

## Chapter Cos 11

### CONTINUING EDUCATION

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**Note:** Chapter BC 11 was repealed and recreated Register March 2012 No. 675, eff. 4–1–12; Chapter BC 11 was renumbered ch. Cos 11 under s. 13.92 (4) (b) 1., Stats., Register February 2013 No. 686.

**Note:** See Chapter SPS 50 for rules governing the licensing of barbers, barbering managers, and barbering establishments.

**Cos 11.01 Authority and purpose.** The rules in this chapter are adopted under the authority in ss. 15.08 (5) (b), 227.11 (2), and 454.12, Stats., and govern biennial continuing education for aesthetics and cosmetology practitioner and cosmetology manager, electrology and manicuring licenses.

**History:** CR 11–011: cr. Register March 2012 No. 675, eff. 4–1–12; correction made under s. 13.92 (4) (b) 6., 7., Stats., Register February 2013 No. 686; CR 15–035: am. Register December 2015 No. 720, eff. 1–1–16.

**Cos 11.02 Definitions.** As used in this chapter:

(1) “Biennium” or “biennial reporting period” means a 2–year period beginning April 1 of each odd–numbered year and ending on March 31 of the next odd–numbered year, during which a licensee shall satisfy the continuing education requirements under this chapter.

(2) “Continuing education” means the planned, professional development activities designed to contribute to the advancement, extension and enhancement of the professional skills or knowledge of the licensee in the practice of cosmetology, manicuring, aesthetics, and electrology.

(3) “Continuing education credit hour” means a unit of credit for continuing education courses, where one continuing education credit hour equals 50 minutes of actual instruction in a continuing education training program.

(4) “Continuing education training program” means any course, program or activity approved under s. Cos 11.04 having a clear purpose and objective that will maintain, improve, or expand the skills and knowledge relevant to the licensee’s professional practice.

(5) “Safety, sanitation, and infection control” means any topics or subjects which pertain to all of the cosmetology professions and which are designed to safeguard the public health, safety and welfare by providing instruction on and increasing knowledge and awareness of the identification, assessment, management, control and prevention of factors that may adversely affect the health, comfort, safety, or well–being of individuals. This could include courses dealing with first–aid, blood–borne pathogens, product selection, infection control, client safety, and proper techniques for cleaning, disinfection, and sterilization of equipment in accordance with acceptable state and federal standards.

**History:** CR 11–011: cr. Register March 2012 No. 675, eff. 4–1–12; corrections in (2), (4), (5) made under s. 13.92 (4) (b) 6., 7., Stats., Register February 2013 No. 686.

**Cos 11.03 Continuing education requirements for license renewal.** (1) Except as provided in sub. (3), every licensee shall complete a minimum of 4 continuing education credit hours during each biennial reporting period.

(2) The continuing education credit hours required under sub. (1) shall consist of all of the following:

(a) One continuing education credit hour reviewing the laws governing the cosmetology professions and establishments.

(b) Three continuing education credit hours in safety, sanitation, and infection control.

(c) Licensees holding more than one license need to fulfill the requirements listed in pars. (a) and (b) one time only regardless of how many licenses they hold.

(3) A licensee is not required to complete continuing education credit hours between initial licensure and the first license renewal period.

(4) If a licensee fails to complete the continuing education requirements within a biennial reporting period, continuing education credit hours acquired on or after April 1 of any odd–numbered year will be first applied to the preceding biennium until the requirement is fulfilled. Continuing education credit hours may not apply to more than one biennium.

(5) Continuing education credit hours may be obtained through any of the following means:

(a) Attending seminars, corporate in–house courses, workshops, professional or technical presentations made at meetings, conventions, or conferences approved by the board under s. Cos 11.04. Attendance may be in person or via remote classroom where a qualified provider is available to the participant to comment and answer questions.

(b) Teaching a continuing education program. A person who teaches may only receive credit for the initial offering or presentation of a course or program during a biennium. Fifty minutes of actual instruction is equivalent to one continuing education credit hour. A maximum of 4 credit hours may be obtained by teaching in any biennial reporting period. Full–time faculty may not claim continuing education credits for teaching done as part of their regular duties.

(c) Distance education, including completion of interactive short courses or tutorials, delivery of educational programs and courses on CD–ROM or the internet or correspondence courses. Distance education courses shall meet the following criteria:

1. The course or program is offered by a provider approved under s. Cos 11.04 and the program meets the requirements of s. Cos 11.03.

2. The course or program requires assignments that are completed and prepared by the licensee and submitted to the provider for correction, grading, or both. The assignment must be graded or corrected by the continuing education provider and returned to the licensee before the licensee is allowed to take the course examination. The continuing education provider may not provide a licensee with the assignment answers before the licensee has submitted their completed assignment.

3. The course or program includes a written examination designed to ensure that the licensee actively participated in the presentation of the material and derived a measurable benefit from participation. A score of 75 percent or higher shall be considered a passing examination score. The continuing education provider may not provide a licensee access to the examination answers before the licensee has taken the exam.

4. The course or program contains a reasonable procedure for verifying the enrollees’ identities.

5. The course or program contains a minimum of 50 minutes of actual instruction for each credit hour offered. For purposes of calculating actual instruction time, the time spent for testing and assessment purposes shall not be included. All continuing education courses made available online, including booklets and text based courses, must include a timer that cannot be fast-forwarded by the licensee unless they have already completed that section of the course and are reviewing the material again. The timer shall ensure that there is a minimum of 50 minutes of actual instruction for each credit hour offered. Text based courses that require licensees to read a substantial amount of course material must include a minimum of 5,000 words per continuing education hour of educational material.

6. All corrected or graded lessons and examinations are maintained by the provider for no less than 5 years and submitted to the board or its designee upon request for auditing purposes.

**History:** CR 11–011: cr. Register March 2012 No. 675, eff. 4–1–12; corrections in (2), (5) (a), (c) 1. made under s. 13.92 (4) (b) 6., 7., Stats., Register February 2013 No. 686; CR 15–035: am. (5) (b), (c) 2., 3., 5. Register December 2015 No. 720, eff. 1–1–16.

**Cos 11.04 Standards for approval. (1)** To be approved as a continuing education training program, the program shall:

(a) Include instruction in an organized method of learning contributing directly to the professional competency of the licensee and pertaining to subject matters which integrally relate to the practice of the profession.

(b) Be conducted by individuals or entities that have specialized education, training or experience, and that are considered qualified in the subject matter of the program as determined by the board.

(c) Fulfill pre-established goals and objectives as determined by the board.

(d) Provide attendance or completion verification records in the form of completion certificates or other documents evidencing attendance at, or completion of, the continuing education training program.

(e) Refrain from using promotional materials that give the impression that a course they offer was created or delivered by the cosmetology examining board, the department of safety and professional services, or any other state entity if the course is being offered by a private continuing education provider. The prohibition against such representations includes all promotional material regarding provider name, course or business name, websites, advertisements, e-mails or mailings. This does not prohibit continuing education providers from disclosing relevant state approvals, licensures, or appointments in promotional materials.

**(2)** Except as provided in sub. (4), continuing education programs offered by the following providers qualify for continuing education credit hours with no prior approval from the board necessary:

(a) Universities, technical colleges and schools licensed by the appropriate authority for the state in which the program is offered.

(b) The Wisconsin cosmetology examining board and the Wisconsin department of safety and professional services.

(c) State or national professional organizations recognized by the board.

**(3)** The board may approve programs by the following providers:

(a) State licensed or certified instructors who have not had any disciplinary actions taken against them in the 3-year period preceding their planned instruction.

(b) Product distribution companies, national salon chains, or other providers that offer programs with significant professional educational benefits for licensees as determined by the board.

**(4)** Each biennium, the board shall approve courses for the continuing education credit hours required under s. Cos 11.03 (2)

(a) regarding the laws governing the cosmetology professions and establishments. All providers except those approved under s. Cos 11.04 (2) (a) and (b), shall submit the content of their s. Cos 11.03 (2) (a) courses for review and approval by the board or its designee.

**(5)** An application for approval of a continuing education program shall:

(a) Be on a form approved by the board or its designee.

(b) Be completed as prescribed by the board or its designee and filed with the board no later than 45 business days prior to the program or course date.

(c) Contain a provision by which the program provider agrees to comply with rule provisions applicable to providers.

**(6)** The approval of a provider or a program under this section may be withdrawn in the sole discretion of the board or its designee based upon a determination that the program fails to comply with the requirements of this chapter.

**History:** CR 11–011: cr. Register March 2012 No. 675, eff. 4–1–12; corrections in (2) (b), (4) made under s. 13.92 (4) (b) 6., 7., Stats., Register February 2013 No. 686; CR 15–035: cr. (1) (e), am. (4), (5) (b) Register December 2015 No. 720, eff. 1–1–16.

**Cos 11.05 Certificate of completion, proof of attendance. (1)** Each licensee shall certify on the license renewal application full compliance with the continuing education requirements set forth in this chapter.

**(2)** The board may conduct a random audit of its licensees on a biennial basis for compliance with these requirements. It is the responsibility of each licensee to retain or otherwise produce evidence of compliance.

**(3)** If evidence of compliance is requested by the board or its designee, the licensee shall submit the requested information or documentation within 30 days of receiving the written notice. Failure to do so may result in disciplinary action.

**History:** CR 11–011: cr. Register March 2012 No. 675, eff. 4–1–12.

**Cos 11.06 Recordkeeping.** A licensee shall obtain a certificate of completion from the program provider for each continuing education training program completed. The licensee shall retain the certificates and any other required documentation for a minimum of 5 years.

**History:** CR 11–011: cr. Register March 2012 No. 675, eff. 4–1–12.

**Cos 11.07 Waiver of continuing education requirement. (1)** A renewal applicant who is actively practicing in the profession and is unable to fully comply with the continuing education requirements due to temporary and extreme hardship, as determined by the board, may submit a written request for a waiver. The board or its designee will review the request, and in its sole discretion may grant a full or partial waiver, or an extension of time to comply with the requirements.

**(2)** A renewal applicant who prior to the expiration date of the license submits a request for a waiver, pays the renewal fee and provides a written statement setting forth the basis of the request, shall be deemed to be licensed and in good standing until the final decision on the application is issued by the board or its designee. If a finding of extreme hardship is not made, the applicant shall immediately discontinue engaging in the practice of cosmetology until the applicant meets the requirements of s. Cos 11.03 and submits evidence of compliance to the board or its designee.

**(3)** A renewal applicant may not receive a waiver under this provision for 2 consecutive biennia.

**(4)** Except as provided in sub. (2), a licensee who fails to meet the continuing education requirements by the renewal date, as specified in s. 440.08 (2) (a), Stats., may not engage in the practice of a cosmetology profession until the license is renewed.

**History:** CR 11–011: cr. Register March 2012 No. 675, eff. 4–1–12; correction in (2), (4) made under s. 13.92 (4) (b) 6., 7., Stats., Register February 2013 No. 686.