

TITLE 21 - OCCUPATIONAL LICENSING BOARDS AND COMMISSIONS

- Approved by OSBM
No fiscal note required

CHAPTER 06 - BOARD OF BARBER AND ELECTROLYSIS EXAMINERS

SUBCHAPTER 06N - FEES AND FORMS

Notice is hereby given in accordance with G.S. 150B-21.2 that the Board of Barber and Electrolysis Examiners intends to adopt the rule cited as 21 NCAC 06N .0117 and amend the rule cited as 21 NCAC 06N .0111.

Link to agency website pursuant to G.S. 150B-19.1(c): https://www.barbers.nc.gov/news.html

Proposed Effective Date: August 1, 2023

Public Hearing:

Date: April 19, 2023

Time: 10:00 a.m.

Location: By videoconference at https://bit.ly/bbeeapr2023permrules or by teleconference at (984) 204-1487, conference ID 278 048 985#

Reason for Proposed Action:

The amendment to 21 NCAC 06N .0111 would require schools to report student hours online rather than by paper forms. The rule saves time for and reduces errors by both schools and the board. The adoption in 21 NCAC 06N .0117 sets the requirements for a request for a temporary permit under G.S. 86B-27. It also requires requests to be submitted through an online process except for extraordinary circumstances.

Comments may be submitted to: Dennis Seavers, 7001 Mail Service Center, Raleigh, NC 27699-7000; phone (919) 814-0641; fax (919) 981-5068; email dennis.seavers@nc.gov

Comment period ends: June 2, 2023

Procedure for Subjecting a Proposed Rule to Legislative Review:

If an objection is not resolved prior to the adoption of the rule, a person may also submit written objections to the Rules Review Commission after the adoption of the Rule. If the Rules Review Commission receives written and signed objections after the adoption of the Rule in accordance with G.S. 150B-21.3(b2) from 10 or more persons clearly requesting review by the legislature and the Rules Review Commission approves the rule, the rule will become effective as provided in G.S. 150B-21.3(b1). The Commission will receive written objections until 5:00 p.m. on the day following the day the Commission approves the rule. The Commission will receive those objections by mail, delivery service, hand delivery, or facsimile transmission. If you have any further questions concerning the submission of objections to the Commission, please call a Commission staff attorney at 984-236-1850.

Fiscal impact. Does any rule or combination of rules in this notice create an economic impact? Check all that apply.

- State funds affected
Local funds affected
Substantial economic impact (>= \$1,000,000)

21 NCAC 06N .0111 FORM BAR-10

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

- (1) the name of the school submitting the report;
(2) the name and date of enrollment of the student; student's name;
(3) the month and year for which the report is filed; and
(4) the dates and hours of the student's absences;
(5)(4) the dates and number of hours of the student's attendance; student attended during the month and year for which the report is filed.
(6) the number of patrons served for clinical services; and
(7) the subject matter covered in practical and theory courses.

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

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

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

Authority G.S. 86B-38.

21 NCAC 06N .0117 REQUEST FOR TEMPORARY PERMIT

(a) An individual who wishes to request a temporary permit shall submit the following information using the form available at the website listed in 21 NCAC 06A .0102:

- (1) the requester's name, mailing address, phone number, and email address;
(2) if the requester attended a North Carolina barber school, the name of the school;
(3) the type of license application the requester has submitted; and
(4) the name, permit number, and physical address of the barbershop where the requester would like to work.

(b) Except as set forth in Paragraph (c) of this Rule, the Board shall not accept requests for temporary permits submitted in paper form.

(c) If an individual wishes to submit a request for a temporary permit in paper form because he or she cannot submit the request online, the individual shall submit a paper version of the form in Paragraph (a) of this Rule to the address listed in 21 NCAC 06A

.0102, along with an explanation for why the request cannot be submitted online. The Board shall determine whether good cause exists for the individual not to submit a request online. For the purpose of this Rule, "good cause" means that the applicant could not have submitted the request online as set forth in Paragraph (a) of this Rule due to circumstances such as disability or lack of access to a computer or mobile device.

Authority G.S. 86B-2; 86B-27.
