by the Division, at least 45 days prior to an examination date. The application shall include:
- 1) Proof of any name change (i.e., marriage license, divorce decree, affidavit or court order) if different than shown on supporting documents;
 - 2) The required fee set forth in Section 1175.100;
 - 3) For an esthetics teacher:
 - A) An official transcript from an approved school of esthetics or cosmetology showing successful completion of a 500 hour program of teacher training as outlined in Section 1175.535 or 1175.840 of this Part and 2 employment verification forms showing at least 2 years of the last 5 years preceding the examination of practical experience as a licensed esthetician or cosmetologist; or
 - B) An official transcript from an approved school of esthetics or cosmetology showing completion of a program of 750 hours of teacher training as outlined in Section 1175.535 or 1175.840 of this Part;
 - 4) For an esthetics clinic teacher:
 - A) An official transcript from an approved school of esthetics or

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cosmetology showing successful completion of a program of 250 hours of clinic teacher training; or

- B) Proof that the teacher, within 5 years preceding the examination, has obtained a minimum of 2 years of practical experience working at least 30 full time hours per week as a licensed esthetician and has completed an instructor's institute of 20 hours, approved by the Division, prior to submitting an application for examination;
- 5) ~~A complete work history since graduation from an esthetics or cosmetology school;~~ 6) A copy of the applicant's current Illinois esthetician or cosmetology license;
- ~~6)7)~~ For any person who holds a cosmetologist's license, a certificate of competency in the use of machines (steamer, disencrustation machine, etc.) utilized in the practice of esthetics. ~~The~~~~Such~~ certificate shall be from the school of cosmetology or esthetics or the manufacturer of ~~such~~ machines used in esthetics; and
- ~~7)8)~~ If licensed in another state, a certification of licensure from the state of original licensure and from the state of current licensure or most recent practice.

(Source: Amended at 34 Ill. Reg. _____, effective _____)

Section 1175.715 Application for Licensure

- a) Applicants for licensure based on examination shall submit to the Division:
 - 1) A signed and completed licensure application ~~that~~~~which~~ the applicant will receive with the notification of successful completion of the examination;
 - 2) Proof of name change (i.e., marriage license, divorce decree, affidavit or court order) if different from that shown on pre-printed licensure application; and
 - 3) The required fee set forth in Section 1175.100.
- b) Cosmetology teachers licensed in Illinois who are applying for an esthetics teacher's license will not be required to take the examination set forth in Section

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1175.705. An application shall be submitted to the Division that includes:

- 1) A copy of the applicant's current cosmetology teacher license;
 - 2) ~~A complete work history since completion of teacher training;~~ 3) A certificate of competency in the use of machines (steamer, disencrustation machine, etc.) utilized in the practice of esthetics. ~~The~~ Such certificate shall be from the school of cosmetology or esthetics or the manufacturer of ~~such~~ machines used in esthetics; and
 - 3)4) The required fee set forth in Section 1175.100.
- c) A licensed cosmetology teacher who will be teaching esthetics in an approved esthetics school or in a cosmetology school approved to teach esthetics, however, will be required to submit a written request to the Division notifying it of his/her intent to teach esthetics.
- 1) The written request shall be accompanied by:
 - A) A copy of his/her cosmetology teacher license; and
 - B) A certificate of competency in the use of machines (steamer, disencrustation machine, etc.) utilized in the practice of esthetics. ~~The~~ Such certificate shall be from the school of cosmetology or esthetics or the manufacturer of ~~such~~ machines used in esthetics.
 - 2) The Division shall issue a letter of authority to the individual that he/she is approved to teach esthetics in Illinois.
- d) Nothing in this Part requires a licensed cosmetologist to obtain a license to practice esthetics or a licensed cosmetology teacher to obtain a license to practice or to teach esthetics.
- e) Nail technology teachers licensed in Illinois who are applying for an esthetics teacher's license will not be required to take the examination set forth in Section 1175.710. An application shall be submitted to the Division that includes:
- 1) A copy of his/her current nail technology teacher license;
 - 2) A copy of his/her esthetics license;

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- 3) ~~A complete work history since obtaining a nail technology teacher license;~~4) Either:
- A) Proof of two years experience as an esthetician; or
 - B) An official transcript verifying completion of 250 hours of Post-Graduate School Training that includes all subjects in the basic esthetics curriculum in Section 1175.835, 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; and
- 4)5) The required fee set forth in Section 1175.100.

(Source: Amended at 34 Ill. Reg. _____, effective _____)

Section 1175.720 Endorsement

- a) An applicant who is currently licensed as an esthetician in another jurisdiction and who is seeking licensure in Illinois by endorsement shall file an application, on forms provided by the Division, which shall include:
 - 1) A certification from the jurisdiction of original licensure stating:
 - A) A brief description of any licensure examination taken and the grades received; and
 - B) Whether the applicant's file contains any record of disciplinary actions taken or pending;
 - 2) Official transcripts from the schools attended by the applicant showing the programs completed and the hours received with the school seal affixed;
 - 3) Certification of current licensure if other than original licensure;
 - 4) ~~A complete work history showing all employment since graduation from esthetics school to present;~~ 5) Proof of any name change (i.e., marriage license, divorce decree, affidavit or court order) if name is other than that

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shown on attached documents;

~~5)6)~~ The required fee set forth in Section 1175.100; and

~~6)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 an esthetics teacher or esthetics clinic teacher in 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) A certification from the jurisdiction of original licensure stating:

A) A brief description of any licensure examination taken and the grades received; and

B) Whether the applicant's file contains any record of disciplinary action taken or pending;

2) Official transcripts from the schools attended by the applicant showing the programs completed and the hours received with the school seal affixed;

3) Certification of current licensure if other than original licensure;

4) One of the Following~~Either~~:

A) Two Verification of Employment forms submitted by an applicant who completed a program of at least 500 hours of teacher training. An esthetics teacher applicant shall submit verification of 2 years of lawful practice as an esthetician; or

B) Two Verification of Employment forms submitted by an applicant who completed a program of at least 250 hours of clinic teacher training. An esthetics clinic teacher applicant shall submit verification of 2 years of lawful practice as an esthetician; or

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- C) Two Verification of Employment forms indicating 3 years of lawful practice in another jurisdiction submitted by an applicant who is applying as an esthetics teacher or esthetics clinic teacher on the basis of 3 years of lawful practice;
 - 5) ~~A complete work history showing all employment since graduation from basic esthetics school to present;~~ 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;
 - ~~6)7)~~ The required fee set forth in Section 1175.100; and
 - ~~7)8)~~ 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.
- c) An applicant for licensure as an esthetician 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 an esthetician. To obtain credit for work experience, the applicant must submit verification of employment in support of the work experience on forms provided by the Division. A certification of licensure from the jurisdiction in which the lawful practice is claimed must also be submitted.
- d) An applicant applying for licensure as an esthetician, esthetics teacher or esthetics 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 1175.710(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 34 Ill. Reg. _____, effective _____)

Section 1175.730 Restoration – Esthetics

- a) A person applying for restoration of a license as an esthetician that has been

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expired for less than 5 years shall submit an application on forms provided by the Division and either:

- 1) All of the following:
 - A) pay the required fee; and
 - B) provide evidence of successful completion of 10 hours of continuing education in accordance with Section 1175.1200 of this Part; earned within the 2 years immediately preceding the restoration.
 - 2) If restoring after active military service, 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 an esthetician that has been expired 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 employment attesting to lawful practice in another jurisdiction within the 5 years preceding application for restoration;
 - B) Certification from the appropriate licensing authority in the jurisdiction in which lawful practice is claimed;
 - C) ~~A complete work history showing all employment since the Illinois license lapsed or was placed on inactive status;~~ D) A completed Restoration Questionnaire;
 - ~~D)E)~~ Evidence of successful completion of 10 hours of continuing education earned within the 2 years immediately preceding restoration; and
 - ~~E)F)~~ The required fee set forth in Section 1175.100; or
 - 2) If restoring from active military service, a copy of the applicant's DD-214 and the current renewal fee.

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- c) An applicant for restoration who has not maintained a lawful practice (as determined by the laws of that jurisdiction) in another jurisdiction shall also submit official transcripts showing successful completion of a 125 hour esthetics refresher course from an approved cosmetology or esthetics school or pass the esthetics licensure examination pursuant to Section 1175.710 within 2 years prior to or within 2 years after application for restoration. An applicant who completes this refresher course or takes the examination shall not also be required to complete 10 hours of continuing education.
- 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 34 Ill. Reg. _____, effective _____)

Section 1175.735 Restoration – Esthetics Teacher

- a) A person applying for restoration of a license as an esthetics teacher or esthetics clinic teacher that has been expired or been on inactive status for less than 5 years shall submit an application on forms provided by the Division. An applicant shall also submit evidence of successful completion of 20 hours of continuing education in accordance with Section 1175.1210 earned within the 2 years immediately preceding the restoration and the required fee set forth in Section 1175.100. If restoring after active military service, an 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 certificate as an esthetics teacher or esthetics clinic teacher that has been expired 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 employment as an esthetics teacher or esthetics clinic teacher in another jurisdiction within the 5 years preceding application for restoration;
 - B) A certification from the appropriate licensing authority in the jurisdiction in which lawful practice is claimed;

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- C) Evidence of successful completion of 20 hours of continuing education earned within 2 years immediately preceding restoration;
 - D) ~~A complete work history showing all employment since the Illinois esthetics teacher or esthetics clinic teacher license lapsed; E)A completed Restoration Questionnaire restoration questionnaire; and~~
 - ~~E)F) The required fee set forth in Section 1175.100; or~~
- 2) If restoring after active military service, a copy of the applicant's DD-214 form and the current renewal fee.
- c) An applicant for restoration of an esthetics teacher license who has not maintained a lawful esthetics teaching practice (as determined by the laws of that jurisdiction) in another jurisdiction shall submit official transcripts showing successful completion of a 125 hour teacher refresher course from an approved esthetics or cosmetology school or pass the esthetics teacher examination in accordance with Section 1175.710 within 2 years prior to application for restoration. An applicant who completes this refresher course shall not also be required to complete 20 hours of continuing education.
- d) An applicant for restoration of an esthetics clinic teacher license who has not maintained an active teaching practice in another jurisdiction shall submit official transcripts showing successful completion of a 60 hour teacher refresher course or passage of the examination set forth in Section 1175.710 within 2 years prior to or within 2 years after application for restoration of a license. Those who successfully complete a 60 hour refresher course or take the examination shall not be required to complete continuing education before restoring a license.

(Source: Amended at 34 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

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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~~ approval 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 public accountant licensed by the Division pursuant to the Illinois Public Accounting Act who is not an employee of the school, 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.
 - B) At least one work station or position for every 2 students.

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- C) Every work station shall have 1 set of facial equipment to include manual, mechanical, or electrical apparatus as follows:
 - i) Steamer
 - ii) Brushing
 - iii) Vacuum/spray machine
 - iv) Glass electrode or high frequency current
 - v) Disencrustation machine
 - vi) One magnification lamp
 - vii) Woods lamp.
 - 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 34 Ill. Reg. _____, effective _____)

Section 1175.815 Enrollment Agreements and Refund Policy

- a) All licensed esthetics schools shall have enrollment agreements that meet the requirements of Section 3B-12 of the Act.
- b) All licensed esthetics 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 ~~no more than~~ the application and*

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registration fee, not to exceed \$100 and ~~plus the cost of any books or materials that~~ ~~which~~ have been provided by the school and retained by the student (Section 3B-13(b) of the Act). ~~The cost of books, for purposes of refunds, is the cost of the books charged to the student, not the cost of the books to the school.~~

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

c)2) For students who enroll in and begin classes, the following schedule of tuition adjustment will be considered to meet the Division standards for refunds ~~shall be made in the following manner:~~

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

(Source: Amended at 34 Ill. Reg. _____, effective _____)

SUBPART J: NAIL TECHNOLOGY

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Section 1175.1001 Examination – Nail Technician

- a) Eligibility. Each applicant must meet the following requirements:
- 1) Is at least 16 years of age.
 - 2) Pursuant to Section 3C-2 of the Act:
 - A) Is beyond the age of compulsory school attendance or has a certificate of graduation from a school providing secondary education or the recognized equivalent of that certificate; and
 - B) Is a graduate of a cosmetology or nail technology school approved by the Division to teach nail technology in accordance with Subpart K of this Part, that includes a program of 350 hours in the study of nail technology extending over a period of not less than 8 weeks nor more than 2 consecutive years.
- b) Application. Each applicant shall file an application for examination, on forms provided by the Division, at least 45 days prior to an examination date. The application shall include:
- 1) An official transcript showing successful completion of the required program outlined in subsection (a)(2)(B) and a passing grade on the final examination administered by the school as set forth in Section 1175.1145; or, for those retaking the Division examination after 2 unsuccessful attempts, official transcripts showing successful completion of remedial training (60 hour refresher course) as required by Section 3C-7 of the Act;
 - 2) Proof of any name change (i.e., marriage license, divorce decree, affidavit or court order) if a different name appears on supporting documents; and
 - 3) ~~A complete work history since graduation from a nail technology school or a cosmetology school approved to teach nail technology; and~~ 4) The required fee set forth in Section 1175.100 of this Part.
- c) An applicant who has graduated from a nail technology program in another jurisdiction with less than 350 hours may only acquire a maximum of 50 hours of nail technology training from a licensed Illinois cosmetology school or nail

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technology school.

(Source: Amended at 34 Ill. Reg. _____, effective _____)

Section 1175.1005 Examination – Nail Technology Teacher or Nail Technology Clinic Teacher

- a) Eligibility. Each applicant must meet the following requirements pursuant to Section 3C-3 of the Act prior to filing an application for the nail technology teacher examination:
- 1) Be at least 18 years of age;
 - 2) Have graduated from high school or its equivalent;
 - 3) Hold a current license as a cosmetologist or nail technician;
 - 4) For nail technology teacher, either:
 - A) Have completed a 500 hour program of teacher training in an approved cosmetology or nail technology school and have at least 2 years of full time experience as a practicing nail technician; or
 - B) Have completed a 625 hour program of teacher training in a school of cosmetology approved in accordance with Section 1175.1105 or school of nail technology approved in accordance with Section 1175.1100; and
 - 5) For nail technology clinic teacher, have completed a 250 hour program of clinic teacher training in an approved cosmetology or nail technology school or within 5 years preceding the examination, has obtained a minimum of 2 years of practical experience working at least 30 full time hours per week as a licensed nail technician and has completed an instructor's institute of 20 hours, as approved by the Division, prior to submitting an application for examination.
- b) Application. Each applicant shall file an application, on forms provided by the Division, at least 45 days prior to the examination date. The application shall include:

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- 1) Proof of any name change (i.e., marriage license, divorce decree, affidavit or court order) if a different name appears on supporting documents;
- 2) The required fee set forth in Section 1175.100;
- 3) For nail technology teacher, either:
 - A) An official transcript from an approved school of nail technology or cosmetology showing successful completion of a 500 hour program of teacher training as outlined in Section 1175.535 or 1175.1140 of this Part and 2 employment verification forms showing at least 2 years of full-time experience as a practicing nail technician; or
 - B) An official transcript from an approved school of nail technology or cosmetology, showing successful completion of a 625 hour program of teacher training as outlined in Section 1175.535 or 1175.1140 of this Part;
- 4) For nail technology clinic teacher:
 - A) An official transcript from an approved school of nail technology or cosmetology showing successful completion of a program of 250 hours of clinic teacher training; or
 - B) Proof that the teacher, within 5 years preceding the examination, has obtained a minimum of 2 years of practical experience working at least 30 full time hours per week as a licensed nail technician and has completed an instructor's institute of 20 hours, approved by the Division, prior to submitting an application for examination.
- 5) ~~A complete work history since graduation from a nail technology or cosmetology school;~~ 6) A copy of the applicant's current Illinois nail technology or cosmetology license; and
- 6)7) If the applicant is licensed in another state, a certification of licensure from the state of original licensure and from the state in which the applicant predominantly practices and is currently licensed.

(Source: Amended at 34 Ill. Reg. _____, effective _____)

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Section 1175.1015 Application for Licensure

- a) Applicants for licensure based on successful completion of the examination shall submit to the Division:
 - 1) A completed and signed licensure application that the applicant will receive with the notification of successful completion of the examination;
 - 2) Proof of name change (i.e., marriage license, divorce decree, affidavit or court order) if different from that shown on pre-printed licensure application; and
 - 3) The required fee as set forth in Section 1175.100.

- b) Any cosmetology teacher licensed in Illinois who is applying for a nail technology teacher's license shall not be required to take the examination set forth in Section 1175.1005. An application shall be submitted to the Division that includes:
 - 1) A copy of his/her current cosmetology and cosmetology teacher license; and
 - 2) ~~A complete work history since completion of teacher training; and 3) The~~ required fee set forth in Section 1175.100.

- c) Nothing in this Part requires a licensed cosmetologist or licensed cosmetology teacher to obtain a license to practice or to teach nail technology.

- d) Esthetics teachers licensed in Illinois who are applying for a nail technician teacher's license will not be required to take the examination set forth in Section 1175.1010. An application shall be submitted to the Division that includes:
 - 1) A copy of his/her current esthetics teacher license;
 - 2) A copy of his/her current nail technician license;
 - 3) ~~A complete work history since completion of esthetics teacher training;~~4) Either:

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- A) Proof of two years experience as a nail technician; or
- B) An official transcript verifying completion of 250 Post-Graduate School Training that includes all subjects in the basic esthetics curriculum in Section 1175.1140, 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; ~~and-~~

~~4)5)~~ The required fee set forth in Section 1175.100.

(Source: Amended at 34 Ill. Reg. _____, effective _____)

Section 1175.1020 Endorsement

- a) Nail Technician
 - 1) An applicant currently licensed as a nail technician in another jurisdiction and who is seeking licensure in Illinois by endorsement shall file an application, on forms provided by the Division, that shall include:
 - A) A certification from the jurisdiction of original licensure stating:
 - i) A brief description of any licensure examination taken and the scores received; and
 - ii) Whether the applicant's file contains any record of disciplinary actions taken or pending;
 - B) Official transcripts from the school attended by the applicant showing the program completed and the hours received with the school seal affixed;
 - C) Certification of current licensure if other than original licensure;
 - D) ~~A complete work history showing all employment since graduation from nail technology school to present;~~ E) Proof of any name change (i.e., marriage license, divorce decree, affidavit or court order) if name is other than that shown on attached documents;

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- ~~E)F)~~ The required fee set forth in Section 1175.100; and
- ~~F)G)~~ Successful completion of the Illinois Nail Technician Licensure Examination.
- 2) An applicant who has graduated from a nail technology program in another jurisdiction with less than 350 hours may only acquire a maximum of 50 hours of nail technology training from a licensed Illinois cosmetology or nail technology school.
- 3) If the nail technology school from which the applicant graduated has closed, verification of education hours must come from the original state of licensure.
- b) An applicant currently licensed as a nail technology teacher or nail technology clinic teacher in 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) A certification from the jurisdiction of original licensure stating:
 - A) A brief description of any licensure examination taken and the scores received; and
 - B) Whether the applicant's file contains any record of disciplinary action taken or pending;
 - 2) Official transcripts from the school attended by the applicant showing the program completed and the hours received with the school seal affixed;
 - 3) Certification of current licensure if other than original licensure;
 - 4) One of the ~~Following~~following:
 - A) Two Verification of Employment forms submitted by the applicant who completed at least a 500 hour program of teacher training. A nail technology teacher applicant shall submit verification of 2 years of lawful practice as a nail technician or cosmetologist; or
 - B) Two Verification of Employment forms shall be submitted by the

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applicant who completed at least a 250 hour program of clinic teacher training. A nail technology clinic teacher applicant shall submit verification of 2 years of lawful practice as a nail technician or cosmetologist; or

- C) Two Verification of Employment forms shall be submitted by the applicant for a nail technology teacher or nail technology clinic teacher license who is applying on the basis of 3 years of lawful practice as a nail technology teacher in another jurisdiction;
- 5) ~~A complete work history showing all employment since graduation from basic nail technology school to present;~~ 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;
- ~~6)7) The required fee set forth in Section 1175.100; and~~
- ~~7)8) Successful completion of the Illinois Nail Technician Teacher Licensure Examination.~~
- c) An applicant for licensure as a nail technician who is licensed in another jurisdiction shall be given 75 hours of educational credit for every 12 month period during which he/she was lawfully employed as a nail technician. To obtain credit for work experience, the applicant shall submit verification of employment in support of the work experience on forms provided by the Division. A certification of licensure from the jurisdiction in which the lawful practice is claimed must also be submitted.

(Source: Amended at 34 Ill. Reg. _____, effective _____)

Section 1175.1030 Restoration – Nail Technician

- a) A person applying for restoration of a nail technician license that has been expired or placed on inactive status for less than 5 years shall submit an application on forms provided by the Division and:
 - 1) Pay the required fee as set forth in Section 1175.100; and
 - 2) Provide evidence of successful completion of 10 hours of continuing education in accordance with Section 1175.1200(c).

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- b) A person applying for restoration of a nail technician license that has been expired or placed on inactive status for 5 years or more shall submit an application on forms provided by the Division along with:
- 1) Verification of employment, attesting to lawful practice in another jurisdiction within the 5 years preceding application for restoration;
 - 2) Certification from the appropriate licensing authority in the jurisdiction in which lawful practice is claimed. An applicant for restoration who has not maintained lawful practice (as determined by the laws of that jurisdiction) in another jurisdiction shall also submit official transcripts showing successful completion of a 60 hour nail technology refresher course from an approved cosmetology or nail technology school or pass the examination set forth in Section 1175.1010~~1175.1001~~ within 2 years prior to or within 2 years after the restoration application. An applicant who completes this refresher course or takes the examination shall not also be required to complete 10 hours of continuing education;
 - 3) ~~A complete work history showing all employment since the Illinois license lapsed;~~ 4) A completed Restoration Questionnaire;
 - 4) ~~5)~~ Evidence of successful completion of 10 hours of continuing education earned within the 2 years immediately preceding restoration; and
 - 5) ~~6)~~ The required fee as set forth in Section 1175.100.
- c) If restoring after active military service, the applicant shall submit a copy of his/her Honorable Discharge form (DD-214) and the current renewal fee.
- 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 34 Ill. Reg. _____, effective _____)

Section 1175.1035 Restoration – Nail Technology Teacher or Nail Technology Clinic Teacher

- a) A person applying for restoration of a nail technology teacher or nail technology clinic teacher license that has been expired or been on inactive status for less than

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5 years shall submit an application on forms provided by the Division. An applicant shall also submit evidence of successful completion of 20 hours of continuing education in accordance with Sections 1175.1200 and 1175.1210 earned within 2 years immediately preceding the restoration and the required fee set forth in Section 1175.100.

- b) A person applying for restoration of a nail technology teacher or nail technology clinic teacher license 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 nail technology teacher or nail technology clinic teacher in another jurisdiction within the 5 years preceding application for restoration;
 - 2) Certification from the appropriate licensing authority in the jurisdiction in which lawful practice is claimed;
 - 3) ~~A complete work history showing all employment since the Illinois license lapsed;~~ 4) A completed Restoration Questionnaire;
 - 4) ~~5)~~ Evidence of successful completion of 20 hours of continuing education earned within the 2 years immediately preceding restoration; and
 - 5) ~~6)~~ The required fee as set forth in Section 1175.100.
- c) An applicant for restoration of a nail technology teacher license who has not maintained lawful practice (as determined by the laws of that jurisdiction) in another jurisdiction shall also submit official transcripts showing successful completion of a 125 hour nail technology teacher refresher course from an approved cosmetology or nail technology school or pass the teacher examination set forth in Section 1175.1010 within 2 years prior to or within 2 years after the restoration application. An applicant who completes this refresher course or takes the examination shall not also be required to complete 20 hours of continuing education.
- d) An applicant for restoration of a nail technology clinic teacher license who has not maintained lawful practice (as determined by the laws of that jurisdiction) in another jurisdiction shall also submit official transcripts showing successful completion of a 60 hour nail technology clinic teacher refresher course from an approved cosmetology or nail technology school or pass the teacher examination

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set forth in Section 1175.1010 within 2 years prior to or within 2 years after the restoration application. An applicant who completes the refresher course or takes the examination shall not also be required to complete 20 hours of continuing education.

- e) If restoring after active military service, the applicant shall submit a copy of his/her Honorable Discharge form (DD-214) and the current renewal fee.
- f) 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 34 Ill. Reg. _____, effective _____)

SUBPART K: NAIL TECHNOLOGY SCHOOLS

Section 1175.1115 Enrollment Agreements and Refund Policies

- a) All licensed nail technology schools shall have enrollment agreements that meet the requirements of Section 3B-12 of the Act.
- b) All licensed nail technology 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 ~~no more than~~ the application and registration fee, not to exceed \$100 and plus the cost of any books or materials that~~which~~ have been provided by the school and retained by the student (Section 3B-13(b)). ~~The cost of books, for purposes of refunds, is the cost of the books charged to the student, not the cost of the books to the school.~~*
 - 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

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

c)2) For students who enroll in and begin classes, the following schedule of tuition adjustment will be considered to meet the Division standards for refunds ~~shall be made in the following manner:~~

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

(Source: Amended at 34 Ill. Reg. _____, effective _____)

SUBPART L: CONTINUING EDUCATION

Section 1175.1200 Sponsor Approval

a) Sponsor, as used in this Section, shall mean *accredited universities and colleges, industry or trade associations, corporate salons, franchise salons, independent salons, vocational and technical schools, cosmetology schools, and other entities* (Section 4-1.5(a) of the Act) that have been approved and authorized by the Division to coordinate and present continuing education courses or programs for cosmetologists, cosmetology teachers, estheticians, esthetics teachers, nail technicians or nail technology teachers.

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- b) A continuing education sponsor application shall be filed with the Division to be approved as a continuing education sponsor. The application shall include:
- 1) A copy of the Certificate of Attendance, which shall contain the following information:
 - A) The CE sponsor registration number, name and address;
 - B) Category of CE (cosmetology, nail technician, esthetics);
 - C) Name and license number of the participant;
 - D) Number of hours awarded; and
 - E) Course title and date of course.
 - 2) A 3 hour CE course outline, including evidence of appropriate facilities, instructor qualifications and content of the course.
 - 3) Name and address of the contact person responsible for all recordkeeping.
 - 4) Certification that the sponsor will comply with all sponsor CE requirements set forth in this Subpart.
 - 5) The required fee set forth in Section 1175.1004-1.5(e) ~~of the Act.~~
- c) A CE sponsor shall provide CE courses and programs that are organized programs of formal learning that contribute directly to a licensee's knowledge and ability to perform duties as a licensee. *No product sales shall be permitted during a continuing education program.* (Product sales/selling is any activity that involves a deal sheet or invoice or mention of prices or special deals. ~~These~~ Such activities are prohibited during the presentation of continuing education programs.) *After the continuing education program is concluded and the certificates of attendance are distributed to the attendees, product sales shall be permitted.* (Section 4-1.5(e)(2) of the Act) A continuing education program or course must meet the following minimum requirements:
- 1) Be developed and presented by persons with education, training and/or practical experience in the subject matter to be presented.

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- 2) Include a student evaluation of both instructor and the course.
- 3) Specify the course objectives, content, prerequisites, requirements, the licensure category for which the CE applies and the number of CE hours to be earned. ~~This~~Such information shall be specified in all promotional materials.
- 4) Be in the following subject areas for cosmetologists, estheticians and nail technicians:
 - A) Advanced product chemistry and chemical interaction;
 - B) The use of machines and implements;
 - C) Sanitary procedures;
 - D) Hazardous chemicals;
 - E) Exposure minimization;
 - F) Updated use of implements as they relate to applicable services under this Act;
 - G) Advanced knowledge of the anatomy of the skin, scalp, hair and/or nails;
 - H) Human relations/communication skills; and
 - I) Management and marketing.
- 5) Be in the following subject areas for cosmetology, esthetics and nail technology teachers in addition to the areas set forth in subsection (c)(4) of this Section.
 - A) Teaching methodology;
 - B) Educational psychology;
 - C) Classroom management; or

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- D) Other teaching related courses.
- 6) Individual study courses (correspondence, audio or video courses) sponsored by an approved sponsor shall include an examination and a means of verification that the licensee has successfully completed ~~the~~^{such} course. (See Section 1175.1210(e).)
- d) All sponsors shall verify attendance at each CE course or program. A record of attendance shall be kept for no less than 5 years. Sponsors shall give each successful participant a record of completion at the end of the course or program. All records shall include the following information: name, address and license number for each participant, category of CE (cosmetology, nail technician, esthetics, teacher education), number of hours awarded, course title and date of course. *Sponsors may delegate recordkeeping duties to one of their members or member groups.* (Section 4-1.5(a))
- e) CE sponsors shall be required to renew their approval every two years upon submittal of the renewal application and the required fee. The first renewal shall be December 31, 1997.
- f) All CE programs given on or after October 1, 1996, must be given by a sponsor who has been approved by the Division to provide continuing education.
- g) All sponsors approved by the Division as of December 31, 1995, will be required to submit an application, the required fee and meet the current requirements set forth in this Part and the Act to continue to provide continuing education programs on or after October 1, 1996. *An approved sponsor may subcontract with individuals and organizations to provide approved programs. These persons must meet the criteria established in Section 4-1.5(e)(1) and (2).* (Section 4-1.5(j)) Any time the sponsor subcontracts with a presenter, all advertisements, promotional materials and the Certificate of Attendance will bear the name, address and registration number of the sponsor. The name of the subcontractor may appear as the "Presenter" but no document shall imply that the subcontractor is registered as a CE sponsor.

(Source: Amended at 34 Ill. Reg. _____, effective _____)

SUBPART M: SALON OR SHOP REGISTRATION

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

- a) Pursuant to Article IIID of the Act, all cosmetology, nail technology technician or esthetics salons and barber shops shall obtain a certificate of registration from the Division in order to operate in Illinois. The owner~~A shop~~ 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;
 - 3) Name, Shop name, street and city 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)2) Name, Shop owner's name, home address and home 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, a list of names and license numbers;
 - 3) If a partnership, a copy of the partnership agreement and all partners' home addresses and phone numbers;
 - 8)4) If an Illinois a-corporation, a copy of the entire Articles of Incorporation as filed with the Illinois Secretary of State and a list of all corporate officers and managers;
 - 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

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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;
 - 14) If using an assumed name, a certificate from the county clerk's office where assumed name is filed or a certificate from the Illinois Secretary of State showing authorization to transact business under the assumed name.
 - 5) ~~If the applicant is licensed in another profession covered under the Act, a license number; and~~
 - 6) ~~If any owner, managing partner or CEO holds an Illinois license, a list of the names and license numbers.~~
- 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 or barbering services. A separate certificate of registration is required for each salon or shop location. A and 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.

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- 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. ~~All registered shops/salons shall notify the Division of any change of address. The certificate of registration shall be returned to the Division and a new certificate of registration will be issued with the new address for a fee of \$20.~~
- d) Change of Ownership. When the ownership of a salon or the shop changes, the new owner shall, within 5 working days after the date of sale, ~~be required to file with the Division an affidavit stating that the sale is contingent on a new application for a certificate or 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 ~~with~~ the Division as set forth in subsection (a)(1) through (14) of this Section ~~pursuant to Section 3D-5(e) of the Act.~~
- 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 Secretary of State showing authorization to transact business under assumed name. ~~All registered shops/salons shall notify the Division of any change of business name. The certificate of registration shall be returned to the Division and a new certificate of registration will be issued with the new name for a fee of \$20.~~
- 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,

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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 34 Ill. Reg. _____, effective _____)