

**CHAPTER 2640**  
**DEPARTMENT OF COMMERCE**  
**BOARD OF COSMETOLOGY**

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**2640.0100 DEFINITIONS.**

Subpart 1. **Scope.** For the purposes of parts 2640.0100 to 2640.9200, the terms defined in this part have the meanings given them, unless their context clearly requires otherwise.

Subp. 2. **Accommodate.** "Accommodate" or "to be accommodated" means the maximum number of students present on the school premises at any one time and for which the school has the required physical and program resources. In most cases this will be the maximum number of day student enrollees.

Subp. 3. **Advanced training.** "Advanced training" means instruction conducted by a recognized expert in the field, offered to licensed individuals for the purpose of providing information or skills supplemental to that required for initial licensure.

Subp. 4. **Advertising.** "Advertising" means any written or graphic representation designed to elicit enrollment or the sale of goods or services and includes signs, displays, circulars, brochures, and recruitment materials.

Subp. 5. **Application of artificial nails.** "Application of artificial nails" includes the application, construction, and repair of sculptured nails, of nail tips, and nail wrapping.

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Subp. 6. **Beauty coloring product.** "Beauty coloring product" means foundation color, skin tints, eye color, mascara, eye liner, eyebrow color, and lip color.

Subp. 7. **Booth license.** A "booth license" is an authorization to lease and independently operate a work station in a licensed salon.

Subp. 8. **Clean.** "Clean" means free from all soil and dirt, washed with soap or detergent and hot water.

Subp. 9. **Clinic.** "Clinic" means the portion of a cosmetology school where cosmetology services are offered to the public and which are performed by students and for which compensation is given.

Subp. 10. **Communicable disease.** "Communicable disease" means a contagious or infectious disease or condition.

Subp. 11. **Community education.** "Community education" means a program of personal grooming, taught by a licensed cosmetologist, manicurist, or esthetician of less than ten hours duration, offered on a periodic basis.

Subp. 12. **Compensation.** "Compensation" means a monetary or nonmonetary remuneration for services.

Subp. 13. **Demonstration.** "Demonstration" means a presentation of less than eight hours duration, conducted by a recognized expert in the field, for the purposes of training cosmetology students or specialization by current licensees. The same demonstration may be repeated successive times that total more than eight hours. Demonstrations pursuant to nonretail sales are exempt from these rules.

Subp. 14. **Documentation.** "Documentation" means a signed, notarized statement attesting the truth of the facts stated in it.

Subp. 15. **Evidence.** "Evidence" means written proof.

Subp. 16. **Good repair.** "Good repair" means that a thing is clean, with no holes, frayed wires, or tears in coverings, and fully operational for the purpose intended.

Subp. 17. **Licensed services.** "Licensed services" means those services defined as the practice of cosmetology under Minnesota Statutes, section 155A.03, subdivision 2 and includes the fitting of wigs and hair pieces on the head and the dressing of wigs and hair pieces while on the head.

Subp. 18. **Office.** "Office" means the Office of Consumer Services.

Subp. 19. **Retail sale.** "Retail sale" means a sale directly to unlicensed individuals.

Subp. 20. **Staff.** "Staff" means the personnel of the cosmetology unit, Office of Consumer Services.

Subp. 21. **Unregulated service.** "Unregulated service" means those services not defined as the practice of cosmetology under Minnesota Statutes, section 155A.03, subdivision 2 and includes ear piercing, body wrapping, permanent depilation, tattooing, artificial tanning of the skin; personal services incidental to performance in theatrical or musical productions or media appearances; any personal services performed incidental to mortuary practice; and massage services.

Subp. 22. **Wet disinfectant.** "Wet disinfectant" means a nonporous receptacle containing a disinfectant solution.

**Statutory Authority:** *MS s 155A.05*

**UNREGULATED SERVICES, ADVERTISING, AND INSPECTIONS****2640.0500 UNREGULATED SERVICES.**

Subpart 1. **Disclosure.** All services not licensed as the practice of cosmetology offered within a salon or school clinic shall be clearly identified as "unregulated services" and listed on a sign conspicuously posted in the reception area. The sign shall contain lettering at least two inches high and shall state: "Unregulated services. The following services offered by (salon or school name) are not regulated by the state of Minnesota:

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_"

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

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

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

**Statutory Authority:** *MS s 155A.05*

**2640.0600 ADVERTISING.**

The following provisions govern all advertising relating to the education, licensing, or practice of cosmetology:

A. All advertising shall comply with Minnesota Statutes, sections 325F.67 to 325F.70 and related rules.

B. No advertisement shall state or imply favorable consideration by the Office of Consumer Services other than to state that the salon or school is licensed by the office.

C. Any advertisement that a salon or school is licensed by the state of Minnesota shall specify the type of license held and the license number.

D. No salon or school advertisement stating licensure by the state of Minnesota shall include reference to any unregulated services.

E. A school advertisement of cosmetology services shall clearly and conspicuously state that all services are performed by students, in boldface type of the same size as the most-used type size in the ad.

F. No school may advertise that its students will earn a commission, salary, or pay of any kind, other than gratuities, on cosmetology services performed in the school clinic.

**Statutory Authority:** *MS s 155A.05*

**2640.0700 INSPECTIONS.**

Subpart 1. **Office staff to conduct.** Salons and schools shall be inspected by the office staff. Advance notice of inspections shall not be given.

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

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

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

Subp. 3. **Business hours and location.** Each salon owner shall provide the office with an accurate schedule of the hours that the salon is open for business. If the salon is open by appointment only, the salon owner shall designate

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one-half day a month when he or she shall be available at the salon for inspection of the salon.

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

Subp. 4. **Cost and frequency of inspections.** Each cosmetology salon and school shall be inspected annually. Additional inspections may be made as necessary to confirm correction of previous noncompliance. The cost of the annual inspection shall be included in the licensing fee. The cost of additional inspections to confirm correction of previous noncompliance shall be assessed to the school.

Subp. 5. **Results.** Inspectors shall discuss the results of the inspection at its conclusion, in private, with the salon or school owner, manager, or a responsible person so designated in writing by the manager. A written report shall also be given or sent to the manager.

Subp. 6. **Posting reports.** The most recent inspection report shall be posted in the dispensary area. A five inch by seven inch notice shall be posted in the reception area stating in boldface letters: "THIS (SALON OR SCHOOL) HAS BEEN LICENSED AND INSPECTED BY THE STATE OF MINNESOTA. A COPY OF THE MOST RECENT INSPECTION REPORT IS AVAILABLE FOR YOUR REVIEW UPON REQUEST."

**Statutory Authority:** *MS s 155A.05*

**2640.1100 EXAMINATION ADMINISTRATION.**

Subpart 1. **Schedules and sites.** Examination schedules and sites shall be determined by the office.

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

Subp. 3. **Instructor examination.** Instructor examination:

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

B. Each examinee is responsible for providing his or her own model for the practical examination and shall be responsible for insuring the suitability of that model for the examination. Models shall be over 16 years of age and shall be required to sign a waiver releasing the office, the examiners, the host school, and the examinee of all professional liability. The model shall not be a licensed cosmetologist or a cosmetology student.

Subp. 4. **Reexam limit.** No license applicant may take an exam more than three times in 12 months. No passing score shall be considered valid for more than 12 months.

Subp. 5. **Exam administered in English.** Examinations shall be administered and conducted in English without an interpreter or reader.

**Statutory Authority:** *MS s 155A.05*

**2640.1200 APPLICANTS FOR INDIVIDUAL LICENSE.**

Applications for licensure shall be made in writing and contain the requirements of items B to F.

A. The applicant shall provide evidence of completion of high school or a general educational development certificate.

B. The applicant shall provide written evidence on a standardized form, from a physician, dated within one year, that he or she is free from all communicable diseases and parasites.

C. The applicant shall demonstrate by examination minimal skills and knowledge necessary for the license sought. The applicant shall successfully

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complete a written examination demonstrating knowledge of professional, health, and safety methods and procedures and knowledge of Minnesota Statutes and rules pertinent to the practice of cosmetology at the level of the license sought.

D. The applicant shall attach to the application a two-inch by two-inch photograph taken within the past year.

E. The applicant shall pay the required examination and license fees. Applicants whose professional training is documented under the provisions of parts 2640.1300, items B and C, and 2640.1600 shall also pay the processing fee.

**Statutory Authority:** *MS s 155A.05*

### **2640.1300 COSMETOLOGISTS, MANICURISTS, AND ESTHETICIANS.**

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

A. successful completion of a full course of training in a Minnesota licensed school of cosmetology, as indicated by documentation from the school, of at least 1,550 hours for a cosmetologist, 350 hours for a manicurist, and 600 hours for an esthetician. The documentation shall include a certification of skills; or

B. successful completion, as documented by the school and including a certification of skills, of a full course of training of at least the same number of hours in a state other than Minnesota. If an applicant has received training in another state, but has not completed that state's prescribed course of training, or if that course is less than the number of hours required by this rule, completion of training and certification of skills in a Minnesota school shall be attained. The applicant shall receive credit for all hours of training earned in the non-Minnesota school. He or she shall then attend a Minnesota school until the required number of hours has been completed; or

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

**Statutory Authority:** *MS s 155A.05*

### **2640.1400 MANAGERS.**

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

**Statutory Authority:** *MS s 155A.05*

### **2640.1500 INSTRUCTORS.**

Subpart 1. **Full instructors.** In addition to the requirements of part 2640.1200, the applicant shall pay a processing fee and shall successfully complete a practical examination demonstrating teaching skills and techniques as related to the instruction of cosmetology practices and provide documentation of:

A. successful graduation from a licensed school of cosmetology;

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B. successful completion of at least 48 hours of training in a program or programs approved by the office and which will provide the knowledge and skills necessary to instruct in the field of cosmetology;

C. a current cosmetologist, manicurist, or esthetician license; and

D. at least 1,800 hours of experience as a licensed cosmetologist, manicurist, or esthetician in a licensed salon, supervised by a licensed manager, within the three years prior to this application.

Subp. 2. **Manicurist and esthetician instructors.** Individuals whose practitioner license is as manicurist or esthetician shall be restricted to instruction in the area of their practitioner license only.

**Statutory Authority:** *MS s 155A.05*

**2640.1600 REACTIVATION OF LICENSE.**

An individual who has an "inactive" Minnesota license and/or whose most recent active license has expired by more than three years who wishes to resume the practice of cosmetology shall document completion of a refresher program of a minimum of 155 hours for a cosmetologist, 60 hours for an esthetician, or 35 hours for a manicurist in a licensed school of cosmetology. The documentation shall include a certification of skills.

**Statutory Authority:** *MS s 155A.05*

**2640.1700 LICENSE RECIPROCITY WITH OTHER JURISDICTIONS.**

Subpart 1. **License issued.** A license shall be issued to an individual applying from another jurisdiction if the requirements of subparts 2 to 4 are met.

Subp. 2. **Compliance with state rules.** The applicant shall demonstrate compliance with part 2640.1200, items A, B, D, and E, and shall successfully complete a written examination demonstrating knowledge of Minnesota Statutes and rules pertinent to the practice of cosmetology at the level of the license sought.

Subp. 3. **Evidence of experience.** The applicant shall provide documentation of at least 1,800 hours of experience as a licensed practitioner at the level for which a Minnesota license is sought within three years prior to the application. The documentation must be from an employer or, in the case of self-employed applicants, from a reliable source.

Subp. 4. **Specific requirements for instructor.** An applicant for an instructor's license shall provide evidence of 48 hours of training comparable to the requirement of part 2640.1500, item B, and 1,800 hours of licensed or lawful practice as a cosmetologist, manicurist, or esthetician in a salon within the three years prior to application.

**Statutory Authority:** *MS s 155A.05*

**2640.1800 MAINTAINING INDIVIDUAL LICENSES.**

Subpart 1. **Compliance with applicable law.** The licensee shall continuously comply with all applicable provisions of Minnesota Statutes and rules.

Subp. 2. **Health.** The licensee shall continue to be free from communicable diseases and parasites.

Subp. 3. **Change of name or address.** The licensee shall advise the office of a change of name or address in writing, including both new and old name and address, within 30 days of the change, and pay the duplicate license fee.

Subp. 4. **Renewal.** The licensee shall renew the license as required by part 2640.1900 prior to its expiration date.

Subp. 5. **Display of license.** The licensee shall post his or her license as required by part 2640.3900, item Y.

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Subp. 6. **Additional requirements for manager.** In addition to the requirements of subparts 1 to 5, the manager shall ensure that all salon or school personnel comply with all applicable statutes and rules, and that the salon or school which he or she manages is in compliance with all applicable statutes and rules.

Subp. 7. **Additional requirements for instructor.** In addition to the requirements of subparts 1 to 5, the instructor shall carry out the curriculum of the school, as approved by the office, preparing students for licensure under the laws of Minnesota.

**Statutory Authority:** *MS s 155A.05*

## **2640.1900 LICENSE RENEWAL FOR INDIVIDUALS.**

Subpart 1. **Application.** The licensee shall submit a written renewal application request before his or her current license expires. This may be accomplished on the license renewal notice form provided by the office. However, if this renewal notice is not received, the licensee is still responsible for timely renewal.

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

A. A cosmetologist, manicurist, esthetician, or manager shall provide documentation of having practiced in a licensed salon, or school for school managers, for at least 1800 hours at any time within the three years prior to the license expiration, or 400 hours acquired through approximately regular weekly experience within each of the last three years, or successfully completed an approved refresher course, of at least 40 hours, within the three years prior to the license expiration.

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

Subp. 3. **Fee.** The licensee shall pay the required license fee before the expiration of the current license.

Subp. 4. **Method of determining timely renewal.** The postmark date on the transmittal envelope of the renewal request and fee shall be determinative in ascertaining whether receipt was prior to the current license expiration date.

Subp. 5. **Inactive license.** An applicant who has ceased all practice of cosmetology and who wishes to receive an inactive license shall meet the requirements of subparts 1, 3, and 4. An inactive license shall not authorize any individual to engage in the practice of cosmetology as defined in Minnesota Statutes, section 155A.03, subdivision 2.

**Statutory Authority:** *MS s 155A.05*

## **2640.2000 LAPSED PRACTITIONER LICENSE.**

Subpart 1. **Failure to renew.** Failure to renew a practitioner license prior to its expiration date results in a lapsed license. The applicant shall comply with the requirements of part 2640.1900, subpart 2 and:

A. if fewer than 30 days have elapsed since the license expiration, the applicant shall submit a written application for renewal of license, the license fee, and the late penalty;

B. if more than 30 days have elapsed, the individual shall not practice cosmetology until he or she has applied for and received a new license in accordance with the provisions of parts 2640.1200, items B to E and, if applicable, 2640.1600.

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Subp. 2. **Procedure for inactive licensee.** If a licensee has not actively practiced cosmetology during the period of 30 days to three years after expiration of the license, he or she shall be reissued a license after submission of an affidavit attesting to the fact that the applicant has not practiced cosmetology since the expiration date, payment of the license fee, and payment of the processing fee. If more than three years have elapsed, the applicant shall apply for a new license in accordance with the provisions of parts 2640.1200 to 2640.1600.

Subp. 3. **Penalty.** The manager of a salon or school shall pay a penalty of \$25 for each individual practicing in the salon or school who was not properly licensed at the time he or she commenced this practice.

**Statutory Authority:** *MS s 155A.05*

### 2640.2100 REINSTATEMENT AFTER DENIAL, SUSPENSION, OR REVOCATION.

An applicant shall have a license reinstated for the remainder of its unexpired term or shall be relicensed in the following circumstances:

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

- (1) the applicant shall provide documentation of the correction or elimination of the grounds for the suspension;
- (2) the applicant shall make application for reinstatement of license, in writing and on forms supplied by the office;
- (3) the applicant shall pay the reinstatement fee;
- (4) if the suspended license has expired by no more than 30 days, an individual applicant shall comply with part 2640.1900, subparts 2 and 3; a salon shall comply with part 2640.3400; and a school shall comply with part 2640.5400;

B. after revocation or if the suspended license has expired by more than 30 days, by meeting the following requirements:

- (1) the applicant shall provide documentation of the correction or elimination of the grounds for the revocation;
- (2) the applicant shall make application for relicensure, in writing and on forms provided by the office;
- (3) the applicant shall pay the reinstatement fee and the license fee;
- (4) the salon or school applicant shall meet the requirements for initial licensure; and
- (5) the individual applicant shall meet the requirements of part 2640.1600, items C to F and, if applicable, part 2640.1600, and the renewal requirements of part 2640.1900, subpart 2.

**Statutory Authority:** *MS s 155A.05*

### 2640.2200 TRANSFER OF LICENSE PROHIBITED.

Licenses shall not be transferable and shall be used only by the named licensee.

**Statutory Authority:** *MS s 155A.05*

### 2640.3100 SCOPE OF RULES.

The provisions of parts 2640.3100 to 2640.4100 apply to both cosmetology and manicure salons, except for parts 2640.3700, subpart 5, item B, 2640.3800, items B and C, and 2640.3900, items A to C and G, which do not apply to manicure salons.

**Statutory Authority:** *MS s 155A.05*



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## 2640.3200 SALON LICENSURE.

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

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

A. the name of the salon, its address, and names and addresses of all owners of sole proprietorships or partnerships and controlling officers of corporations;

B. notarized signatures of the owners of sole proprietorships or partnerships and the controlling officers of corporations;

C. the days of the week and the hours which the salon will be open;

D. evidence of the salon's compliance with local zoning requirements and the rules of the Minnesota Department of Health, State Building Code and Standards, and the State Fire Marshall;

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

F. a floor plan of the salon, drawn to scale on 8-1/2 inches x 11 inches or 8-1/2 inches x 14 inches paper, providing the dimensions of the salon as a whole and designating the size and location of all entrances and exits, and indicating the location and dimensions of all required areas, facilities, and equipment.

Subp. 3. **Evidence of liability insurance.** The applicant shall provide evidence of the salon's coverage by professional liability insurance, of at least \$25,000 for each claim and \$50,000 total coverage for each policy year for each operator.

Subp. 4. **Evidence of workers' compensation insurance.** If applicable, the applicant shall provide evidence of his or her compliance with Minnesota Statutes, section 176.182.

Subp. 5. **Payment of fee.** The applicant shall pay the license and processing fees.

**Statutory Authority:** *MS s 155A.05*

## 2640.3300 MAINTAINING A SALON OR BOOTH LICENSE.

The following requirements shall be met by all salons and booths:

A. The licensee shall continuously comply with all applicable provisions of Minnesota Statutes and rules.

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

C. The licensee shall renew the license prior to its expiration date.

D. The licensee shall display the required documents.

**Statutory Authority:** *MS s 155A.05*

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**2640.3400 SALON LICENSE RENEWAL.**

Subpart 1. **Requirements.** The requirements of subparts 2 to 7 shall be met in order to renew a license.

Subp. 2. **Request for renewal.** The licensee shall be responsible for requesting renewal of his or her salon license, in writing, before the license expires. This may be accomplished on the license renewal notice form provided by the office. However, if this renewal notice is not received, responsibility for proper and timely renewal remains with the licensee.

Subp. 3. **Liability insurance coverage.** The licensee shall provide evidence of continued professional liability insurance coverage in the required amount.

Subp. 4. **Workers' compensation insurance coverage.** If applicable, the licensee shall provide evidence of continued compliance with Minnesota Statutes, section 176.182.

Subp. 5. **Fee.** The licensee shall pay the required license fee before the expiration of the current license.

Subp. 6. **Timely renewal.** The postmark date on the transmittal envelope of the renewal request and fee shall be determinative in ascertaining whether receipt was prior to the current license expiration date.

Subp. 7. **Identity of manager.** The licensee shall state the name of the salon manager and the number and expiration date of his or her license.

**Statutory Authority:** *MS s 155A.05*

**2640.3500 DELINQUENT SALON LICENSES.**

Subpart 1. **Failure to renew.** Failure to renew a license prior to its expiration date shall result in a delinquent salon license. This license must be renewed within 30 days.

Subp. 2. **Renewal.** If less than 30 days have elapsed since the expiration date of the license, the applicant shall submit a written application for renewal of license, the license fee, and the required late penalty. If more than 30 days have elapsed, the salon shall cease operation until a new salon application has been submitted and a provisional license has been issued.

**Statutory Authority:** *MS s 155A.05*

**2640.3600 SALON REQUIREMENTS.**

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

Subp. 2. **License.** No salon shall operate without a license.

Subp. 3. **Employment of unlicensed persons.** No salon shall employ or allow unlicensed persons to perform any cosmetology service.

Subp. 4. **Termination of license.** A salon license shall not be transferable and shall terminate upon the occurrence of a change of either ownership or location. The old license shall be returned to the office and an application for a new license shall be made in the same manner as if no license had been issued previously.

Subp. 5. **Change of name.** The salon manager or owner shall inform the office in writing, within 30 days, of a name change, including old and new name, and pay the processing fee. A license will be issued in the new name for the remaining term of the old license. The old license shall be returned to the office upon receipt of the license in the new name.

**Statutory Authority:** *MS s 155A.05*

**2640.3700 PHYSICAL REQUIREMENTS.****Subpart 1. Space. Space:**

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

B. There shall be at least 50 additional square feet of work space for each additional licensee simultaneously on duty in a cosmetology salon, and at least 35 additional square feet of work space of each additional licensee simultaneously on duty in a manicure salon.

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

**Subp. 2. Entrance and exit.** Each salon shall have at least two entrance/exit points.

**Subp. 3. Walls and ceilings.** All walls and ceilings shall be kept clean and in good repair at all times, free from crevices, cracks, or holes which could collect dirt.

**Subp. 4. Floors. Floors:**

A. All floors shall be kept clean and free from hair and other debris at all times and shall be in good repair, free from crevices, cracks, holes, or tears which could collect dirt or hair.

B. Carpet shall not be an acceptable floor covering unless it is commercial grade carpet.

**Subp. 5. Lighting and electricity. Lighting and electricity:**

A. Each salon shall provide direct lighting to all work areas. Light fixtures shall be clean and dust-free.

B. There shall be at least one electrical outlet in each work station.

**Subp. 6. Plumbing; water supply. Plumbing; water supply:**

A. There shall be clean, hot, and sanitary running water provided in the work area, dispensary area, and toilet facilities.

B. Each salon shall provide toilet facilities, on its premises or in an adjacent common area, which are not used for any unrelated purpose such as storage or as a dispensary. The toilet facilities shall be clean and sanitary and shall contain, at a minimum, a commode, lavatory, soap dispenser, single-service sanitary towels, and a waste basket. The door shall be kept closed at all times.

**Subp. 7. Ventilation.** Salon ventilation shall comply with the requirements of the state building code. Window ventilation shall not be acceptable as a method of meeting the standard.

**Statutory Authority:** *MS s 155A.05*

**2640.3800 FIXTURES, FURNITURE, AND EQUIPMENT.**

A salon shall meet the following minimum requirements:

A. There shall be a work station with chair, storage space, and mirror assigned to each licensee on duty.

B. There shall be at least one shampoo bowl in good repair and operational for each six work stations.

C. There shall be at least one standard or hand-held blow dryer hair dryer in good repair, clean and operational for each six work stations.

D. There shall be at least one nonporous wet disinfecter large enough to completely immerse all items to be disinfected.

E. All furniture shall have a washable covering or finish and shall at all times be kept clean and in good repair.

F. There shall be a waste receptacle at each work station. This receptacle shall be emptied at least daily. It shall be lined with a disposable plastic bag or liner, or washed daily.

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There shall be at least one covered metal container which shall be used exclusively as a receptacle for soiled towels and linen. It shall be kept closed at all times.

There shall be at least one large covered metal container for disposal of garbage. This container shall be emptied at intervals necessary to maintain cleanliness. The container shall be lined with a disposable plastic bag or liner, or be washed daily;

G. There shall be storage cabinets for all clean linen and towels. They shall be equipped with tight-fitting closable doors, which shall be kept closed.

H. There shall be storage space for all supplies. Supplies which contain any caustic or other harmful material shall be conspicuously labeled and kept inaccessible to clients.

I. Each salon shall maintain a readily accessible first aid kit.

J. Each salon shall have at least one readily accessible fire extinguisher that complies with state fire code requirements. All employees shall be instructed in the location and use of the fire extinguisher.

K. Emergency telephone numbers shall be posted next to the telephone at the reception desk.

**Statutory Authority:** *MS s 155A.05*

**2640.3900 OPERATIONAL REQUIREMENTS FOR SALONS.**

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

A. Each licensee shall maintain an adequate supply of clean and disinfected brushes, combs, and other implements and tools for use on his or her patrons. The licensee shall have at least 12 combs and 12 brushes.

B. All combs and brushes and brush rollers shall be cleaned and disinfected after use on each person. Hair shall be removed from all implements before disinfecting.

C. Rollers, pins, clippies, hairnets, shears, razors, and all other hairdressing tools shall be cleaned thoroughly and disinfected at a minimum of once per week. These items shall be stored in a clean, closed container or be covered with a clean towel until reused.

D. Clean linens and protective papers shall be used for each person. A clean towel shall be placed on the head rest of the facial chair before any person reclines in that chair. A clean towel shall be placed between the client's head and the shampoo bowl during shampooing. A paper strip or clean towel shall be placed completely around the neck of each client before any apron or hair cloth or any other protective covering is fastened around the neck.

E. All fluids, semi-fluids, creams, and powders shall be kept in clean covered containers and shall be dispensed with a clean disinfected spatula or from a shaker or pump or spray dispenser. Spatulas made of nonabsorbent material may be disinfected and reused; wooden spatulas shall be discarded after each use. Gauze or cotton applicators shall be discarded after each use. Waving fluids shall be dispensed from suitable containers, in a manner which prevents contamination of unused fluid. All containers shall be covered when not in use.

F. All bottles and containers shall be correctly and clearly labeled to disclose their contents. Poisonous substances shall be clearly and conspicuously marked.

G. Permanent waving end papers and neck strips shall not be reused. All permanent wave rods and supplies shall be washed thoroughly after use on each client and shall be stored in clean, closed containers or covered by a clean towel when not in use.

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H. All electrical tools and implements shall be kept on stands or hangers or otherwise be stored properly when not in use. One six-foot grounded extension cord may be used in a work station if necessary to service a client with an implement actually in use. The extension cord shall not extend beyond the area of the work station.

I. All clean towels, robes, and linen shall be stored in a clean, closed cabinet until used. The cabinet shall be made of a solid, completely closed material.

J. Each towel, robe, and linen shall be used only once and then be properly laundered. After use and until laundering, each item shall be placed in the required metal receptacle, which shall be kept covered. All soiled towels and linens shall be laundered in washing machines with laundry detergent, in water of a temperature of at least 160 degrees Fahrenheit. Commercial laundering is acceptable.

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

(1) All hair shall be removed before disinfection.

(2) Each item shall be washed in hot water with soap or detergent and rinsed thoroughly with hot water.

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

(4) Metal implements and tools shall be disinfected by immersion in a solution of 70 percent ethyl alcohol or 95 percent isopropyl alcohol.

(5) Items to be air dried shall not be rinsed after disinfection.

(6) Each item shall be stored until used in a clean, closed container, drawer, or cabinet, or under a clean towel.

(7) Used items and disinfected items shall not be stored in the same container, drawer, or cabinet.

L. Wig blocks shall have a nonabsorbent covering which shall be kept clean and sanitary. Each nonabsorbent covering shall be removed after each servicing of the wig and shall be placed in a properly labeled container. Each wig accepted for service shall be stored in an individual sanitary receptacle such as a plastic bag and shall not be allowed to come into contact with any other wigs. New wigs shall not be allowed to come into contact with any client's hair, skin, or wig. Plastic wrap or other suitable covering material shall be placed over a prospective buyer's hair while trying on wigs.

M. Each licensee on duty shall be assigned to a specific work station.

N. The licensee shall wash his or her hands with soap and hot water before any service to a new patron. Fingernails shall be kept clean.

O. Each licensee shall be responsible for the order, cleanliness, and sanitation of his or her work station and all equipment and materials used.

P. Each licensee shall be responsible for using only clean and properly disinfected implements when providing any service.

Q. Each licensee shall ensure that all hair is removed from the floor after each haircut.

R. Each licensee shall clean up any spills of water or other liquid from the floor immediately.

S. Each licensee shall remove all hair and rinse the shampoo bowl immediately after each use.

T. Each licensee shall be clean and shall wear clean clothing and shoes.

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U. Each licensee shall be free from communicable diseases and parasites when performing services on any client.

V. Licensees shall not smoke, eat, or drink while performing any services.

W. Licensees shall not carry combs or other implements in the pockets of clothing.

X. Services shall not knowingly be performed on any person who has a communicable disease, condition, or parasites.

Y. Current licenses of salon personnel shall be conspicuously posted at approximately eye level in the reception area or in each licensee's assigned work station. The licensee's street address may be obliterated with tape, but name and town must remain unobstructed. A two-inch by two-inch photograph of the licensee, alone, taken within the last three years, shall be attached to each license. If the license is at the reception area, the licensee's name and type of license held shall be posted at the work station.

Z. The current shop license and the salon rules shall be conspicuously posted together in the reception area at approximately eye level.

AA. No animals, birds, or pets shall be allowed in a salon. This prohibition does not apply to guide dogs.

BB. If a salon receives compensation for child care services, the following requirements shall be met:

(1) The unregulated service shall be identified in compliance with part 2640.0500.

(2) The child care activities shall be contained in a room separated from the salon. The square footage of this room shall not be included in the required minimum square footage for the salon.

(3) An individual shall be hired to attend the children at all times and shall not simultaneously be responsible for the performance of any cosmetology services.

**Statutory Authority:** *MS s 155A.05*

## 2640.4000 SALON SUPERVISION.

A. There shall be a manager responsible for each salon at all times.

B. Only one person shall be designated as manager for each salon. No manager may be concurrently responsible for more than one salon. When the manager is not on duty, he or she may specify a responsible person in his or her absence. The responsible person shall be a licensed cosmetologist in a cosmetology salon or licensed manicurist in a manicure salon.

C. The manager shall ensure that all licensees under his or her supervision comply with all provisions of these rules and Minnesota Statutes, chapter 155A.

D. The manager shall ensure that no unlicensed individual provides any cosmetology service in the salon.

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

F. The manager shall ensure that all equipment required by these rules is operational and maintained in proper working condition, that adequate supplies are in stock at all times, and that sanitation and safety requirements are met.

**Statutory Authority:** *MS s 155A.05*

**2640.4100 SPECIFIC TYPES OF SALON LICENSES.**

Subpart 1. **Additional requirements.** In addition to the requirements of parts 2640.3700 to 2640.4000, the requirements contained in subparts 2 to 7 shall be met.

Subp. 2. **Beauty salon and barber shop.** A beauty salon and a barber shop may be operated in the same establishment, if the beauty salon occupies a physically separate area comprised of continuous footage, and is clearly identified as a beauty salon by a conspicuously displayed sign that states, "Beauty Salon" in letters at least two inches in height.

Subp. 3. **Esthetician services.** Esthetician services shall be provided only in a licensed cosmetology salon. Esthetician services shall not be offered in a manicurist salon.

Subp. 4. **Mobile salons.** Mobile homes, motor homes, trailers, or any type of recreational vehicle that contains a beauty salon shall be permanently stationed at one location. Salons in a vehicle that moves from one location to another shall not be allowed.

Subp. 5. **Licensed health care facilities.** Licensed health care facilities:

A. It is not necessary for a licensed health care facility to have a licensed salon in order for nursing and patient care personnel or volunteers to wash, set, or trim residents' hair.

B. Licensed operators with certificates of identification may provide cosmetology services to residents.

C. If the licensed health care facility chooses to have a licensed salon on the premises, all the requirements for a salon shall be met.

Subp. 6. **Salons in private residences.** Salons may be established in private residences, if the following conditions are met:

A. The salon shall not be used for any residential purposes at any time.

B. The salon shall be completely separated from the residential areas. There shall be a permanent, solid partition, from floor to ceiling, between the salon and the residential areas. Any door in this partition shall be kept closed at all times.

C. All cosmetology services offered by the salon shall be available within the salon.

D. Laundry tubs shall not be used as shampoo bowls.

E. The primary residential toilet facilities shall not be used for salon clients.

Subp. 7. **Booth license.** A Minnesota licensed cosmetologist or manicurist manager may lease work space from a licensed salon and operate that space as an independent business upon obtaining a booth license. An applicant for a booth license shall meet the following requirements:

A. The applicant shall hold a current Minnesota manager license.

B. The applicant shall provide documentation of leased work space from a licensed Minnesota salon. The work space shall be at least 50 square feet for a cosmetologist or 35 square feet for a manicurist. The lease shall include provisions regarding responsibility for keeping records of hours worked by the booth licensee, maintenance responsibilities of the booth licensee, use of salon equipment, purchase of supplies, professional liability insurance coverage, and other agreements reached by the parties.

C. The applicant shall provide evidence of coverage by professional liability insurance in the amount required for salon licensees. It shall be acceptable for the salon owner's professional liability policy to cover the booth licensee.

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D. The applicant shall be responsible for operating his or her work space in full compliance with these rules.

**Statutory Authority:** *MS s 155A.05*

### SCHOOLS AND STUDENTS

#### 2640.5100 COMPLIANCE BY PRESENT LICENSEES AND STUDENTS.

Subpart 1. **Scope.** All individual licenses in effect on the effective date of these rules shall continue to be valid under the following circumstances.

Subp. 2. **Cosmetologist, manicurist, esthetician, and manager licenses.** Cosmetologist, manicurist, and esthetician and manager licenses shall be valid until their expiration date. Licenses which expire before July 1, 1984, shall be renewed upon compliance with the requirements of part 2640.1900, subparts 1 and 3 to 5. Licenses which expire on or after July 1, 1984, shall be renewed upon compliance with the requirements of part 2640.1900, subparts 1, 2, item A, and 3 to 5.

Subp. 3. **Senior instructor licenses.** Senior instructor licenses shall be renewed as instructor licenses. Licenses which expire before January 1, 1988, shall be renewed upon compliance with the requirements of part 2640.1900, subparts 1 and 3 to 5. Licenses which expire on or after January 1, 1988, shall be renewed upon compliance with part 2640.1900, subparts 1, 2, item B, and 3 to 5.

In addition to these requirements, all individuals holding licenses as senior instructor or instructor shall comply with the requirements of part 2640.1500, item B on or before December 31, 1984. Failure to do so shall result in revocation of license.

Subp. 4. **Junior instructor license.** Junior instructors licensed on the promulgation date shall comply with the instructor license requirements of parts 2640.1200 and 2640.1500, items A, C, and E on or before December 31, 1983. Upon completion of these requirements they shall be issued an instructor license which shall remain valid in accordance with the provisions of subpart 3.

Subp. 5. **School managers.** In addition to the provisions of subpart 1, item A, licenses of managers of schools shall be conditioned upon the licensee's successful passage of a written examination covering Minnesota laws and rules related to cosmetology schools before December 31, 1983.

Subp. 6. **Salons and booths, temporary exemptions.** Salons and booths licensed on April 1, 1983, shall be exempt from the following provisions:

A. Part 2640.3700, subparts 1, 2, and 4, item B until replacement, and subpart 7 until July 1, 1984;

B. Part 2640.3800, item B;

C. Part 2640.4100, subpart 2, continuous footage provision only; subpart 6, item B, permanent solid partition requirement only, and item E; subpart 7, item B, square footage requirement and lease provision requirements until expiration of current lease.

Subp. 7. **Schools, temporary exemptions.** Schools licensed on April 1, 1983, shall be exempt from the following provisions:

A. Part 2640.6000, subparts 1, items D and E, and 5; schools shall have the same time extensions for compliance with part 2640.3700, subparts 4 and 7 as provided for salons in subpart 5 of this part;

B. Part 2640.6100, item I, exemption from requirements of part 2640.3800, item B; and part 2640.6100, item J, until December 31, 1983;

C. Part 2640.6200, subparts 1, items A and C, and 3 shall apply to students enrolling on or after April 1, 1983;

D. Parts 2640.7700 to 2640.8100; 2640.8200, item E, subitem (6), with regard to practical exercises; subparts 2640.8300, item H and 2640.8600 shall be effective July 1, 1983;



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E. Parts 2640.6600 to 2640.7200 shall be effective July 1, 1983.

Subp. 8. **Interpreters.** Foreign language students whose enrollment registration is on file in the office on the effective date of these rules may use an interpreter at the examinations, provided that they have first demonstrated to the director that they have a sufficient grasp of the English language to read, comprehend, and follow chemical product labels and instructions.

Subp. 9. **Students enrolled on effective date.** Cosmetology and manicure students whose enrollment registration is on file in the office on the effective date of these rules and who graduate after July 1, 1983, shall be exempt from the requirement of part 2640.1200, item A and shall be required to complete 1,500 hours for a cosmetologist license and 250 hours for a manicurist license. The minimum number of clinical exercises they will be required to complete will be adjusted in relation to their date of graduation, but shall not be less than 75 percent of the requirements stated in part 2640.6700, item D or 2640.6900, item D, subitem (1).

Subp. 10. **Variances.** The director may grant to schools a variance from physical requirements not otherwise exempted by this rule upon receipt of documentation demonstrating an existing physical limitation or economic hardship in excess of reasonably anticipated costs of meeting the requirement. All requests for variance shall be submitted prior to May 15, 1983.

**Statutory Authority:** *MS s 155A.05*

### 2640.5200 SCHOOL LICENSURE.

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

A. the name of the school, its address, and the names and addresses of all owners of sole proprietorships or partnerships and controlling officers of corporations;

B. notarized signatures of the owners of sole proprietorships or partnerships, controlling officers of corporations, and manager;

C. the days of the week and the hours which the school will be open;

D. the daily and weekly class schedule;

E. evidence of the school's compliance with local zoning requirements and the rules of the Minnesota Department of Health, State Building Code and Standards, and the State Fire Marshall;

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

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

H. a diagram of the school drawn to scale on 8-1/2 inches x 11 inches or 8-1/2 inches x 14 inches paper, providing the dimensions of the school as a whole and designating the size and location of all entrances and exits, and the location and dimensions of all required areas and facilities;

I. a complete inventory of facilities and equipment supportive of instructional and clinical operations, as required by these rules;

J. a designation of the licenses for which preparation will be offered;

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

L. the maximum possible number of enrollees the school will be able to accommodate;

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- M. copies of all financial aid and refund policies;
- N. copies of all student rules and disciplinary policies;
- O. a copy of the standard enrollment contract;
- P. copies of all written material used to solicit prospective students, including but not limited to tuition, refund, and fee schedules, catalogs, brochures, and all recruitment advertisements; and
- Q. a current balance sheet, income statement, or evidence of sufficient financial worth to conduct a school and to meet its financial obligations.

Subp. 2. **Evidence of liability insurance coverage.** The applicant shall provide evidence of the school's coverage by professional liability insurance, of at least \$25,000 per incident and an accumulation of \$150,000 for each premium year.

Subp. 3. **Evidence of workers' compensation insurance.** The applicant shall provide evidence of the school's compliance with Minnesota Statutes, section 176.182.

Subp. 4. **Surety bond.** The applicant shall file with the director of the office a continuous corporate surety bond in the amount of \$10,000, conditioned upon the faithful performance of all contracts and agreements with students made by the applicant. The bond shall run to the state of Minnesota and to any person who may have a cause of action against the applicant arising at any time after the bond is filed and before it is cancelled for breach of any contract or agreement made by the applicant with any student. The aggregate liability of the surety for all breaches of the conditions of the bond shall not exceed \$10,000. The surety of the bond may cancel it upon giving 60 days notice in writing to the director of the office and shall be relieved of liability for any breach of condition occurring after the effective date of cancellation.

Subp. 5. **Payment of fee.** The applicant shall pay the school license and school application fees.

**Statutory Authority:** *MS s 155A.05*

## 2640.5300 MAINTAINING A SCHOOL LICENSE.

Subpart 1. **Display of documents.** Each school license and all personnel licenses shall be conspicuously displayed in the school or school clinic reception area at approximately eye level.

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

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

- B. changes in any written material and advertising used to solicit prospective students;

- C. changes in the education services or course of training offered, the curriculum, text materials, or clinical experience plan;

- D. remodeling or significant alteration of the physical plant in which the school is housed;

- E. the most current balance sheet, income statement, or evidence of financial worth shall be submitted to the office on January 1 of each year.

Subp. 3. **Retention of ad copies.** The school shall maintain copies of all advertisements for clinic services for three years. They shall be provided to the office at its request.

**Statutory Authority:** *MS s 155A.05*

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## 2640.5400 SCHOOL LICENSE RENEWAL.

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

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

B. The licensee shall provide evidence of continued professional liability insurance coverage in the required amount.

C. The licensee shall provide evidence of continued compliance with Minnesota Statutes, section 176.182.

D. All unsatisfactory inspections report items shall be corrected before a license will be renewed.

E. The licensee shall provide a current and complete roster of manager and instructional staff, including license number and expiration date, employment status, and days and hours scheduled to work.

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

G. The licensee shall pay the required license fee, before the expiration of the current license.

H. The postmark date on the transmittal envelope of the renewal request and fee shall be determinative in ascertaining whether receipt was prior to the current license expiration date.

**Statutory Authority:** *MS s 155A.05*

## 2640.5500 DELINQUENT SCHOOL LICENSES.

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

A. If less than 30 days have elapsed since the expiration date of the license, the applicant shall submit a written application for renewal of license, the license fee, and the required late penalty.

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

**Statutory Authority:** *MS s 155A.05*

## 2640.5600 CERTIFICATE OF IDENTIFICATION.

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

A. hold a current Minnesota cosmetologist, manicurist, or esthetician license;

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

C. provide documentation of current employment in a Minnesota licensed cosmetology or manicuring salon; and

D. attest that the services shall be provided only in a licensed health care facility, or in the residence of a home-bound individual.

**Subp. 2. Retention.** The certificate shall remain with the salon manager at all times except when work is actually being performed outside the shop. It is the manager's responsibility to ensure that use conforms to the restrictions of subpart 1, item D.

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Subp. 3. **Health and safety procedures.** The licensee shall observe all sanitary and safety procedures as far as reasonably possible.

**Statutory Authority:** *MS s 155A.05*

**2640.5700 DUPLICATE LICENSE.**

A duplicate license will be issued only upon the loss or destruction of the initial license. The licensee shall submit to the office an affidavit indicating why a duplicate license is required, and submit the required fee.

**Statutory Authority:** *MS s 155A.05*

**2640.5800 BASIC REQUIREMENTS FOR SCHOOLS.**

Subpart 1. **Location.** No cosmetology instruction shall be given in any place other than a licensed school of cosmetology or as otherwise provided in these rules.

Subp. 2. **License.** No cosmetology school shall be permitted to operate without a license.

Subp. 3. **Employment of licensed instructors.** No cosmetology school shall employ an instructor who does not hold a current Minnesota cosmetology instructor license. A school may use occasional guest instructors or lecturers who do not hold a cosmetology license to provide supplemental information to students from related fields, such as medicine, public relations, or law.

Subp. 4. **Termination.** A school license is nontransferable and shall terminate upon the occurrence of either of the following:

A. a change of ownership of the school. The new owner shall apply for a new school license in the same manner as if no license had been previously issued, at least 30 days before the effective date of the change; or

B. a change of location. An application for a new license shall be made in the same manner as if no license had been previously issued.

Subp. 5. **Change of name.** The school owner or manager shall inform the office of a name change, in writing, 30 days before the effective date of the change and pay the school name change fee. A license will be issued in the new name for the unexpired term of the old license, which shall be returned to the office upon receipt of the license in the new name.

Subp. 6. **Separation of school from salon.** Separation of school from salon:

A. Any cosmetology salon owned or operated by a school owner shall be operated as a separate and distinct business.

B. There shall be complete physical separation between the salon and school.

C. Salon and school shall have separate managers.

D. There shall be separate and clearly identified and differentiated entrances and telephone numbers for salon and school.

E. Salon employees shall not teach in the school unless they are licensed instructors included on the school staff roster.

F. No customer work may be done by an instructor in the salon during instructional hours stated on the school roster.

G. Each facility shall maintain the stock of supplies necessary for its operation.

Subp. 7. **Exclusive use.** No school, or portion thereof, shall be used for any residential purposes.

**Statutory Authority:** *MS s 155A.05*

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## 2640.5900 FACILITIES REQUIREMENTS FOR LICENSURE.

In addition to the requirements of parts 2640.5200 and 2640.5800, the requirements contained in parts 2640.6000 to 2640.6200 shall be met by the school before a license will be issued. Compliance with these requirements shall be confirmed by an inspection by cosmetology unit staff. The license shall be issued after a satisfactory initial inspection.

**Statutory Authority:** *MS s 155A.05*

## 2640.6000 PHYSICAL REQUIREMENTS.

Subpart 1. **Space.** Space:

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

B. All supplies and materials shall be stored in a space inaccessible to the public.

C. The dispensary shall be a specified area inaccessible to the public.

D. There shall be a furnished student lounge of at least 120 contiguous square feet.

E. There shall be an instructors' lounge separate from the student lounge.

Subp. 2. **Entrances and exits.** Each school shall have at least two entrance/exit points.

Subp. 3. **Electrical requirements.** Each classroom shall be clearly lit and shall have at least two electrical outlets. Use of extension cords shall not be an acceptable means of meeting this requirement.

Subp. 4. **Toilet facilities.** Each school shall provide adequate toilet facilities on its premises or in an adjacent common area for the use of students, staff, and customers. Separate restroom facilities must be provided for women and men.

Subp. 5. **Additional.** In addition, each school shall meet the physical requirements for salons contained in parts 2640.3700, subparts 3 to 7.

**Statutory Authority:** *MS s 155A.05*

## 2640.6100 FIXTURES, FURNITURE, EQUIPMENT.

A school shall meet the following minimum requirements:

A. There shall be one work station with chair, storage, and mirror for each student assigned to the clinic floor.

B. There shall be at least one hair dryer, clean, in good repair, and operational, for each six work stations.

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

D. There shall be at least one manicure table, clean and in good repair, for each ten enrollees.

E. There shall be at least one heat cap.

F. There shall be skin care machines or models or diagrams sufficiently detailed to allow instruction in their use and operation.

G. There shall be at least one adult-size desk/table and chair in the classroom area for each enrollee to be accommodated.

H. There shall be at least one time clock or other reliable method of recording time to be used by the students when checking in and out of school. Each student's hours shall be recorded at the beginning and end of each day and before and after lunch.

I. In addition, each school shall meet the fixture, furniture, and supply requirements for salons as designated in part 2640.3800, items B and D to K.

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J. There shall be locker space available for students requesting it.

**Statutory Authority:** *MS s 155A.05*

## 2640.6200 SUPPLIES AND MATERIALS.

Subpart 1. **Basic supplies.** Basic supplies:

A. The school shall supply each student with a beginning professional kit, containing the implements and the majority of equipment required for the course of training for which the student has enrolled. The cost shall be clearly indicated to the student prior to enrollment, even if it is included in the basic tuition fee.

B. The school shall provide the student with all supplies and materials necessary to perform all clinical services and classroom exercises.

C. The school shall supply at least one manikin with hair for each cosmetology enrollee, and one manikin without hair for each esthetician enrollee.

Subp. 2. **Towels and linens.** There shall be one dozen towels per enrollee maintained in good repair and available to students.

Subp. 3. **Instructional materials.** The school shall supply each enrollee with a copy of all textbooks to be used in the course of training, and copies of all other necessary instructional materials, including a copy of Minnesota Statutes, chapter 155A and these rules. Workbooks associated with the textbooks shall become the property of the student. The cost of these materials shall be clearly indicated to the student prior to enrollment, unless it is included in the tuition fee.

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

Subp. 5. **Reference materials.** Reference materials shall be centrally located and made available to all students, including:

- A. an American language dictionary;
- B. charts for basic anatomy (hair, skin, and nails);
- C. trade magazines and publications;
- D. a copy of Minnesota Statutes and rules pertaining to the regulation of the practice of cosmetology; and
- E. copies of other related statutes and rules.

**Statutory Authority:** *MS s 155A.05*

## 2640.6300 ADVANCED TRAINING AND DEMONSTRATIONS.

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

A. an advanced training class or demonstration, if no clinic services are offered to the public incidental to the training or demonstration;

B. community education classes, as defined by Minnesota Statutes, chapter 155A.

**Statutory Authority:** *MS s 155A.05*

## 2640.6400 INTOXICANTS AND CONTROLLED SUBSTANCES.

No licensee or student shall perform cosmetology services while consuming or under the influence of an intoxicant or controlled substance.

**Statutory Authority:** *MS s 155A.05*

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## SCHOOL CURRICULA.

### 2640.6600 CURRICULUM APPROVAL AND CONTENT.

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

**Statutory Authority:** *MS s 155A.05*

### 2640.6700 COSMETOLOGIST TRAINING.

A. Cosmetologist training consists of a course of training of at least 1,550 hours. This course shall consist of the full manicurist course content, the full esthetician course content, and the balance in hairdressing, including the approximate breakdown of hours specified in item D and the clinical exercises in provision of cosmetology services specified in item D.

B. The first 240 hours shall be preclinical instruction in the sciences of anatomy, dermatology, trichology, manicuring, and chemistry as related to cosmetology; electricity and light; sanitation; safety procedures related to the practice of cosmetology; and Minnesota Statutes and rules which pertain to the regulation of the practice of cosmetology; and elementary service skills.

C. There shall be instruction in applied science and skills in shampooing, scalp and hair conditioning, hair design and shaping, chemical hair control, hair coloring, hair styling, facials, and makeup, and manicuring and nail care of approximately 1,130 hours and instruction in related theory and sciences of approximately 420 hours.

D. There shall be planned clinical instruction and experience in the applied sciences. Each student shall be required to complete the following minimum number of clinical exercises in column II. Clinical exercises may be performed upon customers in the school clinic, fellow students, models, or manikins in the classroom.

	Column I Hours	Column II Service Exercises
(1) shampooing	50	300
(2) scalp and hair conditioning	80	150
(3) hair design shaping	150	75
(4) chemical hair control (including 6 chemical relaxing exercises)	200	60
(5) hair coloring	100	50
(6) hair styling	200	300
(7) facials and makeup	200	60
(8) manicures (including 10 applications of artificial nails, of which 3 are sculptured on the nail)	150	50
skill hours	1130	
related theory and lecture	420	
total	1550	

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

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F. There shall be instruction in business practices and in the Minnesota laws regulating those practices and labor relations.

**Statutory Authority:** *MS s 155A.05*

### 2640.6800 ESTHETICIAN TRAINING.

A. Esthetician training consists of a course of training of at least 600 hours.

B. The first 120 hours shall be preclinical instruction in the sciences of anatomy, dermatology, and chemistry as related to skin care; electricity and light; sanitation; safety procedures related to the practice of skin care; and Minnesota Statutes and rules which pertain to the regulation of the practice of skin care; and elementary service skills.

C. There shall be instruction in applied science and skills in the cleaning, conditioning, shaping, reinforcing, coloring, and enhancing of the skin quality through the use of facials and makeup.

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

(1) Each student shall be required to complete at least 60 facials or makeup applications.

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

E. The requirements of part 2640.6700, item F shall be complied with.

**Statutory Authority:** *MS s 155A.05*

### 2640.6900 MANICURIST TRAINING.

A. Manicurist training consists of a course of training of at least 350 hours.

B. The first 50 hours shall be preclinical instruction in the sciences of anatomy, dermatology, and chemistry as related to manicuring; electricity and lights; sanitation; safety procedures related to the practice of manicuring; and Minnesota Statutes and rules which pertain to the practice of manicuring; and elementary service skills.

C. There shall be instruction on applied science and skills in the cleaning, conditioning, shaping, reinforcing, coloring, and enhancing of nails and in the application and repair of artificial nails.

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

(1) Each student shall be required to complete at least 50 manicures, including at least ten applications of artificial nails, of which three are sculptured applications on the nail.

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

E. The requirements of part 2640.6700, item F shall be complied with.

**Statutory Authority:** *MS s 155A.05*

### 2640.7000 REFRESHER COURSES.

A licensed cosmetology school, salon, or a professional association may plan and offer a refresher course taught by licensed instructors of at least 40 hours in length for cosmetologists, estheticians, and/or manicurists. The course shall focus on knowledge, skills, and product types related to chemical services and shall balance lectures, demonstrations, and clinical experiences. It shall be held in a licensed salon or school. Sponsors of a proposed course shall apply for office approval at least 45 days prior to the course date. The application shall



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be on a form provided by the office. The course sponsor shall pay the processing fee. The course sponsor shall provide the office with the name and license number of all individuals who successfully pass a final course examination.

**Statutory Authority:** *MS s 155A.05*

## **2640.7100 CREDIT TOWARDS ANOTHER LICENSE.**

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

A. esthetician training = 550 hours credit toward cosmetologist license;

B. manicurist training = 300 hours credit toward a cosmetologist license;

C. manicurist training = 200 hours credit toward an esthetician license;

D. esthetician training does not produce any credit toward a manicurist license.

**Statutory Authority:** *MS s 155A.05*

## **2640.7200 ADDITIONAL LICENSES.**

A licensed esthetician or a licensed manicurist who returns to school for an additional license shall not perform any clinical services in the area for which he or she is already licensed.

**Statutory Authority:** *MS s 155A.05*

## **OPERATIONAL REQUIREMENTS FOR SCHOOLS**

### **2640.7500 RESPONSIBILITY.**

It shall be the responsibility of the school owner and manager to ensure compliance with the requirements of parts 2640.7600 to 2640.8800.

**Statutory Authority:** *MS s 155A.05*

### **2640.7600 IDENTIFICATION.**

Each school shall be identified as either a school of cosmetology, beauty school, beauty academy, beauty training center, or any other designation whereby the public may be able to distinguish it from a salon. Identification shall consist of signs conspicuously placed on the front of the school and in the reception area of the school clinic. Each school shall also have a sign conspicuously posted in its clinic reception area stating, "Beauty School. All work performed by students." in letters at least two and one-half inches in height.

**Statutory Authority:** *MS s 155A.05*

### **2640.7700 MANAGER.**

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

B. The manager shall ensure that all personnel and students under his or her supervision comply with all provisions of these rules.

C. The manager shall ensure that no unlicensed instructor conducts any class, demonstration, or any other educational experience within the school except as allowed by Minnesota Statutes, chapter 155A and these rules.

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D. The manager shall ensure that all equipment required by these rules is clean and maintained in proper working condition, that proper supplies are in stock at all times, and that safety, sanitation, and operational requirements are met by the school. The manager shall be responsible for recruitment and advertising materials.

**Statutory Authority:** *MS s 155A.05*

## 2640.7800 INSTRUCTORS.

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

(1) A school may operate for 30 days per year with an unlicensed substitute for one of the licensed instructors, if the school manager is on the school premises and available to supervise the substitute, and if there is at least one licensed instructor, available and responsible for the direct supervision of the unlicensed substitute.

(2) The school shall notify the office in writing within three days of each occurrence of failure to meet the required instructor quota.

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

C. Instructors shall devote the entire time scheduled to training and shall have no additional noninstructional duties or responsibilities.

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

**Statutory Authority:** *MS s 155A.05*

## 2640.7900 ENROLLMENT CONTRACTS.

The student or his or her parent or guardian shall receive a fully executed copy of the contract at the time he or she signs the contract.

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

**Statutory Authority:** *MS s 155A.05*

## 2640.8000 REFUND POLICY.

Subpart 1. **Written policy.** Each school shall have a definite, written policy relating to the refund of tuition and fees when students terminate training. The policy shall at minimum provide for the following:

A. a complete refund of all moneys paid if the school rejects the applicant, or if the applicant cancels the enrollment contract, in writing or in person, within three business days of the date upon which the contract was signed by both the student and agent of the school and prior to entering classes. The enrollment contract shall include a provision headed by the title in boldface ten-point type "Notice of Cancellation", which instructs the student as to what steps he or she must take to cancel the contract;

B. a refund of all moneys paid except a registration or enrollment processing fee up to 15 percent of the contract price if the applicant cancels the enrollment contract more than three business days after conclusion of the contract but prior to entering classes;

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C. if a student has entered classes the following minimum tuition refunds shall be made:

Percentage of Total Program Represented by the Hours of Training Completed	Maximum Amount of Total Tuition School Shall Receive or Retain
0 to 4.9 percent	20 percent
5 to 9.9 percent	30 percent
10 to 14.9 percent	40 percent
15 to 24.9 percent	45 percent
25 to 49.9 percent	70 percent
Over 50 percent	100 percent

Subp. 2. **Formula.** Fees for the student kit, textbooks, and workbook may be deducted before application of the percentages in refund computations, if these fees are included in the tuition and if these items become the property of the student.

**Statutory Authority:** *MS s 155A.05*

## 2640.8100 STUDENT REGULATIONS.

Student regulations shall be in writing and a copy shall be given to all students. A copy and any changes shall be posted on the bulletin board in the student lounge. The rules may include a reasonable dress code. All rule changes shall be discussed with the student body at least ten days prior to the effective date and each student shall be given a copy of any changes.

**Statutory Authority:** *MS s 155A.05*

## 2640.8200 STUDENT RECORDS.

Student records shall be maintained as follows:

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

B. The school shall maintain complete, accurate, and detailed records of all payments from and financial transactions with students, showing the date, amount, and source of income or disbursement.

C. The school shall maintain daily and monthly records of student hours, work progress, examination assessments, and daily clinical experience records for each student enrolled.

D. All student records shall be maintained by the school for at least five years from the date of the student's termination; or a transcript of the course work of each student may be kept, the transcript to contain the student's name, the date student enrolled, the date of termination of enrollment and the circumstances of termination, the total number of hours completed, and the school owner or manager's notarized signature verifying the contents of the transcript.

E. The school shall submit to the office the following reports for each student:

(1) a student registration form containing the student's full and correct name, course of training for which enrolled, and start date. The status of the student shall be stated as full-time or part-time, day or night classes. This information must be received by the office within ten days of the student's start date and shall be accompanied by the processing fee:

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(2) evidence on a standardized form, from a physician, stating that the student is free from communicable diseases or parasites. This certification shall accompany the student registration;

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

(4) a progress evaluation report. Upon completion of one-half of the total required hours, the school shall give the student and the office a written progress evaluation assessing the student's progress towards successful fulfillment of the license requirements;

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

(6) documentation signed by school owner or manager, shall indicate that the student has successfully completed the course of training for which he or she enrolled. Included shall be documentation of the student's completion of the practical exercises, as required by parts 2640.6700, item D, 2640.6800, item D, subitem (1), and 2640.6900, item D, subitem (1), and documentation of the student's successful completion of the skills certification review, on a form provided by the office;

(7) a statement shall be sent by the school to the office if a student withdraws, is suspended, or expelled from his or her course of training. The certification shall be signed by the school owner or manager, shall indicate the last day on which the student was enrolled, the total number of hours the student has successfully completed as of that date, a transcript detailing the nature of those hours, and the reason for the withdrawal, suspension, or revocation. This certification must be received by the office within ten days of the end of enrollment.

**Statutory Authority:** *MS s 155A.05*

## 2640.8300 CERTIFICATION OF STUDENT HOURS.

Certification of student hours shall be as follows:

A. All student hours shall be recorded, on a daily and a monthly basis.

B. The daily record of hours shall list the number of hours earned by each student and the nature of training received, designating all clinical experiences; shall be signed by the instructor who provided or supervised the training; shall be signed by the student; and shall be based on the hours actually recorded on the student's timecard.

Each student shall register on the timeclock at the beginning and end of each school day and at the beginning and end of lunch breaks. Timecards which are improperly punched or inadvertently altered, or contain any error may be corrected and that correction initialed by the student, the school manager, and the appropriate instructor.

Original timecards shall be deemed to be the property of the school. A student, within ten days of a request, is entitled to receive copies of his or her timecards from the school. The school may not withhold copies of his or her timecards after a proper request has been made.

C. Each school shall complete and maintain a monthly report for each student, summarizing the hours completed for that month, and signed by the

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school owner or manager. A copy of the report shall be given to the student within five days of the end of each month.

D. No school or student shall alter the content or the number of hours completed by a student unless because of error and signed by both parties.

E. Students shall receive credit only for hours spent in training for licensed cosmetology services.

F. No student shall receive credit for more than eight hours of training per calendar day.

G. Each student must be given a morning and afternoon break and at least one-half hour for lunch, or one hour for lunch and no breaks.

H. It shall be made clear to the students in materials designed to elicit their enrollment and at the time of enrollment, the circumstances under which Saturday and evening training will be held.

**Statutory Authority:** *MS s 155A.05*

## **2640.8400 REQUIRED TIME.**

Individuals registering as students in a school of cosmetology must complete their training, successfully pass the examination, and be licensed within a period of not more than five years. Otherwise, records of student hours and training received will no longer be considered valid for licensure in Minnesota.

**Statutory Authority:** *MS s 155A.05*

## **2640.8500 TRANSFER STUDENTS.**

A student shall apply to the office in writing for transfer of hours from one school to another. The office shall forward to the receiving school a certified copy of the previous school's certification of withdrawal, suspension or expulsion, or of the transcript of hours completed as indicated on that certification. No school shall give credit to a student for hours completed in another school without a certification of hours from the office or from a non Minnesota licensing authority as to the total number of hours.

**Statutory Authority:** *MS s 155A.05*

## **2640.8600 FULL COURSE OF INSTRUCTION.**

No student, unless licensed under provisions of Minnesota Statutes, chapter 155A, shall be enrolled in a school for less than a full course of instruction of not less than 1,550 hours for cosmetologist, 600 hours for esthetician, or 350 hours for a manicurist, except for a licensed individual or a previously licensed individual requesting a refresher course, an applicant who has failed the state examination and requests additional training, a transfer student, a student who has enrolled only to learn unregulated services, and reciprocity applicants who require additional schooling.

**Statutory Authority:** *MS s 155A.05*

## **2640.8700 DISPLAY OF LICENSES.**

Current licenses of all school personnel shall be conspicuously posted in the reception area at approximately eye level. A two-inch by two-inch photograph of the licensee alone taken within the past three years shall be attached to each license.

The current school license shall be conspicuously posted with the personnel's licenses.

**Statutory Authority:** *MS s 155A.05*

**2640.8800 PRE-ENROLLMENT DISCLOSURES.**

If the school brochure does not contain the following information, it shall be given to prospective students along with the brochure and other materials designed to elicit their enrollment: minimum requirements for licensing in the fields in which the school offers instruction, tuition and all fees, the enrollment contract, refund policy, and student regulations.

**Statutory Authority:** *MS s 155A.05*

**2640.8900 SCHOOL CLINICS.**

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

A. No new school shall offer clinical services until the minimum preclinical hours required for students has been met.

B. No school shall be allowed to operate a student clinic at any location other than the school.

C. There shall be conspicuously displayed in the reception area of the school and its clinic a sign stating, "All services performed by students," in type at least 2-1/2 inches in height.

D. Instructors shall perform no cosmetology services on any client in the school clinic except to the extent necessary to demonstrate or instruct students. The student shall be physically present, observing the instruction or demonstration and shall participate in the learning experience by actual performance of the complete service.

E. No student shall perform clinic services until he or she has successfully completed the required hours of preclinical training and the school has sent to the office a certification of that completion.

F. All services performed by students shall be supervised by instructors and shall be checked before, during, and after performance.

G. All students shall be required to wear an identification badge at all times. The badges shall be at least two inches by one inch; state the student's first and last name; and state that the student is either a "Cosmetologist Trainee," "Esthetician Trainee," or "Manicurist Trainee." A freshman is a student who has not completed the required hours of preclinical training. A senior is a student who has completed the preclinical training. Freshman badges shall be green and senior badges shall be blue. Different shades of blue may be used to designate various degrees or levels of senior students. Badges shall be furnished by the school as part of tuition costs.

H. Each student shall wash his or her hands with soap and hot water before providing any service, and each instructor shall similarly wash his or her hands before demonstrating any service or portion thereof on a client.

I. Instructors shall ensure that students and instructors maintain the clinic work area in the same manner and degree as is required for salon cleanliness under part 2640.3900, items O to S.

J. Instructors shall ensure that all students working in the school clinic and all instructors observe the same personal hygiene and safety requirements as those imposed on salon practitioners in part 2640.3900, items T to W.

K. Cosmetology services shall not knowingly be performed in a school clinic on any person who has a communicable disease, condition, or parasite.

L. It shall be permissible for the school to charge clients for services performed by students to the extent necessary to cover the cost of supplies and materials used, and expenses incurred in and for the operation of the school. These prices shall be conspicuously posted in the clinic reception area.

**Statutory Authority:** *MS s 155A.05*

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## FEES

### 2640.9100 FEE ADJUSTMENTS.

Subpart 1. **Refunds.** Refunds shall be given in the following situations: overpayment; death or permanent disability before license effective date; or an individual's ineligibility for licensure. Ineligible instructor and manager applicants shall be refunded the license fee only. Ineligible cosmetologist, manicurist, or esthetician applicants shall be refunded the license fee minus the processing fee.

Subp. 2. **Other licenses.** A licensee who applies for licensing in a second category shall pay the full license fee for the second category of license.

**Statutory Authority:** *MS s 155A.05*

### 2640.9200 FEE SCHEDULE.

The fee schedule shall be as follows:

- A. Three-year license fees:
  - (1) Cosmetologist, manicurist, esthetician, \$30;
  - (2) Instructor, manager, \$45;
  - (3) Salon, booth, \$50;
  - (4) School, \$750.
- B. Penalties:
  - (1) Late penalty, school license renewal, \$100; salon and booth license renewal, \$50; individual license renewal, \$10;
  - (2) Reinstatement, \$30;
  - (3) Insufficient funds checks, \$10;
  - (4) Reinspection fee, variable;
  - (5) Manager with lapsed practitioner, \$25.
- C. Administrative fees:
  - (1) Duplicate license (includes individual name or address change), \$10;
  - (2) Certificate of identification, \$20;
  - (3) Examination fees, written exam (cosmetologist, manicurist, esthetician), \$8; written exam (manager or instructor), \$12; practical exam, \$18;
  - (4) Processing fee (covers student enrollment, course evaluation, verification of hours/training experience, restoration of lapsed license, salon name change), \$15;
  - (5) School name change, \$100;
  - (6) School original application, \$150.

**Statutory Authority:** *MS s 155A.05*