



NORTH CAROLINA BOARD OF BARBER AND ELECTROLYSIS EXAMINERS

Memo

TO: Board members and anticipated board appointees

FROM: Dennis Seavers

DATE: February 21, 2023

SUBJECT: Rulemaking—online student hours reporting

Within a few months, the board will have a system for barber schools to submit student hours online directly into our licensing database. This project will drastically reduce work for the board staff and reduce data entry for the schools. It also will help us more quickly identify errors (whether ours or the school's) in the hours recorded. Finally, the system will automatically notify schools that have missed their deadlines to improve school compliance with reporting requirements.

Since the project will drastically reduce staff work and help reduce errors, I believe it's in the board's interest to require schools to enter data through the online system. The primary purpose of the attached rule is to set this requirement. By the time the board goes through the permanent rulemaking process, the project should be complete, any issues should have been resolved, and the schools will have had training opportunities. If there are any remaining issues, the effective date of the rule can be delayed. That way, schools have ample time to become accustomed to the new system.

The board should keep in mind that there's a waiver rule that would allow schools with special circumstances to request authorization to submit hours in paper form. However, I believe the project has been designed in such a way that schools will find the online reporting to be much easier than paper forms.

The amendment makes a few additional changes:

- The amendment reduces the amount of data that schools must provide. Although schools still must maintain much of the data, the amendment focuses on essential data and thus helps reduce time that schools spend entering data.
- Schools will still submit paper forms for instances when students terminate enrollment. That way, the data can be entered into our system quickly, without waiting for the monthly report.

Board action

If the board agrees with the policy represented in this amendment, below is what would happen:

1. The board would pass a motion to propose the rule at the February 28, 2023 meeting.
2. I would file the rule with the Office of Administrative Hearing under the permanent rulemaking process.
3. The rule would be published in the North Carolina Register.
4. There would be a 60-day comment period and a public hearing.
5. Following the comment period, the board would consider the rule and any public comments submitted.
6. If the board decided to continue with the rule after considering public comments, it would pass a motion to adopt it.
7. I would file the rule with the Rules Review Commission for approval.
8. The rule would go into effect on the date decided by the board, in accordance with the time frames in the Administrative Procedure Act.

1 21 NCAC 06N .0111 is proposed for amendment as follows:

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3 **21 NCAC 06N .0111 FORM BAR-10**

4 (a) The Form BAR-10 is a report that shall be filed monthly by the ~~manager of the~~ school for each student enrolled
5 in barber school. It requires the following:

6 (1) the name of the school submitting the report;

7 (2) the ~~name and date of enrollment of the student;~~ student's name;

8 (3) the month and year for which the report is filed; and

9 ~~(4) the dates and hours of the student's absences;~~

10 ~~(5)(4) the dates and number of hours of the student's attendance;~~ student attended during the month and
11 year for which the report is filed.

12 ~~(6) the number of patrons served for clinical services; and~~

13 ~~(7) the subject matter covered in practical and theory courses.~~

14 (b) The school shall submit Form BAR-10 ~~shall be submitted~~ to the Board ~~over the signature of the manager of the~~
15 ~~school and co-signed by the student.~~ online at the website address listed in 21 NCAC 06A .0102.

16 (c) ~~If~~ Notwithstanding the requirement in Paragraph (b) of this Rule to submit the Form BAR-10 online, if a student
17 completes his or her course of study, drops out of school, or transfers to another school, the barber school shall ~~return~~
18 submit a paper version of the Form BAR-10 to the Board:

19 (1) within five business days; or

20 (2) within 30 days if the student's enrollment ends during the effective period of a state of emergency
21 declared by the Governor.

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23 *Authority G.S. 86B-38*