

2110.0320 MAINTAINING A SCHOOL LICENSE.

Subpart 1. **Scope.** The requirements of this part apply to all cosmetology schools.

Subp. 2. [Repealed, 41 SR 305]

Subp. 3. [Repealed, 41 SR 305]

Subp. 4. **Change of name.** The school owner or school manager must inform the board, in writing, of a name change within 60 days of the effective date of the change, provide legal documentation of the name change, and pay the fees required in Minnesota Statutes, section 155A.25. A license must be issued in the new name for the remaining term of the old license, which must be returned to the board upon receipt of the license in the new name.

Subp. 5. **Change of location.** A school license must not be transferred when the school moves to a new location. The school owner has 30 days after a move to apply for and receive a new school license in accordance with part 2110.0310. If a new license has not been issued by day 31, the school must cease operations until a license is issued.

Subp. 6. **Change of owner.** A school license must not be transferred when the school is sold, including when a corporation owning the school is sold. The new school owner must apply for a school license at least 30 days before the effective date of the change. If a new license has not been issued by day 31, the school must cease operations until a license is issued.

Subp. 7. **Change of business structure.** A school license must not be transferred when the business structure of the owner is changed. The school owner has 60 days after a change in business structure to apply for and receive a new school license according to part 2110.0310. If a new license has not been issued by day 61, the school must cease operations until a license is issued.

Subp. 8. **Change of designated school manager.** Within ten days of the departure or resignation of the designated school manger (DSM), the school owner must:

- A. appoint a licensed instructor or licensed school manager as acting DSM; and
- B. notify the board by e-mail of the last day of the DSM's employment, and the name and license number of a licensed instructor appointed as the acting school manager. The school has 30 days from the departure to register a new DSM with the board by submitting a DSM change form.

Subp. 9. **Change of instructors.** The DSM must notify the board by e-mail within ten days of the employment start or end date of a change in instructors, citing the instructor's name, license number, and effective date of the hiring or termination of employment. The school must be in compliance with the requirements of part 2110.0630.

Subp. 10. Change or addition of courses and curriculum.

A. A school planning to discontinue any course offering must notify the board via e-mail.

B. A school planning to add a new course offering or a change to the curriculum for a currently approved course must apply for and receive board approval prior to offering the new or changed course. Application must include:

- (1) the course name and anticipated first offering date; and
- (2) a detailed outline of the course or lesson plan, including:
 - (a) topics of the units of instruction;
 - (b) for each unit, identifying the hours devoted to the unit and designating the hours as theory, preclinic, or clinic hours;
 - (c) for each unit, identifying the unit prerequisites necessary for a student to have completed prior to beginning the unit;
 - (d) for each unit, identifying the textbook and supplementary instructional resources; and
 - (e) an indication of whether or not the school's instructors will use the instructor's manual associated with the textbook curriculum.

Subp. 11. Change or addition of textbooks. A school planning to change the textbooks for a course must apply for approval on a form provided by the board prior to implementing a new textbook.

Subp. 12. Change or remodeling of school physical plant. The school must report to the board via e-mail any planned changes to the layout or physical structure of the school which require a building permit at least 30 days prior to the change. In the event of emergency repairs to the physical plant, the school must notify the board of any resulting changes within 30 days.

Subp. 13. Location of training.

A. Instruction must take place within a licensed school building except as provided in item B and part 2110.0500.

B. Schools may offer online board-approved theory-based classes. Practice-based classes must not be offered online.

Subp. 14. License. A cosmetology school must not operate without a current and conspicuously displayed school license.

Subp. 15. Insurance. A school must maintain current professional liability insurance of at least \$150,000 for each policy year, must maintain a current Certificate of Workers'

Compensation Insurance, and must maintain a corporate surety bond of \$10,000 running to the state.

Subp. 16. **Separation of school from any salon.** Any cosmetology, esthetician, or nail salon must be operated as a separate and distinct business and the salon must be completely separated physically from the school.

Statutory Authority: *MS s 154.45; 155A.05; 155A.23; 155A.26; 155A.27; 155A.29; 155A.30*

History: *11 SR 389; 13 SR 1056; L 2005 c 27 s 9; L 2009 c 78 art 6 s 26; 41 SR 305*

Published Electronically: *September 13, 2016*