

ORDER ADOPTING RULES

ORDER OF THE COSMETOLOGY EXAMINING BOARD
REPEALING AND ADOPTING RULES

Pursuant to authority vested in the Cosmetology Examining Board by sections 15.08(5) and 159.03(1), Wisconsin Statutes, the executive secretary of the board hereby repeals and adopts rules as follows:

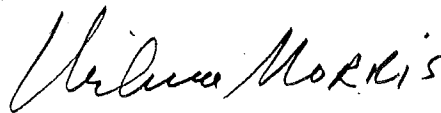
Chapters H 11 - H 14 of the WISCONSIN ADMINISTRATIVE CODE are repealed.

Chapters C 1 - C 7 of the WISCONSIN ADMINISTRATIVE CODE are adopted to read: (see attached rules proposed for adoption).

The rules and repeals contained herein shall take effect on June 1, 1977 as provided in section 227.026, Wisconsin Statutes.

April 1, 1977

Cosmetology Examining Board



Wilma Morris
Executive Secretary

ANALYSIS BY THE COSMETOLOGY EXAMINING BOARD STAFF

Pursuant to section 15.08 (5) and Chapter 159 Wis. Stats., the Cosmetology Examining Board intends to create Chapters C 1 through C 7 of the Wisconsin Administrative Code. Chapter 39, Laws of 1975 created the Cosmetology Examining Board and transferred the then existing Cosmetology Section of the Division of Health to the Department of Regulation and Licensing. Section 733 (2) of Chapter 39, Laws of 1975 charged the Cosmetology Examining Board to enforce the administrative rules promulgated by the Department of Health and Social Services until the Board promulgated its own administrative rules.

The proposed rules contained in Chapter C 1 set forth the definitions for terminology of the rules, requirements for beauty and electrolysis salon premises, the responsibilities of owners, managers, all licensees, licenses, inspection, establishes time limits for correction of violations, regulates practice of Cosmetology off licensed premises and defines requirements for applicants from out of state seeking Wisconsin licensure.

Chapter C 2 establishes physical requirements, training courses, instructor supervision, conduct and operation, continuing education for instructors and junior instructor course for cosmetology schools.

Chapter C 3 establishes the procedure for obtaining an apprenticeship in cosmetology, training program, transfers and responsibilities of manager training apprentices.

Chapter C 4 sets forth the procedure for conduct, grading, review and preparation of cosmetology examinations and re-examinations and continued training for the applicant who fails to obtain a license.

Chapter C 5 establishes the procedures and practices of the Board relating to alleged violations and complaints. Provides for hearings, pre-hearing conferences and settlements.

Chapter C 6 establishes procedure for the denial of license including notice to applicant, service of notice and right to hearing.

Chapter C 7 defines unprofessional conduct and practice responsibility of licensee to colleagues and the profession, establishes disciplinary action remedies and provides for reinstatement of a suspended or revoked license.

AN ACT by the Cosmetology Examining Board to create Chapters C 1 through C 7 of the Wisconsin Administrative Code relating to the conduct and operation of beauty and electrolysis salons and schools of cosmetology; the course of training for cosmetology students, requirements for schools of cosmetology and junior instructor course; apprenticeships in cosmetology; conduct, grades, and review of cosmetology examinations; board procedures and practices; denial of licenses; professional conduct, responsibility of licensee, remedies and reinstatement of licenses.

COSMETOLOGY EXAMINING BOARD

Chapter C 1

BEAUTY AND ELECTROLYSIS SALONS, AND SCHOOLS OF COSMETOLOGY

C 1.01	Definitions	C 1.07	Time limits for correction of violations
C 1.02	Premises	C 1.08	Practice
C 1.03	Responsibilities of owners and managers	C 1.09	Licensure requirements for out-of-state applicants
C 1.04	Responsibilities of all licensees		
C 1.05	Licenses		
C 1.06	Inspections		

C 1.01 Definitions:

- (1) "Board" means the Cosmetology Examining Board.
- (2) "Licensee" means a person who holds any license or permit issued by the board.
- (3) "Manager of record" means a manager licensed by the board and appointed by the owner who shall supervise and direct salon personnel and be responsible for compliance with C 1.02 pertaining to the daily operation of the salon.
- (4) "Cancelled" means to terminate a cosmetology training program.
- (5) "Interrupted" means to leave a cosmetology training program on a leave of absence.
- (6) "Completed" means to qualify for the examination for an operator's license.
- (7) "Person prosecuting the complaint" means the attorney or agent of the board who presents evidence supporting the charges in the complaint against the respondent.
- (8) "Respondent" means the licensee served with a complaint under the statutes or these rules.
- (9) "Qualified Designee" means a beauty operator who has submitted proof of having practiced cosmetology 4,000 hours in a period of at least 2 years in this state and has been approved by the board to be a temporary replacement for the manager of record.
- (10) "School Certificate of Registration" means a school license.

C 1.02 Premises. (1) An application giving the dimensions, the floor plan and specifications shall be submitted to the board when opening a new salon or school, changing dimensions of premises, moving to a new location, changing ownership or leasing to another.

(2) Business and living quarters shall be separate. Solid walls shall extend from the floor to the ceiling separating the beauty or electrolysis salon or school from adjoining rooms which are used for domestic purposes. All doors leading to a beauty or electrolysis salon or school from adjoining rooms used for domestic purposes shall be kept closed.

(3) Beauty and electrolysis salons located in private residences shall provide access by means of a separate entrance. Access may not be through living quarters.

(4) All areas of the beauty or electrolysis salon or school shall be maintained in a clean, sanitary and safe condition.

(5) Floor surfaces in a beauty or electrolysis salon or school shall be of a washable material and kept in a clean, orderly and sanitary condition. Walls and ceilings shall be clean and in good repair.

(6) Public toilet facilities for the beauty or electrolysis salon or school, shall be provided within the licensed premises, directly adjacent to or accessible by a public hallway. Toilet facilities shall be kept clean, sanitary and in working order at all times. Soap, disposable towels and hand-washing facilities shall be provided. The toilet room shall not be used as a dispensary. Items stored in toilet rooms shall be in closed cabinets.

(7) Disposable drinking cups shall be provided for the public and disposed of immediately after use. A drinking fountain is acceptable.

(8) Preparation of food which contributes to an insanitary condition shall not be allowed within a beauty or electrolysis salon or school.

(9) An adequate supply of both hot and cold running water of safe, sanitary quality shall be provided.

(10) Beauty and electrology salons and schools shall provide areas specifically designed for storage, cleaning and disinfecting equipment. The dispensary area shall include a sink with hot and cold running water.

(11) Containers of adequate size and construction shall be provided to store all soiled linen. All soiled linen shall be immediately stored after use. Towels shall be properly laundered in hot soapy water and disinfected with a disinfecting agent.

(12) Closed separate containers shall be provided for all clean linen. Clean linen shall be packaged for transportation.

(13) If a laundry facility is provided it shall be clean and well vented.

(14) Adequate facilities for waste material shall be provided and waste shall be disposed of in a sanitary manner.

(15) The wet sanitizer shall be made up at all times the beauty salon or school is in operation. It shall be a covered container large enough to hold the disinfectant solution for complete immersion of the objects to be disinfected.

(16) All metal instruments to be used in direct contact upon a person must be disinfected prior to use. All instruments and equipment which are subject to scrubbing including but not limited to combs and brushes, must be thoroughly scrubbed in soap and hot water, rinsed and thereafter immersed in a disinfecting agent, taken out, dried and placed in a sanitary container. Containers shall be provided for soiled equipment.

(17) Shampoo bowls and basins shall be kept clean and drained. Clean towels shall be used for each patron. A neckstrip or a towel shall be placed around the neck of the patron to prevent contact with the cape. The head rest of any operating chair or shampoo bowl shall be covered with fresh linen or paper for each patron.

(18) A common powder puff, sponge or neck duster shall be disinfected prior to use. Powder shall be dispensed from a shaker top receptacle. Waving fluids and lotions shall be dispensed from suitable containers in a manner which will prevent contamination of the unused fluid. Creams and semi-solid substances shall be dipped from the containers with a clean spatula or disposable tissue. If an emery board is used, it shall be discarded immediately after use.

C 1.03 Responsibilities of owners and managers. (1) The owner of any licensed premises shall be responsible for compliance with Chapter 159 Wis. Stats. and Chapter C 1 Wis. Adm. Code.

(2) The owner shall: (a) appoint a "manager of record" who shall have direct supervision over salon personnel and be responsible for compliance with C 1.02 pertaining to the daily operation of the salon.

(b) Keep and provide employment records to enable operators to meet the requirements of section 159.08(2) (b) Wis. Stats. for licensure as a manager or as a temporary replacement for the manager of record.

(c) Notify the board of any changes in ownership within 5 days giving the new owner's name and address.

(d) Upon permanently closing the licensed premises return the current license to the board within 5 days.

(3) A beauty salon may not operate without the manager of record, a licensed manager or a qualified designee on the premises.

(4) If a corporation, the board shall be notified of any change in the name and address of the registered agent.

C 1.04 Responsibilities of all licensees. (1) In accordance with section 159.13(2) Wis. Stats. all licensees shall notify the board, within 5 days, of any change in name or residence address.

(2) No provision of this rule shall be construed to relieve the owner or manager of record of their responsibility under the rules of the board.

(3) A cosmetologist or employee, who knowingly has a communicable disease, in a communicable form, shall not work in a beauty or electrolysis salon or school.

(4) All licensees shall be responsible for compliance with the sanitary practices and safety precautions contained in Wis. Adm. Code section C 1.02.

(5) Each cosmetologist shall wash his or her hands with soap and water prior to serving each individual patron.

C 1.05 Licenses. (1) All licenses shall be current and shall be conspicuously posted for the public.

(2) Duplicate license. Upon receipt of a signed notarized statement giving the reason that a duplicate license is needed and a fee of \$5.00 the board shall issue a duplicate license.

C 1.06 Inspections. Inspections by field representatives or agents of the board will be periodically conducted to assure compliance with Chapter 159, Wis. Stats. and Chapter C 1, Wis. Adm. Code.

C 1.07 Time limits for correction of violations. (1) Violations relative to sections 159.09 and 159.13 Wis. Stats. and rules C 1.03(3) and C 1.08 Wis. Adm. Code shall be corrected immediately.

(2) Violations relative to all other sections of the cosmetology law and rules shall be corrected at the time of inspection or within a period not to exceed 5 days.

(3) Extensions of the above time limits for reasons not under the control of the person charged with violation may be granted.

C 1.08 Practice. (1) Cosmetology shall not be practiced outside of a licensed beauty or electrolysis salon or school except for sick or infirm persons in homes or hospitals as follows:

(a) Cosmetologists licensed under Chapter 159 can perform any cosmetology services for patients regardless of whether it is done in a special area or at the bedside in an institution. If a cosmetologist, licensed under Chapter 159, provides cosmetology services in a person's home, that person must be incapable of leaving his or her home.

(b) Personal care type cosmetology services as provided in section 159.13(1) Wis. Stats. includes shampooing, setting, combing and brushing the hair of patients, but does not include giving permanents, bleaches, coloring or cutting the hair of patients.

(2) Demonstrations, shows, seminars and workshops held off licensed premises for the purpose of demonstrating advanced cosmetology techniques to licensed cosmetologists may be held only after prior notification is submitted to the Board. All teaching to cosmetologists must be done by certified, licensed cosmetologists or a member of a bona fide profession, from this state, another state, foreign country or province. Cosmetology techniques shall not be taught to persons who do not hold a license or permit to practice cosmetology. However, demonstrations may be held to educate the public concerning sanitation and personal hygiene. Full compliance with all sanitary practices as listed in section C 1.02(7), (15), (17), and (18), Wis. Adm. Code, shall be adhered to.

C 1.09 Licensure requirements for out-of-state applicants.

(1) Applicants whose combined verified basic training in cosmetology and verified experience as a cosmetologist in another state or foreign country, when viewed as a whole, equals the total amount of training required in this state, will be considered to have met requirements substantially comparable to the requirements of this state and may be licensed in accordance with section 159.08 (6) (a) or (b), Wis. Stats., provided that the combined time would not allow a person to be licensed in a shorter time than if the training and experience had been in this state. Verified training through cosmetology schools or apprenticeship programs and verified experience as a cosmetologist in beauty salons may be considered in any combination. Apprentice training and experience will be considered in the same proportion that required hours of apprentice training in this state has to required hours of cosmetology school training in this state.

(2) The minimum practice requirements of subsection (1) may not be considered as satisfying the requirements of section 159.08 (6) (a) and (b), Wis. Stats., for licensure without examination.

COSMETOLOGY EXAMINING BOARD

Chapter C 2

SCHOOLS OF COSMETOLOGY

C 2.01	Requirements for schools	C 2.08	Supervision of patron services
C 2.02	Advertising and promotion	C 2.09	Training periods
C 2.03	Recruitment and enrollment	C 2.10	Theory and practice
C 2.04	Enrollment and records	C 2.11	Examinations
C 2.05	Refund policy	C 2.12	Instructional hours
C 2.06	Limitations of instructors	C 2.13	Theory syllabus
C 2.07	Ratio of instructors to students	C 2.14	Continuing education for instructors
		C 2.15	Junior instructor course

C 2.01 Requirements for schools. (1) Any person, association, firm or corporation proposing to open a school of cosmetology shall first make application to the board for an inspection and approval of the premises, submitting an exact description and floor plan of the proposed school premises.

(2) Applicants for a certificate of registration for a newly organized school shall furnish evidence as to their financial responsibility.

(3) Any change of ownership or location of a school of cosmetology shall require full compliance with section 159.02 (7), Wis. Stats., and shall require a new certificate of registration and payment of the proper fee. Any space added subsequent to licensing shall be adjacent to the licensed facility and shall comply with these rules. If a complete course is to be offered or advertised at the separate location it will be necessary to obtain a separate license.

(4) Each school shall provide at least 30 square feet of instructional area per student. In areas where cosmetology service is performed, such areas shall be arranged to facilitate the work to be performed by the student.

(a) Instructional area shall consist of the square footage available for the instruction of students and shall include the reception area, the dispensary and the clinical department utilized for providing patron service and classrooms for practical and theoretical instruction.

(b) Required areas shall consist of 3 classrooms, resource center, clinical department, facial room, unassigned area, dispensary, stock and storage rooms, toilet rooms, student lounge and instructor lounge. The unassigned area may be incorporated in a classroom or the clinical department. The school office may be used as an instructor lounge. Resource center must be included in all schools established after the effective date of these rules.

(c) Non-instructional areas shall be defined as toilet rooms, closets, hallways, permanent walls, offices, stock room, lounges, coat rooms and other similar rooms or structures.

(5) A time clock is to be provided and used for recording of student attendance.

(6) Each school shall provide necessary equipment in sufficient quantity for the number of students enrolled to include but not be limited to:

(a) Shampoo bowls, work stations, hair dryers, manicure tables, waste baskets, manikins and wet sanitizers.

(b) Sanitation:

1. Containers for disinfectant agent in dispensary.
2. Disinfectant agent in all containers and supply on hand.

(c) Shampooing & Styling:

1. Capes
2. Towels
3. Shampoos (assorted)
4. Rollers (assorted sizes)
5. Clips
6. Bobby and hair pins
7. Combs
8. Brushes
9. Hair nets
10. Spray
11. Setting lotion
12. Shampoo bowl or tray
13. Adjustable shampoo chair
14. Hot and cold water
15. Dressing table, dresserette or styling bar with mirror
16. Styling chair
17. Hair dryer
18. Pressing comb and heater
19. Curling iron

(d) Haircutting:

1. Clips
2. Razor with blades
3. Scissors
4. Thinning shears
5. Clippers (optional)

(e) Scalp Treatments and Hair Conditioning:

1. Tonics, creams, conditioners

(f) Facials, Cosmetics & Arches:

1. Facial chair/lounge with headrest and footrest
2. Cleansing cream
3. Lubricating cream
4. Base
5. Disposable applicators
6. Rouge
7. Powder
8. Lipstick
9. Eyeliner
10. Mascara
11. Tweezers
12. Alcohol

(g) Manicuring:

1. Manicure table with light and stool or chair
2. Nippers
3. Pusher
4. Orangewood sticks
5. Emery boards
6. Buffer
7. Files
8. Finger bowl
9. Wet sanitizer and agent
10. Cuticle remover
11. Nail polish
12. Polish remover
13. Base coat
14. Sealer
15. Hand cream
16. Cotton

(h) Permanent Waving

1. Wave rods (assorted sizes)
2. End papers
3. Waving solutions
4. Applicators
5. Cotton

(i) Chemical Straightening

1. Chemical solutions

(j) Bleaches, Tints & Rinses

1. Bleaches
2. Tints
3. Rinses
4. Rubber gloves
5. Bleach brushes
6. Applicators
7. Tipping cap and hook
8. Tinting capes
9. Towels

(k) Dispensaries and facial rooms shall include a sink with hot and cold water.

(7) Adequate storage space is to be provided in each area of training.

(8) Classrooms shall be fully and properly equipped for each subject being taught in that area.

(9) The name of the text used shall be submitted to the board and each student shall have at least one cosmetology text approved by the board.

C 2.02 Advertising and promotion. The advertising and enrollment policies of the school shall not fraudulently represent its course. All advertisements for the soliciting of students must state the address of the actual business premises of the school.

C 2.03 Recruitment and enrollment. (1) Every enrollment agreement and any changes made thereto shall be forwarded to the board and shall include but not be limited to the following:

(a) The cost to the student, including tuition and all fees, cost of books, supplies and equipment the student is expected to buy or rent. An itemized list shall be included.

(b) The initial amount to be paid at the time of signing the enrollment agreement.

(c) The amounts of and conditions applicable to subsequent payments.

(d) A description of the course of instruction with an explanation of the state minimum requirements to qualify for examinations and that additional hours or services may be necessary to satisfactorily complete the course.

(e) A statement specifying the refund policy as required by section C 2.05 regarding tuition, fees and equipment, in case a student wishes to cancel the contract.

(2) A prospective student or one represented by a parent or guardian, who completes and signs an enrollment agreement to attend a particular school, shall be considered enrolled in that school for the purposes of this rule and shall not be subject to further recruitment by any other school or its representatives who know of such signed agreement.

(3) It is the responsibility of the school through pre-enrollment counselling, to explain the enrollment agreement and the Wisconsin cosmetology law as it relates to state examination and licensing.

(4) Every person enrolling a student shall deliver a copy of the enrollment agreement, school policy, a comprehensive description of the course of instruction, attendance requirements, standards of conduct and progress and refund policy to each student and co-signer prior to the time the agreement is signed.

C 2.04 Enrollment and records. (1) In all schools other than those operating on a semester system, the students may be enrolled and begin attendance at school on the third Monday of each month. In schools operating on a semester system, the beginning attendance date shall be established on a date consistent with the opening of other classes in the schools and consistent with meeting the course requirements. All application blanks for student permits must be completed and on file with the board prior to the beginning attendance date. A student permit will not be issued until the board has received proof of qualifications as provided in Chapter 159.02 (8) (b), (c), (d) and (e) Wis. Stats. Students shall not begin training until such student permit has been issued. Permit fee and original documents submitted will be returned and all other documents disposed of if a student permit is not issued.

(2) A complete record of the date a student enters school, daily attendance and attendance at classes shall be maintained. This report must be signed by the school representative and the student. A copy of this report is to be provided the student.

C 2.05 Refund policy. (1) Schools shall have a definite and written policy relating to the refund of tuition and fees when students discontinue training.

(a) No tuition need be refunded after the student has attended the first 2 months of the course.

(b) Fees for supplies or equipment, service charges, student activity fees, rentals and other miscellaneous charges, need not be considered in refund computations provided charges are itemized separately in the enrollment agreements and students so informed by a statement in the enrollment agreements furnished to students.

(2) Collection procedures shall be in accordance with Wisconsin statutes.

(3) Complete records of all payments by students shall be maintained.

C 2.06 Limitations of instructors. Instructors in a school of cosmetology may practice cosmetology on patrons only to the extent necessary to demonstrate the techniques to students and to carry out the student supervision required under this chapter. When an instructor is demonstrating techniques to students or checking patron services, the student receiving training must be physically present and participating in the teaching/learning situation.

C 2.07 Ratio of instructors to students. (1) There shall be one instructor present on each day that the school is open for instruction, and in addition such other instructors or qualified persons approved by the board to maintain a daily overall ratio in each area of practical training of one such person to each 20 students or fraction thereof, except that this ratio may be as high as 24 students in the freshman class if a licensed manager acts as a teaching assistant. This teaching assistant may be employed in this capacity for not more than 18 months, which time shall count toward meeting the instructor examination experience requirement. A licensed manager acting as a teaching assistant shall post his or her manager's license in the school.

(2) Only licensed instructors and those holding temporary instructor's permits can be counted for the purpose of overall enrollment to maintain a ratio of one instructor to each 20 students or fraction thereof receiving training.

(3) In order to facilitate the proper administration of this rule, an attendance report for each instructor of each school of cosmetology must be received by the board no later than the tenth working day after the end of each month the school is open for instruction. The instructor attendance report, which shall be signed by the instructor and the school of cosmetology operator or their designated representative, shall be submitted to the board on forms furnished by the board. Changes in instructors and teaching assistants shall be reported to the board within 5 working days.

C 2.08 Supervision of patron services. All phases of practical work must be performed under the supervision of an instructor and each service shall be graded. Complete work shall be inspected by the instructor, at the student's work station, before the patron is dismissed. An explanation shall be given the student for the grade received. All students shall receive their share of the practical work.

C 2.09 Training periods. (1) The students shall be classed as freshmen for at least the first 320 hours, as juniors for at least the next 480 hours, and as seniors for the remainder of the course.

(2) Students shall not practice on patrons during their freshman period.

(3) A badge or insignia bearing the name of the student must be provided by the school and worn by each student in colors as follows: freshmen, yellow; juniors and seniors, blue.

C 2.10 Theory and practice. (1) The theoretical instruction shall include instruction in the following subjects as they relate to the practice of cosmetology: disinfecting and sanitation, personal hygiene, shampooing, scalp treatments, permanent waving and straightening, facial massage and cosmetic use, manicuring, hair tints, bleaches and color rinses, hair styling, hair shaping, fingerwaving, anatomy and physiology, skin, scalp and hair disorders, electricity, cosmetic chemistry, cosmetology law and rules, hair pressing and thermal curling, hair pieces and wigs, and basic business principles as provided in the syllabus.

(2) Practical instruction in the classroom shall consist of demonstrations, class work, and individual instruction under the direct supervision of an instructor in all phases of the cosmetology services but shall be limited to actual practice by students on other students, manikins, models, transformations, or other devices for the purpose of acquiring the fundamentals and the techniques of such services.

(3) Students shall receive instruction and practice in the usual cosmetology services which shall include but not necessarily be limited to: scalp treatment, hair cutting and shaping, shampooing, permanent waving and straightening, pressing and thermal curling, hair pieces and wigs, fingerwaving, hair styling including dressing and finishing, hair tinting, bleaches and rinses, facial massage, cosmetic use and arching, manicuring, and sanitary practices. The financial remuneration by schools in any manner to students for these services is prohibited. Action by any school to encourage tipping to students is prohibited.

C 2.11 Examinations. (1) At the completion of each freshman and junior period of training, a written and practical examination shall be given, and grades received reported to the board. The questions and answers shall be retained by the schools for at least 1 year after graduation. Such examinations shall be available to the board and its representatives.

(2) A school must give a final examination in practical work and theory to every student before certification of eligibility for state board.

C 2.12 Instructional hours. (1) Schools of cosmetology must require as a pre-requisite to graduation a course of instruction of not less than the number of hours required in section 159.02 (3) Wis. Stats.

(2) Regular class hours shall be maintained with daily schedules showing at what hours classes in specific subjects are held. Such schedules are to be submitted to the board annually by September 30 of each year and posted in a conspicuous place in the school. Any substantive changes in the daily schedules are to be submitted to the board. The board shall review the schedules submitted to determine compliance with sections C 2.09, C 2.10, C 2.11, C 2.12 and C 2.13. Wis. Adm. Code.

(3) Students, with the exception of those taking the manicurist course or those transferring from out of state or from a related program, shall take the complete course unless they hold operators' or managers' licenses.

(4) The course of instruction shall be divided to include 185 hours of theoretical classroom instruction and the minimum number of practical classroom hours of instruction and acceptable patron assignments as follows:

Subjects	Minimum number of hours in practical class instruction	Minimum number of acceptable patron assignments to be completed during the clinical period of training	
		Number assignments	Maximum*** time per assignments
Hair pieces and wig care styling	10	5	1 hour
Scalp treatments	25	35	1/2 hour
Hair cutting and shaping - scissor razor	25 20	100*	1/2 hour
Shampooing	20	200	1/4 hour
Permanent waving & straightening	75*	40*	1-1/4 hour
Fingerwaving	40	40	1/3 hour
Hair styling (includes dressing & finishing)	100	200	3/4 hour
Hair coloring Bleaching	40 20	20*	1-1/4 hour
Complete facial	35	**	1 hour
Manicuring	30	30	3/4 hour
Sanitary practices	Included in every assignment every day		

*The student shall demonstrate proficiency in both.

**Sufficient number to demonstrate proficiency.

***Junior students who exceed the maximum time listed will receive credit for the service. The time as listed is the time in which a senior student must be accomplishing the service.

C 2.13 Theory syllabus. The syllabus outlined below constitutes the theoretical instruction which shall be taught for credit and will constitute a basis for the written examination for licensure:

(1) DISINFECTION AND SANITATION

- (a) Definition
- (b) Importance
- (c) Types
 - 1. Heat
 - 2. Chemical
- (d) Methods of disinfecting
 - 1. Combs and brushes
 - 2. Shampoo bowls and trays
 - 3. Towels
 - 4. Electrical appliances
 - 5. Instruments with fine cutting edge
- (e) Sanitary methods to dispense powders, creams, etc.
- (f) Mechanical aids of disinfecting
 - 1. Wet sanitizer
 - 2. Sanitary cabinet
- (g) Safety precautions
- (h) Bacteriology
 - 1. Definition
 - 2. Importance
 - 3. Types of bacteria
 - a. Pathogenic
 - b. Non-pathogenic
 - 4. Growth of bacteria
 - a. Moisture
 - b. Warmth
 - c. Darkness
 - d. Food
 - 5. Reproduction of bacteria
 - 6. Destructive agents of bacteria
 - a. Oxygen
 - b. Heat
 - c. Chemicals
 - 7. Infections
 - a. General infection
 - b. Local infection
 - c. Staphylococcus
 - d. Streptococcus
 - 8. Communicable diseases
 - a. Common examples
 - b. Sources of contagion
 - c. How body fights infection
 - d. Prevention of infection
 - e. Human disease carrier
 - 9. Immunity
 - a. Natural
 - b. Acquired
 - c. Artificial

(2) PERSONAL HYGIENE

- (a) Definition
- (b) Importance
- (c) Requirements for good health
 1. Diet
 2. Air
 3. Water
 4. Sunshine
 5. Exercise
 6. Rest
 7. Elimination
 8. Posture
 9. Mental hygiene
- (d) Good grooming
 1. Importance
 2. Essentials
 - a. Regular bathing
 - b. No offensive body odor
 - c. Clean teeth
 - d. Clean hands and nails
 - e. Clean hair
 - f. Clean and neat clothes
 - g. Clean and neat uniform
 - h. Natural facial makeup
 - i. Suitable hair style

(3) TRICHOLOGY

- (a) Hair
 1. Definition
 2. Anatomy of the hair
 - a. Shaft
 - b. Root
 - c. Bulb
 - d. Follicle
 - e. Cuticle
 - f. Cortex
 - g. Medulla
 3. Composition
 - a. Internal structure of hair
 4. Shapes
 5. Function
 6. Growth
 - a. Cycle of growth
 - b. Resting period
 - c. Age
 7. Blood and nerve supply
 - a. Value of massage and brushing
 - b. Nourishment and reproduction
 8. Pigmentation
 - a. Melanin
 - b. Variations in color
 - c. Dimension of the hair--vary according to color
 - d. Canities
 - e. Albinism

9. Texture
 - a. Experiments
 - b. Microscopic examination
10. Elasticity
11. Porosity
12. Outside influences affecting hair
13. Hydrosopic quality
14. Chemistry
- (b) Shampooing
 1. Purpose
 2. Characteristics of good shampoo
 3. Various beneficial results
 4. Equipment and materials needed
 5. Cleansing agents, their reactions and applications for different types of hair and scalp
 6. Procedure
 7. Disinfection
 8. Safety precautions
 9. Salesmanship
- (c) Scalp treatments and hair conditioning
 1. Purpose
 2. Characteristics of a good scalp treatment
 3. Various beneficial results
 - a. Increase the circulation of the blood to the scalp
 - 1) Carotid artery
 - 2) Jugular vein
 - b. Rest and soothe the nerves
 - 1) Auricular
 - 2) Occipital
 - 3) Temporal
 - c. Normalize activity of the glands
 - d. Render the skin more flexible
 - e. Improve the growth and lustre of the hair
 4. Recognition of a normal scalp
 5. Recognition of an abnormal scalp condition
 - a. Brittle hair
 - b. Beaded hair
 - c. Split hair ends
 - d. Knotted hair ends
 - e. Dandruff
 - f. Head lice
 - g. Overactive sebaceous gland
 - h. Deficiency of sebaceous secretion
 - i. Ringworm of scalp
 - j. Alopecia
 - k. Scabies
 - l. Impetigo
 6. Equipment and materials needed
 7. Types of scalp treatments
 - a. Basic procedure
 - 1) Brushing
 - 2) Application of scalp preparations
 - 3) Manipulations
 - 4) Moist heat

8. Records
9. Safety precautions
10. Salesmanship
- (d) Permanent waving
 1. Basic knowledge
 - a. Importance
 - b. History
 - c. Advantages
 - d. Equipment and supplies
 - e. Safety precautions
 - 1) Before
 - 2) During
 - 3) After
 - f. Technical terms
 - g. Chemical composition of cold wave lotions including alkaline perms and heat activated, acid balance perms
 2. Structural and chemical changes
 - a. Cuticle
 - b. Cortex
 - c. Medulla
 3. Analysis of hair and scalp
 - a. Elasticity
 - 1) Normal
 - 2) Problem type
 - b. Porosity
 - c. Texture
 - d. Scalp condition
 4. Blocking, winding and processing
 5. Test curl for solution and processing
 6. Problem hair
 - a. Bleached
 - b. Tinted
 - c. Gray
 - d. White
 - e. Hennaed
 - f. Damaged
 - g. Other
 - h. Safety precautions--special
 7. Records
 8. Manufacturer's instructions
 9. Salesmanship
- (e) Hair pressing--chemical hair relaxing
 1. Basic knowledge of hair pressing
 - a. Soft and hard press
 - b. Equipment and supplies
 - c. Safety precautions
 - 1) Before
 - 2) During
 - 3) After
 2. Basic knowledge of chemical hair relaxing
 - a. Equipment and supplies
 - b. Safety precautions
 - 1) Before
 - 2) During
 - 3) After

3. Structural and chemical changes
 - a. Cuticle
 - b. Cortex
 - c. Medulla
 4. Analysis of hair and scalp
 - a. Elasticity
 - 1) Normal
 - 2) Problem type
 - b. Porosity
 - c. Texture
 - d. Scalp condition
 5. Records
 6. Manufacturer's instructions
 7. Salesmanship
- (f) Hair tints, bleaches and color rinses (terms tints and dyes might be interchangeable)
1. Basic knowledge
 - a. Importance
 - b. History
 - c. Purpose
 - d. Equipment and supplies
 - e. Skin tests
 - f. Safety precautions
 - g. General technical terms
 2. Classification of hair tints
 - a. Temporary
 - 1) Color rinses
 - 2) Progressive shampoo tints
 - 3) Crayons
 - b. Permanent
 - 1) Aniline derivative tints or dyes
 - 2) Vegetable tints or dyes
 - 3) Compound tints or dyestuffs
 - 4) Metallic tints or dyes
 3. Technical facts
 - a. Results of skin tests
 - b. Analysis of hair
 - 1) Shade
 - 2) Texture
 - 3) Elasticity
 - 4) Porosity
 - c. Action of dye or tint on hair
 - d. Test for color development
 - e. Coloring time
 - f. Removing dye or tint from hair
 - g. Manufacturer's instructions
 - h. Records
 4. Conditions determining usage
 - a. Aniline derivative tint or dye
 - 1) Shampoo tint
 - 2) Color shampoo or color bath
 - b. Vegetable tint or dye
 - c. Color rinse
 5. Hair bleaches, toners and fillers
 - a. Classification of hair bleaches
 - 1) Peroxide--liquid or tablet (accelerators)
 - 2) Oil bleach
 - 3) Cream bleach
 - 4) Other bleaches

- b. Technical facts
 - 1) Analysis of hair: shade, texture, elasticity and porosity
 - 2) Strength of peroxide
 - 3) Average formulas
 - 4) Action of bleach on hair
 - 5) Test for color development
 - 6) Bleaching time
 - c. Toners and fillers
 - d. Conditioning treatments and corrective coloring
 - e. Records
- (g) Hair styling and basic waving
- 1. Purpose
 - 2. Characteristics of a good hair style
 - 3. Hair shaping
 - a. Basic principles involved in hair shaping
 - b. Types of equipment
 - c. Methods of haircutting
 - d. Types of styles
 - 4. Fundamentals
 - a. Fingerwaving
 - b. Pin curling
 - c. Iron curling
 - 5. Factors in selecting hair style
 - 6. Hair dressing, comb-out and finishing
 - 7. Disinfection
 - 8. Salesmanship
- (h) Hair pieces and wigs
- 1. Types
 - a. Human
 - b. Synthetic
 - 2. Selecting
 - 3. Measuring
 - 4. Adjusting
 - 5. Caring for hair pieces and wigs
 - a. Cleansing
 - b. Shaping
 - c. Reconditioning
 - d. Setting
 - e. Coloring

(4) DERMATOLOGY

- (a) Skin
- 1. Importance
 - a. Definition
 - b. Signs of a healthy skin
 - c. Functions
 - 2. Epidermal layers
 - a. Stratum corneum
 - b. Stratum lucidum
 - c. Stratum granulosum
 - d. Stratum mucosum
 - 3. Dermal layers
 - a. Papillary
 - b. Reticular

4. Blood and nerve supply
- ~~4. Blood and nerve supply~~
5. Muscle of the skin (arrectores pilorum)
6. Self renewal and repair
7. Pigmentation
 - a. Melanin
 - b. Function of pigment
8. Common disorders
 - a. Causes
 - b. Symptoms
 - c. Precautions
 - d. Terms
 - 1) Blackhead
 - 2) Whitehead
 - 3) Pimple
 - 4) Fatty tumor
 - 5) Excessive sweating
 - 6) Foul smelling perspiration
 - 7) Prickly heat
 - 8) Pustule
 - 9) Boil
 - 10) Inflammatory itchy condition to skin
 - 11) Fever blister
 - 12) Cold sore
 - 13) Hives
 - 14) Ringworm
 - 15) Scars
 - 16) Warts
 - 17) Freckles
 - 18) Birthmarks
 - 19) Liver spots
 - 20) Callus
 - 21) Deficiency of pigment
 - 22) Scales
 - 23) Impetigo
 - 24) Acne

- (b) Facial massage and cosmetic use
1. Purpose
 2. Characteristics and beneficial results
 3. Types of facials, facial packs and cosmetics for different types of skin
 4. Equipment and materials needed
 5. Location of nerves
 6. Superfluous hair
 - a. Bleaching
 - b. Chemical depilation
 - c. Wax depilation
 7. Procedure including massage manipulations
 8. Make-up
 - a. Daytime
 - b. Evening
 - c. Corrective
 9. Care of the eyebrows
 - a. Purpose
 - b. Equipment and materials needed
 - c. Methods of giving an eyebrow arch
 - 1) Placing and shaping of the eyebrows
 - 2) Use of eye make-up

10. Disinfection
11. Records
12. Safety precautions
13. Salesmanship
- (c) Nails
 1. Importance
 2. Signs of healthy nails
 3. Structure
 - a. Body
 - b. Root
 - c. Free edge
 4. Definitions
 - a. Lunula
 - b. Nail bed
 - c. Matrix
 - d. Cuticle
 - e. Mantle
 - f. Nail wall
 5. Function
 6. Composition
 7. Growth
 8. Nail conditions
 - a. Hang nail
 - b. Overgrowth of nail
 - c. Brittle nail
 - d. Inflammation of the matrix
 - e. Felon
 - f. Nail biting
 - g. White spots

(5) RELATIONSHIP OF BONE, MUSCLES, AND NERVES TO COSMETOLOGY

- (a) Anatomy
 1. Upper extremities
 - a. Head
 - b. Face
 - c. Neck
 - d. Shoulders
 - e. Arms
 - f. Hands
 2. Body Health
 - a. Diet
 - b. Exercise
 - c. Rest
 - d. Disease
 - 1) Acute
 - 2) Chronic
 - 3) Infectious
 - 4) Contagious
 - 5) Congenital
 - 6) Seasonal
- (b) Histology
 1. Microscopic structure of
 - a. Cells
 - b. Tissue
 - c. Organs

- (c) Physiology
 - 1. Body Systems
 - a. Identification
 - b. Location
 - c. Function
 - 2. Skeletal system
 - a. Composition of bone
 - b. Structure of bone
 - c. Function of bone
 - d. Joints
 - e. Ligaments
 - 3. Muscular system
 - a. Structure of muscles
 - b. Types of muscles
 - c. Function of muscles
 - d. Stimulation of muscles
 - 4. Nervous system
 - a. Importance
 - b. Functions
 - c. Types of nerves
 - 1) Sensory
 - 2) Motor
 - d. Methods of stimulating nerves
 - 5. Circulatory system
 - a. Importance
 - b. Function
 - c. Blood
 - d. Lymph
 - e. Blood Vessels
 - 1) Arteries
 - 2) Veins
 - 3) Capillaries

(6) ELECTRICITY

- (a) Definition (It is a force of nature)
- (b) Importance
- (c) Sources of electricity
 - 1. Power plants
 - 2. Batteries
- (d) Classification of electricity
 - 1. Static
 - 2. Magnetic
- (e) Basic forms of electrical power
 - 1. Direct
 - 2. Alternating
- (f) Fuses
 - 1. Selection of proper fuse
 - 2. Replacement of fuse when necessary
 - 3. Safety precautions
- (g) Electrical equipment
 - 1. Hair dryer
 - a. Purpose
 - b. Benefits
 - c. Proper care and use

(7) COSMETIC CHEMISTRY

- (a) Characteristics of water
 - 1. Soft
 - 2. Hard
- (b) Chemistry of cosmetics intended for body cleanliness
- (c) Chemistry of cosmetics applied to the skin and face
- (d) Chemistry of cosmetics applied to the hair and scalp
- (e) Elements, compounds and mixtures
 - 1. Physical change
 - 2. Chemical change
- (f) Acids, bases and salts
 - 1. pH Scale
- (g) Solutions and emulsions
 - 1. Antiseptic
 - 2. Disinfectant
 - 3. Fumigant

(8) WISCONSIN COSMETOLOGY LAW AND RULES GOVERNING BEAUTY SALONS, SCHOOLS OF COSMETOLOGY, APPRENTICESHIPS IN COSMETOLOGY AND EXAMINATIONS.

(9) BASIC BUSINESS PRINCIPLES

- (a) Necessity
- (b) Business courtesy
- (c) Record keeping
- (d) Salesmanship
- (e) Taxes and social security

C 2.14 Continuing education for instructors. (1) At least 20 hours of the 50 hours of continuing education required by section 159.08(9) Wis. Stats. must be related academic classes.

(2) Training sponsored by a state educational agency, the board or those institutions under section 159.01 (9) Wis. Stats., or any other furnishing such training will require curriculum approval by the board. Instructors of such approved courses shall be licensed cosmetology instructors or other persons approved by the board. Creditable hours may be disallowed if the credit is not requested within a reasonable period after attendance.

(3) The form attesting to attendance at approved continuing education courses must be verified by the instructor giving such training or other appropriate personnel designated by the board.

C 2.15 Junior instructor course. (1) In order for a school to teach the junior instructor course it must be licensed under chapter 159 as a school of cosmetology or be an approved institution offering related courses approved by the board. A combination of methods would also be appropriate.

(2) The course of instruction must be submitted in writing, for approval, to the board and shall include but not be limited to the following:

(a) Not less than 200 hours of a variety of comprehensive theoretical classroom instruction in teaching methodology to include, but not limited to, learning theory and behavior modification, course outlining and development, lesson planning, teaching

techniques, teaching aids, demonstration techniques, examination, classroom management and record keeping, given by a teacher proficient in the subject being taught as determined by the board.

(b) A variety of assignments which would require the junior instructor to develop instruction in all major phases of the curriculum required for cosmetology students.

(c) 100 hours of practice teaching.

(d) Training and supervised practice must be provided in the areas of salon management, including personnel training and supervision, accounting, economics and merchandising.

(e) The additional 500 hours of training required of junior instructors who have not had the one year of experience shall be distributed so as to recognize the lack of actual salon experience of the junior instructor.

COSMETOLOGY EXAMINING BOARD

Chapter C 3

APPRENTICESHIPS IN COSMETOLOGY

C 3.01	Procedure for applying for permit	C 3.04	Hours and training
C 3.02	Theory instruction	C 3.05	Responsibility of manager
C 3.03	Transfers		

C 3.01 Procedure for applying for permit. (1) The manager to whom an apprentice is to be indentured shall contact the Cosmetology Examining Board and the Department of Industry, Labor and Human Relations for application forms.

(2) Send to the Cosmetology Examining Board:

- (a) Completed application for permit
- (b) Completed apprenticeship agreement
- (c) Photostatic copy of proof of age or,
- (d) If under 18 -- proof of education as required by section 159.12 Wis. Stats.
- (e) \$5.00 permit fee

(3) Send completed indenture forms to Department of Industry, Labor and Human Relations.

(4) An apprentice shall not engage in any cosmetology work or attend school until a permit has been issued by the board. A permit will not be issued until the indenture is completed with the Department of Industry, Labor and Human Relations.

(5) An apprentice will be indentured to the manager of record and the salon owner. Any other manager who will assist in training must be included on the permit.

(6) The apprentice shall be provided with equipment necessary to learn all phases of cosmetology as listed in section C 2.01(6) Wis. Adm. Code.

C 3.02 Theory instruction. (1) It shall be necessary for apprentices to attend a technical school for 288 hours of instruction in the theory of cosmetology and related subjects. This instruction, plus 3,712 hours of training in a beauty salon, in not less than two years shall be completed before an apprentice may make application for admission to the examination for an operator's license. The employer shall pay the apprentice for the hours they attend school.

(2) An apprentice when authorized by the board may be allowed to complete the instruction in theory through an equivalent home study course approved by the Board of Vocational, Technical and Adult Education. An apprentice completing theory instruction on the home study program will be allowed at least an average of 4 hours per week as study time, for which the apprentice shall be paid.

(3) Apprentices shall be provided at least one cosmetology text and such other reference material as may be necessary prior to or at the time of commencing training.

C 3.03 Transfers. (1) Apprentices transferring from one salon to another within the state shall contact the board for transfer procedures. An apprentice cannot transfer without the approval of the board.

(2) Apprentices transferring from out of state may be granted credit for the amount of training completed toward the required apprenticeship training in Wisconsin provided the applicant is otherwise qualified to enter the apprenticeship program. An official certification from the cosmetology agency of the state where the applicant was receiving training as an apprentice must be furnished to show the total number of hours completed and the inclusive dates of training in that state.

(3) Students transferring from cosmetology schools to the apprenticeship program may receive credit for their school training at a ratio of 8 apprentice hours for each 3 school hours. The credit must also be related in training months.

C 3.04 Completion, cancellation and interruption. (1) Upon completion of an apprenticeship, the manager shall submit to the board a signed statement of hours certifying completion of training.

(2) On cancellation of an apprenticeship the manager must return the apprentice permit and send in a report of the hours credited to the apprentice.

(3) Upon interruption of an apprenticeship, the manager will notify the board or its representatives, the date interruption began and the date training resumes.

C 3.05 Hours and training. Hours worked and training received by the apprentice must be recorded on forms provided by the board. These records are to be submitted to the board or its representatives by the 10th working day of each month. A copy of these records shall be kept in the salon. These records shall also be available to the Department of Industry, Labor and Human Relations representatives who also require a record be kept of wages paid the apprentice.

C 3.06 Responsibility of manager. The manager must devote sufficient time to teach the apprentice all branches of cosmetology as listed in C 2.13, syllabus for cosmetology schools. The manager is wholly responsible for both theory and practical training even though assistance is given by the Board of Vocational, Technical and Adult Education in the form of a home study program or the local vocational school.

COSMETOLOGY EXAMINING BOARD

Chapter C 4

COSMETOLOGY EXAMINATIONS

C 4.01	Content and grading	C 4.03	Examination questions
C 4.02	Reexaminations and review	C 4.04	Failure to obtain license

C 4.01 Content and grading. (1) The person in charge of scheduling examinations shall assign a number to each participant before each examination. It shall be used in lieu of the participant's name on all examination papers and in all portions of the examination.

(2) All examinations shall consist of a written and/or practical and/or oral examination designed to determine the ability of the applicant for licensure to accomplish the responsibilities and privileges granted by the license being applied for. The particular elements of the examination shall be in accordance with a plan developed by the board. The general content but not the specific questions in the examination, and the form (written, practical and/or oral) shall be made available to the public and all licensed schools teaching cosmetology at least once every 6 months and at least each time the examination form or general content is changed. The grading for the practical examinations shall be in each subject included on the examination. The score of 70 or more shall be considered a passing grade. If an applicant scores less than 70 on the examination, the examination may be reviewed by the board and upgraded to passing only in the event that 2/3 of the board agree that the applicant is qualified for the license and shall so signify by signing the applicant's examination paper. An applicant who fails one or more subjects shall be notified of the failures and the reasons for them. If the applicant is a student recently graduated from one of the cosmetology schools in Wisconsin, that school shall be notified of the subject failure to assist in their evaluation of their instruction program. If the applicant is an apprentice, the manager that provided the apprentice training shall be notified of the subject failure.

(3) The board may name substitutes, when necessary, to act for the examiners in case of their absence at examinations.

(4) Definite time limits may be placed on each portion of the examination.

C 4.02 Reexaminations and review. (1) Persons who fail in obtaining a passing grade may be permitted to retake the examination at the next regular period when examinations are conducted but shall be required to repeat only those subjects in which a grade lower than 70 was obtained. The grade obtained on the subject repeated shall be substituted for the original subject grade. When a written examination is not divided into subjects the entire examination must be repeated. At least 2 examiners shall review a failure in the practical examination, give the reason for failure and each examiner sign the grade sheet.

(2) Any person who fails the examination may request a review of that examination. Providing any grade is changed after review, a written statement of the change shall be placed in the examinee's file stating the circumstances of the change in the grade and the signatures of the examiners concurring in the change.

C 4.03 Examination questions. (1) The questions will be prepared by the examiners as provided in these regulations. The staff may assist the examiners and will be responsible for the typing and duplication of the final copies to be used at the examination.

(2) The examination questions may be reviewed at any time by the board or their designated representative.

C 4.04 Failure to obtain license. Any person who passes an examination for licensure and fails to obtain such license within one year of passing the examination shall be required to comply with section 159.10 Wis. Stats. in order to obtain such license.

COSMETOLOGY EXAMINING BOARD

Chapter C 5

PROCEDURES AND PRACTICES

C 5.01	Authorization	C 5.07	Answer
C 5.02	Scope	C 5.08	Hearings, general
C 5.03	Institution of proceedings	C 5.09	Prehearing conference
C 5.04	Complaint	C 5.10	Settlements
C 5.05	Filings	C 5.11	Discovery
C 5.06	Service of complaint and notice of hearing	C 5.12	Conduct of hearing
		C 5.13	Witness fees and costs

C 5.01 Authorization. The following rules and regulations are adopted by the board pursuant to sections 15.08 (5) and 227.08, Wis. Stats., and chapter 159, Wis. Stats.

C 5.02 Scope. The rules in this chapter govern the procedure of the Cosmetology Examining Board relating to alleged violations of chapter 159, Wis. Stats., and rules promulgated thereunder.

C 5.03 Institution of proceedings. Proceedings to revoke or to suspend a license or to reprimand a licensee may be commenced by complaint of the board either on its own motion or upon a written and verified statement of facts by an individual.

C 5.04 Complaint. The board's complaint shall contain:

- (1) The name and address of any person complained against.
- (2) A plain and concise statement of the facts constituting the alleged violation. If the alleged violation of the statute or administrative rule is a continuing one, its general nature and the approximate time covered shall be stated in the complaint; but if one or more specific incidents are relied on, each shall be alleged with such particularity as to time, place and circumstance, as may be necessary to advise the respondent of each violation involved. The offense may be alleged in the language of the statute or rule claimed to have been violated, and shall conclude: "contrary to sec. _____ of the Statutes," or "contrary to _____ Wis. Adm. Code," or both. Separate charges shall be stated in separate paragraphs and shall be numbered consecutively.
- (3) A demand in essentially the following form: "Wherefore, the Cosmetology Examining Board demands that not more than 10 days from the date the complaint is served, the respondent file an answer to the charges alleged herein in respect to whether the license of respondent should be revoked or suspended, or whether respondent should be reprimanded."

C 5.05 Filings. All communications and papers to be filed shall be directed to the board at its office.

C 5.06 Service of Complaint and Notice of Hearing. The complaint and notice of hearing may be served as prescribed in section 262.06, Wis. Stats., or may be served by certified mail addressed to the respondent at their last address furnished to the board. Service of the complaint and notice of hearing by mail is complete upon mailing. Service may be proved by affidavit.

C 5.07 Answer. The answer to a complaint shall be verified by the respondent and shall include a specific denial of each material allegation of the charges controverted by the respondent or a statement of any new material constituting a defense or mitigating the offense or matter charged, or any other defense which the respondent wishes to have considered. Every material allegation of the charges not controverted in the answer shall be taken as true, but new matter in the answer shall be deemed controverted without any reply. The answer shall be filed with the board not more than 10 days after the complaint has been served on the respondent. The board may mail a copy of the answer to any person who filed a verified statement of charges.

C 5.08 Hearings, General. All hearings shall be held at a time and place to be designated by the board in its notice of hearing. All hearings held by the board or its agent shall be open to the public, unless otherwise provided by law.

C 5.09 Prehearing Conference. In any matter pending before the board where a hearing examiner or board member has been designated to hear the matter, the person prosecuting the complaint and the respondent, or their attorney, may be directed to appear to consider the simplification of the issues, the necessity or desirability of amendments to the pleadings, the obtaining of admissions of fact or documents which will avoid unnecessary proof and such other matters as may aid in the disposition of the matter.

C 5.10 Settlements. Any stipulation or settlement agreement between the person prosecuting the complaint and the respondent, relating to settlement or disposition of a complaint shall not be effective or binding in any respect except upon approval of the board.

C 5.11 Discovery. The parties shall have the right, prior to the date set for hearing to take depositions and preserve evidence as provided by Chapter 804, Wis. Stats., for the purpose set forth therein, and make demands to admit documents or facts as provided by s.804.11, Wis. Stats.

C 5.12 Conduct of Hearing. (1) Presiding Officer. The hearing shall be presided over by either a member of the board, or a hearing examiner designated by the board.

(2) Record. Stenographic, electronic or other record of hearings shall be made.

(a) Parties requesting transcripts shall compensate the stenographic reporter for the preparation of such transcripts at the usual and customary rate.

(b) Parties who are impecunious who require a transcript for appeal or other reasonable purposes shall be furnished with a transcript at board expense, upon the filing of a verified petition stating that they are without means to purchase a transcript.

(3) Evidence. The person prosecuting the complaint and the respondent shall have the right to appear at such hearing in person or by counsel, to call, examine, and cross-examine witnesses and to introduce into the record documentary or other evidence. The provisions of section 227.10, Wis. Stats., shall be applicable to evidence presented at board hearings. Objections to evidentiary offers and offers of proof of evidence not admitted may be made and shall be noted in the record.

(4) Briefs. The presiding officer at the hearing may provide for the service and filing of briefs.

(5) Motions. All motions, except those made at hearing, shall be filed in writing with the board and a copy served upon the person prosecuting the complaint or the respondent.

(6) Continuances. The presiding officer may grant continuances and adjournments.

(7) Subpoenas. Subpoenas for the attendance of any witness at a hearing shall be issued as provided in section 885.01, Wis. Stats., and shall be furnished by the board on request. Subpoenas shall be served and fees paid as provided in sections 885.03, 885.05 and 885.06, Wis. Stats.

C 5.13 Witness Fees and Costs. (1) Witnesses. Witnesses subpoenaed at the instance of the respondent shall not be entitled to compensation from the state for attendance or travel.

(2) Depositions to preserve evidence. Depositions taken by the respondent to preserve evidence shall be paid for by the respondent. If such deposition is received in evidence, the board may in its discretion apportion the cost of such deposition between the respondent and the board. The cost of any deposition taken by the person prosecuting the complaint shall be paid by the board. Any person desiring a copy of the deposition shall pay the cost of such copy.

COSMETOLOGY EXAMINING BOARD

Chapter C 6

DENIAL OF LICENSE

C 6.01 Denial
C 6.02 Notice

C 6.03 Service
C 6.04 Hearing

C 6.01 Denial. An applicant shall be denied a license if the applicant does not meet the standards or requirements for licensure set forth in chapter 159, Wis. Stats., or rules promulgated thereunder.

C 6.02 Notice. Upon denial of an application for a license under C 6.01, except denials due to examination failure, the board shall notify the applicant, stating the reason for denial, and that the applicant has the right to a hearing if written request is filed with the board within 30 days after service of the notice of denial. Unless written request for hearing is made within the 30 day period, the applicant's right to a hearing is deemed waived.

C 6.03 Service. Service of the notice of denial may be made by certified mail addressed to the applicant at the latest address filed by the applicant in writing with the board. Service by mail is complete on the date of mailing.

C 6.04 Hearing. If a hearing is requested by the applicant, the board shall conduct such hearing as soon thereafter as is practicable. Hearings under this chapter shall be conducted as set forth in Wis. Adm. Code section C 5.12.

COSMETOLOGY EXAMINING BOARD

Chapter C 7

PROFESSIONAL CONDUCT, RESPONSIBILITY, REMEDIES AND REINSTATEMENT

C 7.01	Unprofessional conduct or practice	C 7.03	Disciplinary action remedies
C 7.02	Responsibility to colleagues and profession	C 7.04	Reinstatement of licenses

C 7.01 Unprofessional conduct or practice. All persons licensed under Chapter 159 shall practice and conduct themselves in a professional manner at all times. Unprofessional conduct or practice shall include but not be limited to the following:

- (1) Failure to comply with Chapter 159 Wis. Stats. or Chapter C 1, Wis. Adm. Code or both;
- (2) Fraudulently advertising or representing services offered;
- (3) Causing bodily harm to the public by improper use of products or procedures;
- (4) Improper precautionary procedures to protect the health and safety of the patron while providing services;
- (5) Impersonating another licensee of a like or different name;
- (6) Practicing without renewal of license;
- (7) Evidence of failure to maintain competency in the current practices and methods of the profession;
- (8) Misrepresentation of qualifications such as education, specialized training or experience to employers or public.

C 7.02 Responsibility to colleagues and profession. All reasonable assistance in preventing the unauthorized practice of cosmetology should be given the examining board. Unauthorized practice should not be aided in any way. All licensees:

- (1) Shall not discuss with any individual board member any investigatory or disciplinary matter.

C 7.03 Disciplinary action remedies. If it be found that a licensee under Chapter 159 has engaged in conduct unbecoming a professional person, the board may:

- (1) Issue a warning letter;
- (2) Hold a conference with the respondent to obtain settlement or determine whether a formal hearing is necessary;
- (3) Issue cease and desist orders;

- (4) A person whose license, certificate or permit is under review on complaint may be permitted to continue his practice upon condition that he will cease, desist, and refrain from engaging in unprofessional practices, and appear before the examining board or an officer or agent thereof, at such times and places as may be designated by the examining board from time to time, and fully disclose to the examining board or its officer or agent the nature of his practice and conduct, and render himself amenable to the examining board while under review.
- (5) Suspend a respondent's license to practice;
- (6) Revoke a respondent's license to practice;
- (7) Refuse to renew respondent's license to practice;

C 7.04 Reinstatement of license. Any licensee whose license has been suspended or revoked may be reinstated upon a determination by the board that the violation of the statute or rule which was the basis for the disciplinary action originally taken has been corrected.