

TRANSMITTAL SHEET FOR  
NOTICE OF INTENDED ACTION

Control 250 Department or Agency Board of Cosmetology  
Rule No. 250-X-5-.04(13)  
Rule Title: School Instructors  
 New  Amend  Repeal  Adopt by Reference

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? NO

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare? YES

Is there another, less restrictive method of regulation available that could adequately protect the public? N/A

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved and, if so, to what degree? NO

Is the increase in cost, if any, more harmful to the public than the harm that might result from the absence of the proposed rule? N/A

Are all facets of the rulemaking process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? YES

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Does the proposed rule have an economic impact? NO

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama 1975.

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Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975, and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Reference Service.

  
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Bob McKee, Executive Director

Date February 14, 2014

(DATE FILED)  
(STAMP)

ALABAMA BOARD OF COSMETOLOGY

NOTICE OF INTENDED ACTION

AGENCY NAME: Board of Cosmetology

RULE NO. & TITLE: 250-X-5-.04(13) School Instructors

INTENDED ACTION: To amend this rule.

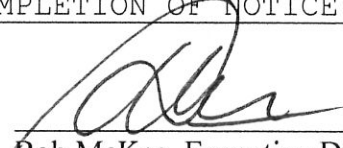
SUBSTANCE OF PROPOSED ACTION: To provide that no student may get credit for hours completed in a school in which the student owns or has an interest.

TIME, PLACE, MANNER OF PRESENTING VIEWS:

Interested persons may present comments in writing at any time during the thirty-five (35) day period following publication of this notice to Bob McKee, Executive Director of the Alabama Board of Cosmetology, 100 North Union St., Suite 320, Montgomery, AL 36130-1750. Comments may be presented in person or orally to the Executive Director at the above address on Monday, April 7, 2014 at 10:00 AM. Requests for comments in person must be submitted in writing in advance. Copies of proposed rule changes are available at the Executive Director's office at 334-242-1918.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE: April 7, 2014

CONTACT PERSON AT AGENCY:

  
Bob McKee, Executive Director  
Alabama Board of Cosmetology  
RSA Union Building  
100 North Union St., Suite 320  
Montgomery, AL 36130-1750

**250-X-5-.04 School Instructors.**

(1) All services performed for the general public by instructors and instructor trainees must be without charge for demonstration purposes only, with students observing, and must directly relate to the practical curriculum offered by schools in the appropriate field.

(2) Instructors may demonstrate work only in their appropriate field.

(3) Instructors and school owners are jointly responsible for notifying the Board when an instructor transfers to another school or is terminated for any reason.

(4) If an instructor who is necessary to maintain minimum school requirements transfers or is terminated, the school must replace that instructor within thirty (30) days of the date such transfer or termination occurs. A properly licensed instructor must be present at all times a school is operating.

(5) Instructor trainees must have the equivalent of twelve (12) grades in school, hold a current license and be properly registered with the Board.

(6) Instructor trainees must either:

(a) Complete 1,500 hours of instructor training in a registered or licensed school in the appropriate field;

(b) Or document at least one (1) year of full time work as a licensee in the appropriate field in a shop licensed in the appropriate field, and afterward complete 650 hours of instructor training in a licensed or registered school in the appropriate field.

(7) Instructor trainees may instruct only in the presence of a licensed instructor.

(8) Before enrolling as an instructor trainee an applicant must hold license in appropriate field.

(9) Instructor trainees must pass appropriate examination to be licensed as an instructor.

(10) Instructor trainees are responsible for scheduling their own examinations.

(11) Each school must have one instructor for every two instructor trainees enrolled.

(12) Instructors who teach in school and practice in a shop must post a license in each location. Duplicate license is subject to a copy fee. Only one license fee is applicable for such instructors.

(13) A student ~~instructor~~ may not receive credit for courses completed in a school which that person owns or is a principal.

**Author:** Bob McKee

**Statutory Authority:** Code of Ala. 1975, 34-7B-24

**History: Filed:** February 14, 2014