



# NORTH CAROLINA BOARD OF BARBER EXAMINERS

## Memo

TO: Board members

FROM: Dennis Seavers

DATE: June 13, 2022

**SUBJECT: Rulemaking—technical revisions of Barber Board rules**

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House Bill 792 was signed by the governor on July 8, 2022, and most provisions go into effect on January 1, 2023. As part of the merger of the Boards of Barber Examiners and Electrolysis Examiners, the bill recodifies both boards' statutes. As a result, many of the board's current rules will have outdated information after January 2023. Although the rules will remain in effect, even with outdated information, it will be useful for the new board to update the rules as soon after January 1, 2023, as practical.

In certain circumstances, the Administrative Procedures Act allows agencies to update rules without going through the normal rulemaking process, though the updates require approval from the Codifier of Rules. The following are cases relevant to the board's merger:

- Update an agency name;
- Update citations to laws when the citations have become inaccurate due to renumbering;
- Change information that's readily available to the public, such as an address, a telephone number, or a website; or
- Correct a typographical error.

There are quite a few barber rules that'll need substantial updates due to HB 792, and they'll have to go through the normal rulemaking process. But there are 27 rules that can be updated through this streamlined process that only requires approval from the Codifier.

Attached to this memo are those 27 rules with the proposed updates. Most updates are simply to the history note, which shows the law that allows the board to adopt the rules. Since there's no public-comments requirement for this type of rule change, this memo is more to inform the current board of potential rule changes and give you an opportunity

to flag any rules you may concerns about. With the board's approval, I'd also like to post these 27 rules on the Barber Board's website.

1 21 NCAC 06A .0102 is amended without notice pursuant to G.S. 150B-21.5(a)(3) and (4) as follows:

2

3 **21 NCAC 06A .0102 ADDRESS**

4 (a) The Board's mailing address is 7001 Mail Service Center, Raleigh, North Carolina 27699-7000 and email ~~address~~  
5 ~~is addresses are~~ barberboard@nc.gov, barberboard@nc.gov and ncbeexam@att.net.

6 (b) The Board's physical address is 4328 Bland Rd, Raleigh, North Carolina 27609.

7 (c) The Board's website ~~address is~~ ~~addresses are~~ barbers.nc.gov, barbers.nc.gov and ncbee.com.

8 (d) The Board's phone number is (919) 814-0640.

9

10 *History Note: Authority G.S. ~~86A-6~~; 86B-3;*

11 *Eff. February 1, 1976;*

12 *Readopted Eff. February 8, 1978;*

13 *Amended Eff. June 1, 2008; May 1, 1989;*

14 *Readopted Eff. July 1, 2016;*

15 *Amended Eff. February 1, 2023; May 1, 2021; April 1, 2019.*

1 21 NCAC 06F .0103 is amended without notice pursuant to G.S. 150B-21.5(a)(3) as follows:

2

3 **21 NCAC 06F .0103 FILING**

4 (a) Each barber school shall file with the Board the name of the manager of the school.

5 (b) When a change in the management of a barber school occurs, the school shall report the change at least 30 days  
6 before the change is effective, except in emergencies, such as termination of a manager. If such change is due to an  
7 emergency, the filing shall be made not later than 10 days after the change of management has occurred.

8

9 *History Note: Authority G.S. ~~86A-22~~; 86B-28;*

10 *Eff. February 1, 1976;*

11 *Readopted Eff. February 8, 1978;*

12 *Amended Eff. June 1, 2008; May 1, 1989; March 1, 1983;*

13 *Readopted Eff. July 1, ~~2016~~; 2016;*

14 *Amended Eff. February 1, 2023.*

1 21 NCAC 06F .0109 is amended without notice pursuant to G.S. 150B-21.5(a)(3) as follows:

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3 **21 NCAC 06F .0109 RE-ENTERING SCHOOL**

4 A new application for a student permit shall be filed with the Board for:

- 5 (1) each student who drops out and later re-enrolls in a barber school; and
- 6 (2) any barber re-enrolling in barber school for additional instruction.

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8 *History Note: Authority G.S. ~~86A-22(3)~~; 86B-28;*

9 *Eff. February 1, 1976;*

10 *Readopted Eff. February 8, 1978;*

11 *Amended Eff. May 1, 1989;*

12 *Readopted Eff. July 1, ~~2016~~; 2016;*

13 *Amended Eff. February 1, 2023.*

1 21 NCAC 06F .0110 is amended without notice pursuant to G.S. 150B-21.5(a)(3) as follows:

2

3 **21 NCAC 06F .0110 ROSTER AND STUDENT RECORDS**

4 Each barber school shall:

- 5 (1) maintain an up-to-date written roster system that shall be used to ensure that each student serves  
6 substantially equal numbers of patrons for practical work;
- 7 (2) maintain a record of each student, including a weekly record of the number of days and hours the  
8 student attended classes in practical work and theory;
- 9 (3) maintain a separate daily record of the number of patrons the student served for haircuts, shaves,  
10 and other barbering services;
- 11 (4) maintain a weekly record of the subject matter taught to the student in theory classes;
- 12 (5) submit the Form BAR-10 as required by 21 NCAC 06N .0111;
- 13 (6) provide to the Board the list of students required by ~~G.S. 86A-22(5)~~ G.S. 86B-28(5) by the 15th day  
14 of each month; and
- 15 (7) maintain the signed acknowledgment required by 21 NCAC 06F .0116.

16

17 *History Note: Authority G.S. ~~86A-22~~; 86B-28;*  
18 *Eff. February 1, 1976;*  
19 *Readopted Eff. February 8, 1978;*  
20 *Amended Eff. April 1, 2010; June 1, 2008; May 1, 1989; March 1, 1983;*  
21 *Readopted Eff. September 1, ~~2016~~; 2016;*  
22 *Amended Eff. February 1, 2023.*

1 21 NCAC 06F .0111 is amended without notice pursuant to G.S. 150B-21.5(a)(3) as follows:

2

3 **21 NCAC 06F .0111 COPIES OF BARBER SCHOOL RECORDS**

4 (a) Barber schools shall furnish to the Board copies of all records or reports the schools are required to keep, either  
5 by the North Carolina General Statutes or by the rules of the Board, including time sheets for instructors to verify  
6 compliance with 21 NCAC 06F .0104.

7 (b) A school shall not refuse to submit any required records or reports due to a dispute or unfulfilled obligation with  
8 a student, instructor, or third party.

9

10 *History Note: Authority G.S. ~~86A-22~~; 86B-28;*  
11 *Eff. February 1, 1976;*  
12 *Readopted Eff. February 8, 1978;*  
13 *Amended Eff. September 1, 2009; June 1, 2008; May 1, 1989;*  
14 *Readopted Eff. July 1, ~~2016~~; 2016;*  
15 *Amended Eff. February 1, 2023.*

1 21 NCAC 06F .0113 is amended without notice pursuant to G.S. 150B-21.5(a)(3) as follows:

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3 **21 NCAC 06F .0113 STUDENT PERMIT**

4 (a) The barber school shall submit an application as required by 21 NCAC 06N .0104 for a student permit to the  
5 Board at an address listed in 21 NCAC 06A .0102.

6 (b) The Board shall issue the student permit within:

7 (1) Five business days for applications submitted online; or

8 (2) Ten calendar days for applications submitted by mail or in person.

9 (c) A student cannot be enrolled in the school until the Board issues the student permit. The student shall receive no  
10 credit for training received in barber school until a student permit has been issued for the student.

11 (d) Within five business days of the date on which any student completes his or her course of study, drops out of  
12 school, or transfers to another school, the barber school shall return the student permit to the Board.

13 (e) The Board issues a student permit only for the specific application. Once a student permit is issued, the Board  
14 shall not refund the fee.

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16 *History Note: Authority G.S. ~~86A-22~~; 86B-28;*

17 *Eff. February 1, 1976;*

18 *Readopted Eff. February 8, 1978;*

19 *Amended Eff. June 1, 2008; May 1, 1989; March 1, 1983;*

20 *Readopted Eff. July 1, 2016;*

21 *Amended Eff. February 1, 2023; April 1, 2019.*



1 21 NCAC 06F .0116 is amended without notice pursuant to G.S. 150B-21.5(a)(3) as follows:

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3 **21 NCAC 06F .0116 STUDENTS WITH CRIMINAL RECORDS**

4 Prior to enrollment and the acceptance of any enrollment fee or tuition, the barber school shall notify the applicant of  
5 the statutes regarding criminal convictions in ~~G.S. 86A-18~~ G.S. 86B-25 and G.S. 93B-8.1 and have the applicant sign  
6 and date the notice indicating that the applicant has been so informed.

7

8 *History Note: Authority G.S. ~~86A-18; 86A-22; 86B-25; 86B-28; 93B-8.1;~~*

9 *Eff. February 1, 1976;*

10 *Readopted Eff. February 8, 1978;*

11 *Amended Eff. March 1, 1983;*

12 *Legislative Objection Lodged Eff. March 7, 1983;*

13 *Amended Eff. September 1, 2013; April 1, 2010; May 1, 1989;*

14 *Readopted Eff. October 1, ~~2016;~~ 2016;*

15 *Amended Eff. February 1, 2023.*

1 21 NCAC 06F .0119 is amended without notice pursuant to G.S. 150B-21.5(a)(3) as follows:

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3 **21 NCAC 06F .0119 INTRASTATE TRANSFERS**

4 Students attending barber schools that qualify under ~~Chapter 86A~~ Chapter 86B of the North Carolina General Statutes  
5 and the rules in this Subchapter may transfer from one school to another and receive credit for the attendance at each  
6 of the schools where the student was enrolled.

7

8 *History Note: Authority G.S. ~~86A-22(5)~~; 86B-28;*

9 *Eff. February 1, 1976;*

10 *Readopted Eff. February 8, 1978;*

11 *Amended Eff. May 1, 1989; March 1, 1983;*

12 *Readopted Eff. July 1, ~~2016~~; 2016;*

13 *Amended Eff. February 1, 2023.*

1 21 NCAC 06F .0122 is amended without notice pursuant to G.S. 150B-21.5(a)(3) as follows:

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3 **21 NCAC 06F .0122 UNIFORMS AND IDENTIFICATION**

4 All students shall wear a clean, washable uniform, smock, or similar professional attire along with a nametag at all  
5 times during instructional hours.

6

7 *History Note: Authority G.S. ~~86A-22~~; 86B-28;*

8 *Eff. September 1, 2009;*

9 *Readopted Eff. July 1, ~~2016~~; 2016;*

10 *Amended Eff. February 1, 2023.*

1 21 NCAC 06F .0123 is amended without notice pursuant to G.S. 150B-21.5(a)(3) and (5) as follows:

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3 **21 NCAC 06F .0123 RECORDS OF STUDENT HOURS**

4 Each student shall use an electronic means to record instructional hours pursuant to Rule .0124 of this Section. The  
5 school shall maintain student time data for one year following the individual student's graduation, transfer to another  
6 school, or termination of enrollment. Individual student time data shall be available for review by the Board.

7

8 *History Note: Authority G.S. ~~86A-22~~; 86B-28;*

9 *Eff. September 1, 2009;*

10 *Readopted Eff. July 1, ~~2016~~; 2016;*

11 *Amended Eff. February 1, 2023.*

1 21 NCAC 06F .0124 is amended without notice pursuant to G.S. 150B-21.5(a)(3) as follows:

2

3 **21 NCAC 06F .0124 STUDENT HOURS**

4 (a) No student shall be given credit for more than eight total hours during any instruction day.

5 (b) Students shall record their start time by electronic means upon entering the school for practical or theory hours.

6 Students shall not record any period of break from instruction, even if remaining on school premises.

7 (c) In meeting the minimum course work and designated barber school curricula required by Rule .0120 of this

8 Section, no student shall be given credit for more than eight hours per month and 40 hours for the duration of

9 enrollment in the school that were obtained by instruction or demonstration off school premises or from a field trip,

10 except for hours received through online classes allowed under Rule .0120 of this Subchapter.

11

12 *History Note: Authority G.S. ~~86A-22~~; 86B-28;*

13 *Eff. September 1, 2009;*

14 *Readopted Eff. July 1, 2016;*

15 *Amended Eff. February 1, 2023; April 1, 2021.*

1 21 NCAC 06F .0125 is amended without notice pursuant to G.S. 150B-21.5(a)(3) as follows:

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3 **21 NCAC 06F .0125 SCHOOL HANDBOOKS AND ENROLLMENT AGREEMENTS**

4 (a) Every school shall provide a school handbook to its students upon enrollment containing the enrollment agreement,  
5 tuition fee schedule, any monetary penalties and fees, reimbursement policies, school rules and regulations, tardiness  
6 and absenteeism policies, a syllabus or list of the school curricula containing the minimum hours for each subject  
7 matter to be taught in accordance with Rule .0120 of this Section, and the grading system for said curricula.

8 (b) A copy of the school handbook shall be submitted to the Board. An updated copy of the handbook shall be re-  
9 submitted to the Board following any amendment or revision.

10

11 *History Note: Authority G.S. ~~86A-22~~; 86B-28;*

12 *Eff. September 1, 2009;*

13 *Readopted Eff. July 1, ~~2016~~; 2016;*

14 *Amended Eff. February 1, 2023.*

1 21 NCAC 06F .0126 is amended without notice pursuant to G.S. 150B-21.5(a)(2) and (3) as follows:

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3 **21 NCAC 06F .0126 EXTENDED EDUCATION**

4 For the purposes of this Rule, "extended education" is additional coursework beyond the 1,528 hours required to  
5 complete barber school, or to initially obtain a license from the North Carolina Board of Barber and Electrolysis  
6 Examiners.

7 (1) When a barber school wishes to provide extended education, the school shall:

8 (a) Submit a proposed curriculum or syllabus that:

9 (i) describes the purpose of the instruction;

10 (ii) indicates how many students are expected to participate in the instruction;

11 (iii) states where the instruction would be provided; and

12 (iv) states how many hours of instruction are required or will be provided in the course  
13 of instruction;

14 (b) Identify the instructors providing the instruction; and

15 (c) Submit samples of the advertising or promotion for the program.

16 (2) After the instruction has been approved, the barber school shall notify the Board if there are any  
17 changes to the instruction, including suspension or discontinuation the class.

18 (3) Upon approval, the course offering shall be subject to review of the barber school by the Board  
19 inspector. The inspector shall evaluate:

20 (a) Whether the school maintains accurate records as to the individuals in the class and the  
21 number of hours in the class;

22 (b) The presentation of the class;

23 (c) Whether the class is offered in classrooms for practical and academic instruction that meet  
24 the requirements of Rule .0101 of this Section; and

25 (d) Whether the class complies with the requirements of other barber school instruction.

26

27 *History Note: Authority G.S. ~~86A-1; 86A-22; 86B-11; 86B-28;~~*

28 *Eff. July 1, ~~2016.~~ 2016;*

29 *Amended Eff. February 1, 2023.*

1 21 NCAC 06F .0127 is amended without notice pursuant to G.S. 150B-21.5(a)(3) as follows:

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3 **21 NCAC 06F .0127 STATE AUTHORIZATION AS A POSTSECONDARY INSTITUTION**

4 (a) If a barber school seeks to be authorized by the Board as a postsecondary educational institution as set forth in 34  
5 C.F.R. 600.9:

6 (1) the school handbooks and enrollment agreements required by 21 NCAC 06F .0125 shall require  
7 prospective students to have a high school diploma or equivalent; and

8 (2) the school shall submit a copy of the student's high school diploma or equivalency documentation  
9 with each Form BAR-3 required by 21 NCAC 06N .0104 as set forth in 21 NCAC 06F .0113.

10 (b) If a barber school meets the requirements set forth in Paragraph (a) of this Rule, the Board shall include the phrase  
11 "Postsecondary Institution" on the barber school permit issued under ~~G.S. 86A-13~~, G.S. 86B-19. If the school already  
12 holds a school permit issued by the Board, the Board shall issue the permit with the phrase "Postsecondary Institution"  
13 at no additional cost, and the school shall relinquish the permit without the phrase to the Board.

14 (c) The Board shall determine that a school no longer complies with Paragraph (a) based on an inspection or  
15 investigation, notification to the Board by the school, or a failure by the school to comply with Paragraph (a)(2) of  
16 this Rule. If the Board makes this determination:

17 (1) the Board shall issue at no charge a duplicate copy of the permit without the phrase "Postsecondary  
18 Institution";

19 (2) the school shall relinquish to the Board the permit with the phrase "Postsecondary Institution"; and

20 (3) the Board shall notify the federal Department of Education of the school's change in postsecondary  
21 status.

22 (d) This Rule shall not be construed to authorize the Board to delay issuing a permit without the phrase "Postsecondary  
23 Institution" to a school that otherwise meets the requirements of the North Carolina General Statutes and the rules of  
24 the Board.

25  
26 *History Note: Authority G.S. ~~86A-13; 86A-22; 86B-19; 86B-28~~; 20 U.S.C. 1001; 20 U.S.C. 1002; 34 C.F.R. 600.9;*  
27 *Eff. January 1, 2017;*  
28 *Amended Eff. February 1, 2023; April 1, 2019.*



1 21 NCAC 06F .0128 is amended without notice pursuant to G.S. 150B-21.5(a)(3) as follows:

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3 **21 NCAC 06F .0128 WAIVER OF REQUIREMENTS DURING DISASTER OR EMERGENCY**

4 (a) If the Governor declares a state of emergency, the following exceptions shall apply to barber schools and students:

- 5 (1) Schools shall maintain a monthly record of the subject matter taught to the student in theory classes,  
6 the requirement in Rule .0110(4) of this Subchapter for a weekly record notwithstanding.
- 7 (2) Schools shall provide to the Board the list of students required by ~~G.S. 86A-22(5)~~ G.S. 86B-28(5)  
8 by the last day of each month, the requirement in Rule .0110(6) of this Subchapter for schools to  
9 submit the list by the 15th of each month notwithstanding.
- 10 (3) Within 60 days of the date on which any student completes his or her course of study, drops out of  
11 school, or transfers to another school, the barber school shall return the student permit to the Board,  
12 the requirement in Rule .0113(d) of this Subchapter to return the student permit within five business  
13 days notwithstanding.
- 14 (4) Students shall not be required to meet the requirements in Rule .0122 of this Subchapter if the  
15 students are attending online classes.
- 16 (5) No student shall be given credit for more than 10 total hours during any instruction day, the  
17 restriction to eight hours in Rule .0124(a) of this Subchapter notwithstanding.
- 18 (6) The restrictions on off-campus hours in Rule .0124(c) of this Subchapter shall not apply to hours  
19 that students receive during a state of emergency.
- 20 (7) Schools shall not be required to revise the handbooks required by Rule .0125 of this Subchapter to  
21 reflect the exceptions listed in this Rule.

22 (b) The exceptions in this Rule shall only apply through the duration of the state of emergency.

23  
24 *History Note: Authority G.S. ~~86A-22~~; 86B-28;*  
25 *Emergency Adoption Eff. March 27, 2020;*  
26 *Temporary Adoption Eff. June 1, 2020;*  
27 *Eff. February 1, ~~2021~~; 2021;*  
28 *Amended Eff. February 1, 2023.*

1 21 NCAC 06J .0108 is amended without notice pursuant to G.S. 150B-21.5(a)(3) as follows:

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3 **21 NCAC 06J .0108 EXAMINATION**

4 If any applicant to be licensed as an apprentice barber fails either the written or practical portion of the examination,  
5 he or she shall take and pass the failed portion within six months of the notification of failure. If the failed portion is  
6 not passed within six months of the notification of failure, the applicant shall take both portions of the examination  
7 again.

8

9

10 *History Note: Authority ~~G.S. 86A-24~~; G.S. 86B-30;*

11 *Eff. March 1, 1983;*

12 *Amended Eff. May 1, 1989;*

13 *Readopted Eff. July 1, ~~2016~~. 2016;*

14 *Amended Eff. February 1, 2023.*

1 21 NCAC 06J .0109 is amended without notice pursuant to G.S. 150-21.5(a)(3) as follows:

2

3 **21 NCAC 06J .0109 IDENTIFICATION**

4 All apprentice barbers and student barbers with temporary permits shall maintain their license as defined in 21 NCAC  
5 06P .0103(7) in their possession at all times while performing barbering services. The individual shall produce the  
6 identification to the Board's Executive Director or inspector upon request.

7

8 *History Note: Authority G.S. ~~86A-1; 86A-10; 86B-11; 86B-16;~~*

9 *Eff. June 1, 2008;*

10 *Readopted Eff. July 1, ~~2016;~~ 2016;*

11 *Amended Eff. February 1, 2023.*

1 21 NCAC 06N .0104 is amended without notice pursuant to G.S. 150B-21.5(a)(3) and (4) as follows:

2

3 **21 NCAC 06N .0104 FORM BAR-3**

4 (a) The Form BAR-3 shall be filed for permission to enroll in barber school. It requires the following:

5 (1) the name, address, social security number, and birth date of the applicant;

6 (2) the applicant's prior barber school attendance, if any;

7 (3) the name of the school enrolled;

8 (4) the date of enrollment; and

9 (5) the school manager's attestation that the information in the form is correct.

10 (b) The fee in ~~21 NCAC 06N .0101(a)(12)~~ Rule .0101(a)(14) of this Subchapter shall accompany this form.

11

12 *History Note: Authority G.S. ~~86A-18; 86A-22; 86A-25; 86B-28; 86B-31; 93B-14;~~*

13 *Eff. February 1, 1976;*

14 *Readopted Eff. February 8, 1978;*

15 *Amended Eff. March 1, 1983;*

16 *Legislative Objection Lodged Eff. March 7, 1983;*

17 *Curative Amended Eff. April 6, 1983;*

18 *Amended Eff. September 1, 2013; May 1, 1989;*

19 *Readopted Eff. October 1, 2016;*

20 *Amended Eff. February 1, 2023; October 1, 2020.*

1 21 NCAC 06N .0111 is amended without notice pursuant to G.S. 150B-21.5(a)(3) as follows:

2

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;
- 8 (3) the month and year for which the report is filed;
- 9 (4) the dates and hours of the student's absences;
- 10 (5) the dates and hours of the student's attendance;
- 11 (6) the number of patrons served for clinical services; and
- 12 (7) the subject matter covered in practical and theory courses.

13 (b) The Form BAR-10 shall be submitted to the Board over the signature of the manager of the school and co-signed  
14 by the student.

15 (c) If a student completes his or her course of study, drops out of school, or transfers to another school, the barber  
16 school shall return the Form BAR-10 to the Board:

- 17 (1) within five business days; or
- 18 (2) within 30 days if the student's enrollment ends during the effective period of a state of emergency  
19 declared by the Governor.

20

21 *History Note: Authority G.S. ~~86A-22~~; 86B-28;*  
22 *Eff. May 1, 1989;*  
23 *Readopted Eff. July 1, 2016;*  
24 *Emergency Adoption Eff. March 27, 2020;*  
25 *Temporary Adoption Eff. June 1, 2020;*  
26 *Amended Eff. February 1, 2023; February 1, 2021.*

1 21 NCAC 06N .0113 is amended without notice pursuant to G.S. 150B-21.5(a)(3) and (4) as follows:  
2

3 **21 NCAC 06N .0113 FORM BAR-12**

4 (a) The Form BAR-12 shall be filed by an individual who has practiced as a barber pursuant to Rule ~~21 NCAC 06K~~  
5 ~~.0113. 06K .0113~~ of this Chapter. It requires the following:

- 6 (1) the name, address, social security number, and birthdate of the applicant; and  
7 (2) copies of the military service records showing that the applicant's spouse is serving in the military,  
8 along with evidence of the marriage, such as a copy of the marriage license.

9 (b) The applicant shall submit with the Form BAR-12 a certification letter from the applicant's out-of-state agency of  
10 the applicant's licensure.

11 (c) The Form BAR-12 shall include the applicant's attestation that the information in the form is correct.  
12

13 *History Note: Authority G.S. ~~86A-1; 86A-25; 86B-11~~; 93B-14; 93B-15.1;*

14 *Eff. April 1, 2017;*

15 *Amended Eff. February 1, 2023; October 1, 2020.*

1 21 NCAC 06O .0101 is amended without notice pursuant to G.S. 150B-21.5(a)(3) as follows:

2

3 **21 NCAC 06O .0101 SCHEDULE OF PENALTIES**

4 The rules in this Subchapter establish the schedule of civil penalties required by ~~G.S. 86A-27(e)~~, G.S. 86B-10(c). The  
5 amounts stated are the presumptive amounts that may be modified in accordance with ~~G.S. 86A-27(b)~~, G.S. 86B-  
6 10(b).

7

8 *History Note: Authority G.S. ~~86A-5(a)(6)~~; ~~86A-27~~; 86B-10;*

9 *Eff. April 1, 2005;*

10 *Readopted Eff. July 1, ~~2016~~; 2016;*

11 *Amended Eff. February 1, 2023.*

1 21 NCAC 06O .0103 is amended without notice pursuant to G.S. 150B-21.5(a)(3) as follows:

2

3 **21 NCAC 06O .0103 LICENSING OF BARBER SCHOOLS**

4 (a) The presumptive civil penalty for operating a barber school without first filing an application for a barber school  
5 license, obtaining an inspection, and obtaining a school permit:

6 (1) 1st offense \$200.00

7 (2) 2nd offense \$300.00

8 (3) 3rd offense \$500.00

9 (b) The presumptive civil penalty for operating a barber school with an expired permit:

10 (1) 1st offense \$150.00

11 (2) 2nd offense \$300.00

12 (3) 3rd offense \$500.00

13

14 *History Note: Authority G.S. ~~86A-1; 86A-5(a)(6); 86A-27; 86B-10; 86B-11;~~*

15 *Eff. April 1, 2005;*

16 *Readopted Eff. July 1, ~~2016; 2016;~~*

17 *Amended Eff. February 1, 2023.*



1 21 NCAC 06O .0107 is amended without notice pursuant to G.S. 150B-21.5(a)(3) as follows:

2

3 **21 NCAC 06O .0107 FRAUDULENT MISREPRESENTATIONS OR SUBMISSION OF FRAUDULENT**  
4 **DOCUMENT**

5 The presumptive civil penalty for barbering or attempting to barber by fraudulent misrepresentations or the submission  
6 of fraudulent or false documents in connection with licensing or an application for license as prohibited by ~~G.S. 86A-~~  
7 ~~20~~; G.S. 86B-27: 1st offense \$500.00.

8

9 *History Note: Authority G.S. ~~86A-1; 86A-5(a)(6); 86A-20(2); 86A-20(3); 86A-27; 86B-10; 86B-11; 86B-27;~~*

10 *Eff. April 1, 2005;*

11 *Readopted Eff. July 1, 2016. 2016;*

12 *Amended Eff. February 1, 2023.*

1 21 NCAC 06O .0111 is amended without notice pursuant to G.S. 150B-21.5(a)(3) as follows:

2

3 **21 NCAC 06O .0111 SCHOOL INSTRUCTORS**

4 The presumptive civil penalty for a school failing to provide sufficient instructors to meet the student-teacher ratios  
5 set forth in ~~G.S. 86A-22(2)~~; G.S. 86B-28(2):

6 (1) 1st offense \$150.00

7 (2) 2nd offense \$300.00

8 (3) 3rd offense \$500.00

9

10 *History Note:* ~~Authority G.S. 86A-5(a)(6); 86A-22(2); 86A-27; 86B-10; 86B-28;~~

11 *Eff. April 1, 2005;*

12 *Readopted Eff. July 1, ~~2016~~. 2016;*

13 *Amended Eff. February 1, 2023.*

1 21 NCAC 06O .0115 is amended without notice pursuant to G.S. 150B-21.5(a)(3) as follows:

2

3 **21 NCAC 06O .0115 SCHOOL FAILING TO MAINTAIN, FALSIFYING, OR FAILING TO SUBMIT**  
4 **RECORDS**

5 (a) The presumptive civil penalty for a barber school failing to maintain records:

6 (1) 1st offense \$200.00

7 (2) 2nd offense \$250.00

8 (3) 3rd offense \$500.00

9 (b) The presumptive civil penalty for a barber school falsifying records:

10 (1) 1st offense \$250.00

11 (2) 2nd offense \$400.00

12 (3) 3rd offense \$500.00

13 (c) The presumptive civil penalty for a barber school failing to submit required records:

14 (1) 1st offense \$200.00

15 (2) 2nd offense \$350.00

16 (3) 3rd offense \$500.00

17

18 *History Note: Authority G.S. ~~86A-22; 86A-27; 86B-10; 86B-28;~~*

19 *Eff. June 1, 2008;*

20 *Amended Eff. September 1, 2009;*

21 *Readopted Eff. July 1, ~~2016; 2016;~~*

22 *Amended Eff. February 1, 2023.*

1 21 NCAC 06O .0118 is amended without notice pursuant to G.S. 150B-21.5(a)(3) as follows:

2

3 **21 NCAC 06O .0118 UNLICENSED BARBER STUDENT**

4 (a) The presumptive civil penalty for a barber school allowing an individual to receive barber instruction without a  
5 barber student permit:

6 (1) 1st offense \$200.00

7 (2) 2nd offense \$300.00

8 (3) 3rd offense \$500.00

9 (b) The presumptive civil penalty for an individual engaging as a barber student without a barber student permit:

10 (1) 1st offense \$200.00

11 (2) 2nd offense \$300.00

12 (3) 3rd offense \$500.00

13

14 *History Note: Authority G.S. ~~86A-1; 86A-22; 86A-27; 86B-10; 86B-11; 86B-28;~~*

15 *Eff. July 1, ~~2016.~~ 2016;*

16 *Amended Eff. February 1, 2023.*

1 21 NCAC 06P .0101 is amended without notice pursuant to G.S. 150B-21.5(a)(3) as follows:

2

3 **21 NCAC 06P .0101 BARBERING**

4 Unless specifically exempted by ~~G.S. 86A-14~~, G.S. 86B-22, "the practice of barbering" or "barbering services" means  
5 any one or more of the activities defined in ~~G.S. 86A-2~~ G.S. 86B-12 when performed upon a member of the public.

6

7 *History Note: Authority G.S. ~~86A-2~~; 86B-12;*

8 *Eff. June 1, 2008;*

9 *Readopted Eff. July 1, ~~2016~~; 2016;*

10 *Amended Eff. February 1, 2023.*