

MINNESOTA CODE OF AGENCY RULES

RULES OF THE BOARD OF BARBER EXAMINERS

1982 Reprint



All rules as in effect on September 15, 1982

Prepared by

**THE OFFICE OF REVISOR OF STATUTES
Room 3, State Capitol, St. Paul, Minnesota 55155**

Distributed by

**STATE REGISTER AND PUBLIC DOCUMENTS DIVISION
DEPARTMENT OF ADMINISTRATION
117 University Avenue, St. Paul, Minnesota 55155**

BOARD OF BARBER EXAMINERS

Chapter One: Registered Apprentices

4 MCAR S 8.001	Additional six-month practice-form IA.
4 MCAR S 8.002	Application-filing dates.
4 MCAR S 8.003	Apprentices from other states -- qualifications.
4 MCAR S 8.004	Apprentices from other states -- references.
4 MCAR S 8.005	Examination dates.
4 MCAR S 8.006	Examinations -- grading.
4 MCAR S 8.007	Examinations -- review.
4 MCAR S 8.008	Grading system.
4 MCAR S 8.009	Home study course.
4 MCAR S 8.010	Quarterly reports.
4 MCAR S 8.011	Requirements of Minnesota Statutes, section 154.05 (4).
4 MCAR S 8.012	Student permit fee.
4 MCAR S 8.013	Supervision of practice -- form I.
4 MCAR S 8.014	Supervision terminated -- form II.
4 MCAR S 8.015	Expiration of certificate.

Chapter Two: Registered Barbers

4 MCAR S 8.026	Examinations -- dates.
4 MCAR S 8.027	Examinations -- grading.
4 MCAR S 8.028	Examinations -- filing.
4 MCAR S 8.029	Out of state barbers -- qualifications.
4 MCAR S 8.030	Out of state barbers -- references.
4 MCAR S 8.031	Practicing barber -- a registered barber.
4 MCAR S 8.032	Failure to renew certificate within one year period.

Chapter Three: Barber School Instructors

4 MCAR S 8.042	Applications -- filing date.
4 MCAR S 8.043	Examinations -- grading.
4 MCAR S 8.044	Instructor's license -- renewal.
4 MCAR S 8.045	Vocational teacher's certificate -- procedure.

Chapter Four: Barber Schools

4 MCAR S 8.056	License -- requirement.
4 MCAR S 8.057	License -- contents of application.
4 MCAR S 8.058	License -- location.
4 MCAR S 8.059	License applicants.
4 MCAR S 8.060	License -- considerations involved in issuance.
4 MCAR S 8.061	License -- public hearing.
4 MCAR S 8.062	Instructors.
4 MCAR S 8.063	Barber schools -- students.
4 MCAR S 8.064	Hours of instruction.
4 MCAR S 8.065	Student report -- monthly.
4 MCAR S 8.066	Miscellaneous.

Chapter Five: Barber Shops

4 MCAR S 8.077	Sanitary rules and regulations governing barber shops and barber schools in the state of Minnesota.
----------------	---

Chapter Six: Inspectors

4 MCAR S 8.078	Inspection -- procedure.
----------------	--------------------------

Chapter Seven: Fees

4 MCAR S 8.079	Fees.
----------------	-------

BOARD OF BARBER EXAMINERS

Chapter One: 4 MCAR §§ 8.001-8.025 Registered Apprentices

§ 8.001 Additional six-month practice-form IA. An applicant who fails to satisfactorily pass an examination for a Certificate of Registration to practice as a registered barber, must file within 30 days after he begins his practice, Form IA with the Board to extend his registration for six months and enable him to continue practice as an apprentice. (See Form IA.) The additional six-month practice required by Minn. Stat. § 154.05 (5) shall include not less than 1,040 hours of work time. The registered barber who supervises the additional six-month practice will file quarterly reports with the Board during the additional practice period.

§ 8.002 Application-filing dates. An applicant for examination as a registered apprentice shall file his application with the Board not later than the 20th day of the month preceding the month in which the examination is to be given, provided, however, that the Board shall, upon the showing of a hardship, accept applications at a later date.

§ 8.003 Apprentices from other states—qualifications.

A. The Board must find the following to determine that another state or country has substantially the same requirements for registration of an apprentice as provided under Minn. Stat. ch. 154:

1. The same educational requirements as Minn. Stat. § 154.06 (1).
2. Graduation from a barber school that requires:
 - a. Approval by a state requiring at least the same number of hours of instruction for school approval as Minnesota does.
 - b. Instructors to have the same qualifications as Minn. Stat. § 154.065 subd. 2 except the examination referred to in paragraph (e) shall be prescribed and conducted by the Barber Board of the state in which an instructor is teaching.
 - c. A curriculum that is equivalent to Minn. Stat. § 154.07 and rules and regulations of the Minnesota Board adopted pursuant thereto.

§ 8.004 Apprentices from other states—references. A person making application for examination pursuant to Minn. Stat. § 154.12 shall file with the Board as part of his application three character references from any person over eighteen (18) years of age who is not related to the applicant.

§ 8.005 Examination dates. Examinations for a certificate as a registered apprentice shall be held the first week in February, May, August and November

of each year. Notice of the examination shall be given during the first week of the month preceding the month in which the examination is to be held.

§ 8.006 Examinations—grading. The apprentice examinations given pursuant to Minn. Stat. § 154.09 shall be graded as follows:

A. Each examination shall have six parts, consisting of four practical performances, including a haircut, shave and two other practical performances, an oral part and a written part.

B. The grading criteria for the written part of the examination and the passing grade thereon will be established for each written examination at the time of its preparation; however, the lowest passing grade established hereunder shall never be less than 55. The grading for the practical performances and the oral part of the examination will be on a scale of 1 to 100 with 100 representing a perfect score. A score of 70 will be the minimum passing grade for the haircut portion, and 70 will also be the minimum passing score for the average of the remaining parts of the practical performances. The minimum passing score for the oral portion of the examination will be 70. If an applicant does not receive at least the established minimum passing grade on the written portion of the examination, or at least a grade of 70 on the oral portion of the examination, the haircut portion of the examination, or score an average of at least 70 on the remaining parts of the practical examination, such applicant will have failed the entire examination, and thereafter may only retake the entire examination after paying the necessary fee and meeting the requirements of Minn. Stat. § 154.06.

C. The Board of Barber Examiners shall have discretion to change, supply or reject models for an applicant's use in the practical parts of the examination in order to insure that the practical parts of the examination will be a fair test of the applicant's ability.

§ 8.007 Examinations—review. An applicant, upon written request, may review his examination at the office of the Board of Barber Examiners during usual business hours.

§ 8.008 Grading system. The grade of an examination conducted pursuant to Minn. Stat. § 154.09 shall be determined under the following grading system: (See grading card.)

§ 8.009 Home study course. The 15 months practice of a registered apprentice pursuant to Minn. Stat. § 154.05 shall include completion of the program entitled "Related Home Study Course for Apprentice Barbers" prepared by the Minnesota Department of Education: Vocational-Technical Education Division, and such course must be passed before the examination may be taken.

§ 8.010 Quarterly reports. The requirement of Minn. Stat. § 154.05 (4) regarding the practicing as a registered apprentice for a period of 15 months

shall mean licensure for not less than 450 days and not less than 2,500 hours of work time.

The registered barber who supervises the practice of a registered apprentice will file a quarterly report during the 15-month apprenticeship period. (See quarterly report.)

§ 8.011 Requirements of Minn. Stat. § 154.05 (4). A registered apprentice meets the requirements of Minn. Stat. § 154.05 (4) if he completes his 15 months practice at any time prior to or within the week in which the examination is given pursuant to Minn. Stat. § 154.05 (5).

§ 8.012 Student permit fee. An applicant for a Certificate of registration to practice as an apprentice who is required to complete a further course of study of not less than 500 hours pursuant to Minn. Stat. § 154.06 shall not be required to pay an additional Student Permit Fee, provided, however, that there is no interruption in his course of study.

§ 8.013 Supervision of practice—form I. A registered apprentice who practices under the immediate personal supervision of a registered barber must file the following form with the Board to receive credit for the practice. This form must be filed within 30 days after the registered apprentice begins his practice. (See Form I.)

§ 8.014 Supervision terminated—form II. A registered apprentice who ceases to practice under the immediate personal supervision of a registered barber must file the following form with the Board before he will be allowed to file another Form I: (See Form II.)

§ 8.015 Expiration of certificate. Upon the expiration of a certificate of registration to practice as an apprentice pursuant to Minn. Stat. § 154.06, an individual will be required to pass an apprentice Examination to attain apprentice status. If the applicant fails the apprentice examination so taken, the applicant must complete an additional 500 hours of training in a duly licensed Minnesota Barber School to qualify to retake the apprentice examination.

§§ 8.016-8.025 Reserved for future use.

Chapter Two: 4 MCAR §§ 8.026-8.041 Registered Barbers

§ 8.026 Examinations—dates. Examinations for a certificate as a registered barber shall be held in the second week of February, May, August and November of each year. Notice of the examination shall be given during the first week of the month preceding the month in which the examination is to be held.

§ 8.027 Examinations—grading. The registered barber examinations given pursuant to Minn. Stat. § 154.09 shall be graded as follows:

A. Each examination shall have six parts, consisting of four practical performances, including a haircut, shave, and two other practical performances, an oral part and a written part.

B. The grading criteria for the written part of the examination and the passing grade thereon will be established for each written examination at the time of its preparation; however, the lowest passing grade established hereunder shall never be less than 55. The grading for the practical performances and the oral part of the examination will be on a scale of 1 to 100 with 100 representing a perfect score. A score of 75 will be the minimum passing grade for the haircut portion, and 75 will also be the minimum passing score for the average of the remaining parts of the practical performances. The minimum passing score for the oral portion of the examination will be 75. If an applicant does not receive at least the established minimum passing grade on the written portion of the examination, or at least a grade of 75 on the oral portion of the examination, the haircut portion of the examination, or score an average of at least 75 on the remaining parts of the practical examination, such applicant will have failed the entire examination, and thereafter may only retake the entire examination after paying the necessary fee and meeting the requirements of Minn. Stat. § 154.05.

C. The Board of Barber Examiners shall have discretion to change, supply or reject models for an applicant's use in the practical parts of the examination in order to insure that the practical parts of the examination will be a fair test of the applicant's ability.

§ 8.028 Examinations—filing. An applicant for examination as a registered barber shall file his application with the Board not later than the 20th day of the month preceding the month in which the examination is to be given, provided, however, that the Board shall, upon the showing of a hardship, accept applications at a later date.

§ 8.029 Out of state barbers—qualifications.

A. The Board must find the following to determine that another state or country has substantially the same requirements for licensing or registering barbers as provided under Minn. Stat. ch. 154:

1. The same educational requirements as Minn. Stat. § 154.05 (1).
2. Graduation from a barber school that requires:

a. Approval by a state requiring at least the same number of hours of instruction for school approval as Minnesota does.

b. An instructor to have the same qualifications as Minn. Stat. § 154.065 subd. 2 except the examination referred to in paragraph (c) shall be prescribed and conducted by the Barber Board of the state in which the instructor is teaching.

c. A curriculum that is equivalent to Minn. Stat. § 154.07 and rules and regulations of the Minnesota Barber Board adopted pursuant thereto.

3. The same practice requirements for a registered apprentice as set forth in Minn. Stat. § 154.05 (4).

§ 8.030 Out of state barbers—references. A person making application for examination under Minn. Stat. § 154.11 must file with the Board, together with his application, character references from three individuals over the age of eighteen years who are not related to the applicant.

§ 8.031 Practicing barber—a registered barber. The following phrases contained in Minn. Stat. § 154.11 have the following meanings:

A. “A license or certificate of registration as practicing barber” means a current certificate of registration as a certified barber and not just as an apprentice.

B. “Has practiced as a barber” means that a person has performed the acts of barbering under a certificate of registration as either a registered barber or a registered apprentice.

§ 8.032 Failure to renew certificate within one year period. A registered barber who has failed to renew his certificate of registration for one year or more from the date of expiration, must take and pass the registered barber examination before a certificate of registration may be issued.

§ § 8.033-8.041 Reserved for future use.

Chapter Three: 4 MCAR §§ 8.042-8.055 Barber School Instructors

§ 8.042 Applications—filing date. An applicant for examination as a registered teacher or instructor in a barber school shall file his application with the Board not later than the 20th day of the month preceding the month in which the examination is to be given, provided, however, that the Board shall, upon the showing of a hardship, accept applications at a later date.

§ 8.043 Examinations—grading. Examinations given to applicants for an instructor’s license shall be graded as follows:

A. An applicant for an instructor’s certificate must receive a minimum grade of at least 70 on each phase of the examination and an average of at least 75 on all phases to pass the examination, and if any part of the examination is failed, the entire examination must be retaken.

§ 8.044 Instructor’s license—renewal. The Board will not renew an instructor’s license if the person does not hold a current vocational teacher’s certificate.

A. The procedure for a person making application for examination pursuant to Minn. Stat. § 154.065 (2) (c) as a registered teacher in a barber school shall be as follows:

1. The Trade and Industrial Unit of the State Board of Education will verify teacher training credits of individuals contemplating the instructor's exam. It will also require verification of at least three years of practical experience beyond apprenticeship.

2. The Trade and Industrial Unit will issue a memorandum to the Barber Board stating that the individual is (or is not) qualified for a vocational certificate.

3. The Board will then admit the individual for the instructor's examination.

4. Upon passing the examination and when the individual has obtained his job in a school, the Trade and Industrial Unit will issue the regular vocational certificate for which the person has previously qualified providing the proper fee is paid and a recommendation as to character, and competency, etc., is received from the employer.

5. The first certificate will be issued for a period of two years upon evidence of at least 24 clock hours of teacher training. Renewals are for one year and will be renewed only on evidence of additional teacher training from a recognized vocational teacher trainer. The final 5 year renewal is given on completion of 192 clock hours. The teacher training provided by this regulation is subject to requirements imposed by the Minnesota Department of Education; Vocational-Technical Education Division.

6. To qualify for an instructor's vocational certificate in barbering, the applicant, other than temporary teacher, must satisfactorily complete the Board's recommended Course Sequence.

Course Sequence must contain:

EITHER

VO. ED.	5300	Philosophy and practice of vocational education, or
IND.	5325	Philosophy and practice of industrial education
		And each of the following:
IND.	5330	Industrial course instruction
IND.	5301	Tests in industrial subjects
IND.	5360	Industrial instruction:
		Together with at least two of the following alternate choices:
IND.	3900	Independent study (In barbering)
IND.	5314	Administration of industrial education

IND.	5303	Industrial aids
IND.	5306	Industrial education workshop
IND.	5600	Instruction materials laboratory, or (Any other course approved in writing by the Board)

§§ 8.046-8.055 Reserved for future use.

Chapter Four: 4 MCAR §§ 8.056-8.076 Barber Schools

§ 8.056 License—requirement. No person shall operate a barber school in Minnesota without having first obtained a license therefore from the Board of Barber Examiners. Persons holding a permit for the conduct of a barber school which was issued prior to the adoption of these rules shall have a period of sixty (60) days after the adoption of these rules to file the necessary documents showing conformance with these rules with the exception of the course outline required by 4 MCAR § 8.057 A. 6. After the date of adoption of these rules all barber schools operating or requesting a license to operate will be governed by and shall proceed in accordance with these rules.

§ 8.057 License—contents of application.

A. A person desiring to operate a barber school in Minnesota shall present to the Board a verified statement showing at least the following:

1. All information required by Minn. Stat. ch. 154 elsewhere in these rules.
2. The name of the applicant or applicants together with their occupations and residences for the ten years immediately prior to making applications.
3. The address of the proposed school.
4. A complete financial statement showing all assets and liabilities of the applicant or applicants and their plan of financing.
5. A plan of operation of the school setting forth the following information:
 - a. Drawings showing the number of chairs to be installed and showing a minimum of five feet between barber chairs, measuring from center to center. Waiting area must be separate from work stations.
 - b. Drawings showing classroom space with a minimum area of 25 square feet available for each proposed student in classroom space.
 - c. A statement showing that the following will be available: One desk for each student enrolled; One chart on skin and hair; One chart on blood supply to face and neck; One chart on the muscles of the face, head

and neck; One chart on the nerves of the face, head and neck; One chart on the bones of the face, head and neck; and One blackboard of a size not less than 6 feet by 3½ feet.

d. Plans showing the following: Separate toilet and washroom facilities for men and women; plumbing and sewer system appropriate to the size and use of the building as a barber school; a statement regarding the availability and intended use of municipal sewer and water supplies.

e. Plans for appropriate lighting and ventilating systems.

f. Plans showing use of a type of floor material such as tile or linoleum which may be easily kept clean and sanitary.

g. Plans for proper sanitization facilities including the following: One sink for each barber chair; One closed cabinet for clean towels for each barber chair; One closed container for soiled towels for each barber chair; One time clock; One hair dryer; two mechanical hand vibrators for each 15 chairs; and two stimulator machines for scalp manipulations for each 15 chairs.

h. Plans for adequate waiting chairs and clothes racks.

6. All barber schools shall submit to the Board a full course outline including each instructional unit, showing a course of instruction comprising an aggregate of not less than 1500 hours to be completed within 12 months, of not more than eight work instruction hours in any one working day. A copy of each school's curriculum will be filed with the Board. In the case of applicants for a license to operate a barber school submitted to the Board after the adoption of these rules, the application will contain the foregoing statements. Barber schools in existence at the time of adoption of these rules shall have two months from the date of adoption for submission of the outline prescribed by this rule. All schools shall submit a complete student course syllabus to the Board at the time of application for license and any renewal thereof.

7. All barber schools shall maintain on a current basis an observation sheet upon which will be recorded an analysis of the behavior and attitude of each student enrolled. The observation sheets will be open to inspection by the Board, any member of the Board, or a duly authorized agent of the Board at all times.

8. Applicants for a license to operate a barber school shall submit a copy of a brochure which will be made available to students upon approval of their application. This brochure shall list the fees which will be charged; together with enrollment and termination procedures for students. Any change in the tuition fee listed in this brochure must be immediately reported, in writing, to the Board.

9. Owners of barber schools shall make annual application for renewal

of their licenses in accordance with the rules and regulations of the Board. The Board shall make a new determination annually that the school meets the requirements of Minn. Stat., ch. 154, as amended, and the rules and regulations of the Board before renewal of the license shall issue.

§ 8.058 License—location.

A. Licenses shall issue for only a specific location upon the application of an individual who is to operate the school. Licenses shall not be transferable to any other individual or location without the approval by the Board. The facilities of an approved barber school shall not be expanded or increased without the prior approval of the Board, as provided in paragraph B. of this section.

B. The license may, by written application to the Board, request a hearing for transfer of a license, change of location of the barber school facility, or expansion of the school. Upon receipt of such an application, the Board shall conduct a public hearing in accordance with Minn. Stat., ch. 15, and rules promulgated thereunder. The criteria for determining the application for a transfer, change of location, or expansion shall be the same standards applicable to the issuance of an original license.

§ 8.059 License applicants. No license shall issue to a corporation.

§ 8.060 License—considerations involved in issuance.

A. The Board shall give consideration upon receipt of an application for the establishment of a barber school to the following factors:

1. Any detriment to the public welfare and the need for barber school facilities in the community and neighborhood where the proposed barber school is to be located, giving particular consideration to:

- a. The economic character of the community and neighborhood;
- b. The effect on existing barber shops and barber schools in the community;
- c. The availability of adequate support for the proposed barber school in the community and neighborhood with particular regard to adequate practice for students;
- d. The extent to which the proposed barber school would draw patrons from adjacent communities or neighborhoods and the character thereof;
- e. The effect of the establishment of a barber school on the social and economic aspects of the community and neighborhood and adjacent communities and neighborhoods in regard to the proposed site.

2. For purposes of this rule, it is deemed by the Board as not being in the interest of the public welfare to approve the issuance of a license for the establishment of a barber school in a municipality of less than 100,000 population, or where there would be in excess of one barber school for each 75,000 of population.

3. No applicant to whom a license for the operation of a barber school has been issued shall commence operation of such school with fewer than ten students enrolled.

4. "License" as used herein contemplates an enrollment of 15 students per license issued.

§ 8.061 License—public hearing.

A. Upon receipt of an application for the establishment of a barber school, the Board shall conduct a public hearing in accordance with Minn. Stat., ch. 15, and rules promulgated thereunder. The applicant shall show at such hearing, by competent evidence, the factual basis of the assertions of his application and his qualifications as required by Minn. Stat., ch. 154, and the rules of the Board. The applicant shall further show his financial qualifications and it shall be a sufficient reason for denial of the application that the Board considers the financial resources of the applicant to be insufficient to maintain and operate a barber school and assure the graduation of students who are registered in such school and have paid their tuition.

B. In the event that a license is not renewed by the Board upon application pursuant to these rules, the aggrieved applicant may by written notice to the Board request a public hearing concerning the denial of his application in accordance with Minn. Stat., ch. 15, and regulations promulgated thereunder.

§ 8.062 Instructors.

A. The provisions of Minn. Stat. § 154.07 requiring one instructor for every 15 students or minor fraction in excess thereof applies to classroom instruction as well as practical instruction. An applicant shall name in his application the names of all instructors. The Board will not issue a temporary instructor's certificate for a new school.

B. A barber school student must complete all services given to the patron of a barber school. Under no circumstances will the barber school owner or instructor finish the services on patrons.

§ 8.063 Barber schools—students.

A. Each barber school shall be required to give an aptitude test to each prospective student. The aptitude test shall be approved by the Board of Barber Examiners and shall include examination for dexterity in addition to examinations for other aptitudes.

B. Each student shall receive a physical examination for communicable or infectious diseases and either a mantoux test or a chest x-ray. The student shall, upon completion of such examination, submit a doctor's certificate to the Board that he is free from contagious or infectious disease.

§ 8.064 **Hours of instruction.** The course of instruction required by Minn. Stat. § 154.07 shall include a training day including both classroom and practical instruction. Practical instruction shall not be given for more than 6½ hours per day. Classroom instruction shall be given for 1½ hours each day for each 8 hour day and 1 hour for each 6½ hour day.

§ 8.065 **Student report—monthly.**

A. All approved barber schools shall file with the Board of Barber Examiners a monthly student report in substantially the following form: (See monthly report.) Failure to comply with this requirement shall be grounds for denial of an annual barber school permit authorized under Minn. Stat. § 154.07.

§ 8.066 **Miscellaneous.**

A. No barber school shall act as an agent in any respect to either students or prospective students regarding any attempt to transfer, sell or assign a student's place in a barber school.

B. No barber school shall advertise for patrons.

C. All barber schools shall have prominently displayed a sign stating "BARBER SCHOOL—ALL WORK DONE BY STUDENTS" with letters at least 6" high.

§ § 8.067-8.076 Reserved for future use.

Chapter Five: 4 MCAR § 8.077 Barber Shops

§ 8.077 **Sanitary rules and regulations governing barber shops and barber schools in the State of Minnesota.**

A. Walls, ceiling, floor and furniture. The walls, ceilings, floor and furniture in every barber shop or barber school shall be kept clean and in good repair. Floors of barber shops or barber schools shall be covered with hard-wood, linoleum, composition tile, or some other washable and nonporous material. These requirements shall include the proper cleaning of floors, shelves, cabinets, chairs, trays and other barber shop or barber school equipment.

B. Instruments.

1. Razors, shears, combs, clipper blades, hairbrush and all other instru-

ments or appliances that come in contact with the head, neck or face must be thoroughly cleaned and sanitized by submersion for a minimum of two minutes after use on each patron. As an alternative to submersion, clipper blades and shears may be treated by spraying them with a commercial spray containing active ingredients not less than 0.25% o-Phenyl phenol, 11.00% Isopropyl alcohol, and 88.75% Inert ingredients. When not in use, they must be kept in a clean closed compartment provided for and used only for storage of such equipment. Styptic pencil and lump alum are positively prohibited.

2. Sanitization. All barber shops and barber schools shall have in use at all times at each chair, a wet or dip sanitizer which is adequate in size to accommodate all instruments to be used on each patron. The wet sanitizer shall contain a suitable chemical bactericide solution which shall be bacteriologically effective, such as 0.1% suitable quaternary ammonium compound, or by other means having a solution equivalent to 5% phenol, or other chemical sanitizing agent having equivalent bactericidal effect. The chemical solution shall be changed daily, or more often, as needed.

One dip disinfectant solution container will be kept for each barber chair in operation. Instruments immersed in the dip disinfectant solution container will be carefully rinsed in warm running water before use. Failure to provide a sink or dip disinfectant solution container constitutes prima facie evidence that instruments are not properly sanitized.

C. Towels. A separate, clean towel or neck band shall be used for each patron. All barber shops and barber schools shall have sufficient closed sanitary towel cabinets for storage of clean towels and closed hampers for soiled towels. All soiled towels after use on each customer shall be placed in a closed hamper and shall not be left on the lavatory or workstand. The headrest shall be provided with a clean towel or clean paper for each patron served.

D. Water supply. The water supply, sewage disposal system, and toilet facilities shall comply with the requirements of the Minnesota State Board of Health. Water heating equipment capable of supplying ample hot water of at least 160 degrees Fahrenheit shall be provided. At least one sink or lavatory shall be provided in each room, booth, stall, compartment or the immediate area in which barbers work. If more than two barber chairs are in any room, booth, stall or compartment, at least one sink or lavatory will be provided for each two barber chairs at which barbers are currently working, with each barber having free access to such sink or lavatory without obstruction from other chairs, partitions, wall dividers or other barriers. The failure to provide a sink or lavatory as herein provided is prima facie evidence that proper sterilization and hand washing does not occur.

E. Cleanliness of personnel. The operator shall wear clean uniforms or clean clothes at all times. The operator shall cleanse his hands thoroughly with soap and clean water before attending each patron.

F. Medical treatment. No barber, apprentice barber, or student barber shall undertake to treat any disease of the skin nor shall he apply any medi-

cine or treatment which administration is not distinctly a part of barbering. No barber shall apply drops to the eyes.

G. Licensing. No person shall practice, or attempt to practice barbering without a certificate of registration issued pursuant to the provisions of ch. 154.

H. Lighting and ventilation. Barber shops and barber schools shall have adequate lighting and be properly ventilated.

I. Right of entry. Any duly authorized employee of the Minnesota Board of Barber Examiners, Minnesota Board of Health, or Local Board of Health shall have authority to enter upon and inspect any barber shop or barber school at any time during business hours.

J. Health of personnel. No owner or manager shall permit any person suffering from a communicable disease to act as a barber.

K. Posting regulations. The owner or manager of any barber shop or barber school shall post a copy of these Rules and Regulations in a conspicuous place where they can be read by the patrons of the establishment.

L. Responsibility. For the purpose of this Act, barbers, apprentice barbers, student barbers, or the proprietor or manager shall be responsible for all violations of the sanitary provisions of the Act.

M. Establishment. For the purpose of this Act, no establishment shall be open for service to the public until all sanitary provisions of this Act have been complied with. These Rules pursuant to Minn. Stat. § 154 have been approved by the Minnesota Board of Barber Examiners and the Minnesota Board of Health. A violation of any of these Rules shall be punishable by a fine not less than \$10 nor more than \$100 or imprisonment for not less than 10 days nor more than 90 days and shall be cause for suspension or revocation of a certificate of registration or shop registration card.

N. Facilities.

1. Unless equipped public facilities are available in the building in which a barber shop is located, each barber shop shall have sanitary, clean and operating toilet facilities. These facilities shall include a water flush toilet, including a wash basin with hot and cold running water, and soap and adequate drying facilities.

2. No person shall use any room or part of a place which is also used for residential purposes, or any business purpose other than barbering, unless such areas are separated by substantial partition, extending from the floor to the ceiling. Further, any door or other entrance leading into the residential or other business portion of the building must be used only for the passage of barbers or other employees. Each barber shop must have a main entrance, designated as a barber shop entrance, to the outside, or to a main corridor or

public passage used exclusively for the transportation of persons to and from the outside. The foregoing notwithstanding, a beauty shop and a barber shop may be operated in conjunction, without the same being separated by a partition of ceiling height. When a barber shop is operated in conjunction with a beauty shop, the barber shop area must be designated as such by a prominently displayed sign stating "Barber Shop" with letters at least two inches high. Barber chairs must be spaced not less than five feet apart center to center. Any barber shop approved in a residence or residential building must have separate toilet and handwashing facilities within the barber shop for use of the barber shop patrons only. This 4 MCAR § 8.077 N. 2. does not apply to shops in operation prior to January 1, 1978, with respect to persons operating such shops, but will, however, apply when a change of ownership or operation is made.

O. Shop registration card. Upon application for a barber shop's first shop registration card pursuant to Minn. Stat. § 154.085, a proposed floor plan will be submitted for the Board's approval at least 30 days prior to the scheduled shop opening date.

Chapter Six: 4 MCAR § 8.078 Inspectors

§ 8.078 Inspection—procedure. An inspector employed pursuant to Minn. Stat. § 154.23 shall fill out an inspection slip for each inspection he makes and shall insert the time of the inspection on his first and last inspection slips for the day and each of those slips shall be signed by the barber of the place that was inspected.

Inspectors hired by the Board shall make their inspections in conformity with the following procedures:

A. Minnesota Board of Barber Examiners shall periodically designate the area in which inspection shall be made.

B. The Minnesota Board of Barber Examiners will periodically advise inspectors of those violations under Minn. Stat. § 154 concerning which the inspectors may summarily file complaints with the local Civil authorities. Inspectors will make written reports to the Board of all such complaints filed.

C. Any and all violations of Minn. Stat. § 154 shall be submitted to the Board by the inspectors. Thereafter, the Board may, at its discretion, take appropriate action regarding such violations in accordance with Minn. Stat., ch. 15 and rules promulgated thereunder.

D. All written reports made by the inspector shall contain the name and address of the offender, the exact nature of the violation, the section of the Statute violated, the date of the violation, and the action taken by the inspector.

E. Each barber shop in the State of Minnesota must be permanently located at one address, due to the difficulty of implementation of inspection procedures.

Chapter Seven: Fees

4 MCAR § 8.079 Fees. The Board of Barber Examiners shall charge the following fees:

examination and certificate, registered barber \$	48
examination and certificate, apprentice	46
examination, instructor	150
certificate, instructor	35
renewal of license, registered barber	20
renewal of license, apprentice	18
renewal of license, instructor	35
student permit	10
initial shop registration	50
initial school registration	1,000
renewal shop registration	10
renewal school registration	200
restoration of registered barber license	25
restoration of apprentice license	25
restoration of shop registration	25
change of ownership or location	10
duplicate license	5

insert new →