

1 Department of Commerce

2

3 Adopted Rules Relating to Cosmetology

4

5 Rules as Adopted

6 2640.0100 DEFINITIONS.

7 Subpart 1. to 17. [Unchanged.]

8 Subp. 18. ~~Office Department.~~ "Office" "Department"

9 means the Department of Commerce.

10 Subp. 19. to 21. [Unchanged.]

11 Subp. 22. Wet disinfectant. "Wet disinfectant" means a
12 receptacle containing a disinfectant solution.

13 2640.0500 UNREGULATED SERVICES.

14 Subpart 1. [Unchanged.]

15 Subp. 2. Disclosure of courses. Each school shall clearly
16 identify those courses and clinical experiences in its
17 curriculum which are not required by the ~~office department~~ and
18 which pertain to services not licensed by the state. These
19 courses shall be clearly identified in all recruitment
20 advertising and written material used for the purposes of
21 soliciting prospective students.

22 Nonrequired courses and unregulated services shall be
23 conspicuously identified in all written material, in type of the
24 same size as the course or service name.

25 Instructional time and clinical experience in unregulated
26 services shall not be included in the minimum hours of schooling
27 required for licensure.

28 2640.0700 INSPECTIONS.

29 Subpart 1. ~~Office Department~~ staff to conduct. Salons and
30 schools shall be inspected by the ~~office department~~ staff.

31 Advance notice of inspections shall not be given.

32 Subp. 2. Grading. Inspectors shall grade items "S" for
33 compliance with Minnesota Statutes, chapter 155A and these rules
34 and "U" for noncompliance.



1 All items graded "U" shall be corrected within ten business
2 days, and written notification of the correction shall be sent
3 to the office department within that time.

4 Failure to correct a noncompliance item may be grounds for
5 suspension or revocation of the salon or school license, and of
6 the individual license of the manager and the cosmetologist,
7 manicurist, esthetician, or instructor involved.

8 Subp. 3. Business hours and location. Each salon owner
9 shall provide the office department with an accurate schedule of
10 the hours that the salon is open for business. If the salon is
11 open by appointment only, the salon owner shall designate
12 one-half day a month when he or she shall be available at the
13 salon for inspection of the salon.

14 For country shops, owners shall supply a detailed map
15 indicating the salon's exact location and directions for driving
16 to that salon.

17 Subp. 4. to 6. [Unchanged.]

18 2640.1100 EXAMINATION ADMINISTRATION.

19 Subpart 1. Schedules and sites. Examination schedules and
20 sites shall be determined by the office department.

21 Subp. 2. Exam space. Each school shall make space
22 available on its premises for the performance of the licensing
23 examinations upon request by the office department, if the
24 request is reasonable and timely.

25 Subp. 3. Instructor examination. Instructor examination:

26 A. The office department shall have access to the
27 clinic area of a licensed school no more than once per year and
28 to licensed instructors no more than twice per year for
29 assistance in conducting the practical examination for
30 instructors.

31 B. Each examinee is responsible for providing his or
32 her own model for the practical examination and shall be
33 responsible for insuring the suitability of that model for the
34 examination. Models shall be over 16 years of age and shall be
35 required to sign a waiver releasing the office department, the

1 examiners, the host school, and the examinee of all professional
2 liability. The model shall not be a licensed cosmetologist or a
3 cosmetology student.

4 Subp. 4. Reexam limit. A passing exam score is valid for
5 12 months.

6 Subp. 5. [Unchanged.]

7 2640.1300 COSMETOLOGISTS, MANICURISTS, AND ESTHETICIANS.

8 In addition to the requirements of part 2640.1200, the
9 applicant shall provide documentation of having completed the
10 following professional training, within three years prior to
11 this application:

12 A. and B. [Unchanged.]

13 C. current licensure from another state, District of
14 Columbia, territory, or country. A certified statement from the
15 licensing body that the applicant is currently licensed shall be
16 attached to the application. If the other jurisdiction does not
17 issue a license, the applicant shall provide documentation of
18 lawful practice for at least 1,800 hours within three years
19 prior to the application. Applicants claiming training and
20 experience in a foreign country shall supply official English
21 language transcripts of all documentation and evidence submitted
22 to the office department.

23 2640.1400 MANAGERS.

24 In addition to the requirements of part 2640.1200, the
25 applicant shall provide documentation of a current
26 cosmetologist, esthetician, or manicurist license, and at least
27 2,700 hours of licensed practice, in a licensed salon and
28 supervised by a licensed manager, within the three years prior
29 to this application. An individual wishing to manage a school
30 shall also successfully complete an examination covering
31 Minnesota laws and rules related to schools. The applicant
32 shall pay the processing fee.

33 2640.1500 INSTRUCTORS.

34 Subpart 1. Full instructors. In addition to the

1 requirements of part 2640.1200, the applicant shall pay a
2 processing fee and shall successfully complete a practical
3 examination demonstrating teaching skills and techniques as
4 related to the instruction of cosmetology practices and provide
5 documentation of:

6 A. [Unchanged.]

7 B. successful completion of at least 38 hours of
8 training in a program or programs approved by the office
9 department and which will provide the knowledge and skills
10 necessary to instruct in the field of cosmetology;

11 C. [Unchanged.]

12 D. at least 1,400 hours of experience as a licensed
13 cosmetologist, manicurist, or esthetician in a licensed salon,
14 supervised by a licensed manager, within the three years prior
15 to this application.

16 Subp. 2. [Unchanged.]

17 2640.1700 LICENSE RECIPROCITY WITH OTHER JURISDICTIONS.

18 Subpart 1. to 3. [Unchanged.]

19 Subp. 4. **Specific requirements for instructor.** An
20 applicant for an instructor's license shall provide evidence of
21 38 hours of training comparable to the requirement of part
22 2640.1500, item B, and 1,400 hours of licensed or lawful
23 practice as a cosmetologist, manicurist, or esthetician in a
24 salon within the three years prior to application.

25 2640.1800 MAINTAINING INDIVIDUAL LICENSES.

26 Subpart 1. [Unchanged.]

27 Subp. 2. **Change of name or address.** The licensee shall
28 advise the office department of a change of name or address in
29 writing, including both new and old name and address, within 30
30 days of the change, and pay the duplicate license fee.

31 Subp. 3. to 5. [Unchanged.]

32 Subp. 6. **Additional requirements for instructor.** In
33 addition to the requirements of subparts 1 to 4, the instructor
34 shall carry out the curriculum of the school, as approved by the
35 office department, preparing students for licensure under the

1 laws of Minnesota.

2 2640.1900 LICENSE RENEWAL FOR INDIVIDUALS.

3 Subpart 1. Application. All licenses expire on December
4 31 of the year due and each licensee is responsible for renewing
5 his or her license. An individual who does not renew his or her
6 license by December 31 of the year in which it is due is
7 considered unlicensed as of January 1. A postmark of December
8 31 constitutes timely renewal. Failure to receive a notice of
9 renewal from the office department does not constitute a valid
10 excuse for not renewing the license.

11 Subp. 2. Practical and educational requirements. The
12 licensee shall establish that his or her knowledge and skills
13 are up to date, by meeting the following requirements no later
14 than the expiration of his or her current license:

15 A. [Unchanged.]

16 B. An instructor shall pay the processing fee and
17 shall provide evidence of having successfully completed 45 hours
18 of continuing education approved by the office department,
19 including at least 15 hours of teaching-related material and 15
20 hours related to analysis and use of professional clinical
21 products.

22 Subp. 3. and 5. [Unchanged.]

23 2640.2000 PROCEDURE FOR ACTIVATING A LAPSED LICENSE.

24 Subpart 1. Procedure for lapsed licensee. If an
25 individual's license has expired, the individual shall be
26 reissued a license after submission of a request for renewal,
27 proof of experience or education as required in part 2640.1900,
28 subpart 2, payment of the license fee, and payment of the
29 processing fee. If more than three years has elapsed, the
30 applicant shall apply for a new license in accordance with parts
31 2640.1200 to 2640.1600.

32 Subp. 2. [Unchanged.]

33 2640.2100 REINSTATEMENT AFTER DENIAL, SUSPENSION, OR REVOCATION.

34 An applicant shall have a license reinstated for the

1 remainder of its unexpired term or shall be relicensed in the
2 following circumstances:

3 A. after suspension of license, by meeting the
4 following requirements:

5 (1) [Unchanged.]

6 (2) the applicant shall make application for
7 reinstatement of license, in writing and on forms supplied by
8 the office department;

9 (3) and (4) [Unchanged.]

10 B. after revocation or if the suspended license has
11 expired, reinstatement will be accomplished by meeting the
12 following requirements:

13 (1) [Unchanged.]

14 (2) the applicant shall make application for
15 relicensure, in writing and on forms provided by the office
16 department;

17 (3) to (5) [Unchanged.]

18 2640.3100 SCOPE OF RULES.

19 The provisions of parts 2640.3100 to 2640.4100 apply to
20 cosmetology, esthetician, and manicure salons. The following
21 are exceptions for estheticians salons: parts 2640.3800, items
22 B and C; and 2640.3900, items A, B, C, G, L, Q, and S. The
23 following are exceptions for manicure salons: parts 2640.3700,
24 subpart 5, item B; 2640.3800, items B and C; and 2640.3900,
25 items A, B, C, G, L, Q, and S.

26 2640.3200 SALON LICENSURE.

27 Subpart 1. All salon licenses. The requirements of parts
28 2640.3100, 2640.3200, 2640.3700, 2640.3800, and 2640.4100 shall
29 be met by all applicants proposing to establish a salon. Upon
30 compliance, the office department will issue a provisional
31 license which will enable the salon to open for business. The
32 salon's compliance with all applicable provisions of Minnesota
33 Statutes, chapter 155A and these rules shall be confirmed by an
34 operational inspection by the office-staff department. A
35 permanent license for the balance of the three-year license

1 cycle shall be issued upon confirmation of the salon's
2 compliance.

3 Subp. 2. **Application.** The person, association, firm, or
4 corporation proposing to establish a cosmetology, esthetician,
5 or manicure salon shall apply in writing to the **office**
6 department, on forms supplied by the **office** department, giving
7 the following information:

8 A. to F. [Unchanged.]

9 Subp. 3. to 5. [Unchanged.]

10 2640.3300 MAINTAINING A SALON LICENSE.

11 The following requirements shall be met by all salons:

12 A. [Unchanged.]

13 B. The manager shall advise the **office** department of
14 a change in name of the salon in writing, including both new and
15 old name and address, within 30 days of the change.

16 C. and D. [Unchanged.]

17 2640.3400 SALON LICENSE RENEWAL.

18 Subpart 1. [Unchanged.]

19 Subp. 2. **Request for renewal.** All licenses expire on
20 December 31 of the year due and each licensee is responsible for
21 renewing his or her license. A salon license that is not
22 renewed by December 31 of the year due is considered unlicensed
23 as of January 1. A postmark of December 31 constitutes timely
24 renewal. Not receiving a notice of renewal from the **office**
25 department does not constitute a valid excuse for not renewing
26 the license.

27 Subp. 3. to 7. [Unchanged.]

28 2640.3600 SALON REQUIREMENTS.

29 Subpart 1. **Location.** No cosmetology service shall be
30 provided in a place other than a licensed cosmetology salon,
31 esthetician salon, manicurist salon, cosmetology school, or as
32 otherwise provided by these rules.

33 Subp. 2. to 4. [Unchanged.]

34 Subp. 5. **Change of name.** The salon manager or owner shall

1 inform the office department in writing, within 60 days, of a
2 name change, including old and new name, and pay the processing
3 fee. A license will be issued in the new name for the remaining
4 term of the old license. The old license shall be returned to
5 the office department upon receipt of the license in the new
6 name.

7 2640.3700 PHYSICAL REQUIREMENTS.

8 Subpart 1. Space. Space:

9 A. There shall be at least 120 square feet of work
10 space exclusive of any restroom, reception, or supply area for a
11 one-practitioner cosmetology salon, 110 square feet of work
12 space for a one-practitioner esthetician salon, and 100 square
13 feet of work space for a one-practitioner manicure salon.

14 B. There shall be at least 50 additional square feet
15 of work space for each additional licensee simultaneously on
16 duty in a cosmetology salon or an esthetician salon, and at
17 least 35 additional square feet of work space of each additional
18 licensee simultaneously on duty in a manicure salon.

19 C. The supply area shall not be accessible to the
20 public.

21 Subp. 2. to 7. [Unchanged.]

22 2640.3900 OPERATIONAL REQUIREMENTS FOR SALONS.

23 It is the responsibility of the manager of the salon and of
24 each operator to comply with the following operational
25 requirements:

26 A. to J. [Unchanged.]

27 K. The procedures contained in subitems (1) to (7)
28 shall be used to disinfect items:

29 (1) and (2) [Unchanged.]

30 (3) Each item shall be immersed for at least ten
31 minutes in a disinfectant solution comprised of the following:
32 sodium hypochlorite (200 ppm of available chlorine); or iodophor
33 germicidal detergent (200 ppm of available iodine); or
34 quaternary ammonium germicidal detergent solution (1,600 ppm);
35 or 70 to 95 percent ethyl or isopropyl alcohol.

1 (4) Metal implements and tools shall be
2 disinfected by immersion in a solution of 70 to 95 percent ethyl
3 or isopropyl alcohol. As an alternative to immersion, electric
4 clippers may be treated by spraying them with a commercial spray
5 containing active ingredients of not less than 0.25 percent
6 o-phenyl phenol, 11 percent isopropyl alcohol, and 88.75 percent
7 inert ingredients.

8 (5) to (7) [Unchanged.]

9 L. to BB. [Unchanged.]

10 2640.4000 SALON SUPERVISION.

11 A. [Unchanged.]

12 B. Only one person shall be designated as a manager
13 for each salon. No manager may be concurrently responsible for
14 more than one salon. When the manager is not on duty, he or she
15 may specify a responsible person in his or her absence. The
16 responsible person shall be a licensed cosmetologist in a
17 cosmetology salon, esthetician salon or manicurist salon; a
18 licensed esthetician in an esthetician salon or a licensed
19 manicurist in a manicure salon.

20 C. and D. [Unchanged.]

21 E. The manager shall maintain, on the salon premises,
22 the work time records of each employee, as required by Minnesota
23 Statutes, section 177.30. Time records shall be provided upon
24 written request to the licensee or to the office department.

25 F. [Unchanged.]

26 2640.4100 SPECIFIC TYPES OF SALON LICENSES.

27 Subpart 1. and 2. [Unchanged.]

28 Subp. 3. **Esthetician and manicure services.** Esthetician
29 services shall not be offered in a manicurist salon. Manicurist
30 services shall not be offered in a licensed esthetician salon.

31 Subp. 5. to 6. [Unchanged.]

32 Subp. 7. **Independent contractor.** A cosmetologist,
33 esthetician, or manicurist, licensed by the state of Minnesota
34 may lease work space from a licensed salon for use as an
35 independent business if the following conditions are met:

1 A. the lessee shall have a current Minnesota
2 manager's license;

3 B. the leased work space shall be at least 50 square
4 feet for a cosmetologist or esthetician and 35 square feet for a
5 manicurist;

6 C. the lessee shall have professional liability
7 insurance in the amount required for salon licenses. It is
8 acceptable for the salon owner's professional liability policy
9 to provide coverage to the lessee;

10 D. the lessee shall comply with all requirements of
11 this chapter regarding the operation of the leased space as if
12 the space were a salon; and

13 E. the owner and/or manager of the salon from whom
14 the space is leased must confirm that the lessee is in
15 compliance with the requirements of this subpart prior to
16 entering into the lease and at all times during its term.

17 2640.5100 COMPLIANCE BY PRESENT LICENSEES AND STUDENTS.

18 Subpart 1. **Scope.** All individual licenses in effect on
19 April 1, 1983, shall continue to be valid under the following
20 circumstances.

21 Subp. 2. [See repealer.]

22 Subp. 3. **Senior instructor licenses.** Senior instructor
23 licenses are discontinued. Current senior instructor licenses
24 shall be renewed as instructor licenses. Senior instructor
25 licenses which expire before January 1, 1988, shall not be
26 required to satisfy the requirements of part 2640.1900.

27 Subp. 4. [See repealer.]

28 Subp. 5. [See repealer.]

29 Subp. 6. **Salons and booths, temporary exemptions.** Salons
30 and booths licensed on April 1, 1983, shall be exempt from the
31 following provisions until January 1, 1988:

32 A. Part 2640.3700, subparts 1, 2, and 4, item B until
33 replacement;

34 B. and C. [Unchanged.]

35 Subp. 7. [See Repealer.]

1 Subp. 8. Interpreters. Foreign language students whose
2 enrollment registration is on file in the office department on
3 April 1, 1983, may use an interpreter at the examinations,
4 provided that they have first demonstrated to the office
5 department that they have a sufficient grasp of the English
6 language to read, comprehend, and follow chemical product labels
7 and instructions.

8 Subp. 9. [See repealer.]

9 Subp. 10. Variances. The director commissioner may grant
10 a variance from physical requirements to schools not otherwise
11 exempted by this rule upon receipt of documentation
12 demonstrating an existing physical limitation or economic
13 hardship in excess of reasonably anticipated costs of meeting
14 the requirement.

15 2640.5200 SCHOOL LICENSURE.

16 Subpart 1. Application contents. The person, association,
17 firm, or corporation proposing to establish a cosmetology school
18 shall make written application to the office department, on
19 forms supplied by the office department, giving the following
20 information:

21 A. to C. [Unchanged.]

22 D. evidence of the school's compliance with local
23 zoning requirements and the rules of the Minnesota Department of
24 Health, local building codes, fire codes, and ordinances;

25 E. the name of the licensed manager who will be
26 employed by the school, including that individual's license
27 number and expiration date;

28 F. a roster of all instructors, including license
29 number, designation of employment status (full-time or
30 part-time) and days of the week and hours scheduled for
31 instruction;

32 G. a diagram of the school drawn to scale on 8-1/2
33 inches x 11 inches or 8-1/2 inches x 14 inches paper, providing
34 the dimensions of the school as a whole and designating the size
35 and location of all entrances and exits, and the location and

1 dimensions of all required areas and facilities;

2 H. a complete inventory of facilities and equipment
3 supportive of instructional and clinical operations, as required
4 by these rules;

5 I. a designation of the licenses for which
6 instruction will be offered;

7 J. a detailed outline of the courses of training to
8 be offered, designating the preclinical and clinical curriculum,
9 text materials, and the clinical plan designed for each license
10 category;

11 K. the maximum possible number of enrollees the
12 school will be able to accommodate;

13 L. copies of all financial aid and refund policies;

14 M. copies of all student rules and disciplinary
15 policies;

16 N. a copy of the standard enrollment contract;

17 O. copies of all written material used to solicit
18 prospective students, including but not limited to tuition,
19 refund, and fee schedules, catalogs, brochures, and all
20 recruitment advertisements; and

21 P. a current balance sheet, income statement, or
22 evidence of sufficient financial worth to conduct a school and
23 to meet its financial obligations.

24 Subp. 2. and 3. [Unchanged.]

25 Subp. 4. **Surety bond.** The applicant shall file with the
26 ~~director-of-the-office~~ commissioner a continuous corporate
27 surety bond in the amount of \$10,000, conditioned upon the
28 faithful performance of all contracts and agreements with
29 students made by the applicant. The bond shall run to the state
30 of Minnesota and to any person who may have a cause of action
31 against the applicant arising at any time after the bond is
32 filed and before it is canceled for breach of any contract or
33 agreement made by the applicant with any student. The aggregate
34 liability of the surety for all breaches of the conditions of
35 the bond shall not exceed \$10,000. The surety of the bond may
36 cancel it upon giving 60 days notice in writing to the ~~director~~

1 ~~of-the-office~~ commissioner and shall be relieved of liability
 2 for any breach of condition occurring after the effective date
 3 of cancellation.

4 Subp. 5. [Unchanged.]

5 2640.5300 MAINTAINING A SCHOOL LICENSE.

6 Subpart 1. [Unchanged.]

7 Subp. 2. Notification of changes. Each school shall
 8 notify the ~~office~~ department within 30 days of the effective
 9 date, unless otherwise indicated below, and in writing, of all
 10 alterations, additions, and deletions in the information
 11 contained in its original license application, and supply
 12 current information, including but not limited to:

13 A. changes in managerial or instructional staff
 14 including additions and terminations, or changes in employment
 15 status (full-time, part-time, or number of hours worked). The
 16 school shall notify the ~~office~~ department of all such changes
 17 within ten days of the effective date of the change;

18 B. changes in the education services or course of
 19 training offered, the curriculum, text materials, or clinical
 20 experience plan;

21 C. remodeling or significant alteration of the
 22 physical plant in which the school is housed.

23 Subp. 3. Retention of ad copies. The school shall
 24 maintain copies of all advertisements for clinic services for
 25 three years. They shall be provided to the ~~office~~ department at
 26 its request.

27 2640.5400 SCHOOL LICENSE RENEWAL.

28 All of the following requirements shall be met in order to
 29 renew a license:

30 A. The licensee shall be responsible for requesting
 31 renewal of his or her school license, in writing, before that
 32 license expires. This may be accomplished on the license
 33 renewal notice form provided by the ~~office~~ department. However,
 34 if this renewal notice is not received, it is still the
 35 licensee's responsibility to properly renew the school license.

1 B. to E. [Unchanged.]

2 F. The licensee shall have filed with the ~~director-of~~
3 ~~the-office~~ commissioner a surety bond as required by part
4 2640.5200, subpart 4.

5 G. and H. [Unchanged.]

6 2640.5500 DELINQUENT SCHOOL LICENSES.

7 Failure to renew a school license prior to its expiration
8 date shall result in a delinquent license. The applicant shall
9 comply with the following:

10 A. If less than 30 days have elapsed since the
11 expiration date of the license, the applicant shall submit a
12 written application for renewal of license, the license fee, and
13 the processing fee.

14 B. If more than 30 days have elapsed since the
15 expiration of the license, the licensee shall reapply for a
16 school license as if no license had been previously issued. The
17 school's operation without a valid license shall be a violation
18 of the law and no student training provided during that period
19 will be recognized by the office department.

20 2640.5600 CERTIFICATE OF IDENTIFICATION.

21 Subpart 1. Issuance. Upon written request to the office
22 department, a licensee may be issued a certificate of
23 identification authorizing his or her lawful practice in a place
24 other than a licensed salon. To obtain the certificate, the
25 individual shall:

26 A. [Unchanged.]

27 B. provide documentation to the office department of
28 at least 2700 hours of lawful practice in Minnesota;

29 C. and D. [Unchanged.]

30 Subp. 2. and 3. [Unchanged.]

31 2640.5700 DUPLICATE LICENSE.

32 A duplicate license will be issued only upon the loss or
33 destruction of the initial license. The licensee shall submit
34 to the office department an affidavit indicating why a duplicate

1 license is required, and submit the required fee.

2 2640.5800 BASIC REQUIREMENTS FOR SCHOOLS.

3 Subpart 1. and 2. [Unchanged.]

4 Subp. 3. Employment of licensed instructors. No
5 cosmetology school shall employ an instructor who does not hold
6 a current Minnesota cosmetology instructor license. A school
7 may use guest instructors who do not hold a cosmetology license
8 to provide supplemental information to students from related
9 fields, such as medicine, public relations, or law. Guest
10 instruction and extracurricular educational activities shall
11 constitute no more than three percent of the hours of the total
12 course of study.

13 Subp. 4. [Unchanged.]

14 Subp. 5. Change of name. The school owner or manager
15 shall inform the ~~office~~ department, in writing, of a name change
16 within 60 days of the effective date of the change and pay the
17 school name change fee. A license will be issued in the new
18 name for the unexpired term of the old license, which shall be
19 returned to the ~~office~~ department upon receipt of the license in
20 the new name.

21 Subp. 6. and 7. [Unchanged.]

22 2640.5900 FACILITIES REQUIREMENTS FOR LICENSURE.

23 In addition to the requirements of parts 2640.5200 and
24 2640.5800, the requirements contained in parts 2640.6000 to
25 2640.7500 shall be met by the school before a license will be
26 issued. Compliance with these requirements shall be confirmed
27 by an inspection by ~~cosmetology-unit-staff~~ the department. The
28 license shall be issued after a satisfactory initial inspection.

29 2640.6000 PHYSICAL REQUIREMENTS.

30 Subpart 1. Space. Space:

31 A. There shall be a combined clinic and classroom
32 size of at least 25 square feet for each enrollee to be
33 accommodated. This space shall exclude all ~~office~~ department
34 space, storage areas, lounge facilities, and restrooms.

1 B. to E. [Unchanged.]

2 Subp. 2. Entrances and exits. Entrances and exits must
3 comply with the requirements of applicable local building codes
4 and ordinances.

5 Subp. 3. to 5. [Unchanged.]

6 2640.6100 FIXTURES, FURNITURE, EQUIPMENT.

7 A school shall meet the following minimum requirements:

8 A. and B. [Unchanged.]

9 C. There shall be at least one facial chair, clean
10 and in good repair, for each ten enrollees. This may be a work
11 station chair with a reclining back and attachable headrest.

12 D. to G. [Unchanged.]

13 H. There shall be at least one time clock or other
14 reliable method of recording time to be used by the students
15 when checking in and out of school.

16 I. and J. [Unchanged.]

17 2640.6200 SUPPLIES AND MATERIALS.

18 Subpart 1. to 3. [Unchanged.]

19 Subp. 4. Instructional aids. The school shall have
20 instructional aids to provide the required instruction to all
21 enrollees. There shall be at least one bulletin board, located
22 in the student lounge, which shall contain, but not be limited
23 to, all communications addressed to the students from the office
24 department and copies of the student rules and disciplinary
25 policies. There shall be at least one blackboard in each
26 classroom.

27 Subp. 5. [Unchanged.]

28 2640.6300 ADVANCED TRAINING AND DEMONSTRATIONS.

29 It is permissible to offer instruction in cosmetology in a
30 place other than a licensed school of cosmetology in the
31 following situations:

32 A. [Unchanged.]

33 B. community education classes, as defined in part

34 2640.0100.

1 2640.6600 CURRICULUM APPROVAL AND CONTENT.

2 Each cosmetology school shall have a curriculum approved by
3 the office department to provide instruction, divided into daily
4 lesson plans. The curriculum shall include theory and practical
5 application of skills, including the instruction set forth in
6 parts 2640.6700 to 2640.7000.

7 2640.6700 COSMETOLOGIST TRAINING.

8 A. to D. [Unchanged.]

9 E. Documentation of the student's completion of the
10 required quotas in each category in item D shall be sent to the
11 office department with the documentation of successful
12 completion of the entire course of training.

13 F. [Unchanged.]

14 2640.6800 ESTHETICIAN TRAINING.

15 A. to C. [Unchanged.]

16 D. There shall be planned clinical instruction and
17 experience of approximately 200 hours in the applied sciences.

18 (1) [Unchanged.]

19 (2) Documentation of the student's completion of
20 the required facials or makeup applications shall be sent to the
21 office department with the documentation of successful
22 completion of the entire course of training.

23 E. [Unchanged.]

24 2640.6900 MANICURIST TRAINING.

25 A. to C. [Unchanged.]

26 D. There shall be planned clinical instruction and
27 experience of approximately 150 hours in applied sciences and
28 skills.

29 (1) [Unchanged.]

30 (2) The documentation of the student's completion
31 of the required manicures shall be sent to the office department
32 with documentation of successful completion of the course of
33 training.

34 E. [Unchanged.]

APPROVED IN THE
REVISOR OF STATUTES
OFFICE BY:

1 2640.7000 REFRESHER COURSES.

2 A licensed cosmetology school, salon, or a professional
3 association may plan and offer a refresher course taught by
4 licensed instructors of at least 40 hours in length for
5 cosmetologists, estheticians, and/or manicurists. The course
6 shall focus on knowledge, skills, and product types related to
7 chemical services and shall balance lectures, demonstrations,
8 and clinical experiences. It shall be held in a licensed salon
9 or school. Sponsors of a proposed course shall apply for office
10 department approval at least ten business days prior to the
11 course date. The course sponsor shall pay the processing fee.
12 The course sponsor shall provide the individuals who
13 successfully pass a final course examination with course
14 completion certificates. The class attendees are then
15 responsible for providing a copy of the completion certificates
16 to the Department of Commerce when required.

17 2640.7100 CREDIT TOWARDS ANOTHER LICENSE.

18 A licensed esthetician or manicurist who received his or
19 her training within the last five years may receive the
20 following credit for that training toward another license:

21 A. to C. [Unchanged.]

22 D. esthetician training = 100 hours credit toward a
23 manicurist license.

24 2640.7700 MANAGER.

25 A. There shall be a manager responsible for each
26 school at all times. No manager may concurrently be responsible
27 for more than one school nor for a school and a salon. When the
28 manager is not on duty, he or she shall specify a responsible
29 person on the premises. The responsible person shall be an
30 instructor licensed in accordance with these rules.

31 B. and C. [Unchanged.]

32 D. The manager shall ensure that all equipment
33 required by these rules is clean and maintained in proper
34 working condition, that proper supplies are in stock at all

1 times, and that safety, sanitation, and operational requirements
2 are met by the school.

3 2640.7800 INSTRUCTORS.

4 A. There shall be at least two licensed instructors
5 on the school premises during the time students are present; and
6 each school shall have a minimum ratio of one instructor for
7 each 1 to 20 students to be accommodated; and all students shall
8 be under the supervision of an instructor at all times when in a
9 classroom, clinic, or other area in which they are performing
10 cosmetology services.

11 (1) [Unchanged.]

12 (2) The school shall notify the office department
13 in writing within ten days of each occurrence of failure to meet
14 the required instructor quota.

15 B. If a school is not in compliance with item A,
16 students will be notified by the office department that it will
17 not accept hours accrued during the period of noncompliance.

18 C. [Unchanged.]

19 D. All instructors shall wear identification badges
20 at all times while providing training, stating their name and
21 "Instructor." These badges shall be at least two inches by one
22 inch and shall be color-coded white or gold.

23 2640.7900 ENROLLMENT CONTRACTS.

24 The student or his or her parent or guardian shall receive
25 a fully executed copy of the contract at the time he or she
26 signs the contract. The contract shall state the starting date
27 of schooling. A notice stating that the licensing examination
28 is given only in English shall accompany the contract copy
29 provided to the student, parent, or guardian.

30 The school and a student who has enrolled for training
31 because he or she failed the state examination and reciprocity
32 applicants shall enter into a contract which specifies the
33 precise nature of theory and clinical experience to be covered
34 during the training course.

APPROVED IN THE
REVISOR OF STATUTES
OFFICE BY:

1 2640.8200 STUDENT RECORDS.

2 Student records shall be maintained as follows:

3 A. All records relating to students shall be
4 maintained and up-to-date, in a secure and orderly fashion and
5 shall be kept on the school premises. All student records shall
6 be legible and shall be available for inspection by a
7 representative of the office department during normal business
8 hours of the school or by mail upon the written request of
9 the office department.

10 B. and C. [Unchanged.]

11 D. All student records shall be maintained by the
12 school, or a custodian if the school ceases operation, for at
13 least five years from the date of the student's termination or
14 completion of training; or a transcript of the course work of
15 each student may be kept, the transcript to contain the
16 student's name, the date student enrolled, the date of
17 termination of enrollment and the circumstances of termination,
18 the total number of hours completed, and the school owner or
19 manager's notarized signature verifying the contents of the
20 transcript. When requested by a student or former student,
21 copies must be provided at the cost of duplication.

22 E. The school shall maintain the following reports
23 for each student:

24 (1) a student registration form containing the
25 student's full and correct name, course of training for which
26 enrolled, and start date. The status of the student shall be
27 stated as full-time or part-time, day or night classes;

28 (2) [Unchanged.]

29 (3) certification of completion of preclinical
30 courses. Documentation signed by the school owner or manager
31 shall indicate that the student has successfully completed the
32 required hours of preclinical work. A student shall not be
33 allowed to perform any service or portion thereof in the school
34 clinic on a client until this certification has been completed;

35 (4) a progress evaluation report. Upon
36 completion of one-half of the total required hours, the school

1 shall give the student and the ~~office~~ department a written
 2 progress evaluation assessing the student's progress towards
 3 successful fulfillment of the license requirements;

4 (4) [Unchanged.]

5 (5) certification of readiness to take the
 6 written examination. Documentation signed by school owner or
 7 manager, shall indicate that the student has successfully
 8 completed 1,350, 500, and 315 hours, for cosmetologist,
 9 esthetician, and manicurist respectively, of preclinical and
 10 clinical training, and is prepared to take the written state
 11 licensing examinations. This certification must be received by
 12 the ~~student~~ department before the student will be scheduled for
 13 the written examinations;

14 (6) documentation signed by school owner or
 15 manager, shall indicate that the student has successfully
 16 completed the course of training for which he or she enrolled ,
 17 including documentation of the student's completion of the
 18 practical exercises, as required by parts 2640.6700, item D,
 19 2640.6800, item D, subitem (1), and 2640.6900, item D, subitem
 20 (1), and documentation of the student's successful completion of
 21 the skills certification review, on a form provided by the
 22 ~~office~~ department;

23 (7) a certification shall be written and
 24 maintained by the school if a student withdraws, is suspended,
 25 or expelled from his or her course of training. The
 26 certification shall be signed by the school owner or manager,
 27 shall indicate the last day on which the student was enrolled,
 28 the total number of hours the student has successfully completed
 29 as of that date, a transcript detailing the nature of those
 30 hours, and the reason for the withdrawal, suspension, or
 31 revocation. A copy of a student's termination certification
 32 and/or completion of course of training certification must be
 33 provided to the student within ten days of the termination from
 34 or completion of the cosmetology training.

35 2640.8400 STUDENTS TO SUCCESSFULLY COMPLETE EXAMINATION WITHIN

1 REQUIRED TIME.

2 A license applicant must pass the examination and be
3 licensed within a period of not more than three years from the
4 date of successful completion of the required training. A
5 student who does not meet this requirement will be required to
6 complete a reactivation course or complete the required training
7 in addition to the skills certification, whichever is greater,
8 before making application for examination.

9 2640.8500 TRANSFER STUDENTS.

10 When a student has paid or made arrangement to pay all
11 applicable tuition fees to a school, that school shall certify a
12 student's hours to another school within ten days of the
13 student's written request. The former school may charge a
14 nominal fee for providing this certification and transfer of
15 hours.

16 2640.8600 FULL COURSE OF INSTRUCTION.

17 No student shall be enrolled in a school for less than a
18 full course of instruction of not less than 1,550 hours for
19 cosmetologist, 600 hours for esthetician, or 350 hours for a
20 manicurist, except that a licensed individual or a previously
21 licensed individual requesting a refresher course, an applicant
22 who has failed the state examination and requests additional
23 training, a transfer student, a student who has enrolled only to
24 learn unregulated services, and reciprocity applicants who
25 require additional schooling may be enrolled for these purposes.

26 2640.8700 DISPLAY OF LICENSES.

27 Current licenses of all school personnel shall be
28 conspicuously posted in the reception area.

29 The school's current license shall be conspicuously posted.

30 2640.8800 PRE-ENROLLMENT DISCLOSURES.

31 The following information shall be given to prospective
32 students along with any materials designed to solicit their
33 enrollment: minimum requirements for licensing in the fields in
34 which the school offers instruction, tuition and all fees, the

1 enrollment contract, refund policy, and student regulations.
2 Prior to enrollment, written materials regarding refund policies
3 must be discussed with and acknowledged as being understood by
4 anyone enrolling in a cosmetology school. All written materials
5 used to solicit prospective students shall comply with part
6 2640.0600. Copies of all solicitation materials shall be
7 retained by the school for a period of five years from the last
8 date of use.

9 2640.8900 SCHOOL CLINICS.

10 All instruction in school clinics and all work performed by
11 students in school clinics shall comply with the operational
12 requirements for a cosmetology salon in part 2640.3900, items A
13 to L. In addition:

14 A. to D. [Unchanged.]

15 E. No student shall perform clinic services until he
16 or she has successfully completed the required hours of
17 preclinical training.

18 F. [Unchanged.]

19 G. All students and instructors shall be required to
20 wear an identification badge at all times. The badges shall be
21 at least two inches by one inch; state the student's name; and
22 state that the student is either a "Cosmetologist Trainee,"
23 "Esthetician Trainee," or "Manicurist Trainee." Badges shall be
24 furnished by the school as part of tuition costs.

25 H. [Unchanged.]

26 I. Instructors shall ensure that students and
27 instructors maintain the clinic work area in the same manner and
28 degree as is required for salon cleanliness under part
29 2640.3900, item O.

30 J. Instructors shall ensure that all students working
31 in the school clinic and all instructors observe the same
32 personal hygiene and safety requirements as those imposed on
33 salon practitioners in part 2640.3900, item P.

34 K. Cosmetology services shall not knowingly be
35 performed in a school clinic on any person who has a

1 communicable disease or parasite.

2 L. [Unchanged.]

3 2640.9100 FEE ADJUSTMENTS, LICENSING.

4 Subpart 1. Refunds. Refunds shall be given in the
5 following situations: overpayment; death or permanent
6 disability before license effective date; or an individual's
7 ineligibility for licensure. Applicants determined ineligible
8 to receive a license will be refunded the license fee minus any
9 processing fee this chapter requires.

10 Subp. 2. [Unchanged.]

11 2640.9200 FEE SCHEDULE.

12 The fee schedule shall be as follows:

13 A. Three-year license fees:

14 (1) Cosmetologist, manicurist, esthetician, \$30;

15 (2) Instructor, manager, \$45;

16 (3) Salon, \$50;

17 (4) School, \$750.

18 B. Penalties:

19 (1) Reinspection fee, variable;

20 (2) Manager with lapsed practitioner, \$25.

21 C. Administrative fees:

22 (1) Duplicate license (includes individual name
23 or address change), \$5;

24 (2) Certificate of identification, \$20;

25 (3) Processing fee (covers licensing history or
26 certification of licensure, restoration of lapsed license, salon
27 name change, school name change, late renewals), \$15;

28 (4) School original application, \$150.

29 2640.9400 REQUEST FOR WAIVER.

30 A written request for waiver of specific rule requirements
31 may be granted by the commissioner in cases of hardship or
32 medical necessity.

33

34 REPEALER. Minnesota Rules, part 2640.5100, subparts 2, 4,

05/23/86

[REVISOR] PMM/JC AR0898

- 1 5, 7, and 9 are repealed. Minnesota Rules, part 2640.5100,
- 2 subparts 6 and 8 are repealed effective January 1, 1988.