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BARBERS' LICENSING AND OPERATION 2100.0100

CHAPTER 2100 BOARD OF BARBER EXAMINERS BARBERS' LICENSING AND OPERATION

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2100.0100 DEFINITIONS.

Subpart 1. **Scope.** The following phrases contained in Minnesota Statutes, section 154.11 have the following meanings.

Subp. 2. **A license or certificate of registration as practicing barber.** "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.

Subp. 3. **Has practiced as a barber.** "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.

Statutory Authority: *MS s 154.24*

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REGISTERED APPRENTICES

2100.0200 APPLICATION FOR EXAMINATION.

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.

Statutory Authority: *MS s 154.24*

2100.0300 FOREIGN APPLICANTS' QUALIFICATIONS.

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 Minnesota Statutes, chapter 154:

A. the same educational requirements as Minnesota Statutes, section 154.06, clause (1); and

B. graduation from a barber school that requires:

(1) approval by a state requiring at least the same number of hours of instruction for school approval as Minnesota does;

(2) instructors to have the same qualifications as Minnesota Statutes, section 154.065, subdivision 2, except the examination referred to in Minnesota Statutes, section 154.065, subdivision 2, clause (e) shall be prescribed and conducted by the barber board of the state in which an instructor is teaching; and

(3) a curriculum that is equivalent to Minnesota Statutes, section 154.07 and rules of the board adopted pursuant thereto.

Statutory Authority: *MS s 154.24*

2100.0400 FOREIGN APPLICANTS' REFERENCES.

A person making application for examination pursuant to Minnesota Statutes, section 154.12 shall, as part of his application, file with the board three character references from any person over 18 years of age who is not related to the applicant.

Statutory Authority: *MS s 154.24*

2100.0500 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.

Statutory Authority: *MS s 154.24*

2100.0600 CONTENTS OF EXAMINATION.

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.

Statutory Authority: *MS s 154.24*

2100.0700 GRADING OF EXAMINATION.

Subpart 1. **Grading criteria.** The apprentice examinations given pursuant to Minnesota Statutes, section 154.09 shall be graded as follows. 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

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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 Minnesota Statutes, section 154.06.

Subp. 2. **Grading system.** The grade of an examination conducted pursuant to Minnesota Statutes, section 154.09 shall be determined under the following grading system: see grading card.

Statutory Authority: *MS s 154.24*

2100.0800 MODELS USED IN PRACTICAL EXAMINATION.

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.

Statutory Authority: *MS s 154.24*

2100.0900 REVIEW OF EXAMINATION RESULTS.

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

Statutory Authority: *MS s 154.24*

2100.1000 FAILURE OF EXAMINATION; ADDITIONAL 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 Minnesota Statutes, section 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.

Statutory Authority: *MS s 154.24*

2100.1100 APPRENTICE PRACTICE.

The requirement of Minnesota Statutes, section 154.05, clause (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.

Statutory Authority: *MS s 154.24*

2100.1200 QUARTERLY REPORT.

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.

Statutory Authority: *MS s 154.24*

2100.1300 HOME STUDY COURSE.

The 15 months practice of a registered apprentice pursuant to Minnesota Statutes, section 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.

Statutory Authority: *MS s 154.24*

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2100.1400 PRACTICE COMPLETION BEFORE BARBER EXAMINATION.

A registered apprentice meets the requirements of Minnesota Statutes, section 154.05, clause (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 Minnesota Statutes, section 154.05, clause (5).

Statutory Authority: *MS s 154.24*

2100.1500 REPORTING PRACTICE UNDER SUPERVISION.

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.

Statutory Authority: *MS s 154.24*

2100.1600 REPORTING TERMINATION OF PRACTICE UNDER SUPERVISION.

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.

Statutory Authority: *MS s 154.24*

2100.1700 EXPIRATION OF CERTIFICATE.

Upon the expiration of a certificate of registration to practice as an apprentice pursuant to Minnesota Statutes, section 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.

Statutory Authority: *MS s 154.24*

REGISTERED BARBERS

2100.2500 NOTICE OF EXAMINATION.

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.

Statutory Authority: *MS s 154.24*

2100.2600 APPLICATION FOR EXAMINATION.

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.

Statutory Authority: *MS s 154.24*

2100.2700 FOREIGN BARBERS; QUALIFICATIONS.

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 Minnesota Statutes, chapter 154:

A. the same educational requirements as Minnesota Statutes, section 154.05, clause (1);

B. graduation from a barber school that requires:

(1) approval by a state requiring at least the same number of hours of instruction for school approval as Minnesota does;

(2) an instructor to have the same qualifications as Minnesota Statutes, section 154.065, subdivision 2, except the examination referred to in

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Minnesota Statutes, section 154.065, subdivision 2, clause (e) shall be prescribed and conducted by the barber board of the state in which the instructor is teaching; and

(3) a curriculum that is equivalent to Minnesota Statutes, section 154.07 and rules of the Minnesota Barber Board adopted pursuant thereto; and

C. the same practice requirements for a registered apprentice as set forth in Minnesota Statutes, section 154.05, clause (4).

Statutory Authority: *MS s 154.24*

2100.2800 FOREIGN BARBERS; REFERENCES.

A person making application for examination under Minnesota Statutes, section 154.11 must file with the board, together with his application, character references from three individuals over the age of 18 years who are not related to the applicant.

Statutory Authority: *MS s 154.24*

2100.2900 CONTENTS OF EXAMINATION.

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.

Statutory Authority: *MS s 154.24*

2100.3000 GRADING OF EXAMINATION.

The registered barber examinations given pursuant to Minnesota Statutes, section 154.09 shall be graded as follows: 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 Minnesota Statutes, section 154.05.

Statutory Authority: *MS s 154.24*

2100.3100 MODELS USED IN PRACTICAL EXAMINATION.

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.

Statutory Authority: *MS s 154.24*

2100.3200 FAILURE OF EXAMINATION; ADDITIONAL APPRENTICE PRACTICE.

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 Minnesota Statutes, section 154.05,

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clause (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.

Statutory Authority: *MS s 154.24*

2100.3300 FAILURE TO RENEW CERTIFICATE WITHIN ONE YEAR.

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.

Statutory Authority: *MS s 154.24*

REGISTERED BARBER SCHOOL INSTRUCTORS

2100.4000 APPLICATION FOR INSTRUCTOR'S LICENSE EXAMINATION.

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.

Statutory Authority: *MS s 154.065 subd 5*

2100.4100 GRADING THE INSTRUCTOR'S LICENSE EXAMINATION.

Examinations given to applicants for an instructor's license shall be graded. 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.

Statutory Authority: *MS s 154.065 subd 5*

2100.4200 RENEWING INSTRUCTOR'S LICENSE.

The board will not renew an instructor's license if the person does not hold a current vocational teacher's certificate.

Statutory Authority: *MS s 154.065 subd 5*

2100.4300 APPLICATION FOR VOCATIONAL TEACHER'S CERTIFICATE EXAMINATION.

The procedure for a person making application for examination pursuant to Minnesota Statutes, section 154.065, subdivision 2, clause (c) as a registered teacher in a barber school shall be as follows. 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. 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. The board will then admit the individual for the instructor's examination.

Statutory Authority: *MS s 154.065 subd 5*

2100.4400 VOCATIONAL TEACHER'S CERTIFICATE: ISSUANCE AND RENEWAL.

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. 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 five year renewal is

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given on completion of 192 clock hours. The teacher training provided by this rule is subject to requirements imposed by the Minnesota Department of Education, Vocational-Technical Education Division.

Statutory Authority: *MS s 154.065 subd 5*

2100.4500 ADDITIONAL TEACHER TRAINING.

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.

A. course sequence must contain either:

(1) VO. ED. 5300, philosophy and practice of vocational education;

or

(2) IND. 5325, philosophy and practice of industrial education;

B. and each of the following:

(1) IND. 5330, industrial course instruction;

(2) IND. 5301, tests in industrial subjects;

(3) IND. 5360, industrial instruction;

C. together with at least two of the following alternate choices:

(1) IND. 3900, independent study in barbering;

(2) IND. 5314, administration of industrial education;

(3) IND. 5303, industrial aids;

(4) IND. 5306, industrial education workshop;

(5) IND. 5600, instruction materials laboratory; or

D. any other course approved in writing by the board.

Statutory Authority: *MS s 154.065 subd 5*

BARBER SCHOOLS

2100.5000 LICENSE REQUIREMENT.

No person shall operate a barber school in Minnesota without having first obtained a license 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 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 part 2100.5100, subpart 2. 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.

Statutory Authority: *MS s 154.24*

2100.5100 LICENSE APPLICATION.

Subpart 1. **Verified statement.** A person desiring to operate a barber school in Minnesota shall present to the board a verified statement showing at least the following:

A. all information required by Minnesota Statutes, chapter 154 elsewhere in these rules;

B. the name of the applicant or applicants together with their occupations and residences for the ten years immediately prior to making applications;

C. the address of the proposed school;

D. a complete financial statement showing all assets and liabilities of the applicant or applicants and their plan of financing; and

E. a plan of operation of the school setting forth the following information:

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(1) drawings showing the number of chairs to be installed and showing a minimum of five feet between barber chairs, measuring from center to center, the waiting area must be separate from work stations;

(2) drawings showing classroom space with a minimum area of 25 square feet available for each proposed student in classroom space;

(3) 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 six feet by 3-1/2 feet;

(4) 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;

(5) plans for appropriate lighting and ventilating systems;

(6) plans showing use of a type of floor material such as tile or linoleum which may be easily kept clean and sanitary;

(7) 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; and

(8) plans for adequate waiting chairs and clothes racks.

Subp. 2. Course outline. 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 1,500 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.

Subp. 3. Brochure. 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.

Statutory Authority: *MS s 154.24*

2100.5200 CONSIDERATIONS IN LICENSE ISSUANCE.

Subpart 1. Factors. Upon receipt of an application for establishment of a barber school, the board shall give consideration to the factors in subparts 2 to 5.

Subp. 2. Public welfare. The board shall give consideration to 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;

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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; and

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.

Subp. 3. **Minimum population.** For purposes of this part, 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.

Subp. 4. **Minimum enrollment.** 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.

Subp. 5. **Student-license ratio.** "License" as used in this part contemplates an enrollment of 15 students per license issued.

Statutory Authority: *MS s 154.24*

2100.5300 PUBLIC HEARING ON LICENSE APPLICATION.

Upon receipt of an application for the establishment of a barber school, the board shall conduct a public hearing in accordance with Minnesota Statutes, chapter 14, 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 Minnesota Statutes, chapter 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.

Statutory Authority: *MS s 154.24*

2100.5400 CORPORATIONS PROHIBITED.

No license shall issue to a corporation.

Statutory Authority: *MS s 154.24*

2100.5500 LOCATION OF LICENSE AND TRANSFER OF LOCATION.

Subpart 1. **Location.** 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 subpart 2.

Subp. 2. **Transfer of location.** 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 Minnesota Statutes, chapter 14, 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.

Statutory Authority: *MS s 154.24*

2100.5600 RENEWAL OF LICENSE.

Subpart 1. **Application.** Owners of barber schools shall make annual application for renewal of their licenses in accordance with the rules of the board. The board shall make a new determination annually that the school meets the requirements of Minnesota Statutes, chapter 154, as amended, and the rules and regulations of the board before renewal of the license shall issue.

Subp. 2. **Nonrenewal; hearing.** 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 Minnesota Statutes, chapter 14, and rules promulgated thereunder.

Statutory Authority: *MS s 154.24*

2100.5700 INSTRUCTORS.

The provisions of Minnesota Statutes, section 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.

Statutory Authority: *MS s 154.24*

2100.5800 STUDENT APTITUDE TEST.

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.

Statutory Authority: *MS s 154.24*

2100.5900 STUDENT PHYSICAL EXAMINATION.

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.

Statutory Authority: *MS s 154.24*

2100.6000 HOURS OF INSTRUCTION.

The course of instruction required by Minnesota Statutes, section 154.07 shall include a training day including both classroom and practical instruction. Practical instruction shall not be given for more than 6-1/2 hours per day. Classroom instruction shall be given for 1-1/2 hours each day for each eight hour day and one hour for each 6-1/2 hour day.

Statutory Authority: *MS s 154.24*

2100.6100 STUDENT WORK COMPLETION.

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.

Statutory Authority: *MS s 154.24*

2100.6200 MONTHLY STUDENT REPORT.

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 Minnesota Statutes, section 154.07.

Statutory Authority: *MS s 154.24*

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2100.6300 STUDENT OBSERVATION SHEET.

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.

Statutory Authority: *MS s 154.24*

2100.6400 TRANSFER OF STUDENT'S PLACE.

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.

Statutory Authority: *MS s 154.24*

2100.6500 ADVERTISING.

No barber school shall advertise for patrons.

Statutory Authority: *MS s 154.24*

2100.6600 BARBER SCHOOL SIGN.

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

Statutory Authority: *MS s 154.24*

BARBER SHOPS

2100.7000 PERMANENT LOCATION.

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

Statutory Authority: *MS s 154.24*

2100.7100 SHOP REGISTRATION CARD.

Upon application for a barber shop's first shop registration card pursuant to Minnesota Statutes, section 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.

Statutory Authority: *MS s 154.24*

2100.7200 PUBLIC TOILET FACILITIES.

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.

Statutory Authority: *MS s 154.24*

2100.7300 RESIDENTIAL TOILET FACILITIES.

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.

Statutory Authority: *MS s 154.24*

2100.7400 MAIN ENTRANCE.

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.

Statutory Authority: *MS s 154.24*

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2100.7500 BARBERS' LICENSING AND OPERATION

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2100.7500 EXEMPT BARBER SHOPS.

Parts 2100.7300 to 2100.7700 do 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.

Statutory Authority: *MS s 154.24*

OPERATION OF BARBER SCHOOLS AND BARBER SHOPS

2100.7600 BARBER CHAIRS.

Barber chairs must be spaced not less than five feet apart center to center.

Statutory Authority: *MS s 154.24*

2100.7700 OTHER USE OF PREMISES.

Subpart 1. **Prohibited uses.** 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.

Subp. 2. **Exception: barber shop with beauty shop.** Subpart 1 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.

Statutory Authority: *MS s 154.24*

2100.7800 LICENSING.

No person shall practice or attempt to practice barbering without a certificate of registration issued pursuant to the provisions of Minnesota Statutes, chapter 154.

Statutory Authority: *MS s 154.24*

2100.7900 MEDICAL TREATMENT.

No barber, apprentice barber, or student barber shall undertake to treat any disease of the skin, nor shall he apply any medicine or treatment which administration is not distinctly a part of barbering. No barber shall apply drops to the eyes.

Statutory Authority: *MS s 154.24*

2100.8000 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.

Statutory Authority: *MS s 154.24*

2100.8100 SANITIZATION.

Subpart 1. **Instruments.** Razors, shears, combs, clipper blades, hairbrush, and all other instruments 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 percent o-phenyl phenol, 11.00 percent isopropyl alcohol, and 88.75 percent 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.

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BARBERS' LICENSING AND OPERATION 2100.8500

Subp. 2. **Sanitizer.** 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 percent suitable quaternary ammonium compound, or by other means having a solution equivalent to five percent 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.

Statutory Authority: *MS s 154.24*

2100.8200 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.

Statutory Authority: *MS s 154.24*

2100.8300 WATER SUPPLY.

The water supply, sewage disposal system, and toilet facilities shall comply with the requirements of the Minnesota 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 provided in this part is prima facie evidence that proper sterilization and hand washing does not occur.

Statutory Authority: *MS s 154.24*

2100.8400 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 hardwood, 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.

Statutory Authority: *MS s 154.24*

2100.8500 LIGHTING AND VENTILATION.

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

Statutory Authority: *MS s 154.24*

MINNESOTA RULES 1985

2100.8600 BARBERS' LICENSING AND OPERATION

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2100.8600 HEALTH OF PERSONNEL.

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

Statutory Authority: *MS s 154.24*

2100.8700 POSTING RULES.

The owner or manager of any barber shop or barber school shall post a copy of these rules in a conspicuous place where they can be read by the patrons of the establishment.

Statutory Authority: *MS s 154.24*

2100.8800 RESPONSIBILITY FOR VIOLATIONS.

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.

Statutory Authority: *MS s 154.24*

2100.8900 PENALTIES.

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 Minnesota Statutes, chapter 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 ten days nor more than 90 days and shall be cause for suspension or revocation of a certificate of registration or shop registration card.

Statutory Authority: *MS s 154.24*

INSPECTIONS

2100.9000 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.

Statutory Authority: *MS s 154.24*

2100.9100 INSPECTION SLIPS.

An inspector employed pursuant to Minnesota Statutes, section 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.

Statutory Authority: *MS s 154.24*

2100.9200 INSPECTION PROCEDURE.

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 Minnesota Statutes, chapter 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.

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C. Any and all violations of Minnesota Statutes, chapter 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 Minnesota Statutes, chapter 14 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.

Statutory Authority: *MS s 154.24*

2100.9300 FEES.

The Board of Barber Examiners shall charge the following fees:

examination and certificate, registered barber	\$	50
examination and certificate, apprentice		48
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		25
renewal school registration		200
restoration of registered barber license		45
restoration of apprentice license		43
restoration of shop registration		50
change of ownership or location		25
duplicate license		10

Statutory Authority: *MS s 154.24; 214.06*