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## Final Regulation Agency Background Document

<b>Agency name</b>	Board for Barbers and Cosmetology
<b>Virginia Administrative Code (VAC) Chapter citation(s)</b>	18 VAC 41-20
<b>VAC Chapter title(s)</b>	Barbering and Cosmetology Regulations
<b>Action title</b>	Lower Cosmetology Training to 1,000 Hours
<b>Date this document prepared</b>	January 31, 2024

This information is required for executive branch review and the Virginia Registrar of Regulations, pursuant to the Virginia Administrative Process Act (APA), Executive Order 19 (2022) (EO 19), any instructions or procedures issued by the Office of Regulatory Management (ORM) or the Department of Planning and Budget (DPB) pursuant to EO 19, the Regulations for Filing and Publishing Agency Regulations (1 VAC 7-10), and the *Form and Style Requirements for the Virginia Register of Regulations and Virginia Administrative Code*.

### Brief Summary

*Provide a brief summary (preferably no more than 2 or 3 paragraphs) of this regulatory change (i.e., new regulation, amendments to an existing regulation, or repeal of an existing regulation). Alert the reader to all substantive matters. If applicable, generally describe the existing regulation.*

The Barbering and Cosmetology Regulations provide for the minimum training requirements for individuals to qualify for the license examination for a cosmetology license.

The Board for Barbers and Cosmetology (“the Board”) is lowering the required minimum hours for cosmetology training from 1,500 hours to 1,000 hours. The Board has adopted an amended regulation which reduces the curriculum hours for a cosmetology school to a minimum of 1,000 hours, allots the minimum number of hours per training topic, and revises the minimum number of required performances in the cosmetology curriculum. The amendments include the addition of topics and performances needed to align the regulations with the cosmetology scope of practice outlined in the Code of Virginia.

### Acronyms and Definitions

*Define all acronyms used in this form, and any technical terms that are not also defined in the "Definitions" section of the regulation.*

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"DPOR" means the Department of Professional and Occupational Regulation.

"MSDS" means Material Safety Data Sheet.

"RAP" means Regulatory Advisory Panel.

"SDS" means Safety Data Sheet.

### Statement of Final Agency Action

*Provide a statement of the final action taken by the agency including: 1) the date the action was taken; 2) the name of the agency taking the action; and 3) the title of the regulation.*

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On December 7, 2023, the Board for Barbers and Cosmetology adopted the final amendment to the Barbering and Cosmetology Regulations (18 VAC 41-20).

### Mandate and Impetus

*List all changes to the information reported on the Agency Background Document submitted for the previous stage regarding the mandate for this regulatory change, and any other impetus that specifically prompted its initiation. If there are no changes to previously reported information, include a specific statement to that effect.*

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The following changes are made to the information provided on the Agency Background Document for the previous stage regarding the impetus for this regulatory change:

During the 2022 General Assembly session, the Assembly considered SB 544 which proposed to impose a cap of 1,000 hours for training required to receive initial licensure as a cosmetologist. The measure passed the Senate. However, during consideration by the House General Laws Committee, committee members expressed concern regarding the reduction of training hours and potential impacts on health and safety. The Committee voted to table the measure and refer the matter to DPOR for further study.

Following the 2022 session, the Board created a Regulatory Advisory Panel (RAP) composed of school owners, curriculum writers, public school and private school instructors, as well as a salon safety expert and industry leaders, to review a proposed cosmetology curriculum.

The RAP completed surveys assessing each curriculum item for whether there was a safety risk addressed by the training, whether training was the least restrictive means to address that risk, and if so, what were the minimum number of hours needed for the student to perform that service safely. The average number of training hours from the RAP was 892 hours.

During its January 9, 2023, meeting, the Board developed specific performance standards to achieve minimum competency. The Board reviewed the RAP's recommendations, and taking into consideration license portability, national trends in hours, and minimum safety requirements, voted to lower the hours from 1,500 hours to 1,000 hours.

The proposed changes set the standard for cosmetology curricula to a minimum requirement of 1,000 training hours, but do not prohibit schools from providing courses with more than 1,000 hours of training.

### Legal Basis

*Identify (1) the promulgating agency, and (2) the state and/or federal legal authority for the regulatory change, including the most relevant citations to the Code of Virginia and Acts of Assembly chapter number(s), if applicable. Your citation must include a specific provision, if any, authorizing the promulgating agency to regulate this specific subject or program, as well as a reference to the agency's overall regulatory authority.*

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The promulgating agency is the Board for Barbers and Cosmetology.

Code of Virginia §§ 54.1-201(A)(1) and 54.1-201(A)(5) give authority to the Board to promulgate regulations. Section 54.1-201 states, in part:

A. The powers and duties of regulatory boards shall be as follows:

1. To establish the qualifications of applicants for certification or licensure by any such board, provided that all qualifications shall be necessary to ensure either competence or integrity to engage in such profession or occupation.

5. To promulgate regulations in accordance with the Administrative Process Act (§ 2.2-4000 et seq.) necessary to assure continued competency, to prevent deceptive or misleading practices by practitioners and to effectively administer the regulatory system administered by the regulatory board.

### Purpose

*Explain the need for the regulatory change, including a description of: (1) the rationale or justification, (2) the specific reasons the regulatory change is essential to protect the health, safety, or welfare of citizens, and (3) the goals of the regulatory change and the problems it is intended to solve.*

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As detailed in the "Mandate and Impetus" section, this regulatory change stems from legislation considered during the 2022 General Assembly session which would have imposed a cap of 1,000 hours on the minimum training required for initial licensure as a cosmetologist. The legislation was tabled by the House General Laws Committee and the matter was referred to DPOR for further study.

In response to the legislation, the Board formed a RAP to review the requirements for a cosmetology curriculum in the regulation. Following review by the RAP, the Board determined that a curriculum of 1,000 hours of training was sufficient to establish minimum competency for licensure as a cosmetologist, while still protecting the health, safety, and welfare of the public. However, schools are not prohibited from offering a curriculum that has more than 1,000 hours of training.

The goals of this action are (i) to reduce unnecessary burdens in the cosmetology training program by reducing the training hours for a cosmetology license to better reflect the minimum number of hours necessary for a student to become a safe practitioner; and (ii) to align the required training topics and performances for a cosmetology program with the scope of practice of cosmetology as defined in the Code of Virginia.

The revised cosmetology curriculum ensures that training is no more burdensome than necessary while ensuring students are training to be minimally competent practitioners.

Clarifying the minimum performances will assist both schools and students in understanding the minimum performances necessary to ensure minimum competency and protect the health, safety, and welfare of the public. This regulatory action will establish clear and effective curriculum criteria to assure competency.

## Substance

*Briefly identify and explain the new substantive provisions, the substantive changes to existing sections, or both. A more detailed discussion is provided in the "Detail of Changes" section below.*

The changes adopted by the Board will lower the minimum cosmetology training hours from 1,500 to 1,000, revise curriculum topics and performances to comport with the reduced training hours, and align curriculum topics and performances to the scope of practice for cosmetology as outlined in the Code of Virginia.

1. Section -200 is amended to reduce the minimum training hours for a cosmetology school curriculum from 1,500 clock hours to 1,000 clock hours.
2. Section -210 is amended to revise the cosmetology curriculum requirements to (i) bring these requirements in line with the statutory scope of practice for cosmetology as outlined in the Code of Virginia; and (ii) assign minimum hours of instruction per topic in the curriculum outline for cosmetology. In addition, the curriculum topics are reorganized and updated.
3. Section -220 is amended to (i) reflect the new cosmetology minimum requirement of 1,000 training hours; and (ii) bring the required cosmetology performances in line with the statutory scope of practice for cosmetology and the reduced hours requirement.

## Issues

*Identify the issues associated with the regulatory change, including: 1) the primary advantages and disadvantages to the public, such as individual private citizens or businesses, of implementing the new or amended provisions; 2) the primary advantages and disadvantages to the agency or the Commonwealth; and 3) other pertinent matters of interest to the regulated community, government officials, and the public. If there are no disadvantages to the public or the Commonwealth, include a specific statement to that effect.*

- 1) The primary advantages of the regulatory change to the public are that it will allow for more individuals to participate in cosmetology programs by reducing the minimum training hours by one third and could lead to more entrants into workforce. This would allow for more qualified and licensed cosmetologists to be available to the public to provide cosmetology services, while still ensuring practitioners are minimally competent. Individuals seeking a career in the cosmetology profession would be able to enter the profession sooner, and at less cost, due to the reduced training hours requirement.

The addition of language to include instruction in textured hair and the usage of a straight razor in the cosmetology curriculum will ensure cosmetologists are competent to provide safe services on all hair types and all services within their scope of practice. This will have the added advantage to promote inclusiveness of additional members of the public. The added specific hour requirements for different aspects of safety and sanitation training will provide additional protection of the health, safety and welfare of the public.

The primary disadvantages to the public are that there may be more onus on employers to supplement training provided by cosmetology schools and that some students may not have all the technical skills to perform every type of cosmetology service at a high level. However, it is expected that such individuals will become more technically proficient as their careers progress. Moreover,

students that graduate a cosmetology school must still demonstrate minimum competency by taking and passing the license examination before becoming licensed to practice.

- 2) The primary advantage of the proposed amendments to the Commonwealth will be having the least restrictive regulations necessary to protect the safety of the public. The Commonwealth will benefit from enhanced license portability and the addition of specific hours in safety and sanitation, as well as instruction on textured hair, brings Virginia’s regulations in line with national trends.

There are no anticipated disadvantages to the Commonwealth.

- 3) During the General Assembly’s consideration of SB 544 in 2022, concerns were raised about the impact of a 1,000-hour cap on cosmetology training hours on schools. This change establishes a minimum requirement of 1,000 training hours for a cosmetology training curriculum, but does not prohibit cosmetology schools from offering a curriculum has more hours. Schools that currently offer a 1,500-hour curriculum, the current minimum standard, would not be required to reduce their curriculum hours.

**Requirements More Restrictive than Federal**

*List all changes to the information reported on the Agency Background Document submitted for the previous stage regarding any requirement of the regulatory change which is more restrictive than applicable federal requirements. If there are no changes to previously reported information, include a specific statement to that effect.*

There are no changes to previously reported information.

**Agencies, Localities, and Other Entities Particularly Affected**

*List all changes to the information reported on the Agency Background Document submitted for the previous stage regarding any other state agencies, localities, or other entities that are particularly affected by the regulatory change. If there are no changes to previously reported information, include a specific statement to that effect.*

There are no changes to the previously reported information.

**Public Comment**

*Summarize all comments received during the public comment period following the publication of the previous stage, and provide the agency’s response. Include all comments submitted: including those received on Town Hall, in a public hearing, or submitted directly to the agency. If no comment was received, enter a specific statement to that effect.*

<b>Commenter</b>	<b>Comment</b>	<b>Agency response</b>
Eleonore Battey, Owner Fringe Benefits Salon (Email)	The state will be doing cosmetology students a disservice by cutting hours. The time spent learning the techniques and theory of cosmetology is necessary for	The purpose of the Board is to ensure the public is safe when receiving cosmetology services through ensuring practitioners are minimally competent. The Board has determined that cosmetologists can be trained to perform cosmetology safely with 1,000 hours of training. The Board does not exist to raise the

	<p>the public who will be sitting in their chairs.</p> <p>This will also reduce license portability.</p>	<p>stature of the profession or industry standards, but rather, exists to set minimum standards to protect the public's health and safety.</p> <p>Virginia currently requires a minimum of 1,500 hours of training, which a majority of states require. The board assembled a panel of advisors representing businesses, public schools, private career and technical schools, and advisors with subject matter expertise in infection control to conduct a comprehensive review of the education and training Virginia mandates to obtain a cosmetologist license. The panel determined that 892 hours was the average minimum training to safely perform cosmetology. The Board reviewed the panel's minimum safety recommendations while taking into consideration license portability and national trends in hours. Texas, California, and Vermont have recently changed to 1,000 hours, while several others have been at 1,000 hours for decades. The Board ultimately went above the panel's 892-hour average, voting to reduce to 1,000 hours.</p>
<p>Kalli Blackwell Peterman, General Manager Aveda Arts &amp; Sciences Institutes (Letter)</p>	<p>We believe that a 1,000-hour cosmetology program should be hair focused. In reviewing the proposed regulations, we ask the Board to increase the number of required minimum performances for hair coloring. This service is regularly provided by cosmetologists and should have more mandatory performances to ensure minimum competency and public safety when using hair color treatments. We also ask the Board to decrease the number of required performances for nail services, including acrylics.</p> <p>The Board should provide information to schools and future students on regulatory changes as they are finalized. This information should include at a minimum: Whether schools can continue to enroll students in a 1,500-hour curriculum; Anticipated timeline for</p>	<p>The proposed regulations will require a minimum of a 1,000-hour curriculum. The Board has adopted flexible hours on the program length, establishing a minimum of 1,000 hours, but still allowing schools to offer a longer program if they wish.</p> <p>Although the Board intends to notify regulants when the final regulations will become effective, the regulatory process can take approximately 18-24 months. Regulants and members of the public may contact the Board's office at any time with questions regarding this proposed regulatory change. Further, the Virginia Regulatory Town Hall has provided many resources, including flow charts and descriptions of the regulatory process, that should answer general questions about the regulatory process. That</p>

	<p>adoption of regulations; Appropriate contact for questions; When schools can start enrolling students in the 1,000-hour curriculum.</p>	<p>information can be found here: <a href="https://townhall.virginia.gov/um/toc.cfm">https://townhall.virginia.gov/um/toc.cfm</a></p>
<p>Valerie Sampson (Public Hearing)</p>	<p>*Commenter is the proprietor of a small academy in Harrisonburg.*</p> <p>If the Board reduces the 1,500 hours, are any of the chapters or requirements going to be eliminated or will the topics in the curriculum be the same with just a 1,000-hour minimum requirement?</p> <p>People in my area that are doing hair and they're not licensed. What do we do?</p>	<p>The current Board regulations do not set a specific amount of time towards practical training but do require over 500 client services. Most schools are approved to teach 300-500 hours of theory, and 1,000 to 1,200 hours of practical. That being said, the Board's objective is to have the least restrictive regulations necessary to protect the safety of the public and has determined 1,000 hours is the least amount necessary for students to learn to do these safely. It is expected that regulants will become more technically proficient as their careers progress.</p> <p>Performing cosmetology services for compensation without a license is a crime in Virginia. The Board does not allow criminal unlicensed activity and can assist local law enforcement in investigating this type of criminal conduct. If you know of instances of unlicensed activity, we encourage you to file a complaint, which can be done anonymously, with DPOR. You can find instruction on how to file a complaint at: <a href="https://www.dpor.virginia.gov/Report-Licensee/">https://www.dpor.virginia.gov/Report-Licensee/</a></p>
<p>CommentID: 220342</p> <p>Jonathan Melloul (Town Hall)</p>	<p>Reducing the education will reduce the proficiency of future professionals, which will reduce their earnings.</p> <hr/> <p>Furthermore, the reasoning behind the hour reduction bill is in response to a general "regulatory reduction" order and does not support the needs of the professionals or public.</p> <hr/> <p>The cosmetology profession requires more skin-to-skin</p>	<p>The purpose of the Board is to ensure the public is safe when receiving cosmetology services through ensuring practitioners are minimally competent. The Board has determined that cosmetologists can be trained to perform cosmetology safely with 1,000 hours of training. The Board does not exist to raise the stature of the profession or industry standards, but rather, exists to set minimum standards to protect the public's health and safety.</p> <hr/> <p>During the 2022 General Assembly session, the legislature tasked the Board with reviewing the cosmetology school hours. This led the board to create a Regulatory Advisory Panel to review the cosmetology curriculum and recommend the minimum number of hours needed for students to learn minimum competency. The Board based its decision on the panel's recommendations. Other methods of entry will be reviewed as part of the Board's line-by-line review of its regulations currently underway.</p> <hr/> <p>Virginia is currently at 1,500 hours, which a majority of states require. The Board assembled a panel of</p>

	<p>contact of any profession outside the medical field which is why cosmetology is a licensed profession in all 50 states. Cosmetologists work with sharp instruments, hazardous chemicals, and deal with contagious diseases. There is a universal agreement that licensure requirements are appropriate for occupations that present a harm to the public. Less than 10% of the states in the USA that have an hour requirement for cosmetology that is less than 1,500 hours. 1,500 hours is the industry standard.</p> <p>Due to the minimum hour requirement of 1,500 hours adopted by most states in this country, reducing Virginia standards to anything below 1500 hours will hinder license portability and reciprocity with contiguous states. The hour requirement for cosmetology in Tennessee, North Carolina, and Maryland is 1,500 hours. The hour requirement in Kentucky and West Virginia is 1,800 hours. This reduction will affect the ability of students to reciprocate their licenses to any of these bordering states.</p> <p>Based on placement statistics, the majority of graduates are placed in smaller, non-chain salons rather than chain stores that offer some sort of training program. These small businesses need and want cosmetology graduates who are prepared to start behind the chair immediately. The 1,500-hour requirement ensures that these graduates can meet the needs of the salons in Virginia.</p>	<p>advisors representing businesses, public schools, private career and technical schools, and subject matter expertise in infection control to conduct a comprehensive review of the education and training Virginia mandates to obtain a cosmetologist license. The panel's average minimum training to safely perform cosmetology was 892 hours. The Board reviewed the panel's minimum safety recommendations while taking into consideration license portability and national trends in hours. Texas, California, and Vermont have recently changed to 1,000 hours, while several others have been at 1,000 hours for decades. The Board ultimately went above the panel's 892-hour average, voting to reduce to 1,000 hours.</p> <p>The purpose of the Board is to ensure the public is safe when receiving cosmetology services through ensuring practitioners are minimally competent. The Board has determined a cosmetologist can be trained to practice all aspects of their license safely in 1,000 hours. While the goal of providing a good education and successful employment is laudable, it is the Board's responsibility to set the standards based on minimum competency.</p>
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	<p>Education creates value in society and opens the door for small business opportunity; this is the only postsecondary education opportunity for most of these students; it is a time for them to learn the technical skills of a trade while also gaining valuable life-shaping soft skills that help them become successful professionals, small business owners, and contributing members to Virginia. Removing this from their education affects their welfare.</p> <hr/> <p>Financial Aid Eligibility creates opportunities for students to pursue education and advance their careers. Reducing the training hour requirement reduces student's financial aid eligibility, creating more of a financial burden on students and creating financial obstacles that will keep students from starting/finishing their education. This affects the public welfare.</p>	<hr/> <p>The Board intends to take the impact on current students into account when implement this change. At this time, the Board expects to incorporate a phase in or teach out period for schools in order to avoid financial disruption for the students. Regarding federal financial student aid, the Board does not control federal financial aid policy or access and does not have the statutory authority or responsibility to create requirements in an attempt to access to those resources.</p>
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**Detail of Changes Made Since the Previous Stage**

*List all changes made to the text since the previous stage was published in the Virginia Register of Regulations and the rationale for the changes. For example, describe the intent of the language and the expected impact. Describe the difference between existing requirement(s) and/or agency practice(s) and what is being proposed in this regulatory change. Explain the new requirements and what they mean rather than merely quoting the text of the regulation. \* Put an asterisk next to any substantive changes.*

<b>Current chapter-section number</b>	<b>New chapter-section number, if applicable</b>	<b>New requirement from previous stage</b>	<b>Updated new requirement since previous stage</b>	<b>Change, intent, rationale, and likely impact of updated requirements</b>

20-210	N/A	<p>Subsection D of the section is amended to revise the required topics for a cosmetology curriculum and to designate the minimum number of training hours required for each topic.</p> <p>The subsection is revised to establish the following required topics and minimum number of training hours:</p> <p>Orientation and business topics (subdivision D 1). A minimum of 45 hours of instruction on:</p> <ul style="list-style-type: none"> <li>• School policies;</li> <li>• Management;</li> <li>• Sales, inventory, and retailing;</li> <li>• Taxes and payroll;</li> <li>• Insurance;</li> <li>• Client records and confidentiality; and</li> <li>• Professional ethics and practices.</li> </ul> <p>Laws and regulations (subdivision D 2). A minimum of 10 hours of instruction.</p> <p>General sciences (subdivision D 3). A minimum of 55 hours of instruction on:</p> <ul style="list-style-type: none"> <li>• Principles and practices of infection control;</li> </ul>	<p>Amended subdivision D 3 to remove the term Material Safety Data Sheet (MSDS) and replace with Safety Data Sheet (SDS).</p>	<p>This change has no impact and corrects a typographical error.</p> <p>Other changes are made for purposes of clarity or style.</p>
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	<ul style="list-style-type: none"> <li>• Material Safety Data Sheet (MSDS); and</li> <li>• Chemical usage and safety.</li> </ul> <p>Applied sciences (subdivision D 4). A minimum of 40 hours of instruction on anatomy, physiology, and histology.</p> <p>Shampooing, rinsing, and scalp treatments for all hair types, including textured hair (subdivision D 5). A minimum of 25 hours of instruction on:</p> <ul style="list-style-type: none"> <li>• Client consultation and analysis; and</li> <li>• Procedures, manipulations, and treatments.</li> </ul> <p>Hair styling for all hair types, including textured hair (subdivision D 6). A minimum of 65 hours of instruction on:</p> <ul style="list-style-type: none"> <li>• Fingerwaving, molding, and pin curling;</li> <li>• Roller curling, combing, and brushing; and</li> <li>• Heat curling, waving, and pressing.</li> </ul> <p>Hair cutting for all hair types, including textured hair (subdivision D 7). A minimum of 125 hours of instruction on:</p>		
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	<ul style="list-style-type: none"> <li>• Fundamentals, materials, and equipment; and</li> <li>• Procedures.</li> </ul> <p>Permanent waving and chemical relaxing for all hair types, including textured hair (subdivision D 8). A minimum of 115 hours of instruction on:</p> <ul style="list-style-type: none"> <li>• Chemistry;</li> <li>• Supplies and equipment; and</li> <li>• Procedures and practical application.</li> </ul> <p>Hair coloring and bleaching for all hair types, including textured hair (subdivision D 9). A minimum of 160 hours of instruction on:</p> <ul style="list-style-type: none"> <li>• Basic color theory;</li> <li>• Supplies and equipment; and</li> <li>• Procedures and practical application.</li> </ul> <p>Wigs, hair pieces, and related theory (subdivision D 10). A minimum of 15 hours of instruction on:</p> <ul style="list-style-type: none"> <li>• Types; and</li> <li>• Procedures.</li> </ul> <p>Straight razor use and shaving (subdivision D 11). A minimum of 20 hours of instruction.</p>		
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		<p>Manicuring and pedicuring (subdivision D 12). A minimum of 75 hours of instruction on:</p> <ul style="list-style-type: none"> <li>• Nail theory, nail structure, and composition;</li> <li>• Nail procedures, including manicuring, pedicuring, and nail extensions; and</li> <li>• Electric filing.</li> </ul> <p>Skin care (subdivision D 13). A minimum of 160 hours of instruction on:</p> <ul style="list-style-type: none"> <li>• Client skin analysis and consultation;</li> <li>• Effleurage and related movements and manipulations of the face and body;</li> <li>• Cleansings procedures;</li> <li>• Masks;</li> <li>• Machines, equipment, and electricity;</li> <li>• Manual facials and treatments;</li> <li>• Machine, electrical facials, and treatments; and</li> <li>• General procedures and safety measures.</li> </ul> <p>Makeup (subdivision D 14). A minimum of 35 hours of instruction on:</p> <ul style="list-style-type: none"> <li>• Setup, supplies, and implements;</li> </ul>		
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		<ul style="list-style-type: none"> <li>• Color theory;</li> <li>• Consultation;</li> <li>• General and special occasion application;</li> <li>• Camouflage;</li> <li>• Application of false lashes and lash extensions;</li> <li>• Lash and tinting;</li> <li>• Lash perming;</li> <li>• Lighting of the hair on the body except scalp; and</li> <li>• General procedures and safety measures.</li> </ul> <p>Body and other treatments (subdivision D 15). A minimum of 20 hours of instruction on:</p> <ul style="list-style-type: none"> <li>• Body treatments;</li> <li>• Aromatherapy; and</li> <li>• General procedures and safety measures.</li> </ul> <p>Hair removal (subdivision D 16). A minimum of 35 hours of instruction on:</p> <ul style="list-style-type: none"> <li>• Client consultation and analysis;</li> <li>• Waxing;</li> <li>• Mechanical hair removal;</li> <li>• Tweezing and threading; and</li> <li>• Chemical hair removal.</li> </ul>		
20-220	N/A	Subsection A is amended to reflect the new cosmetology minimum hour	*Amended subsection E to clarify the requirement for sculptured nails, nail	The Board miscalculated the three (3) full sets of sculptured nails as 3 performances rather than 30 for the final number of

		<p>requirement of 1,000 hours.</p> <p>Subsection E of the section is amended to revise the minimum performances for a cosmetology curriculum.</p> <p>A cosmetology curriculum must have a minimum total of 360 performances, allotted as follows:</p> <ul style="list-style-type: none"> <li>• Shampooing, rinsing, and scalp treatments for all hair types, including textured hair: 20 performances.</li> <li>• Hair styling for all hair types, including textured hair: 60 performances.</li> <li>• Hair cutting for all hair types including textured hair: 60 performances.</li> <li>• Permanent waving-chemical relaxing for all hair types, including textured hair: 60 performances.</li> <li>• Hair coloring and bleaching for all hair types, including textured hair: 50 performances.</li> <li>• Wigs, hair pieces, and related theory: Five (5) performances.</li> <li>• Straight razor use and shaving:</li> </ul>	<p>tips, and wraps performances to specify individual sculptured nails and nail tips and require 30 performances. The reference to wraps is removed.</p> <p>*Amended subsection E to change the number of performances required for:</p> <ul style="list-style-type: none"> <li>• Body and other treatments: Reduced from 10 performances to five (5) performances.</li> <li>• Makeup: Reduced from 30 performances to 20 performances.</li> <li>• Skin care: Reduced from 20 performances to 15.</li> </ul> <p>*The total number of minimum performances for a cosmetology curriculum is 367.</p>	<p>performances. The change has limited impact and clarifies that performances are actually 30 individual nails.</p> <p>The Board, based on discussions held in regulatory review committee meetings, also decided to reduce the number of required performances for several topics because the number of performances initially proposed were more than necessary to demonstrate minimum competency. This change should have minimal impact.</p>
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		<p>12 performances.</p> <ul style="list-style-type: none"> <li>• Manicuring and pedicuring: 15 procedures.</li> <li>• Sculptured nails, nail tips, and wraps: Three (3) full sets.</li> <li>• Body and other treatments: 10 performances.</li> <li>• Makeup: 30 performances.</li> <li>• Skin care: 20 performances.</li> <li>• Hair removal: 15 performances.</li> </ul>		
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**Detail of All Changes Proposed in this Regulatory Action**

*List all changes proposed in this action and the rationale for the changes. For example, describe the intent of the language and the expected impact. Describe the difference between existing requirement(s) and/or agency practice(s) and what is being proposed in this regulatory change. Explain the new requirements and what they mean rather than merely quoting the text of the regulation. \* Put an asterisk next to any substantive changes.*

<b>Current chapter-section number</b>	<b>New chapter-section number, if applicable</b>	<b>Current requirements in VAC</b>	<b>Change, intent, rationale, and likely impact of updated requirements</b>
20-200	N/A	<p>Establishes general requirements for licensure of schools.</p> <p>A school must submit its curricula for Board approval and must resubmit any changes to such curricula to the Board, which changes must be approved by the Board.</p> <p>The section provides that a training curriculum have a minimum number of clock hours and a minimum number of performances. The minimum number of performances is established in section -220.</p> <ul style="list-style-type: none"> <li>• For a cosmetology school, the minimum number of clock hours is 1,500.</li> </ul>	<p>*This section is amended to decrease the required cosmetology curricula clock hours to a minimum of 1,000 hours.</p>



<p>20-210</p>	<p>N/A</p>	<p>Establishes curriculum requirements for schools.</p> <p>A cosmetology school must submit its curriculum with its application for licensure. The curriculum must include the following:</p> <ul style="list-style-type: none"> <li>• Course syllabus;</li> <li>• Detailed course outline;</li> <li>• Five (5) sample lesson plans;</li> <li>• Sample of the evaluation methods to be used; and</li> <li>• Breakdown of hours and performances for all courses.</li> </ul> <p>The course outline for a cosmetology curriculum must include the following topics:</p> <p>Orientation (subdivision D 1) with instruction on:</p> <ul style="list-style-type: none"> <li>• School policies;</li> <li>• State law, regulations, and professional ethics;</li> <li>• Personal hygiene; and</li> <li>• Bacteriology, sterilization, and sanitation.</li> </ul> <p>Manicuring and pedicuring (subdivision D 2) with instruction on:</p> <ul style="list-style-type: none"> <li>• Anatomy and physiology;</li> <li>• Diseases and disorders;</li> <li>• Procedures, to include both natural and artificial application; and</li> <li>• Sterilization.</li> </ul> <p>Shampooing and rinsing (subdivision D 3) with instruction on:</p> <ul style="list-style-type: none"> <li>• Fundamentals;</li> <li>• Safety rules;</li> <li>• Procedures; and</li> <li>• Chemistry, anatomy, and physiology.</li> </ul> <p>Scalp treatments (subdivision D 4) with instruction on:</p>	<p>*This section is amended to bring the cosmetology curriculum requirements in line with the statutory scope of practice for cosmetology and assign minimum hours of instruction per topic in the curriculum outline for cosmetology. Curriculum topics are reorganized and updated.</p> <p>*Subsection D is revised to establish the following required topics and minimum number of training hours:</p> <p>*Orientation and business topics (subdivision D 1). A minimum of 45 hours of instruction on:</p> <ul style="list-style-type: none"> <li>• School policies;</li> <li>• Management;</li> <li>• Sales, inventory, and retailing;</li> <li>• Taxes and payroll;</li> <li>• Insurance;</li> <li>• Client records and confidentiality; and</li> <li>• Professional ethics and practices.</li> </ul> <p>*Laws and regulations (subdivision D 2). A minimum of 10 hours of instruction.</p> <p>*General sciences (subdivision D 3). A minimum of 55 hours of instruction on:</p> <ul style="list-style-type: none"> <li>• Principles and practices of infection control;</li> <li>• Safety Data Sheet (SDS); and</li> <li>• Chemical usage and safety.</li> </ul> <p>*Applied sciences (subdivision D 4). A minimum of 40 hours of instruction on anatomy, physiology, and histology.</p> <p>*Shampooing, rising, and scalp treatments for all hair types, including textured hair (subdivision D 5). A minimum of 25 hours of instruction on:</p> <ul style="list-style-type: none"> <li>• Client consultation and analysis; and</li> <li>• Procedures, manipulations, and treatments.</li> </ul>
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	<ul style="list-style-type: none"> <li>• Analysis;</li> <li>• Disorders and diseases;</li> <li>• Manipulations; and</li> <li>• Treatments.</li> </ul> <p>Hair styling (subdivision D 5) with instruction on:</p> <ul style="list-style-type: none"> <li>• Anatomy and facial shapes;</li> <li>• Finger waiving, molding, and pin curling;</li> <li>• Roller curling, combing, and brushing; and</li> <li>• Heat curling, waving, and pressing.</li> </ul> <p>Hair cutting (subdivision D 6) with instruction on:</p> <ul style="list-style-type: none"> <li>• Anatomy and physiology;</li> <li>• Fundamentals, materials, and equipment;</li> <li>• Procedures; and</li> <li>• Safety practices.</li> </ul> <p>Permanent waving-chemical relaxing (subdivision D 7) with instruction on:</p> <ul style="list-style-type: none"> <li>• Analysis;</li> <li>• Supplies and equipment;</li> <li>• Procedures and practical application;</li> <li>• Chemistry;</li> <li>• Recordkeeping; and</li> <li>• Safety.</li> </ul> <p>Hair coloring and bleaching (subdivision D 8) with instruction on:</p> <ul style="list-style-type: none"> <li>• Analysis and basic color theory;</li> <li>• Supplies and equipment;</li> <li>• Procedures and practical application;</li> <li>• Chemistry and classifications;</li> <li>• Recordkeeping; and</li> <li>• Safety.</li> </ul> <p>Skin care and make-up (subdivision D 9) with instruction on:</p> <ul style="list-style-type: none"> <li>• Analysis;</li> <li>• Anatomy;</li> </ul>	<p>*Hair styling for all hair types, including textured hair (subdivision D 6). A minimum of 65 hours of instruction on:</p> <ul style="list-style-type: none"> <li>• Fingerwaving, molding, and pin curling;</li> <li>• Roller curling, combing, and brushing; and</li> <li>• Heat curling, waving, and pressing.</li> </ul> <p>*Hair cutting for all hair types, including textured hair (subdivision D 7). A minimum of 125 hours of instruction on:</p> <ul style="list-style-type: none"> <li>• Fundamentals, materials, and equipment; and</li> <li>• Procedures.</li> </ul> <p>*Permanent waving and chemical relaxing for all hair types, including textured hair (subdivision D 8). A minimum of 115 hours of instruction on:</p> <ul style="list-style-type: none"> <li>• Chemistry;</li> <li>• Supplies and equipment; and</li> <li>• Procedures and practical application.</li> </ul> <p>*Hair coloring and bleaching for all hair types, including textured hair (subdivision D 9). A minimum of 160 hours of instruction on:</p> <ul style="list-style-type: none"> <li>• Basic color theory;</li> <li>• Supplies and equipment; and</li> <li>• Procedures and practical application.</li> </ul> <p>*Wigs, hair pieces, and related theory (subdivision D 10). A minimum of 15 hours of instruction on:</p> <ul style="list-style-type: none"> <li>• Types; and</li> <li>• Procedures.</li> </ul> <p>*Straight razor use and shaving (subdivision D 11). A minimum of 20 hours of instruction.</p>
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			<ul style="list-style-type: none"> <li>• Client consultation and analysis;</li> <li>• Waxing;</li> <li>• Mechanical hair removal;</li> <li>• Tweezing and threading; and</li> <li>• Chemical hair removal.</li> </ul> <p>The changes to the requirements for a cosmetology curriculum outline will better ensure licensed schools provide the minimum training necessary for students to qualify for the cosmetology license examination. The revisions also make curriculum requirements clearer.</p>
20-220	N/A	<p>Establishes the curriculum hours of instruction and performance requirements for schools.</p> <p>A cosmetology school must offer a minimum of 1,500 clock hours of instruction.</p> <p>A cosmetology curriculum must have a minimum total of 525 performances, allotted as follows:</p> <ul style="list-style-type: none"> <li>• Hair and scalp treatments: 10 performances.</li> <li>• Hair styling: 320 performances.</li> <li>• Tinting: 15 performances.</li> <li>• Bleaching and frosting: 10 performances.</li> <li>• Temporary rinses: 10 performances.</li> <li>• Semi-permanent color: 10 performances.</li> <li>• Cold permanent waving or chemical relaxing: 25 performances.</li> <li>• Hair shaping: 50 performances.</li> <li>• Wig care, styling, placing on model: Five (5) performances.</li> <li>• Finger waving and thermal waving: 30 performances.</li> <li>• Manicures and pedicures: 15 performances.</li> <li>• Basic facials and waxings: Five (5) performances.</li> <li>• Sculptured nails, nail tips, and wraps: 20 performances.</li> </ul>	<p>*Subsection A is amended to reflect the new cosmetology minimum hour requirement of 1,000 hours.</p> <p>*Subsection E is amended to bring the required cosmetology performances in line with the statutory scope of practice for cosmetology and the reduced minimum hours requirement.</p> <p>*A cosmetology curriculum must have a minimum total of 367 performances, allotted as follows:</p> <ul style="list-style-type: none"> <li>• Shampooing, rinsing, and scalp treatments for all hair types, including textured hair: 20 performances.</li> <li>• Hair styling for all hair types, including textured hair: 60 performances.</li> <li>• Hair cutting for all hair types including textured hair: 60 performances.</li> <li>• Permanent waving-chemical relaxing for all hair types, including textured hair: 60 performances.</li> <li>• Hair coloring and bleaching for all hair types, including textured hair: 50 performances.</li> <li>• Wigs, hair pieces, and related theory: Five (5) performances.</li> <li>• Straight razor use and shaving: 12 performances.</li> <li>• Manicuring and pedicuring: 15 procedures.</li> </ul>

			<ul style="list-style-type: none"><li>• Individual sculptured nails and nail tips: 30 performances.</li><li>• Body and other treatments: Five (5) performances.</li><li>• Makeup: 20 performances.</li><li>• Skin care: 15 performances.</li><li>• Hair removal: 15 performances.</li></ul> <p>*These changes reflect the modified curriculum requirements for a cosmetology program and reduce the total number of performances from 525 to 367.</p>
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