

Barber Statutes and Administrative Regulations
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Chapter 317
Barbers

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317.410 Definitions for chapter.

As used in this chapter, unless the context requires otherwise:

- (1) A "barber" is any person who engages in the practice of "barbering" for the public generally or for consideration;
- (2) "Barbering" is the practice upon the human neck, face, and head, principally of shaving or trimming the beard or cutting the hair, but includes also:
 - (a) Giving facial and scalp massage or treatments with oils, creams, lotions, or other preparations, either by hand or any contrivance;
 - (b) Singeing, shampooing, pressing, arranging, dressing, styling, or dyeing the hair or applying hair tonics; and
 - (c) Applying to the neck or head cosmetics, lotions, powders, oils, clays, or other preparations;
- (3) "Barber pole" means a cylinder or pole with alternating stripes of any combination, including but not limited to red and white, or red, white, and blue, which run diagonally along the length of the pole;
- (4) "Barber school" or "school of barbering" means an operation, place, or establishment in or through which persons are trained or taught the practice of barbering;
- (5) "Barber shop" is any establishment in which the practice of barbering is conducted for the general public or for consideration;
- (6) "Board" means the Kentucky Board of Barbering;
- (7) "Endorsement" means the process of granting a license under this chapter to an applicant licensed in another state;
- (8) "Independent contract owner" means any barber or apprentice barber licensed under this chapter who leases or rents space in a barber shop; and
- (9) "Lapse fees" means the annual renewal license fee which would have been paid for the period during which a license has lapsed.

Effective: March 30, 2018

History: Amended 2018 Ky. Acts ch. 46, sec. 1, effective March 30, 2018. -- Amended 2013 Ky. Acts ch. 51, sec. 1, effective June 25, 2013. -- Amended 2006 Ky. Acts ch. 32, sec. 1, effective July 12, 2006. -- Amended 1976 Ky. Acts ch. 114, sec. 1. -- Amended 1974 Ky. Acts ch. 354, sec. 16. -- Created 1960 Ky. Acts ch. 233, sec. 1, effective June 30, 1960.

317.420 Barber license requirements -- Exemptions -- Advertising.

(1) No person shall engage in the practice of "barbering" for other than cosmetic purposes nor shall any person engage in barbering for the treatment of physical or mental ailments, except that the provisions of this chapter shall not apply to:

- (a) Persons authorized by the law of this state to practice medicine, chiropractic, optometry, dentistry, chiropractic, nursing, or embalming when incidental practices of barbering are performed by them in the normal course of the practice of their profession;
- (b) Commissioned medical or surgical personnel of the United States Armed Forces performing incidental practices of barbering in the course of their duties; or
- (c) Barbering services performed at an institution operated by or under contract to the Department of Corrections or the Department of Juvenile Justice.

(2) Except as provided in subsection (1) of this section, no person shall engage in the practice of barbering for the public generally or for consideration without the appropriate license required by this chapter.

(3) No person, unless duly and properly licensed pursuant to this chapter, shall:

- (a) Teach barbering;
- (b) Operate a barber shop;
- (c) Conduct or operate a school for barbers; or
- (d) Lease or rent booth space as an independent contract owner.

(4) No person shall aid or abet any person in violating the provisions of this section, nor shall any person engage or employ for consideration any person for the performance of any practice licensed by this chapter unless the person to perform such practice holds and displays the appropriate license therefor.

(5) Except as provided in this chapter, no person or business shall:

- (a) Advertise barbering services, unless the person or business and the personnel it employs are licensed under this chapter;
- (b) Advertise as a barber shop, unless all persons in the shop practicing barbering services are licensed under this chapter. Any barber practicing in a shop licensed as both a barber shop and a salon licensed under KRS Chapter 317A may display an image, that is at least four (4) inches high, of a barber pole at his or her station; or
- (c) Use or display a barber pole for the purpose of advertising barbering services to the public unless it:
 - 1. Has a barber shop license; and
 - 2. Employs a barber licensed under this chapter.

(6) A person holding an active barber license from the board and who practices in a shop licensed by the board may render services for pay or otherwise to:

- (a) A person suffering from a terminal illness who is receiving the services of a hospice program either at home or at a hospice inpatient unit; or
- (b) A person who is deceased and in the care of a funeral establishment.

Effective: March 30, 2018

History: Amended 2018 Ky. Acts ch. 46, sec. 2, effective March 30, 2018. -- Amended 2013 Ky. Acts ch. 51, sec. 2, effective June 25, 2013; and ch. 72, sec. 5, effective June 25, 2013. -- Amended 2006 Ky. Acts ch. 32, sec. 2, effective July 12, 2006. -- Amended 2002 Ky. Acts ch. 11, sec. 7, effective July 15, 2002. -- Amended 1974 Ky. Acts ch. 354, sec. 17. -- Amended 1966 Ky. Acts ch. 145, sec. 1. -- Created 1960 Ky. Acts ch. 233, sec. 2.

317.430 Kentucky Board of Barbering -- Membership -- Terms -- Compensation.

(1) There is hereby created an independent agency of the state government to be known as the Kentucky Board of Barbering, which shall have complete supervision over the administration of the provisions of this chapter relating to barbers, barbering, barber shops, independent contract owners, barber schools, and the teaching of barbering.

(2) The board shall be composed of five (5) members appointed by the Governor. Four (4) members shall be barbers holding a valid license and practicing in Kentucky. One (1) member shall be a citizen at large who is not associated with or financially interested in barbering. At all times in the filling of vacancies of membership on the barber board, this balance of representation shall be maintained.

(3) The two (2) members appointed to fill the terms beginning on February 1, 2008, shall serve until February 1, 2011, and the three (3) members appointed to fill the terms beginning on February 1, 2007, shall serve until February 1, 2010. All subsequent appointments shall be for a term of three (3) years, with terms ending on February 1.

(4) The Governor shall not remove any member of the board except for cause.

(5) The board shall elect from its members one (1) to serve as chairman, one (1) to serve as vice chairman, and a third to serve as secretary.

(6) Three (3) members shall constitute a quorum for the transaction of business.

(7) In addition to the other qualifications specified in this section, barber members of the board shall be at least twenty-three (23) years of age, citizens of the United States, residents of Kentucky, and must have engaged in the practice of barbering in this state for a period of at least five (5) years.

(8) No member of the board shall be financially interested in, or have any financial connection with, any barber or cosmetology school, wholesale cosmetic or barber supply or equipment business, nor shall any member of the barber board teach barbering, cosmetology, or manicuring for monetary considerations.

(9) Each member of the board shall receive a compensation of one hundred dollars (\$100) per day for each day of attendance at a meeting of the board, and shall be reimbursed for necessary traveling expenses.

(10) The board shall hold its meetings within the state and when deemed necessary by the board to discharge its duties.

Effective: March 30, 2018

History: Amended 2018 Ky. Acts ch. 46, sec. 3, effective March 30, 2018. -- Amended 2013 Ky. Acts ch. 51, sec. 3, effective June 25, 2013. -- Amended 2008 Ky. Acts ch. 103, sec. 1, effective July 15, 2008. -- Amended 2006 Ky. Acts ch. 32, sec. 3, effective July 12, 2006. -- Amended 1998 Ky. Acts ch. 194, sec. 7, effective July 15, 1998. -- Amended 1988 Ky. Acts ch. 161, sec. 1, effective July 15, 1988. -- Amended 1976 Ky. Acts ch. 206, sec. 11. -- Amended 1970 Ky. Acts ch. 124, sec. 2. -- Created 1960 Ky. Acts ch. 233, sec. 3, effective June 30, 1960

317.440 Administrative regulations.

(1) To protect the health and safety of the public and to protect the public against misrepresentation, deceit, or fraud in the practice or teaching of barbering, the board shall promulgate administrative regulations governing the:

(a) Location and housing of barber shops or schools;

(b) Quantity and quality of equipment, supplies, materials, records, and furnishings required in barber shops or schools;

(c) Qualifications of teachers of barbering;

(d) Qualifications of applicants to or enrollees in barber schools;

(e) Hours and courses of instruction at barber schools;

(f) Examinations of applicants for barber or teacher of barbering; and

(g) Qualifications of independent contract owners.

(2) The board shall establish fees by administrative regulation.

(3) Administrative regulations pertaining to health and sanitation shall be approved by the Kentucky secretary for health and family services before becoming effective.

Effective: March 30, 2018

History: Amended 2018 Ky. Acts ch. 46, sec. 4, effective March 30, 2018. -- Amended 2015 Ky. Acts ch. 110, sec. 2, effective June 24, 2015. -- Amended 2013 Ky. Acts ch. 51, sec. 4, effective June 25, 2013. -- Amended 2006 Ky. Acts ch. 32, sec. 4, effective July 12, 2006. -- Amended 2005 Ky. Acts ch. 99, sec. 599, effective June 20, 2005. -- Amended 1998 Ky. Acts ch. 193, sec. 1, effective July 15, 1998; and ch. 426, sec. 550, effective July 15, 1998. -- Amended 1974 Ky. Acts ch. 74, Art. VI, sec. 107(10). -- Created 1960 Ky. Acts ch. 233, sec. 4, effective June 30, 1960.

317.450 Fees and qualifications for licenses and permits -- Annual renewal.

(1) (a) The board shall issue an apprentice license to practice barbering to any person who:

1. Is at least seventeen and one-half (17-1/2) years of age;
2. Is of good moral character and temperate habit;
3. Possesses a high school diploma, a High School Equivalency Diploma, or a transcript from an issuing institution that is recognized by the educational authority in the state from which the diploma, certificate, or transcript is issued;
4. Has graduated from a licensed school of barbering;
5. Has satisfactorily passed the apprentice examination prescribed by the barber board, which shall include a practical assessment of the applicant's skills, including but not limited to a taper haircut, shampoo, straight razor facial shave, facial, and a chemical application; and
6. Has paid a fee as established in administrative regulations promulgated by the board in accordance with KRS Chapter 13A.

(b) A barber shall serve an apprentice period of at least six (6) months but not more than nine (9) months of continuous service from the effective date of the license issued pursuant to paragraph (a) of this subsection.

(c) In addition to the grounds for disciplinary action specified in KRS 317.590, the board may, during the apprentice period, require a licensee to retake any part or all of the written or practical examination, or both.

(d) At the end of the apprentice period, the board shall issue a license to practice barbering to an apprentice licensee who has:

1. Satisfactorily passed the barber examination prescribed by the board by administrative regulations promulgated in accordance with KRS Chapter 13A; and
2. Complied with all other requirements of this subsection.

(e) The board may issue a barber license by endorsement to a resident of another state, district, or territory within the United States of America upon payment of a fee as established in administrative regulations promulgated by the board in accordance with KRS Chapter 13A, and upon submission of satisfactory evidence that the requirements for licensure in the other state are substantially equivalent to the requirements of this state at the time of application. In the absence of the required equivalency, an applicant from another state, district, or territory within the United States of America, shall show proof of three (3) years or more experience immediately before making application and be currently licensed and in good standing with the state, district, or territory in which he or she is licensed. The board may also require an applicant under this section to pass a written and practical examination to establish equivalency.

(2) The board shall:

(a) Issue a license to operate a barber shop to any barber licensed under the provisions of this chapter upon application and payment of a fee as established in administrative regulations promulgated by the board in accordance with KRS Chapter 13A;

(b) Refuse to issue the license upon a failure of the licensed barber to comply with the provisions of this chapter or the administrative regulations promulgated by the board;

(c) Allow the licensed owner of a barber shop, which is licensed under this chapter, to rent or lease space in his or her barber shop to an independent contract owner; and

- (d) Allow an unlicensed owner of a barber shop to rent or lease space in his or her barber shop to an independent contract owner, only if the shop owner has a licensed barber as a manager of the shop at all times. If the owner, manager, or location of a barber shop changes, the required form and fee shall be submitted to the board.
- (3) The board shall issue a license to operate a school of barbering to any person, firm, or corporation who or which:
- (a) Applies for a license upon forms furnished by the board;
 - (b) Has the equipment and facilities that may be required by administrative regulations promulgated by the board;
 - (c) Has furnished adequate evidence to the board that:
 1. There is an intent to establish a bona fide school for the education and training of competent barbers; and
 2. A sufficient number of teachers licensed by the board will be employed to conduct the school, including at least one (1) teacher with a minimum of thirty-six (36) months' experience teaching in a barber school that includes administrative experience; and
 - (d) Pays a fee as established in administrative regulations promulgated by the board in accordance with KRS Chapter 13A.
- (4) The board shall issue a student permit to any person enrolled in a licensed barber school upon payment of a fee as established in administrative regulations promulgated by the board in accordance with KRS Chapter 13A.
- (5) The board shall issue a license to teach barbering to any person who:
- (a) Is of good moral character and temperate habit;
 - (b) Possesses a high school diploma or a High School Equivalency Diploma;
 - (c) Has been a Kentucky-licensed and practicing barber for at least eighteen (18) months;
 - (d) Has satisfactorily passed the examination prescribed by the board by promulgation of administrative regulations; and
 - (e) Has paid a fee as established in administrative regulations promulgated by the board in accordance with KRS Chapter 13A.
- (6) The board shall issue a license to any barber who holds an independent contract owner's license who:
- (a) Is of good moral character and temperate habit;
 - (b) Possesses a high school diploma or a High School Equivalency Diploma;
 - (c) Is a licensed and practicing barber under this chapter; and
 - (d) Has paid a fee as established in administrative regulations promulgated by the board in accordance with KRS Chapter 13A.
- (7) The board shall issue a demonstration charity event permit to any licensed barber who pays a fee as established in administrative regulations promulgated by the board in accordance with KRS Chapter 13A.
- (8) Applications for examination required in this section shall be accompanied by an examination fee as established in administrative regulations promulgated by the board in accordance with KRS Chapter 13A.
- (9) (a) On and after July 1, 2016, a license issued pursuant to this section shall expire on the first day of July next following the date of its issuance. A license shall be renewed on June 1 through July 1 of each year.
- (b) Any license shall automatically be renewed by the board:
 1. Upon receipt of the application for renewal or duplicate renewal application form and the required annual renewal license fee submitted either in person or via written or electronic means; and
 2. If the applicant for renewal is otherwise in compliance with the provisions of this chapter and the administrative regulations of the board.
- (10) The annual renewal license fee for each type of license renewal shall be as established in administrative regulations promulgated by the board in accordance with KRS Chapter 13A.

(11) (a) The fee per year for the renewal of an expired license, if the period of expiration does not exceed five (5) years, shall be as established by administrative regulations promulgated by the board in accordance with KRS Chapter 13A.

(b) An applicant who fails to renew a license within five (5) years of its expiration shall comply with the requirements for relicensure established by the board through promulgation of administrative regulations in accordance with KRS Chapter 13A.

Effective: March 30, 2018

History: Amended 2018 Ky. Acts ch. 46, sec. 5, effective March 30, 2018. -- Amended 2017 Ky. Acts ch. 63, sec. 30, effective June 29, 2017. -- Amended 2015 Ky. Acts ch. 110, sec. 1, effective June 24, 2015. -- Amended 2013 Ky. Acts ch. 51, sec. 5, effective June 25, 2013. -- Amended 2008 Ky. Acts ch. 103, sec. 2, effective July 15, 2008. -- Amended 2006 Ky. Acts ch. 32, sec. 5, effective July 12, 2006. -- Amended 1998 Ky. Acts ch. 193, sec. 2, effective July 15, 1998. -- Amended 1982 Ky. Acts ch. 23, sec. 1, effective July 15, 1982. -- Amended 1980 Ky. Acts ch. 57, sec. 1, effective July 15, 1980. -- Amended 1976 Ky. Acts ch. 114, sec. 2. -- Amended 1974 Ky. Acts ch. 308, sec. 54. -- Amended 1970 Ky. Acts ch. 124, sec. 1. -- Created 1960 Ky. Acts ch. 233, sec. 5, effective June 30, 1960.

Legislative Research Commission Note (7/12/2006). A reference in subsection (10) of this statute to "subsection (7) of this section" has been changed by the Reviser of Statutes during codification to read "subsection (8) of this section." 2006 Ky. Acts ch. 32, sec. 5, added a new subsection (6) to this statute, resulting in the renumbering of subsequent subsections but did not make the necessary change to the internal reference in subsection (10). The Reviser of Statutes has made the conforming change under the authority of KRS 7.136.

317.460 Board hearings -- Appeal -- Inspections.

(1) The board shall hold hearings upon the request of any person directly affected by the board's decision to refuse a license; deny or revoke a license; or suspend or place a licensee on probation. Hearings shall be conducted in accordance with KRS Chapter 13B.

(2) For the purpose of enforcing the provisions of this chapter, officers, agents, and inspectors of the board may enter upon premises of all facilities issued a permit or license by the board, at all reasonable times and during periods when those premises are otherwise open to the public, and make inspections to determine compliance with this chapter and the administrative regulations promulgated by the board, and inspect books, papers, or records pertaining to licensed activity, a copy of which may be obtained by the board officer, agent, or inspector.

(3) Final orders of the board as a result of any hearing may be appealed to the Franklin Circuit Court in accordance with KRS Chapter 13B.

Effective: March 30, 2018

History: Amended 2018 Ky. Acts ch. 46, sec. 6, effective March 30, 2018. -- Amended 1996 Ky. Acts ch. 318, sec. 276, effective July 15, 1996. -- Amended 1988 Ky. Acts ch. 161, sec. 2, effective July 15, 1988. -- Created 1960 Ky. Acts ch. 233, sec. 6, effective June 30, 1960.

317.470 Board personnel and administration -- Copies of rules and regulations.

(1) The board may employ such personnel as may be reasonably necessary to carry out the provisions of this chapter, whose compensation shall be established by the Personnel Cabinet. The board shall by appropriate order employ an administrator who shall be charged with responsibility of administering the provisions of this chapter, and the policies of the board relating to barbering. The administrator may receive compensation as may be established by classification of the position by the Personnel Cabinet.

(2) The board shall prescribe the duties of such personnel employed by it.

(3) The board shall publish or electronically provide copies of its rules and regulations and any proposed amendments to all persons licensed by it and to any other persons, places, or agencies as may be required by law or deemed by it reasonably necessary in the administration of the provisions of this chapter.

Effective: March 30, 2018

History: Amended 2018 Ky. Acts ch. 46, sec. 7, effective March 30, 2018. -- Amended 1998 Ky. Acts ch. 154, sec. 90, effective July 15, 1998. -- Amended 1970 Ky. Acts ch. 124, sec. 3. -- Created 1960 Ky. Acts ch. 233, sec. 7, effective June 30, 1960.

317.530 Kentucky Board of Barbering trust and agency fund -- Disposition of fees.

(1) There is hereby established in the State Treasury the Kentucky Board of Barbering trust and agency fund.

(2) The fund shall be administered by the board.

(3) (a) All fees collected by the board shall be deposited into the fund and shall be used only for the purpose of administering the provisions of this chapter as it relates to the board.

(b) The cost and expenses of administering the provisions of this chapter including compensation to members of the board and its officers and employees shall be paid out of the State Treasury upon warrants of the secretary of the Finance and Administration Cabinet according to law. However, the total expense of administering these provisions shall not exceed the fees and other charges collected by the board and available in the fund.

(4) Notwithstanding KRS 45.229, fund amounts not expended at the close of a fiscal year shall not lapse but shall be carried forward into the next fiscal year.

(5) Any interest earnings of the fund shall become a part of the fund and shall not lapse.

(6) Moneys deposited into the fund are hereby appropriated for the purposes set forth in this section and shall not be appropriated or transferred by the General Assembly for any other purpose.

Effective: March 30, 2018

History: Amended 2018 Ky. Acts ch. 46, sec. 8, effective March 30, 2018. -- Amended 1984 Ky. Acts ch. 111, sec. 133, effective July 13, 1984. -- Amended 1974 Ky. Acts ch. 74, Art. II, sec. 9(2); and ch. 354, sec. 18. -- Amended 1970 Ky. Acts ch. 80, sec. 1. -- Created 1960 Ky. Acts ch. 233, sec. 12, effective June 30, 1960.

317.540 Requirements for barber schools.

No license shall be renewed or issued by the board to any barber school, unless the school provides:

(1) The name of the proposed school;

(2) A statement that the proposed school is authorized to operate educational programs beyond secondary education;

(3) As a prerequisite of graduation, a prescribed course of instruction of not less than fifteen hundred (1,500) hours shall be given within a reasonable period with not more than eight (8) hours nor less than four (4) hours of instruction a day, exclusive of Sundays;

(4) Courses of instruction in histology of the hair, skin, muscles, and nerves of the face and neck; elementary chemistry with emphasis on sterilization and antiseptics; disease of the skin, hair, and glands; massaging and manipulating of the muscles of the upper body; cutting, shaving, arranging, dressing, coloring, bleaching, and tinting the hair and such other courses as may be prescribed by regulation of the board; and

(5) Such facilities, equipment, materials, and qualified teachers as may be required by rules and regulations of the board adopted pursuant to this chapter, but in no event shall any school have fewer than one (1) licensed teacher per twenty (20) students enrolled, or more than two (2) students per chair.

Effective: March 30, 2018

History: Amended 2018 Ky. Acts ch. 46, sec. 9, effective March 30, 2018. -- Amended 2015 Ky. Acts ch. 110, sec. 3, effective June 24, 2015. -- Amended 2013 Ky. Acts ch. 51, sec. 6, effective June 25, 2013. -- Amended 2006 Ky. Acts ch. 32, sec. 6, effective July 12, 2006. -- Amended 1980 Ky. Acts ch. 57, sec. 2, effective July 15, 1980. -- Amended 1974 Ky. Acts ch. 354, sec. 19. -- Amended 1966 Ky. Acts ch. 145, sec. 6. -- Created 1960 Ky. Acts ch. 233, sec. 13.

317.570 Examinations.

- (1) No examination or part of any examination required by this chapter shall be given unless two (2) or more members of the board are present to supervise the examination;
- (2) Examinations given by the board shall cover all phases of the applicant's qualifications for the license applied for including skill and technique of applicant as well as scientific and other knowledge;
- (3) Examinations shall be given at regularly prescribed intervals;
- (4) Examinations shall be given at the principal office of the board.

Effective: July 15, 2008

History: Amended 2008 Ky. Acts ch. 103, sec. 3, effective July 15, 2008. -- Amended 1984 Ky. Acts ch. 111, sec. 135, effective July 13, 1984. -- Amended 1974 Ky. Acts ch. 354, sec. 21. -- Created 1960 Ky. Acts ch. 233, sec. 16, effective June 16, 1960.

317.580 Sanitation requirements for barber, independent contract owner, or student.

No barber, independent contract owner, or student shall:

- (1) Knowingly continue to practice while he has an infectious or communicable disease;
 - (2) Fail to provide the head rest of each chair with a relaundersed towel or a sheet of clean paper for each patron;
 - (3) Fail to place around the patron's neck a strip of cotton, towel, or neck strip so that the haircloth does not come in contact with the nude skin of the patron's body;
 - (4) Use on one (1) patron a towel that has been used upon another patron, unless the towel has been relaundersed; or
 - (5) Use on any patron any razor, scissors, tweezers, comb, sachet, rubber disc or part of vibrator or other similar equipment or appliance that comes into contact with the head, face, hands, or neck of a patron, until the equipment or appliance has been immersed in boiling water for ten (10) minutes or in a sterilizing solution and placed in a wet or dry sterilizer until again used. Only such methods of sterilization as are bacteriologically effective and approved by the Cabinet for Health and Family Services shall be used.
 - (6) Fail to wash his or her hands in a sink both before and after contact with each patron. Methods to sterilize hands that are bacteriologically effective as approved by the United States Food and Drug Administration's Food Code, Sections 2-301.11 through 2-304.11, shall also be recognized and used.
- Barber shop licenses issued after July 12, 2006, shall require that a sink with hot and cold running water be located in the room where barbering is done.

Effective: March 30, 2018

History: Amended 2018 Ky. Acts ch. 46, sec. 10, effective March 30, 2018. -- Amended 2013 Ky. Acts ch. 51, sec. 7, effective June 25, 2013. -- Amended 2006 Ky. Acts ch. 32, sec. 7, effective July 12, 2006. -- Amended 1974 Ky. Acts ch. 354, sec. 22. -- Created 1960 Ky. Acts ch. 233, sec. 17, effective June 30, 1960.

Legislative Research Commission Note (7/12/2006). 2005 Ky. Acts ch. 99, sec. 675, instructs the Reviser of Statutes to correct statutory references to agencies and officers whose names have been changed in the Act, as it confirms the establishment of the Cabinet for Health and Family Services. Such a correction has been made in this section.

317.590 Grounds for disciplinary action -- Retesting in certain cases.

- (1) The board may refuse to issue or renew a license or permit, or may suspend or revoke a license or permit, impose probationary conditions upon, impose an administrative fine, issue a written reprimand or admonishment, or take any combination of these actions regarding proof of any applicant's, permittee's, or licensee's:
 - (a) Gross malpractice or incompetence;
 - (b) Mental or physical health that would endanger public health or safety;
 - (c) Failure to comply with regulations or rules of the board;

- (d) False or deceptive advertising;
 - (e) Practicing in an unlicensed shop or in a shop knowing that the shop is not complying with this chapter or regulations of the board promulgated pursuant to this chapter;
 - (f) Unprofessional conduct;
 - (g) Teaching in an unlicensed school or in a school knowing that the school is not complying with this chapter or administrative regulations of the board promulgated pursuant to this chapter; (h) Practicing as an independent contract owner in any manner that violates any provision of this chapter or the administrative regulations promulgated under this chapter; or
 - (i) Violation of a provision of this chapter or an administrative regulation promulgated by the board pursuant to this chapter.
- (2) The board may require retesting of any licensee upon proper showing of gross malpractice or incompetence on the part of each licensee.

Effective: March 30, 2018

History: Amended 2018 Ky. Acts ch. 46, sec. 11, effective March 30, 2018. -- Amended 2008 Ky. Acts ch. 103, sec. 4, effective July 15, 2008. -- Amended 2006 Ky. Acts ch. 32, sec. 8, effective July 12, 2006. -- Amended 1988 Ky. Acts ch. 161, sec. 3, effective July 15, 1988. -- Amended 1976 Ky. Acts ch. 3, sec. 1. -- Amended 1974 Ky. Acts ch. 354, sec. 23. -- Created 1960 Ky. Acts ch. 233, sec. 19, effective June 30, 1960.

317.595 Barber shop lessee as independent contract owner -- Limitation of barber shop operator's liability.

- (1) For purposes of subsection (2) of this section, any person engaged in barbering who is licensed as a barber and who leases or rents space at a barber shop from the holder of a license to operate the barber shop shall be deemed an independent contract owner.
- (2) The board shall not hold the holder of a license to operate a barber shop responsible for violations of this chapter, or of administrative regulations promulgated pursuant to this chapter, that are committed by an independent contract owner.

Effective: July 12, 2006

History: Amended 2006 Ky. Acts ch. 32, sec. 9, effective July 12, 2006. -- Created 2004 Ky. Acts ch. 9, sec. 1, effective July 13, 2004.

317.991 Penalties.

- (1) Any person who violates any provision of this chapter shall be guilty of a Class A misdemeanor;
- (2) Any person who violates any rule or regulation lawfully adopted by the board under the authority contained in this chapter shall be guilty of a Class B misdemeanor.

Effective: July 15, 2008

History: Amended 2008 Ky. Acts ch. 103, sec. 5, effective July 15, 2008. -- Amended 1974 Ky. Acts ch. 354, sec. 25. -- Created 1960 Ky. Acts ch. 233, sec. 23, effective June 30, 1960.

Chapter 14
BOARD OF BARBERING

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201 KAR 14:010. Administrator's duties.

RELATES TO: KRS 317.440, 317.460

STATUTORY AUTHORITY: KRS 317.470

NECESSITY, FUNCTION, AND CONFORMITY: This administrative regulation sets forth the duties and powers of the administrator.

Section 1. The administrator shall serve as the board's liaison officer and coordinator in working out administrative problems with the board.

Section 2. The administrator shall have full powers to inspect, during the reasonable hours, any shop or establishment licensed by the board.

Section 3. The administrator, when the board is not in session, shall have the power for and on behalf of the board to issue subpoenas for licenses, for the attendance of witnesses, and the production of such records and documents as may be reasonably necessary and material in the hearings conducted by the board.

Section 4. The administrator shall assist the members of the board in the giving and supervising of examinations. (KBB:Admr-1; 1 Ky.R. 723; eff. 5-14-1975; Crt eff. 3-12-2019.)

201 KAR 14:015. Retaking of examination.

RELATES TO: KRS 317.440, 317.450, 317.570

STATUTORY AUTHORITY: KRS 317.440(1)(f)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 317.440(1)(f) requires the Board of Barbering to promulgate administrative regulations pertaining to exam requirements. This administrative regulation establishes the requirements for an examinee who fails one (1) or more portions of the apprentice examination and wishes to retake the exam.

Section 1. Apprentice License Examination Requirements.

(1) An applicant shall pass each portion of the apprentice examination with a score of at least seventy-five (75) percent.

(2)

(a) Except as provided by paragraphs (b) and (c) of this subsection, an applicant who does not successfully complete one (1) portion of the apprentice exam may reapply to sit for the failed portion only.

(b) A passing score on one (1) portion of the apprentice exam shall only be used for a period of one (1) year to exempt the applicant from retaking that portion of the examination.

(c)

1. If an applicant has failed one (1) or more portions of the apprentice examination two (2) consecutive times, the applicant shall be required to:

- a. Return to a barber school licensed by the board for eighty (80) additional hours of training; and
- b. Retake the entire examination.

2. Each unsuccessful attempt to pass the examination thereafter shall require the applicant to complete the conditions delineated in subparagraph 1. of this paragraph.

Section 2. An examination fee shall be required for each examination, in accordance with 201 KAR 14:180.

Section 3. Instructor License Examination Requirements.

(1) An applicant who has failed one (1) or more portions of the instructor exam may reapply to sit for:

- (a) The entire exam; or
- (b) The failed portion or portions only.

(2) A passing score on one (1) or more portions of the instructor exam shall only be used for a period of one (1) year to exempt the applicant from retaking that portion or portions of the examination.

(KBB:Appr.Exam.1; 1 Ky.R. 723; eff. 6-11-1975; 10 Ky.R. 892; 1067; eff. 2-1-1984; 38 Ky.R. 86; 508; eff. 10-7-2011; 40 Ky.R. 1856; 2412; eff. 6-6-2014; 42 Ky.R. 2920; 43 Ky.R. 194; eff. 9-2-2016; 48 Ky.R. 1830; eff. 7-5-2022.)

201 KAR 14:030. Five (5) year expiration of license.

RELATES TO: KRS 317.410, 317.450

STATUTORY AUTHORITY: KRS 317.440, 317.450

NECESSITY, FUNCTION, AND CONFORMITY: KRS 317.450 requires the Board of Barbering to license barbers, authorizes the board to renew a license that has not been expired more than five (5) years, and requires an applicant failing to renew a license within five (5) years of its expiration to comply with the requirements for relicensure established by the board. This administrative regulation establishes the relicensing requirements for a barber whose license has been expired over five (5) years.

Section 1. If a license has been expired for more than five (5) years, an applicant for relicensure shall meet the requirements established in this section.

- (1) A barber shall pass both the practical and written examination.
- (2) To regain an apprentice license, an apprentice barber shall:
 - (a) Complete 150 additional hours in training in a barber school licensed by the board; and
 - (b) Pass the practical and written examinations.
- (3) An instructor shall pass both practical and written examinations, in accordance with 201 KAR 14:115.

(KBB:Exp.Lic; 1 Ky.R. 724; eff. 5-14-1975; Am. 10 Ky.R. 893; eff. 2-1-1984; 40 Ky.R. 1857; 2413; eff. 6-6-2014; Ky.R. 2922; 43 Ky.R.195; eff. 9-2-2016; 48 Ky.R. 1831; eff. 7-5-2022.)

201 KAR 14:035. Public identification of and access to barber shops and schools.

RELATES TO: KRS 317.410, 317.420, 317.450

STATUTORY AUTHORITY: KRS 317.410, 317.420, 317.430, 317.440

NECESSITY, FUNCTION, AND CONFORMITY: KRS 317.440 requires the board to promulgate administrative regulations governing the location and housing of barber shops or schools. This administrative regulation establishes public identification for shops and schools and outside entrance.

Section 1. The main entrance to each barber shop, barber school, or barber college shall display a sign indicating that it is a barber shop, barber school or barber college, and each sign shall be clearly visible.

Section 2. Any licensed barber shop located in a residence shall have an outside entrance separate from the residence entrance. (KBB:Iden-1; 1 Ky.R. 724; eff. 5-14-1975; 47 Ky.R. 758, 1371; eff. 4-6-2021.)

201 KAR 14:040. Inspection of shops and schools.

RELATES TO: KRS 317.440(1), 317.450(2), 317.590, 317.595(2)

STATUTORY AUTHORITY: KRS 317.440(1), 317.450(2)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 317.440(1) requires the Board of Barbering to promulgate administrative regulations governing the location and housing of barber shops or schools and the quantity and quality of equipment, supplies, materials, records, and furnishings required in barber shops or schools. KRS 317.450(2) requires the board to refuse to issue a license to a barber who has failed to comply with the provisions of KRS Chapter 317 and 201 KAR Chapter 14. KRS 317.590 authorizes disciplinary action for violations of KRS Chapter 317 and 201 KAR Chapter 14. This administrative regulation establishes requirements relating to the inspection of a barber shop or school and the information to be displayed at a barber shop or school.

Section 1. A board member or authorized agent may inspect a barber shop, manicuring establishment located within a barber shop, or a barber school to determine if the licensee is in compliance with KRS Chapter 317 and 201 KAR Chapter 14.

Section 2. A barber shop or school shall conspicuously display:

- (1) The license and picture of each barber and independent contract owner engaged in the practice of barbering at that shop or school at the station where the barber or student is working;
- (2) The license for the barber shop or school;
- (3) The most recent inspection sheet furnished by the board for the barber shop, independent contract owner, or school. The inspection sheet shall include the telephone number and address for a consumer to use to file a complaint against a licensee; and
- (4) The permit card and current picture taken within the last twelve (12) months shall be displayed at each student workstation in a school of barbering.

Section 3. The owner and manager of each establishment licensed by the board shall be responsible for compliance with KRS Chapter 317 and 201 KAR Chapter 14. This section shall not apply to violations committed by an independent contract owner, in accordance with KRS 317.595(2).

(KBB:Insp-1; 1 Ky.R. 724; eff. 5-14-1975; Am. 10 Ky.R. 893; eff. 2-1-1984; 25 Ky.R. 2428; 2836; eff. 6-16-1999; 40 Ky.R. 1858; 2413; eff. 6-6-2014; Cert eff. 6-3-2021; 48 Ky.R. 1883, 2561; eff. 7-5-2022.)

201 KAR 14:045. Notification and inspection of new shop locations.

RELATES TO: KRS 317.440

STATUTORY AUTHORITY: KRS 317.440(1)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 317.440(1)(a) and (b) require the board to promulgate administrative regulations regarding the location and housing of a barber shop and the quantity and quality of equipment, supplies, materials, records, and furnishings required in a barber shop. This administrative regulation establishes the requirement of an inspection and sets up the time for notification for new barber shops and licensed barber shops moving to a new location.

Section 1. A new barber shop shall request an inspection by the board at least five (5) days before opening for business.

Section 2. A licensed barber shop moving to a new location shall notify the board of its new location at least five (5) days before opening for business.

Section 3. A new barber shop or a licensed barber shop moving to a new location shall not be open for business until inspected and approved by the board in accordance with 201 KAR 14:040. (KBB:Insp-2; 1 Ky.R. 724; eff. 5-14-1975; 42 Ky.R. 2923; 43 Ky.R. 195; eff. 9-2-2016.)

201 KAR 14:050. Probationary license; qualifications.

RELATES TO: KRS 317.450(1)(a)-(d)

STATUTORY AUTHORITY: KRS 317.440(1)(d), 317.450(1)(a)-(d)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 317.450(1)(a)-(d) requires the Board of Barbering to issue apprentice licenses before issuing a license to practice barbering. KRS 317.440(1)(d) requires the board to promulgate administrative regulations establishing qualifications of applicants to or enrollees in barber schools. This administrative regulation establishes the process for obtaining apprentice and barber licenses.

Section 1. An applicant for a license as an apprentice barber shall meet the qualifications listed in KRS 317.450(1)(a).

Section 2. A person holding a Kentucky cosmetology license shall be given credit for 750 hours toward a prescribed course of instruction at a school of barbering approved in accordance with 201 KAR 14:095.

Section 3.

(1) An apprentice licensee shall not apply for a barber license until the apprentice period required by KRS 317.450 has been served.

(2) The board may, in individual cases involving medical disability, illness, or undue hardship as determined by the board, grant an extension of the apprentice period.

(a)

1. A written request for an extension of time involving medical disability, illness, or undue hardship shall be submitted by an applicant.

2. A request involving a medical disability or illness shall be accompanied by a verifying document signed by a licensed physician.

(b) An extension of the apprentice period shall be granted by the board for a period of time not to exceed six (6) months, upon approval of the request and payment of the initial licensing fee for an apprentice license, as established in 201 KAR 14:180, Section 1(1).

(c) If the medical disability, illness, or undue hardship upon which an extension has been granted continues beyond the period of the extension, the applicant shall reapply for an extension.

Section 4. Continuous service consists of working with an apprentice license in a Kentucky licensed barber shop for an average of twenty (20) hours or more per week for six (6) continuous months.

Section 5. The applicant shall submit the Initial License Form with the initial licensing fee for a barber license, as established in 201 KAR 14:180, Section 1(2).

Section 6. Incorporation by Reference.

(1) "Initial License Form", February 2022, is incorporated by reference.

(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Kentucky Board of Barbering, 312 Whittington Parkway, Suite 110, Louisville, Kentucky 40222, Monday through Friday, 8 a.m. to 4:30 p.m.

(3) This material is also available on the board's Web site at <https://barbering.ky.gov/>.

(KBB:Lic.Appren-1; 1 Ky.R. 725; eff. 5-14-1975; 2 Ky.R. 123; eff. 10-8-1975; 10 Ky.R. 893; eff. 2-1-1984; 34 Ky.R. 332; 708; eff. 11-2-2007; 40 Ky.R. 1859; 2413; eff. 6-6-2014; Cert eff. 6-3-2021; 48 Ky.R. 1834, 2561; eff. 7-5-2022.)

201 KAR 14:060. Licensing requirements for qualified nonresidents.

RELATES TO: KRS 317.450

STATUTORY AUTHORITY: KRS 317.440, 317.450

NECESSITY, FUNCTION, AND CONFORMITY: KRS 317.450(1)(e) authorizes the board to issue a license by endorsement to a nonresident of Kentucky. This administrative regulation establishes the licensing requirements for qualified nonresidents.

Section 1. (1) Any person who is at least eighteen (18) years of age and of good moral character and temperate habits, who has a current license or certificate of registration as a practicing barber of another state or other board recognizing authority, which has substantially the same requirements for licensing or registering barbers as are required of KRS Chapter 317 and 201 KAR Chapter 14, shall, upon payment of the fee required by 201 KAR 14:180, be granted permission to take an examination to determine his fitness to receive a license to practice barbering.

(2) When determining moral character, the board shall consider factors, such as:

(a) If the applicant has been convicted of a crime;

(b) The age of the applicant at the time any criminal conviction was entered;

(c) The length of time that has elapsed since the applicant's last criminal conviction;

(d) The relationship of any crime conviction to the ability of the applicant to properly represent the barbering profession;

(e) Recommendations from barber instructors, licensed barbers, or past or present employers who are not related to the applicant;

(f) Relevant school records; or

(g) Any other factor that is reasonably related to the applicant's ability to fulfill the duties of a professional barber.

Section 2. If an applicant is coming from a state or other board recognizing authority without substantially the same requirements, the applicant shall have been a registered barber and worked for three (3) years, in accordance with KRS 317.450(1)(e). (KBB:Lic:Non-Res-1; 1 Ky.R. 725; Am. 1224; eff. 5-14-1975; 10 Ky.R. 893; eff. 2-1-1984; 40 Ky.R. 1861; 2414; eff. 6-6-2014.)

201 KAR 14:065. Place of business requirements.

RELATES TO: KRS 317.440, 317.450

STATUTORY AUTHORITY: KRS 317.410, 317.420, 317.440

NECESSITY, FUNCTION, AND CONFORMITY: KRS 317.440(1) requires the Board of Barbering to promulgate administrative regulations establishing requirements for barber shops or schools. This administrative regulation establishes the place of business requirements for licensees.

Section 1. Every apprentice licensee, every licensed barber, and every licensed instructor of barbering regulated by KRS Chapter 317 and 201 KAR Chapter 14 shall practice in a licensed barber shop or licensed barber school.

(KBB:Lic:PL:Bus-1; 1 Ky.R. 725; Am. 1347; eff. 6-11-1975; 10 Ky.R. 894; eff. 2-1-1984; 40 Ky.R. 1862; 2415; eff. 6-6-2014 Cert eff. 6-3-2021; 48 Ky.R. 1835; eff. 7-5-2022.)

201 KAR 14:067. Shop in residence; requirements.

RELATES TO: KRS 317.440, 317.450

STATUTORY AUTHORITY: KRS 317.410, 317.420, 317.440

NECESSITY, FUNCTION, AND CONFORMITY: Outside entrance.

Section 1. Any licensed barber shop located in a residence shall have an outside entrance. (KBB:Lic:PL:Bus-1; 1 Ky.R. 1348; eff. 6-11-75; Am. 10 Ky.R. 894; eff. 2-1-84.)

201 KAR 14:070. Shop license applications.

RELATES TO: KRS 317.450(3)

STATUTORY AUTHORITY: KRS 317.440

NECESSITY, FUNCTION, AND CONFORMITY: KRS 317.440 requires the board to promulgate administrative regulations governing the location and housing of barber shops or schools. This administrative regulation establishes the requirements for the application for shop licenses.

Section 1. All new barber shops and all barber shops moving to new locations shall comply with all city, county, and state health regulations and shall include a signature from the state plumbing inspector on an application supplied by the barber board.

Section 2. Barber shop licenses are not transferable from one (1) location to another or one (1) person to another. A new license shall be obtained. (KBB:Lic:Shop-1; 1 Ky.R. 725; eff. 5- 14-1975; 10 Ky.R. 894; eff. 2-1-1984; 47 Ky.R. 760, 1371; eff. 4-6-2021.)

201 KAR 14:085. Sanitation requirements.

RELATES TO: KRS 317.410, 317.440, 317.580

STATUTORY AUTHORITY: KRS 317.410, 317.440

NECESSITY, FUNCTION, AND CONFORMITY: KRS 317.440(1)(b) requires the Board of Barbering to promulgate administrative regulations governing the quantity and quality of equipment, supplies, materials, records, and furnishings required in barber shops or schools. This administrative regulation establishes the sanitation requirements.

Section 1. Any barber, apprentice licensee, student barber, manicurist, or instructor of barbering suffering from any contagious diseases or conditions shall not be allowed to practice in this state, in accordance with KRS 317.580. A person suffering from a contagious disease or condition shall not be rendered service by any barber, apprentice licensee, student barber, manicurist, or instructor of barbering in the state.

Section 2. General Sanitation. The entire licensed facility, barber shops, and barber schools, including all equipment, employees, and implements, shall be continually maintained in a sanitary manner, in accordance with KRS 317.580 and this administrative regulation.

Section 3. Methods of Sanitizing. All commercially prepared sanitizing agents shall be used in accordance with the manufacturer's instructions.

Section 4. Disinfection of Implements and Spills; Blood and Body Fluids.

(1) Implements and surfaces shall be thoroughly cleaned prior to disinfection because disinfectants are inactivated and ineffective if visibly contaminated with debris, hair, dirt, or particulates or if heavily soiled.

(a) Disinfectants shall be prepared fresh daily or more often if solution becomes diluted or soiled.

(b) Contact Time: A surface shall be left wet or completely immersed for ten (10) minutes or longer, as required by the manufacturer, for disinfecting against HIV, HBV, and all other viruses, bacteria, and fungi.

(2) All used implements shall first be cleaned of visible dirt, debris, or bodily fluids with warm soapy, detergent water and then disinfected by completely immersing in a disinfectant authorized by this subsection.

(a) All nonporous implements that come into contact with intact skin shall be thoroughly cleaned before immersion in a disinfectant authorized by this paragraph. An appropriate disinfectant for objects that come into contact with intact skin shall include:

1. An Environmental Protection Agency registered, hospital-grade bactericidal (especially pseudomonacidal), virucidal, and fungicidal that is mixed and used according to the manufacturer's directions; or

2. Household bleach in a ten (10) percent solution for ten (10) minutes.

(b) All nonporous implements which have come in contact with blood or body fluids shall be thoroughly cleaned before immersion in a disinfectant authorized by this paragraph. An appropriate disinfectant shall include:

1. Environmental Protection Agency registered tuberculocides or products registered against HIV/HBV; or

2. Household bleach in a ten (10) percent solution for ten (10) minutes.

(c) For personal protection against blood-borne pathogens, cleanup shall always be done wearing protective gloves, gowns, and eye protection for large spills.

(d) All implements, which have come in contact with blood or body fluids, shall be disinfected by complete immersion in a disinfectant in accordance with this section.

(3) Any nonporous surface that comes in contact with blood or body fluids shall first be cleaned with warm soapy, detergent water, and then a disinfectant shall be used in accordance with this subsection.

(a) An appropriate disinfectant for surfaces which have come in contact with blood or body fluids shall include:

1. Environmental Protection Agency registered tuberculocides or products registered against HIV/HBV; or

2. Household bleach in a ten (10) percent solution for ten (10) minutes.

(b) For personal protection against blood-borne pathogens, cleanup shall always be done wearing protective gloves, gowns, and eye protection for large spills.

(4) Household bleach shall be an effective disinfectant for all purposes in a shop or school, with the following considerations:

(a) Bleach solutions shall be mixed daily and used in a ten (10) to one (1) solution, nine (9) parts tap water and one (1) part bleach.

(b) Bleach shall be kept in a closed covered container and not exposed to sunlight.

(c) Each licensee shall be aware that bleach:

1. May produce eye irritation or mouth, esophageal, and gastric burns; and

2. Is corrosive to metals.

(d) Bleach shall not be placed or stored near other chemicals used in salons, such as acrylic monomers, alcohol, other disinfecting products, or near flame because bleach vapors can react with vapors from other chemicals.

(e) Used or soiled bleach solution shall be discarded every day by pouring the solution down a sink basin or toilet bowl.

(5) A bottle container other than the original manufacturer's container used for application of authorized disinfectant shall be properly labeled as to contents, percentage solution, and date mixed.

(6) Cleanup items from minor cuts shall be double bagged or placed in biohazard containers. Licensees shall consult with the local health department for directions about disposal.

(7) All Food and Drug Administration designated "medical devices" shall only be disinfected by Environmental Protection Agency approved disinfectants, which are indicated by their registration number on the product label. The manufacturer's directions for use shall always be followed.

Section 5. Shampoo Bowls. All shampoo bowls, shampoo boards, cups, or similar items shall be sanitized, in accordance with this administrative regulation, after each use.

Section 6. Proper Protection of Neck.

(1) A shampoo apron, hair cloth, or similar article shall not be placed directly against the neck of the patron, and these items shall be kept from direct contact with the patron by means of a paper neck band or clean towel.

(2) A neck band of paper or cloth shall not be used more than once.

(3) A towel shall not be used more than once without proper laundering, in accordance with Section 12 of this administrative regulation.

Section 7. Use of Creams.

(1) All creams and other semi-solid substances shall be removed from containers with a clean, sanitized spatula.

(2) Spatulas made of a washable, nonabsorbent material shall be sanitized before being used again.

(3) Spatulas made of wood shall be discarded after one (1) use.

Section 8. Use of Styptics. Styptics to arrest bleeding shall be used only in liquid or powder form and shall be applied by clean gauze, cotton, or any other sanitary item.

Section 9. Special Solution Containers. Product containers shall be used to prevent the contamination of unused solution.

Section 10. Use of Powder. All powder shall be dispensed from a shaker or similar receptacle and shall be applied with disposable puffs or cotton pledgets, or other disposable applicators.

Section 11. Walls and Floors. Walls, floors, and fixtures shall be sanitary and kept clean at all times.

Section 12. Proper Laundering Methods.

(1) All cloth towels, robes, and similar items shall be laundered in a washing machine with laundry detergent and chlorine bleach used according to the manufacturer's directions for sanitation purposes.

(2) A closed, dustproof cabinet shall be provided for clean towels and linen, and a closed, dustproof hamper or receptacle shall be provided for all soiled towels and linens.

Section 13. Personal Hygiene.

(1) Any barber, apprentice barber, student barber, manicurist, or instructor of barbering shall wash his or her hands in antibacterial soap and water before beginning work on any and each patron.

(2) All licensees shall wear a clean, washable outer garment while serving a patron in a shop.

(3) Instruments or implements shall not be carried or stored in pockets, belts, aprons, or smocks.

Section 14. Equipment Sanitation.

(1) All equipment used in a shop shall be maintained in a sanitary manner, in accordance with this section.

(2) Razors, scissors, tweezers, combs, rubber disc, parts of vibrators, clippers, trimmers, neck dusters, and any appliances or implements that come in contact with the head, face, neck, and hands shall be sanitized in accordance with the manufacturer's instructions, KRS 317.580, and this administrative regulation and placed in a dry sanitizer such as a properly functioning cabinet sanitizer (light box, UV light) to maintain the sanitation between uses.

(3)

(a) Electrical equipment that provides circulating, whirlpool, or vacuum effects (for example, a facial machine, pedicure station, and nail drill) shall be:

1. Cleaned and disinfected after each use; and
2. Flushed, cleaned, and disinfected on a bi-weekly schedule.

(b) A record of this cleaning shall be kept in a log and made available upon any shop inspection.

(c) A bi-weekly cleaning shall include the use of a hospital grade disinfectant or ten (10) percent bleach solution that is circulated through the machine for the minimum time recommended by the manufacturer.

(4)

(a) Heated electrical equipment such as thermal irons, pressing combs, and stoves shall be considered sanitized by the heat source.

(b) Unheated parts of heated electrical equipment shall be cleaned and disinfected according to manufacturers' recommendations.

(c) Any other electrical equipment, such as clippers and attachments, shall be cleaned and disinfected after each use using the following method:

1. Removal of hair and all foreign matter from the equipment; and
2. Complete saturation of clipper blade and attachment with an EPA-registered high-level disinfectant solution, spray, or foam used according to the manufacturer's instructions.

Section 15.

(1) Rooms used for multiple purposes, such as massage, shall be permissible if all instruments, implements, and supplies are properly sanitized, in accordance with this administrative regulation.

(2) Any barber, apprentice barber, student barber, or instructor of barbering engaged in the practice of barbering work of any kind shall have a minimum of six (6) combs at his or her disposal. Each work station shall have a bottle of alcohol (ethyl alcohol seventy (70) percent) and cotton of the same sanitary condition for the purpose of sanitizing scissors, razors, clippers, and all instruments before and after each use on a patron.

(3) At least one (1) covered waste receptacle for every two (2) work stations shall be provided in each barber shop and barber school for the deposit of soiled towels. An additional covered receptacle for every two (2) work stations shall be provided for the disposal of used paper products.

(4) Laundry work in a barber shop and school shall be prohibited in the same room where any barber service is rendered. Drying of towels or linens on radiators or on lines in a barber shop and barber school shall be prohibited.

(5) The use of the following items shall be prohibited in barber shops and barber schools:

- (a) Non-disposable powder puffs;
- (b) Sponges;
- (c) Lump alum; and
- (d) Styptic pencils.

(KBB:San-1; 1 Ky.R. 726; eff. 6-24-75; Am. 10 Ky.R. 895; eff. 2-1-1984; 40 Ky.R. 1863; 41 Ky.R. 13; eff. 8-1-2014 Cert eff. 6-3-2021; 48 Ky.R. 1837, 2562; eff. 7-5-2022.)

201 KAR 14:090. School curriculum.

RELATES TO: KRS 317.410, 317.440(1)(e), 317.540

STATUTORY AUTHORITY: KRS 317.440(1)(e), 317.540(4), (5)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 317.440(1)(e) requires the Board of Barbering to promulgate an administrative regulation governing the hours and courses of instruction at barber schools.

KRS 317.540 requires the board to promulgate an administrative regulation prescribing the courses and requirements for a barber school. This administrative regulation establishes requirements for the course of study at barber schools.

Section 1. A student shall receive at least 1,500 hours in practice work and lectures based on the following courses of study:

(1) Instruments - thirty (30) hours:

- (a) Razors;
- (b) Shears;
- (c) Clippers;
- (d) Hones and strops; and
- (e) Combs, brushes, hair dryers, and curling irons;

(2) Shaving instructions – 100 hours:

- (a) Purpose of lather;
- (b) Application of lather properly to the face;
- (c) Sterilization of razor before shaving;
- (d) Stretching the skin while shaving;
- (e) Proper method for wiping the razor;
- (f) Shaving a patron once over;
- (g) Shaving a patron second time over;
- (h) Method of removing soap and cleaning face with hot towels after shaving;
- (i) Application of various after shave creams and lotions;
- (j) Trimming a mustache; and
- (k) Demonstrations and lectures on the various positions for holding a razor to shave a face while standing on one (1) side of the barber chair.
 - 1. Each stroke shall be thoroughly explained.
 - 2. The teacher shall ensure that the student:
 - a. Uses professional technique while performing the shaving strokes;
 - b. Understands the necessity of:
 - (i) Personal hygiene;
 - (ii) Using clean linens; and
 - (iii) Sterilizing each instrument used on a patron; and
 - c. Is advised to pay attention to a patron's comfort while in the chair.
 - 3. The different textures of beards and the directions of the grain shall be explained;

(3) Haircutting for men, women, and children – 935 hours:

- (a) Application of hair cloth, towel, and neck strip;
- (b) Combing hair before cutting;
- (c) Method of tapering hair;
- (d) Method of thinning hair;
- (e) Method of finger work;
- (f) Method of cutting hair on top of head;
- (g) Method of cutting hair with a razor;
- (h) Using a neck duster or tissue;
- (i) Method of shaving sides and neck after removing hair cloth;
- (j) Method of combing, drying, and dressing the hair; and
- (k) The methods of haircutting and hair styling;

(4) Shampooing – forty (40) hours:

- (a) Purpose of and giving a proper shampoo;

- (b) Preparing customer for shampoo;
 - (c) Different materials to be used; and
 - (d) Difference in various kinds of shampoo;
- (5) Permanent waving – forty (40) hours:
- (a) Explanation of chemical and physical actions in permanent waving;
 - (b) Necessity of scalp and hair analysis;
 - (c) Basic requirements, blocking sections, curling rods, and processing time; and
 - (d) Safety and protection for patrons;
- (6) Hair coloring – forty (40) hours:
- (a) Safety measures;
 - (b) Chemicals involved; and
 - (c) Application;
- (7) Hair straightening and relaxing – forty (40) hours:
- (a) Patron protection;
 - (b) Hair and scalp analysis; and
 - (c) Methods of application;
- (8) Massaging – thirty-five (35) hours:
- (a) Theory and different types of massaging;
 - (b) Application and demonstration of various creams and lotions in facial;
 - (c) Effect of light therapy on tissues;
 - (d) Results produced by massage on the skin, muscles, cells, glands, and circulation;
 - (e) Proper recommendation of massage; and
 - (f) All modern, electrical equipment used in barber shops with demonstrations;
- (9) Scalp and skin diseases – twenty (20) hours:
- (a) Various kinds of scalp treatment;
 - (b) Properly advising a patron to consult a physician;
 - (c) The danger of giving a scalp treatment to a scalp afflicted with an unknown disease;
 - (d) Explanation of causes and treatment of dandruff;
 - (e) Giving causes of dry and oily scalps and treatment;
 - (f) Explanation of various forms of alopecia and treatment;
 - (g) Explanation of causes of seborrhea, acne, psoriasis, impetigo, and eczema in their various forms; and
 - (h) Explanation of advisability of cooperating with physician in treating scalp in barber shop;
- (10) Physiology and anatomy of the head, face, and neck – 100 hours:
- (a) Giving descriptions of skin, hair, glands, and their various functions;
 - (b) Shedding and regrowth of hair;
 - (c) Sweat glands and their functions;
 - (d) Hair follicle, hair bulb, and papilla;
 - (e) Sympathetic and cerebrospinal nervous system;
 - (f) Blood supply to the face and scalp;
 - (g) Preservation and beautification of the hair and skin;
 - (h) Microscopic studies of the hair; and
 - (i) Benefits derived from relaxation from fatigue while in barber chair;

(11) Sterilization and sanitation – forty (40) hours:

- (a) Definition of sterilization, disinfectants, antiseptics, and their uses;
- (b) Chemicals to be used in sterilization;
- (c) Methods of sterilization;
- (d) Difference between contagion and infection;
- (e) Taking precautions to prevent infection; and
- (f) Importance of sterilization of all instruments used in the barber shop;

(12) Hygiene – ten (10) hours:

- (a) Theory and importance of personal hygiene; and
- (b) Hygiene as it applies to the practice of barbering;

(13) Bacteriology – twenty (20) hours:

- (a) Discovery of existence of bacteria;
- (b) Production, growth, and destruction of bacteria;
- (c) Necessity of elementary knowledge of bacteria;
- (d) Possibility of barber shop infection;
- (e) Various agents that may carry bacteria in barber shop service;
- (f) Difference in bacteria that are helpful and needed and bacteria that are harmful; and
- (g) Advice concerning absolute cleanliness and sanitation in all practices of barbering because of harmful bacteria;

(14) Electricity – ten (10) hours: Explanation of various electrical equipment and appliances that can be used in barber science treatments;

(15) Pharmacology – twenty (20) hours: Explanation of the value of medicinal and nonmedicinal ingredients found in barber shop preparations, hair dyes, face lotions, shampoos, permanent, tints, bleaches, and specially prepared face and scalp remedies designated for local action;

(16) Psychology – ten (10) hours:

- (a) Necessity of organization;
- (b) High ideals in the barber business; and
- (c) Emphasis on development of personality and skill to inspire confidence in the public; and

(17) History, professional ethics, and other information – ten (10) hours:

- (a) History of the barber profession;
- (b) Importance of barbering and its relation to civilization; and
- (c) Business management, bookkeeping, shop management, and advertising.

Section 2. (1) A student shall complete the course of study required by Section 1 of this administrative regulation as required by KRS 317.540(3).

(2) Each student shall receive at least one (1) hour:

- (a) A week devoted to the teaching and explanation of KRS Chapter 317 and 201 KAR Chapter 14; and
- (b) Of combined lecture and demonstration each day.

Section 3. (1) A microscope shall be part of the school's equipment to enable a student to study the structure of the hair and scalp.

(2) There shall be a reference library including a medical dictionary, books on anatomy and physiology and other books dealing with the functions of the human body which are applicable to the proper practice of the barber profession.

Section 4. A teacher licensed for less than twelve (12) months who has not completed 600 hours of instructional experience obtained while under the supervision of a board-licensed teacher with a minimum of three (3) years of experience and in a barber school licensed by the board shall not be counted as a teacher for purposes of compliance with the ratio requirement of KRS317.540(5). (KBB:Sch:Curr-1; 1 Ky.R. 726; eff. 5-14-1975; Am. 10 Ky.R. 896; eff. 2-1-1984; 25 Ky.R. 2430; 2837; eff. 6-16-1999; 2195; 2686; eff. 7-7-2014; 42 Ky.R. 2924; 43 Ky.R. 195; eff. 9-2-2016.)

201 KAR 14:095. Accredited school.

RELATES TO: KRS 317.440

STATUTORY AUTHORITY: KRS 317.410, 317.430, 317.440, 317.450

NECESSITY, FUNCTION, AND CONFORMITY: KRS 317.450 requires the board to issue a license to operate a school of barbering to any person, firm, or corporation who or which has complied with its statutory requirements. This administrative regulation establishes the requirements for an accredited barber school.

Section 1. Any school in Kentucky that complies with the rules and administrative regulations set forth herein, in addition to all Kentucky laws, shall upon the certification and approval of this board be deemed an accredited barber school.

Section 2. Barber school licenses are not transferrable from one (1) location to another or from one (1) person to another. A new license shall be obtained. (KBB:Sch:Acrd-1; 1 Ky.R. 728; eff. 5-14-1975; 47 Ky.R. 761, 1371; eff. 4-6-2021.)

201 KAR 14:100. School advertising.

RELATES TO: KRS 317.410, 317.440, 317.450

STATUTORY AUTHORITY: KRS 317.420, 317.430, 317.440

NECESSITY, FUNCTION, AND CONFORMITY: KRS 317.420 requires the board to promulgate administrative regulations to protect the public against misrepresentation, deceit, or fraud in the practice or teaching of barbering. This administrative regulation establishes the requirements for school advertising.

Section 1. Schools shall not advertise by any means that are knowingly false or by the use of deceptive statements or false promises which act as inducements in an effort to get students to enter the schools.

Section 2. Student equipment and books may be supplied by the students, depending upon each individual school, but school advertisements shall show what be furnished to the students.

Section 3. A school of barbering shall display in the reception room, work room, and on the mirror of each work station, a sign to read "School of Barbering - Work Done Exclusively by Students." The letters on this sign shall be large enough to be read from the opposite end of the room.

Section 4. A school shall not advertise professional work or guarantee students' work.

Section 5. A school may advertise under the description of a school operating for teaching purposes only.

Section 6. Schools shall not advertise positions or guarantee future employment to students. (KBB:Sch:Adver-1; 1 Ky.R. 728; eff. 5-14-1975; 17 Ky.R. 1139; eff. 11-29-1990; 47 Ky.R. 762, 1371; eff. 4-6-2021.)

201 KAR 14:105. Barbering school enrollment and postgraduate requirements.

RELATES TO: KRS 317.410, 317.440, 317.450

STATUTORY AUTHORITY: KRS 317.430, 317.440, 317.450

NECESSITY, FUNCTION, AND CONFORMITY: KRS 317.430(1) requires the Kentucky Board of Barbering to regulate barber schools and the teaching of barbering. KRS 317.440(1) requires the Kentucky Board of Barbering to promulgate administrative regulations governing applicants for barbering licenses. KRS 317.450(1)(b) requires the Kentucky Board of Barbering to ensure that a license to practice barbering shall be issued only if an applicant has acted as a licensed apprentice to a barber for at least six (6), but not more than nine (9) months. KRS 317.450(1)(a)3. requires the Kentucky Board of Barbering to ensure that a licensed apprentice to a barber has graduated high school or possesses a General Educational Development (GED) certificate or equivalent. This administrative regulation establishes requirements for barbering school enrollment and postgraduate coursework.

Section 1. Enrollment Application.

(1) Each student applicant shall complete and submit to the barbering school an Enrollment Application for Barber School, along with the required student permit card fee, as established in 201 KAR 14:180, Section 5(4).

(2) Each student applicant shall also submit to the barbering school:

(a) A copy of the applicant's high school:

1. Certificate;
2. Diploma; or
3. Transcript; or

(b) A copy of the applicant's General Educational Development (GED) certificate.

(3) A prospective student shall not attend a barber school until the student has complied with subsections

(1) and (2) of this section and the board has notified the school, pursuant to subsection (4)(c)2.a. of this section, that the board is in receipt of the completed and correct enrollment form and documentation.

(4)

(a) The barbering school shall submit to the board the:

1. Student's enrollment application, the required student permit card fee, as established in 201 KAR 14:180, Section 5(4); and
2. Documentation required by subsection (2) of this section.

(b) The barbering school shall submit the material required by paragraph (a) of this subsection to the board by:

1. Scanning the application into an electronic format and emailing the application to the board;
2. Fax;
3. Post; or
4. Hand delivery.

(c)

1. Upon the first business day that the board receives from the barbering school the material required by paragraph (a) of this subsection and the required student permit card fee, the board shall print, if the submission was in electronic format, and shall date stamp the material.

2.

a. Within two (2) business days of receiving the documentation from the barbering school, the board shall contact the barbering school by phone, fax, or email to alert the school that the student is enrolled and may begin attending.

b. The board shall follow up with an official letter, sent to the barbering school and the student applicant, which shall state the student's official enrollment eligibility date.

Section 2. Postgraduate Requirements.

(1) A barbering school shall enroll a student who requests postgraduate coursework if the student has complied with:

- (a) Section 1 of this administrative regulation;
- (b) 201 KAR Chapter 14; and
- (c) KRS Chapter 317.

(2) A barbering school shall not approve postgraduate course credits for less than 150 hours, except in accordance with 201 KAR 14:015 if the applicant has failed the licensing examination twice consecutively.

Section 3. A person who is an owner of a barber school or who can make policy for the school shall not be enrolled in that barber school as a student.

Section 4. Incorporation by Reference.

(1) "Enrollment Application for Barber School," February 2022, is incorporated by reference.

(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Kentucky Board of Barbering, 312 Whittington Parkway, Suite 110, Louisville, Kentucky 40222, Monday through Friday, 8 a.m. to 4:30 p.m.

(3) This material is also available on the board's Web site at <https://barbering.ky.gov/licensure/Pages/Forms.aspx>.

(KBB:Sch:Appl-1-1: 1 Ky.R. 728; 1348; eff. 6-11-1975; 10 Ky.R. 899; eff. 2-1-1984; 36 Ky.R. 437; 779; eff. 11-6-2009; 39 Ky.R. 821; 1112; eff. 1-4-2013; 47 Ky.R. 764, 1372; eff. 4-6-2021; 48 Ky.R. 1839, 2564; eff. 7-5-2022.)

201 KAR 14:110. School equipment; plant layout.

RELATES TO: KRS 317.410, 317.440

STATUTORY AUTHORITY: KRS 317.430, 317.440

NECESSITY, FUNCTION, AND CONFORMITY: KRS 317.440(1)(b) requires the board to promulgate an administrative regulation regarding the quantity and quality of equipment, supplies, materials, records, and furnishings required in barber shops or schools. This administrative regulation establishes the barber school equipment and plant layout requirements.

Section 1. Each barber school shall send the board a certificate from the zoning commission and a certificate from a licensed electrician or electrical firm showing the electrical equipment to be properly installed, properly grounded, and in safe operating condition.

Section 2. Barber schools shall be completely equipped with standard tonics, dyes, tints, bleaches, shampoos, cosmetics, permanents, etc., all electrical devices and other equipment for the proper instruction of students, as well as with equipment and supplies for sanitation and hygiene.

Section 3. Each barber school shall be located as entirely separate and without a connection to any beauty or barber shop or any other place of business.

Section 4. A barber school shall not be approved by this board having a space less than six (6) feet square for each student enrolled therein.

Section 5. All accredited barber schools shall have a suitable and separate room to be used for demonstration and study. The room shall have necessary charts and equipment to carry out the curriculum, including:

- (1) Sufficient charts, blackboards, and whiteboards, etc., to teach all subjects of barbering; and
- (2) Sufficient classroom chairs with armrests, or desks, that will enable the student to take notes.

Section 6. Every barber school shall maintain a separate lavatory and toilet for male and female students.

Section 7. All barber schools shall comply with city and state building codes and zoning commission codes. The board shall be notified upon any changes made to the physical layout of a school.

Section 8. Lockers, dressing rooms, and restrooms shall be provided.

Section 9. Booths and partitions in the work department shall be sufficiently low to permit the observation of students while they are working.

Section 10. A school of barbering shall not be approved by the board having less than the following equipment:

- (1)
 - (a) Shampoo bowls with hot and cold running water to be located in the room where barbering is done; and
 - (b) One (1) shampoo bowl per every ten (10) students enrolled;
- (2) Dryers;
- (3) Hair cutting chair;
- (4) Wall plates;
- (5) Covered waste containers;
- (6) Individual paper towels; and
- (7) Containers for the use of students.

Section 11.

- (1) Each barbering school shall furnish a supply or dispensing room in which each student may obtain actual experience for a period of one (1) to three (3) weeks, as indicated by the course of instruction. The student will be directly responsible to the owner for any damage incurred due to the student's negligence or willful destruction while working in the supply or dispensing room.
- (2) Supply or dispensing and sterilization room equipment required for a barbering school, including:
 - (a) Supply of clean linens, neck cloths, etc.;
 - (b) Lavatory for washing all combs, instruments, containers, etc.;
 - (c) Bottles and containers in use shall be distinctly and correctly labeled;
 - (d) Wet sterilizer;
 - (e) Dry sterilizer;
 - (f) Manicuring sterilizer;
 - (g) Soap dispenser;
 - (h) Covered waste container;
 - (i) Cabinet for supply of clean linens;
 - (j) Covered containers for soiled linens;
 - (k) Cabinets for accessories;
 - (l) Paper towel dispenser or clean towel cabinet for every two (2) stations;
 - (m) Manicuring cups for preparation of solution from stock supplies; and
 - (n) Various solutions and preparations used.

Section 12. A barbering school licensed by the board prior to the effective date of this administrative regulation shall not be required to comply with the requirements of Sections 10(1)(a), 10(1)(b), and 11(2)(l) of this administrative regulation.

(KBB:Sch:Eqmt-1; 1 Ky.R. 728; eff. 5-14-1975; 10 Ky.R. 899; eff. 2-1-1984; 42 Ky.R. 2926; 43 Ky.R. 196; eff. 9-2-2016; 48 Ky.R. 1841, 2564; eff. 7-5-2022.)

201 KAR 14:115. Examinations; school and board.

RELATES TO: KRS 317.410, 317.440

STATUTORY AUTHORITY: KRS 317.440

NECESSITY, FUNCTION, AND CONFORMITY: KRS 317.440(1)(f) requires the board to promulgate an administrative regulation to establish examination requirements. This administrative regulation establishes examination applications, deadlines, and sets forth scores for passing.

Section 1.

(1)

(a) The requirements in this administrative regulation shall apply to all examinations given by the board, unless stated otherwise.

(b) An apprentice license shall be required to take the barber's examination.

(c) A barber's license shall be required to take the instructor's examination.

(2) A student from a barber school shall not take any of the board's examinations:

(a) Without proof of a high school diploma, transcript, or GED certificate; and

(b) Unless the Apprentice Barber Application for Examination, Barber's Application for Examination, or Instructor's Application for Examination has reached the board's headquarters on the deadline date published by the board on its Web site at <https://barbering.ky.gov/bdinfo/Pages/default.aspx>.

(3)

(a) An applicant for a board examination shall complete the appropriate notarized application form by submitting either the Apprentice Barber Application for Examination, Barber's Application for Examination, or Instructor's Application for Examination.

(b) The applicant shall submit with the examination application:

1. The examination fee as required by 201 KAR 14:180, Section 2; and

2. A two (2) inch by two (2) inch passport photo.

(4) The deadline for applications is at noon (Eastern time) on the deadline date published by the board. Applications received after the deadline will have examinations scheduled for the applicants for the following month.

Section 2. The board's examination shall be given only to students who:

(1) Have been notified to appear for the examination;

(2) Are wearing a clean, washable uniform; and

(3) Have instruments to be used in the giving of their demonstrations.

Section 3. The board's examination shall include:

(1) A written examination that covers all subjects set forth in the administrative regulations relating to barbers, 201 KAR Chapter 14; and

(2) A practical demonstration on a living model.

Section 4. An applicant shall pass each portion, practice and theory, of the apprentice examination with a seventy-five (75) percent passing grade on the board's examination.

Section 5. An applicant for an instructor's license shall score a general average of eighty (80) percent on the board's examination.

Section 6. A student who works in a barber shop prior to passing the apprentice examination given by the board shall not be allowed to take the apprentice examination until first:

(1) Paying a fine, as defined in KRS 317.590, in keeping with the seriousness of the violation and the facts of the case; and

(2) Meeting all the requirements of KRS Chapter 317 and 201 KAR Chapter 14.

Section 7. The examination schedule shall be conspicuously displayed on a bulletin board provided by the school.

Section 8. Written and oral tests shall be given at intervals by a school to determine the status of the student.

Section 9. Incorporation by Reference.

(1) The following material is incorporated by reference:

(a) "Apprentice Barber Application for Examination," February 2022;

(b) "Barber's Application for Examination," February 2022; and

(c) "Instructor's Application for Examination," February 2022.

(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Board of Barbering, 312 Whittington Pkwy. Suite 110, Louisville, Kentucky 40222, Monday through Friday, 8:00 a.m. to 4:30 p.m.

(3) This material is also available on the board's Web site at <https://barbering.ky.gov/bdinfo/Pages/default.aspx>.

(KBB:Sch:Exam-1; 1 Ky.R. 729; eff. 5-14-1975; 3 Ky.R. 324; eff. 11-3-1976; 10 Ky.R. 900; eff. 2-1-1984; 40 Ky.R. 1866; 2688; eff. 7-7-2014; Cert eff. 6-3-2021; 48 Ky.R. 1843, 2565; eff. 7-5-2022.)

201 KAR 14:125. Teacher requirements.

RELATES TO: KRS 317.440, 317.450

STATUTORY AUTHORITY: KRS 317.440, 317.450(7)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 317.440(1)(c) requires the board to promulgate an administrative regulation regarding the qualifications of instructors of barbering. This administrative regulation establishes rules for school faculty and establishes conditions for unlicensed instructor students. Section 1.

(1) An instructor student shall achieve a passing score on the written instructor examination.

(2) A passing score shall be a minimum score of eighty (80) percent on the written examination required under subsection (1) of this section, and the oral and practical examinations required under Section 2(1)(b) and (c) of this administrative regulation.

Section 2.

(1) An instructor student shall satisfy the following before the second renewal date as established in KRS 317.450(9)(a):

(a) Complete 400 hours of instructional experience in a barber school licensed by the board, under the supervision of a board-licensed instructor with a minimum of three (3) years of experience;

(b) Achieve a passing score on the oral instructor examination required by the board; and

(c) Achieve a passing score on the practical instructor examination required by the board.

(2) An instructor student may request a one (1) time extension of time to complete the requirements of subsection (1) of this section. The extension may be granted by the board to the next renewal date. An extension of time request shall be filed, in writing, with the board no later than July 31 following the second renewal date.

(3) A teaching license shall not be renewed if an instructor student fails to achieve a passing score on the oral instructor examination and practical instructor examination by the second renewal period or upon the expiration of the extension of time.

(4) An individual whose teaching license is not renewed for failing to achieve a passing score on the oral instructor examination and practical instructor examination within the time period set out in subsection (3) of this section may reapply for an instructor license only after achieving a passing score on the oral instructor examination and practical instructor examination.

Section 3.

(1) An instructor shall be present in the classroom of a school during the one (1) hour of classroom instruction required, and in the study of a school during study hours for the practical learning aspects, and will be required to supervise all practice student work.

(2) An instructor student shall be under the face-to-face, direct supervision of an instructor while providing services to a client.

Section 4. A licensed barber shall not render services in a school, and an instructor student shall render services only incident to and for the purpose of instruction.

Section 5. Both instructor and instructor student in an accredited school shall devote his or her entire time during school or class hours to that of instructing the students and shall not apply his or her time to that of

private or public practice for compensation during school hours or permit students to instruct or teach other students in the absence of an instructor or instructor student.

Section 6. A properly qualified, licensed barber may demonstrate to the students new processes, new preparations, and new appliances in the presence of a licensed instructor. A school shall not permit more than four (4) such demonstrations in any calendar year.

Section 7. All services rendered in a school on patrons shall be done by students only. An instructor shall be allowed to teach and aid students in performing the various services. An instructor student or instructor may finish up the patrons after the students have completed their work.

Section 8. An instructor student and instructor in attendance shall wear a clean, washable outer garment such as a coat or smock.

Section 9. A school shall require an instructor student and instructor to wear an insignia or badge indicating that he or she is an instructor.

Section 10. An instructor student who has not completed 400 hours of instructional experience in a barber school licensed by the board under the supervision of a board-licensed instructor with a minimum of three (3) years of experience shall document the hours of instructional experience. The documentation shall include the specific dates, times during the day, and the subject matter being instructed. The instructional experience documentation shall be signed by the teacher obtaining the instructional experience, the owner of the barber school where the instructional experience was obtained, and the board-licensed instructor with a minimum of three (3) years of experience. This documentation shall be filed with the board prior to taking the examinations required under Section 2(1)(b) and (c) of this administrative regulation.

Section 11. The instructor student obtaining the 400 hours of instructional experience and the board-licensed instructor with a minimum of three (3) years of experience shall notify the board, in writing, of the mentoring and the notification to the board shall be signed by both. The notification shall be submitted prior to the beginning of instructional experience.

Section 12. An instructor with a minimum of three (3) years of experience shall not mentor more than two (2) apprentice instructors who have not satisfied Section 2(1)(b) and (c) of this administrative regulation.

Section 13. An instructor who is licensed by the board prior to the effective date of this administrative regulation is exempted from the requirements of Section 1 and Section 2(1)(b) and (c) of this administrative regulation.

Section 14. An instructor student in a school shall post both a barber and barber instructor license issued by the board.

(KBB:Sch:Fac-1; 1 Ky.R. 730; eff. 5-14-1975; 10 Ky.R. 900; eff. 2-1-1984; 43 Ky.R. 269, 566, 681; eff. 12-2-2016; 48 Ky.R.1844, 2566; eff. 7-5-2022.)

201 KAR 14:130. School fees for services.

RELATES TO: KRS 317.410, 317.440

STATUTORY AUTHORITY: KRS 317.430, 317.440

NECESSITY, FUNCTION, AND CONFORMITY: KRS 317.440 requires the board to promulgate administrative regulations to protect the public against misrepresentation, deceit, or fraud in the practice or teaching of barbering and to establish fees by administrative regulation. This administrative regulation establishes school fees and services.

Section 1. A copy of the prices shall be posted on a card in each room of the barber school where work is done on the public. Price lists shall be printed in type large enough to be read at a distance of ten (10) feet.

Section 2. Barber schools shall not be permitted to charge students any additional fees for any demonstrations, nor shall any supply house or manufacturer be permitted to charge students fees for demonstrations. Barber schools shall not charge students any fees on behalf of any individual, supply house, or manufacturer for the purpose of demonstration. (KBB:Sch:Fees-1; 1 Ky.R. 730; eff. 5-14-1975; 10 Ky.R. 901; eff. 2-1-1984; 17 Ky.R. 1139; eff. 11-29-1990; 47 Ky.R. 765, 1372; eff. 4-6-2021.)

201 KAR 14:135. School attendance hours.

RELATES TO: KRS 317.440, 317.450, 317.540

STATUTORY AUTHORITY: KRS 317.440, 317.450, 317.540

NECESSITY, FUNCTION, AND CONFORMITY: KRS 317.440 requires the board to promulgate administrative regulations governing the hours and courses of instruction at barber schools. This administrative regulation establishes the hours of attendance for schools of barbering.

Section 1. A school of barbering shall not permit or require students to be in attendance at school more than forty-eight (48) hours in any one (1) week. (KBB:Sch:HR:Reg-2; 1 Ky.R. 730; eff. 5-14-1975; 47 Ky.R. 767, 1373; eff. 4-6-2021.)

201 KAR 14:140. School license.

RELATES TO: KRS 317.440, 317.450, 317.540

STATUTORY AUTHORITY: KRS 317.410, 317.430, 317.440, 317.540

NECESSITY, FUNCTION, AND CONFORMITY: KRS 317.440 and 317.540 require the board to promulgate administrative regulations governing barber school licensing. This administrative regulation sets forth rules for licensing a barber school.

Section 1. Each person making application for a license to operate a barber school shall submit to the board satisfactory evidence as to the financial responsibility and character of the persons interested in operating the school; literature and advertising material pertaining to the school; samples of each form of record used to conduct the business of the school, including progress reports, hour sheets, and "sign-in" sheets; and a copy of the contract with the student and term or lease.

Section 2. Application for license to operate a school of barbering shall be accompanied by a floor plan of proposed premises, showing the arrangements of the classroom, the placing of equipment, the location of gas and electric outlets, and the entrance and exits.

Section 3. A license to operate a barber school shall be valid only for the person and location named in the license and is not transferable.

Section 4. Any person, establishment, firm, or corporation which accepts, directly or indirectly, compensation for teaching persons as defined in KRS 317.410 shall be classified as a barber school and shall be required to comply with all the provisions of the laws and the rules and administrative regulations of the board.

Section 5. A copy of the laws and administrative regulations concerning the licensing of barbers shall be available to all students, either in hardcopy (paper) or electronic format.

Section 6. Any barber school owner or manager found guilty by the board of willfully or fraudulently misrepresenting facts to the board concerning any information regarding his or her school, shall have their license to operate a barber school revoked as provided in KRS Chapter 317. (KBB:Sch:Lic-1; 1 Ky.R. 730; eff. 5-14-1975; 10 Ky.R. 901; eff. 2-1-1984; 17 Ky.R. 1140; eff. 11-29-1990; 47 Ky.R. 768, 1373; eff. 4-6-2021.)

201 KAR 14:150. School records.

RELATES TO: KRS 317.410, 317.450, 317.540

STATUTORY AUTHORITY: KRS 317.430, 317.440(1)(b)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 317.440(1)(b) requires the Kentucky Board of Barbering to promulgate administrative regulations to govern quantity and quality of equipment, supplies, materials, records, and furnishings required in barber shops or schools. This administrative regulation establishes requirements for school records.

Section 1. A monthly attendance record of the entire enrollment, including full-time and part-time students and instructors, shall be kept by the schools and received at the board office not later than the tenth calendar day of each month, and this attendance record shall not be amended after the last day of the month received.

(1) A barber school shall be held fully responsible for the completeness and accuracy of the attendance record, which shall show the total hours obtained for the previous month and the total accumulated hours to date for all students and instructors.

(2)

(a) Only the hours recorded shall be submitted each month.

(b) The report shall not be:

1. Amended without proof of error; or

2. Changed after the last day of the month it was reported.

(c) The report shall be available for inspection.

(3) A copy of the student's daily attendance record for the month of graduation through the date of a student's graduation shall be submitted with the student's certification of hours as part of the application for examination upon completion of the course.

Section 2. A copy of the monthly attendance record, as provided to the board office, shall be posted monthly on a bulletin board in the school so it is available at all times to the students, employees, board members, or agents of the board.

Section 3.

(1) Barber schools shall be required to keep a record of a student's daily work, approved and signed by the instructor of each student's practical work, work performed on clinic patrons, and classroom work.

(2) This record shall be available for inspection and shall be included:

(a) With the student's certification of hours and application for examination, upon completion of the course; or

(b) With the certification of hours:

1. If a student withdraws or is dismissed from school; or

2. Upon the closure of a school.

Section 4.

(1) A detailed record shall be kept of all enrollments, withdrawals, dismissals, and graduations.

(2) Certification of hours completed, including a copy of the student's daily attendance record for the month of graduation through the date of a student's graduation, shall be forwarded with all records of a student's daily work, to the office of the board within ten (10) calendar days of a student's withdrawal, dismissal, graduation, or closure of the barber school. Completed course hours provided to the board office shall be accurate and shall be recorded in the student's file.

(3) Completed course hours submitted to the board shall be transferable to another barbering school for no more than five (5) years.

(4) Records filed with the board shall be maintained for five (5) years, then destroyed in accordance with the board's retention schedule on file with the State Archives and Records Commission.

Section 5.

(1) All records shall be kept in a lockable file on the premises of the school and shall be available for inspection.

(2) The security of all records shall be the responsibility of the school.

(3) Records shall be locked if not in use or during nonbusiness hours.

Section 6. A school shall immediately produce a copy of any record maintained under this administrative regulation when requested by the board during hours when the school is scheduled to be open and providing services. If the request is made during hours when the school is closed and not providing services, the school shall produce a copy of any record maintained under this administrative regulation within two (2) hours of the next normal day of business.

(KBB:Sch:Rec'ds-1; 1 Ky.R. 731; eff. 5-14-1975; 10 Ky.R. 902; eff. 2-1-1984; 35 Ky.R. 1835; eff. 1-5-2009; 40 Ky.R. 1867; 2415; eff. 6-6-2014; 42 Ky.R. 2929; 43 Ky.R.197; eff. 9-2-2016; 48 Ky.R. 1846, 2567; eff. 7-5-2022.)

201 KAR 14:180. Fees.

RELATES TO: KRS 317.450

STATUTORY AUTHORITY: KRS 317.440(2)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 317.440(2) requires the Board of Barbering to establish fees by administrative regulation. This administrative regulation establishes fees for examinations, permits, and licenses issued by the board.

Section 1. Initial licensing fees shall be as follows:

- (1) Apprentice license: fifty (50) dollars;
- (2) Barber license: fifty (50) dollars;
- (3) Barber school license: \$500;
- (4) Barber shop license: \$100;
- (5) Endorsement: \$250;
- (6) Instructor of barbering license: \$100; and
- (7) Independent contract owner: fifty (50) dollars.

Section 2. Examination fees shall be as follows:

- (1) Apprentice examination \$200;
- (2) Barber examination: \$200; and
- (3) Instructor of barbering examination: \$100 per section (three (3) sections).

Section 3. Renewal fees shall be as follows:

- (1) Barber: fifty (50) dollars;
- (2) Instructor of barbering: \$100;
- (3) Barber shop: fifty (50) dollars;
- (4) Barber school: \$200; and
- (5) Independent contract owner: fifty (50) dollars.

Section 4. The fee for renewal of a license that has been expired for five (5) years or less shall be the lapse fee defined in KRS 317.410(9) in addition to the late fee set forth below:

- (1) Barber fee: twenty-five (25) dollars;
- (2) Instructor of barbering fee: fifty (50) dollars;
- (3) Barber shop fee: twenty-five (25) dollars;
- (4) Barber school fee \$100; and

(5) Independent contract owner: twenty-five (25) dollars.

Section 5. Miscellaneous fees shall be as follows:

- (1) Duplicate license: ten (10) dollars;
- (2) Certification of license: fifty (50) dollars;
- (3) Demonstration permit: \$100;
- (4) Student permit card: fifteen (15) dollars; and
- (5) Instructor student permit card: \$100.

Section 6. All fees received by the Kentucky Board of Barbering shall be non-refundable.

Section 7. If a license or permit is lost, destroyed, or stolen after issuance, a duplicate license may be issued. The applicant shall submit a duplicate license fee to the board with a Duplicate License Request form to verify the loss of the license or permit. Each duplicate license or permit shall be marked "duplicate."

Section 8. Incorporation by Reference. (1) "Duplicate License Request", May 2018, is incorporated by reference.

(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Kentucky Board of Barbering, 312 Whittington Parkway, Suite 110, Louisville, Kentucky 40222, Monday through Friday, 8 a.m. to 4:30 pm.

(3) This material is also available on the board's Web site at <https://barbering.ky.gov/licensure/Pages/Forms.aspx>. (25 Ky.R. 1482; eff. 2-12-1999; 26 Ky.R. 2292; 27 Ky.R. 959; eff. 10-16-2000; 33 Ky.R. 192; eff. 10-6-2006; 38 Ky.R. 1183; eff. 3-2-2012; TAm 5-28-2014; 42 Ky.R. 2930; 43 Ky.R. 198; eff. 9-2-2016; 44 Ky.R. 2566; eff. 8-24-2018; 48 Ky.R. 1848, 2567; eff. 7-5-2022.)