

CHAPTER 17

Department of Labor, Licensing and Regulation— State Board of Barber Examiners

(Statutory Authority: 1976 Code §§ 40-7-50, 40-7-60, 40-7-190, and 40-7-355)

17-1. Barber Schools, Managers, Teachers and Instructors, On the Job Training Instructors.

Each barber school shall have a manager who will be responsible for the overall operation of the school. All teachers or instructors in a barber school or college, or providing personal supervision of the on the job training of a student training in a barbershop, must be a Board-licensed instructor.

HISTORY: Amended by State Register Volume 36, Issue No. 6, eff June 22, 2012; SCSR 46-5 Doc. No. 5073, eff May 27, 2022.

17-2. Barber Schools, Barbershops, Managers, Teachers and Instructors; Filing of Name of Designated Manager.

Each barber school or college, and each barbershop shall file with the South Carolina State Board of Barber Examiners (hereafter called "Board") the name of the designated manager or managers thereof. Said filing shall be made not later than thirty (30) days prior to said change. Provided, however, that if such change is due to emergency, said filing shall be made not later than ten (10) days thereafter. Said designated manager or managers shall be responsible for compliance with applicable Statutes and Regulations of the Board.

HISTORY: Amended by SCSR 46-5 Doc. No. 5073, eff May 27, 2022.

17-3. Barber Schools, Teachers and Instructors; Teachers and Instructors to Devote Full Time.

All teachers and instructors in barber schools or colleges are required to give full time to the students and cannot do any professional work during school hours.

HISTORY: Amended by SCSR 46-5 Doc. No. 5073, eff May 27, 2022.

17-4. Barber Schools, Managers, Teachers and Instructors; Certain Teachers and Instructors to Take Examinations.

All licensed instructors who have not taught in a school, college, or provided on the job training within a period of five years, or who have not attended the annual Board-approved barber examination overview for instructors for two of the years within a five-year period will be required to apply for and take the instructor examinations required by the Board, to insure continued competency as an instructor. Licensed instructors attending the overview during the five year period who are not actively teaching during that time must provide to the Board, at the time of attendance, an affidavit or other proof acceptable to the Board certifying their attendance at the required overview.

HISTORY: Amended by SCSR 46-5 Doc. No. 5073, eff May 27, 2022.

17-5. Barber Schools, Applications and Fees.

All barber schools and colleges to be approved and accepted must file an application as required by the Board at least fifteen (15) days prior to the Board's regular meeting date, and accompanied by the prescribed fee. Following receipt of the completed application, the Board shall conduct an inspection to determine the suitability of the proposed space and compliance with applicable Board statutes and

regulations. The applicant must pass this inspection to be approved to open. Prior to scheduling this inspection, the applicant must submit a completed self-inspection report on a form approved by the Board.

HISTORY: Amended by SCSR 46-5 Doc. No. 5073, eff May 27, 2022.

17-6. Barber Schools, Applications and Fees; Change in Ownership.

When a certificate of approval has been issued to a barber school or college and there is a change in ownership, a new application form must be submitted along with the prescribed fee.

HISTORY: Amended by SCSR 46-5 Doc. No. 5073, eff May 27, 2022.

17-7. Barber Schools, Disqualifying Actions.

If it shall appear to the Board that any manager, teacher or instructor has

- a) been convicted of any crime involving moral turpitude as shown by a certified copy of the record of the Court of Conviction; or
- b) has engaged in malpractice or demonstrated incompetence; or
- c) has failed to be competent to instruct on any and all required subjects; or
- d) has engaged in false or deceptive statements; or
- e) has evidence of drinking or use of drugs in and about the school or colleges; or
- f) has failed to display a certificate of registration; or
- g) has demonstrated disregard for applicable sanitary rules and regulations; or
- h) has obstructed any member of the Board, its agents, or assistants in inspections of said school or college, or has falsified records or reports required by law or by rules on regulations of the Board, it may revoke after hearing the certificate of registration of such manager, teacher or instructor.

HISTORY: Amended by SCSR 46-5 Doc. No. 5073, eff May 27, 2022.

17-8. Barber Students, Applications, Permits, Training, Progress Reports, and Examinations.

1. Every person desiring to train in a barber school or college, or under the personal supervision of a registered barber or a master hair care specialist who is a qualified on the job training instructor, shall file an application for a student permit to take the training. Such application shall be on a blank form furnished by the Board and shall be signed by the applicant and official of the school or college or the qualified on the job training instructor, under whom the applicant desires to train. Prior to the issuance of a permit, a prospective student who desires to train under the personal supervision of a qualified on the job training instructor, shall meet along with the instructor with a representative of the Board. A qualified on the job instructor may train only two (2) students in his shop at a time, provided the students have a chair at all times. To be eligible for licensing as a master hair care specialist, a student training in a barbershop must train under the personal supervision of a qualified on the job training instructor who holds a current master hair care specialist license.

(A) Students training fulltime in a post-secondary school or college shall be on a five (5) day week basis, seven and a half (7.5) hours per day, for a minimum of forty (40) weeks; or, students training fulltime under the personal supervision of a qualified on the job training instructor shall be seven and a half (7.5) hours per day on a forty (40) hour a week basis for forty-eight (48) weeks.

(B) Students shall have received a written student permit issued by the Board.

(C) Each student training under the personal supervision of an on the job training instructor will be required to obtain the same textbooks taught by barber school or college and be given at least one (1) hour of study per day.

(D) Student training part-time in a post-secondary school or college shall be on a twenty (20) hour a week basis for a minimum of seventy-five (75) weeks; students training part-time under the personal supervision of a qualified on the job training instructor, shall be on a twenty (20) hour a week basis for a minimum of ninety-six (96) weeks.

HISTORY: Amended by State Register Volume 15, Issue No. 4, eff April 26, 1991; State Register Volume 36, Issue No. 6, eff June 22, 2012; SCSR 46-5 Doc. No. 5073, eff May 27, 2022.

17-9. Barber Students, Applications, Permits, Progress Reports, Examinations; When Enrollment Commences.

A student shall be deemed enrolled in the barber school or college or under the personal supervision of a qualified on the job training instructor only from and after the date of issuance of a student permit by this Board.

HISTORY: Amended by SCSR 46-5 Doc. No. 5073, eff May 27, 2022.

17-10. Barber Students, Applications, Permits, Progress Reports, Examinations [; Issuance of Permit].

The student permit shall be issued for a period of nine (9) months for training in an approved barber school or college, or for twelve (12) months for training under the personal supervision of a qualified on the job training instructor. The student permit is valid only while the student is training in the school, college or under the supervision of the qualified on the job training instructor to which the student permit is issued. The student permit is nontransferable to another school, college or qualified on the job training instructor. If the training of the student is terminated for any reason during the period for which the student permit is issued, the student cannot apply for a new student permit until the expiration of the existing permit; UNLESS the Board decides for good cause that a new permit should be issued. If training of a student has been terminated for any reason and the student desires a new student permit prior to the expiration of the existing permit, the following must be complied with before the Board will consider the application:

- a) a new application must be completed in accordance with Regulation No. 17-8;
- b) an applicant must file a signed statement in writing setting forth why the training was terminated and why a new permit should be issued by the Board. The statement shall accompany the new application for a student permit.

After receipt of the application and statement the Board will consider the application. If the Board desires to hear testimony from the applicant, the Board will notify the applicant when to appear. The applicant will be notified of the Board's decision on the new application.

HISTORY: Amended by SCSR 46-5 Doc. No. 5073, eff May 27, 2022.

17-11. Barber Students, Applications, Permits, Progress Reports, Examinations; Monthly Progress Report.

The school, college or the qualified on the job training instructor by whom the training is given, shall file with the Board on the first of each month a monthly progress report on each student. This report is to be prescribed by the Board. All reports, records, or other documents required by rules and regulations should be submitted to the Board by the barber school or college or qualified on the job instructor training a student.

HISTORY: Amended by SCSR 46-5 Doc. No. 5073, eff May 27, 2022.

17-12. Barber Students, Applications, Permits, Progress Reports, Examinations; Re-Examination.

Each student who completes training in a barber school or college or under the supervision of a qualified on the job training instructor and fails to make a passing grade on the examination may be eligible to take another examination by filing a new application.

HISTORY: Amended by SCSR 46-5 Doc. No. 5073, eff May 27, 2022.

17-13. Barber Students, Applications, Permits, Progress Reports, Examinations; Additional Training.

An application for student permit must be filed with the Board for each student re-entering the school or college for additional training or for additional training under the personal supervision of a qualified on the job training instructor.

HISTORY: Amended by SCSR 46-5 Doc. No. 5073, eff May 27, 2022.

17-14. Barber Schools, Requirements of.

Each barber school shall:

a) have a qualified instructor or teacher for each twenty (20) students enrolled or fraction thereof; and

b) have a minimum of ten (10) barber chairs and each and every barber chair shall be mechanically workable, and the finish of same, including upholstery, shall be in good condition, and

c) have not more than two (2) enrolled students per barber chair; and

d) all students must be given a complete nine months course in the following subjects; the scientific fundamentals of barbering; haircutting; shaving; shampooing, and the application of creams and lotions; shedding and regrowth of hair, hygiene; sanitation and sterilization; anatomy; elementary chemistry; massaging and scalp treatments; scientific massaging and manipulation of the muscles in the scalp, neck and face; history of barbering and professional ethics; and laws and regulations of the Board; and students training to be master hair care specialists shall receive instruction in the use of chemicals to wave, relax, straighten, or bleach the hair; and

e) have a bulletin and curriculum containing full information as to the operation of school including physical equipment, number of barber chairs, work stands, floor space of practical and theory department, hours of operation, schedule of hours of each class, schedule of subjects taught and shall furnish the Board with a copy of same within ninety (90) days from the effective date hereof, thereafter within fifteen (15) days of issuance of any new or amendment bulletin; and

f) have a time clock or other means of accurately keeping and maintaining a complete record of each student including number of hours attending classes, practical and theory; and

g) have no barber sign or emblem representing that it is a barbershop displayed in front of the place of business designating that it is a barber school or college and stating that all barber work is done by students only. NO SCHOOL OR COLLEGE SHALL IN ANY WAY BE CONNECTED WITH A BARBER SHOP;

h) students training in barber schools or shops must have student permit prominently displayed behind his barber chair;

i) have within each school ample and sufficient space between each and every barber chair as well as from workstand or wall to barber chair whereby the students will not be crowded or hampered. The space between each and every barber chair, measured from center to center, shall be a minimum of five feet, and the space from the barber chairs to the workstand or wall shall be a minimum of three and one half (3 1/2) feet;

j) have ample and sufficient space for the purpose of practical demonstrations. Each school shall be separate from any other place or type of business by a substantial wall of ceiling height; and

k) have a room separate and apart from the practical room and must be separate and apart from any other type of business whatsoever by a ceiling height solid partition. Said room must be used exclusively for the training in theory of barbering and sufficient in size to accommodate students enrolled in such school and shall have ample blackboard space as well as charts on anatomy and other facilities adequate to teaching the required subjects;

l) have an adequate workstand for each barber chair, same to be of such construction that it may be easily cleaned; and adequate tool cabinet for each barber chair, having a door as nearly airtight as possible and of such construction that it may be easily cleaned; and sufficient supply of solution in which to immerse barber instruments immediately accessible to each chair; and

m) have and maintain a copy of the candidate information bulletin from the Board-approved examination provider, Board-approved textbooks, supplies, equipment, fixtures, devices and tools necessary for compliance with regulations, and additional equipment necessary for the instruction of students as required by the Board.

HISTORY: Amended by SCSR 46-5 Doc. No. 5073, eff May 27, 2022.

17-15. Barber Schools, Shops, Mobile Shops, Requirements for Inspections.

All schools, colleges, barbershops, or mobile barbershops are subject to inspections at any time by the Board of Barber Examiners or its agents. No manager, instructor, teacher, operator, owner or employee shall obstruct or interfere with the inspection.

HISTORY: Amended by SCSR 46-5 Doc. No. 5073, eff May 27, 2022.

17-16. Rules and Regulations.

All barber schools, colleges and qualified on the job training instructors are required to comply with the above rules and regulations in order to remain on the approved list.

HISTORY: Amended by SCSR 46-5 Doc. No. 5073, eff May 27, 2022.

17-17. Repealed.

HISTORY: Former Regulation, titled Rules and Regulations [; Revocation of Prior Rules and Regulations], repealed by SCSR 46-5 Doc. No. 5073, eff May 27, 2022.

17-20. Barbershop Requirements; Applications for Inspection and Registration and Shop License.

A building that is to be used for a newly established barbershop or a shop reopening for business shall be separate and apart from any residence or building or room used for housing purposes. A newly established barbershop must comply with all applicable state, federal and local laws, regulations, ordinances and codes. There shall be at least 5 feet of space between each barber chair from center to center of each chair, and sufficient space from each chair to the wall of shop, front and rear to allow for the adequate and safe provision of services.

Each barber shall be provided with a cabinet, constructed of such material that it may be easily cleaned, consisting of adequate space for clean freshly laundered towels, and each barber shall be provided with an adequate container for discarding soiled towels; each barber chair shall be mechanically workable and have a good grade of upholstery which is unbroken, torn or ripped. Each shop shall have within said shop or building adequate toilet facilities; each shop shall have smooth finished walls ceiling and floor; be well lighted and ventilated; no exposed pipes; and a barbershop or a room to be used for a barbershop shall be separate and apart from any other room which is used for any other purpose by a substantial partition or wall of ceiling height separating such portion used for a barbershop. Barbershops shall have a working, easily accessible fire extinguisher.

All new shops opening, and any established barbershop moving to a new location shall be deemed a new shop, shall file an application for inspection and registration with the Board fifteen days prior to opening. No new shop shall be operated until all fees are paid and shop shall have passed inspection. Shop license shall not be transferable to a new owner or to a new location.

If a new or reopened shop meets the above requirements, a person who is the holder of a current certificate of registration as a registered barber may obtain an application for a shop license from the Inspector or write this office. All applications for shop license must be on file in the office of the State Board of Barber Examiners at least fifteen days prior to the date when a shop will be complete and ready for inspection.

The Board should be immediately notified should a shop not be ready for inspection by the date stated on the application.

HISTORY: Amended by State Register Volume 41, Issue No. 5, Doc. No. 4713, eff May 26, 2017; SCSR 46-5 Doc. No. 5073, eff May 27, 2022.

17-21. Mobile Barbershops.

a. A mobile barbershop must be a self-contained unit sufficiently equipped to provide barbering services within the premises of the mobile shop. The mobile shop name, as is stated on the permit, and the mobile shop permit number must be visibly displayed and clearly legible on at least two exterior sides of the mobile shop. No windows of the unit may be tinted so that it obstructs seeing inside the mobile unit. The interior of a mobile unit must be clearly visible from outside the unit.

b. No service may be performed on a patron in a moving vehicle. All fixtures in a mobile unit must be firmly anchored to the floor.

c. Each barber shall be provided with a securely anchored cabinet, constructed of such material that it may be easily cleaned, consisting of adequate space for clean freshly laundered towels, and each barber shall be provided with an adequate container for discarding soiled towels; each barber chair shall be securely anchored, mechanically workable and have a good grade of upholstery which is unbroken, torn or ripped. A mobile barbershop shall have adequate and functional sink and toilet facilities within the mobile shop, to include a holding tank with adequate wastewater storage; it shall be

well lighted and ventilated; and the mobile barbershop shall not be used for any purposes other than providing barbering services. A mobile shop must also have a working, easily accessible fire extinguisher.

d. An application for inspection and registration with the Board of a new mobile barbershop must be filed by the licensed registered barber or master hair care specialist who will be the operator of the mobile shop, at least fifteen days prior to opening, on a form approved by the Board, along with the required fee. The designated operator is responsible for compliance with applicable statutes and regulations of the Board. The vehicle identification number (VIN) of the mobile shop shall be provided on the application. No new mobile shop shall be operated until all fees are paid and the shop shall have passed inspection. The inspection will be held at the time and place designated by the Board.

e. Mobile barbershop permits must be renewed biennially; however, each unit must be annually inspected by the Board. A mobile shop must be inspected annually no later than 30 days beyond one year from the issue date of the current permit, and also prior to the biennial renewal of the permit. The inspection will be held at the time and place designated by the Board.

f. Applications should be filed with the Board at least fifteen days prior to the date when the mobile shop wishes to be inspected prior to beginning operation.

g. Services in a mobile shop can only be provided by a licensed registered barber or master hair care specialist. Only barbering services can be provided in a mobile shop. Barber college students, OJT students and hair braiders may not provide services in a mobile shop. An apprentice may not operate a mobile shop.

h. A mobile shop permit is not transferable to a new owner or to a different mobile unit.

i. Mobile barbershops shall maintain a written or electronic record of the street address where barbering services will be provided, and must provide these records to the Board, in the manner specified by the Board, at least two weeks in advance of when the service is to be provided. Any changes to these records, including adding or deleting addresses where the services are to be provided, should be immediately provided to the Board. These records maintained by the mobile barbershop are subject to inspection by the Board.

HISTORY: Added by SCSR 46-5 Doc. No. 5073, eff May 27, 2022.

17-22. Portable Barber Operations.

a. A portable barber operation is a licensed registered barber or master hair care specialist who has a Board-issued permit to provide barbering services in a client's home or place of residence, either permanent or temporary, a client's office or other place of business, wedding or other event venues, or other locations as may be approved by the Board.

b. A licensed registered barber or master hair care specialist may apply for a portable barbering operation permit by submitting an application to the Board, along with the required fee. The permit is renewed biennially. A portable barber must have a base of operations that is either a registered barbershop or mobile barbershop.

c. A portable barber must have and provide the following minimum equipment: a means of cleaning his or her hands prior to beginning the service, a first aid kit capable of dealing with blood exposure, sanitary capes or drapes, clean towels, sanitized and disinfected barbering implements and tools, a closed container with a sufficient supply of either at least a sixty percent alcohol solution or an EPA-registered disinfectant, and a means of transporting clean and used implements separately. No equipment or implement can be used on a subsequent client without it first being properly cleaned, sanitized and disinfected.

d. A portable barber should not begin providing a barbering service to a client without first verifying that there is an adequate supply of hot and cold running water available on the premises to safely and sanitarily complete the service to be provided.

e. A portable barber shall maintain a written or electronic record of the street addresses where barbering services will be provided during any two-week period at the designated base of operations. These records are subject to inspection by the Board.

HISTORY: Added by SCSR 46-5 Doc. No. 5073, eff May 27, 2022.

17–30. Certificate of Physical Examination.

All applicants for licensure as a registered barber or master hair care specialist in South Carolina shall attach to their application for licensure a certificate from a qualified practicing physician or from a County Health Department showing a negative test for tuberculosis, or a normal chest x-ray. If the test or x-ray results are positive, the applicant must furnish a letter from the doctor or County Health Department affirming that the applicant is not contagious.

HISTORY: Amended by SCSR 46–5 Doc. No. 5073, eff May 27, 2022.

17–50. Sanitary Rules Governing Barbers, Barbershops, Mobile Barbershops, and Barber Colleges.

A mobile barbershop must comply with all sanitary rules set out below. For the purposes of this regulation, the term “barbershop” is inclusive of any location or place subject to registration or licensing by the Board, including, but not limited to a barbershop, a mobile barbershop, or a barber school or college.

1. Inspection.

All barbershops shall be open for inspection at all times during business hours to any members of the Board of Barber Examiners, or its agents or assistants.

2. Proper quarters.

No barbershop shall be used as a dormitory, sleeping or living quarters or for the preparation of meals.

3. Barbershops.

Every barbershop shall be well-lighted, well-ventilated, and kept in a clean, orderly and sanitary condition.

4. Fixture conditions.

Workstands or cabinets, towels and tools, and fixtures of all barbershops must be kept clean and sanitary at all times.

5. Water.

Barbershops shall provide a supply of hot and cold running water located at a convenient point within each barbershop under pressure in such quantities as may be necessary to provide the service and conduct the shop in a safe and sanitary manner.

6. Mobile barbershops must immediately cease operation when (1) wastewater storage capacity has been reached; (2) the toilet or sink are non-functioning; or (3) the mobile shop no longer has an adequate supply of clean hot and cold running water, or adequate wastewater capacity for safely completing all barbering services. Maintaining an adequate water supply is of particular importance if the shop is providing chemical services.

7. Styptic pencil and alum, first aid kit.

No person serving as a barber shall, to stop the flow of blood, use alum or other material unless the same be used in liquid or powder form. The use of common styptic pencil or lump alum shall not be permitted for any purpose. Each barbershop shall have a fully-stocked first aid kit.

8. Instruments.

All equipment used in connection with serving a patron shall be maintained in a clean and sanitary manner. Instruments or appliances of any kind which come in contact with the body of a patron shall be, before each separate use, sterilized by immersing in a solution of at least a sixty percent alcohol solution or an EPA registered disinfectant.

9. Hair brushes, combs and neck dusters.

Hair brushes, combs, and neck dusters, shall be kept clean and sanitary at all times.

10. Mugs and brushes.

All shaving cups and lather brushes must be kept clean and sanitary at all times.

11. Headrest.

The headrest of every barber chair shall be protected with fresh, clean paper or clean laundered towel before its use for any person.

12. Towels.

A clean, freshly laundered towel shall be used for each patron. This applies to every kind of towel—dry towel, steam towel, or washcloth. All towels that are used on a patron must be discarded until laundered. Used towels shall not be replaced in a sterilizer or rinsed or washed in the barbershop. All wet towels must be removed from the work stand or lavatory after serving each patron.

13. Haircloths.

Whenever a haircloth is used in cutting the hair, shampooing, etc., a newly laundered towel or paper neck strip shall be placed around the neck so as to prevent the haircloth from touching the skin.

14. Bathrooms and toilets.

Bathrooms and toilets must be kept in a clean and sanitary manner at all times.

15. Hand hygiene.

Every person serving as a barber shall thoroughly cleanse his or her hands immediately before serving each customer.

16. Barber appearance.

Each person working as a barber shall be clean, both as to person and dress.

17. Treating disease.

No barber or other person in charge of any barber shall undertake to treat any disease of the skin.

18. Shaving diseased faces.

No barber shall shave any person when the surface to be shaved is inflamed or broken out, or contains pus, unless such person is provided with a cup, shaving brush and razor for his individual use. Alternatively, any implements or items used must be immediately and thoroughly cleaned, sanitized and disinfected.

19. Animals in shops.

No animals shall be allowed in a barbershop other than a service animal.

20. Rules posted.

The owner, operator, or manager of any barbershop shall post a copy of these rules and regulations in a conspicuous place within the premises.

Any violation of these rules will be prosecuted according to law.

21. When an application is made to the South Carolina State Board of Barber Examiners for a license or registration to operate and maintain a new barbershop, new mobile barbershop, or new barber school or college, the Board, or its agents, shall, before the license or registration is issued, inspect the premises, building, mobile unit, equipment, and other conditions surrounding the same to ascertain and determine if the premises, building, mobile unit, and equipment complies with the sanitary rules and regulations appertaining thereto, duly promulgated and adopted by the Board.

22. Barbershops will be periodically inspected and graded, in accordance with compliance of the Sanitary Rules and Regulations. Inspection reports denoting grade, A—90–100, B—80–89, C—70–79 and D—unsatisfactory will be posted in a conspicuous place on the premises. These grades are determined by the Inspector, based upon inspection findings. Shops making low and unsatisfactory grades will be given thirty days for compliance.

HISTORY: Amended by SCSR 46–5 Doc. No. 5073, eff May 27, 2022.

17–51. Minimum Requirements for Licensing of Cosmetologists as Master Hair Care Specialists.

1. The Board will issue master hair care specialist licenses to those licensed as cosmetologists by the South Carolina State Board of Cosmetology who submit a completed application with the application fee, proof of a current South Carolina cosmetologist license, and proof of a passing score on all portions of the practical examination prescribed by the Board along with the total number of years' experience and training prescribed hereunder.

2. Any licensed cosmetologist with fewer than two (2) years' experience must have three hundred seventy-five (375) hours of barber school training approved by the Board.

3. Any applicant failing any portion of the examination must complete fifty (50) hours of training in each portion failed in a Board approved barber school prior to reapplying and retaking the portion(s) of the examination failed.

HISTORY: Added by State Register Volume 15, Issue No. 4, eff April 26, 1991. Amended by State Register Volume 40, Issue No. 5, Doc. No. 4601, eff May 27, 2016; SCSR 46-5 Doc. No. 5073, eff May 27, 2022.