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## **Application 1.1**

### **Check List and Application Forms**

## Barber College License Application Check List

### "X" TO INDICATE INFORMATION IS INCLUDED IN APPLICATION SUBMITTAL

- Barber College License Application Form
  - Barber College License Application Addendum #1
  - Principles of a Firm Form completed for all officers listed under number (6) of application
  - Business Plan
  - Authorizations from the Secretary of State to do business in Kansas if applying for a license with a location in Kansas (Corporations must be in good standing prior to issuance of a license)
  - A current Financial Statement of the Corporation (Owners) as provided by a CPA
  - \$500 Application Fee (Certified Check or Money Order)
  - Six (6) copies of a descriptive floor plan to scale which demonstrates compliance with K.A.R. 61-3-7
  - Six (6) copies of the barber college curriculum
  - Six (6) copies of a daily class schedule for both full-time and part-time students
  - Six (6) copies of all instruction equipment to be provided and used in the operation of barber college
  - Six (6) copies of written enrollment agreement between the barber college and Student, including Refund policy and rules and regulations of the barber college
  - Six (6) copies of the barber college brochure
  - Six (6) copies of the items comprising a barber college tool kit
- Mark each required item accompanying the application to verify all documentation has been provided and include this completed check list with application submittal.
  - All fees are nonrefundable.
  - A licensee may conduct business only from the licensed location(s) and only under the name indicated on that license.



## BARBER COLLEGE LICENSE APPLICATION

Name of applicant: \_\_\_\_\_  
(Name under which barbering education is to be transacted, including dba name if applicable)

Application Contact Person \_\_\_\_\_ Phone No. \_\_\_\_\_

Type of Application: Sole Proprietor( ) Partnership( ) Limited Liability Co( ) Corporation( ) Public Entity( )

Principle Business Address: \_\_\_\_\_  
(Street) (City) (State) (Zip code) (County)

Address, Phone No. and contact person where business is to be conducted under license herein applied for:

\_\_\_\_\_

Place and date of incorporation or establishment: \_\_\_\_\_

Date of authorization from the Secretary of State to do business in Kansas, if applicable (See K, S. A. 177303)

\_\_\_\_\_

(If applying for a location in Kansas corporations must be filed and in good standing with the Kansas Secretary of State.)

Names and addresses of: (a) the President, Chief Executive Officer and Chief Operating Officer responsible for specific area in which the license(s) is being sought and (b) every equitable owner of 10% or more of the applicant. (Attach sheet if more space is needed)

*Every officer/owner listed here must also complete the Principals of a Firm form and Authorization for Release of Information form*

Full Name & Official Title                      Percentage Financial Interest if Applicant is a Company or Firm

\_\_\_\_\_

\_\_\_\_\_

Do any of the above listed officers have a financial interest in or other relationship of any kind with any other licensing authority in State of Kansas? Yes\_\_ No\_\_ If yes, provide detailed explanation on an attached sheet. List the name of each state and its respective state agency in which the applicant is currently licensed.

Has the applicant identified in question #1 ever had a license or other authority to conduct business suspended or revoked by any state? Yes \_\_\_ No\_\_\_

had any administrative or judicial judgements filed against them; been the subject of any tax liens or other liens of any nature; or filed for bankruptcy? Yes \_\_\_ No \_\_\_

been named as a defendant in any form of civil litigation? Yes \_\_\_ No \_\_\_

If Yes to any of the above questions, applicant must provide detailed explanation of an attached sheet.

Signature and Oath Applicant

I hereby swear and affirm that the information contained herein and attachments hereto are true and correct to the best of my knowledge and belief. Further, the provisions of K. S. A. 65-1801 et. seq- and Kansas Administrative Regulations 61-3-1 et. seq. will be reviewed by the applicant, its officers and directors, and all employees of the applicant will be made aware of such laws and regulations and any changes enacted hereafter. I understand it is the responsibility of the applicant to insure compliance with these laws and regulations by its officers, directors, and employees, and that failure to do so may result in the barber college license being suspended or revoked. Further, I understand that providing any false or misleading information may result in the license being denied, suspended, or revoked.

Date: \_\_\_\_\_

By: \_\_\_\_\_

Signature of Authorized Official

\_\_\_\_\_  
Type or Print Name

\_\_\_\_\_  
Official Title

State of \_\_\_\_\_

County of \_\_\_\_\_

Signed and affirmed before me this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_

\_\_\_\_\_

Notary Public Signature

My Commission expires: \_\_\_\_\_

# APPLICATION ADDENDUM #1

In applying for a license to conduct a college of barbering in the State of Kansas, I hereby submit the following information:

COLLEGE NAME: \_\_\_\_\_

COLLEGE STREET ADDRESS: \_\_\_\_\_

TELEPHONE NO: \_\_\_\_\_ HOURS OPEN: \_\_\_\_\_

NAME OF SUPERVISOR OF BARBER COLLEGE: \_\_\_\_\_

BARBER LICENSE NO: \_\_\_\_\_ INSTRUTOR LICENSE NO: \_\_\_\_\_

<u>INSTRUCTORS</u>	<u>NAME</u>	<u>BARBER LICENSE NO.</u>	<u>INSTRUCTOR LICENSE NO.</u>	<u>FULL TIME</u>
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(Minimum of 1 Instructor Required for every 10 or fewer students)

#1:	_____	_____	_____	_____
-----	-------	-------	-------	-------

#2:	_____	_____	_____	_____
-----	-------	-------	-------	-------

#3:	_____	_____	_____	_____
-----	-------	-------	-------	-------

#4:	_____	_____	_____	_____
-----	-------	-------	-------	-------

I do hereby certify and declare that the following equipment is provided and available for inspection prior to the first day of the opening of the college.

A minimum of five (5) feet from the center of the chair to the next chair center..... ( )

One room (used for class study, examinations, and lectures) ..... ( )

One room, separate from other rooms, (used for practical demonstrations) ..... ( )

An approved college of barbering shall also have a minimum of three students enrolled, based on the number of students required to accomplish the submitted business plan, and adequate equipment in the practical demonstration room including a minimum of:

One chair (per student) ..... ( )

One lavatory and back stand (per student) ..... ( )

One proper cabinet for immediate linen supply (per student) ..... ( )

One sterilizer container (per student) ..... ( )

One soap & water container (per student) ..... ( )

If I am granted a license to engage in the occupation of conducting a college of barbering, I will not advertise by means of knowingly false or deceptive statements; that I will display my license in a conspicuous place and that I will faithfully obey any and all requirements of law and all statutory or other rules of regulations of the Kansas Board of Barbering in conducting a school of Barbering in the State of Kansas.

Further, and in accordance with K.A.R. 61-3-13, I am aware that each barber college shall designate to the public that it is a barber college by having a sign in the front window or entrance. With letters not less than six inches in height, reading "Barber College. All work in the college done by students only". No college shall erect or maintain a barber pole.

In submitting this application, it is agreed by (me or us) that if any part of it is found to be false, or fraudulent (I or we) forfeit the right to conduct a college of barbering in the State of Kansas.

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Signature of Applicant





This form is to be completed by every officer/owner listed on #(6) of the application form. Duplicate this form as needed.

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### Authorization for Release of Information

Identifying Code:  
(Assigned by KBI)

I hereby request and authorize the Kansas Bureau of Investigation to furnish the requesting agency with criminal history information as described in K. S. A. 1985 Supp. 22-4701 (b). This includes all information defined with K. A. R. 10-9-1(b), (c) and (d). I voluntarily waive all right of recourse and release you from liability for compliance with this authorization.

FULL NAME

\_\_\_\_\_

Last

First

Middle

ANY OTHER NAMES USED

\_\_\_\_\_

CURRENT ADDRESS

\_\_\_\_\_

Street

City

State

Zip

Sex \_\_\_\_\_ Social Security No. \* \_\_\_\_\_

Race \_\_\_\_\_

ADDITIONAL INFORMATION

Date \_\_\_\_\_

\_\_\_\_\_  
Signature

.....  
KBI RESPONSE:

\*Providing a social security number is voluntary, however. if it is not provided, application processing may be delayed or denied\* The number may be used to identify applicants in criminal history and financial information investigations as discussed above.



This form is to be completed by every officer/owner listed on #(6) of the application form. Duplicate this form as needed.

\*\*\*\*\*

### Principals or Leaders of a Firm, College or School

1. Name of Applicant: \_\_\_\_\_  
(Name under which barbering education is to be transacted, including dba name if applicable)
2. Principle's Full Name: \_\_\_\_\_  
Social Security No.\* \_\_\_\_\_  
Place of Birth \_\_\_\_\_ Date of Birth \_\_\_\_\_  
Business Address \_\_\_\_\_ Business Telephone \_\_\_\_\_  
Present Occupation or Profession \_\_\_\_\_
3. Present position with the Applicant \_\_\_\_\_
4. Record of Previous Occupation (Ten Years)- Give full details and attach an additional sheet or resume if necessary.

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5. Have you had a civil judgement, state or federal tax lien or court order entered against you? \_\_\_\_\_
6. Have you filed a petition for bankruptcy within the last ten (10) years? \_\_\_\_\_
7. Have you ever been arrested, indicated, convicted, or pled guilty or nolo contendere to any crime, other than traffic related charges? \_\_\_\_\_
8. Have you held a professional or business license which had been suspended by a court or government agency relating to your employment, investments, or business associations? \_\_\_\_\_

**If Yes to any of the above questions, you must provide a detailed explanation on an attached sheet.**

## Confidential Background Information Consent Form

I hereby swear and affirm that the information contained herein and attachments hereto are true and correct to the best of my knowledge and belief. Further, I understand the Kansas Board of Barbering may conduct an investigation for the purpose of determining the suitability of the applicants to hold a Kansas Barber College License to operate a barber college in the State of Kansas. I hereby authorize and request all state and federal law enforcement authorities, all state and federal regulatory and licensing authorities, and all credit reporting agencies to furnish information about me regarding criminal records, investigations, background information, licensing, credit reports, and other information of whatever kind and nature, whether known to me or otherwise, to the Kansas Board of Barbering. I understand the Kansas Board of Barbering shall be under no obligation to disclose such information to me or any other person, and that if such information indicates a violation of law, it may be shared with any agency responsible for investigating or prosecuting the violation.

Date: \_\_\_\_\_

By: \_\_\_\_\_  
Signature of Principal

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

Signed and affirmed before this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_

\_\_\_\_\_  
Notary Public Signature

My commission expires: \_\_\_\_\_

\*Providing a social security number is voluntary, however, if it is not provided, application processing may be delayed or denied. The number may be used to identify applicants in criminal history and financial information investigations as discussed above.

## Barber Tool Kit list

- \_\_\_\_\_ Milady's Standard Textbook of Professional Barber — Styling (Revised Edition)
- \_\_\_\_\_ Milady's Professional Barber— Styling Workbook (Revised Edition)
- \_\_\_\_\_ Smock
- \_\_\_\_\_ Practice Hair
- \_\_\_\_\_ Chair Cloth
- \_\_\_\_\_ Shampoo Cape
- \_\_\_\_\_ Adjustable Clipper
- \_\_\_\_\_ Assorted Attachment Clippers
- \_\_\_\_\_ Styliner Outline Clipper
- \_\_\_\_\_ Shaper Razor
- \_\_\_\_\_ Shaper Blades
- \_\_\_\_\_ Styling Shears
- \_\_\_\_\_ Styling Comb
- \_\_\_\_\_ Tapper Comb
- \_\_\_\_\_ Rattail Comb
- \_\_\_\_\_ Flat Top Comb
- \_\_\_\_\_ Butterfly Clips
- \_\_\_\_\_ Chair Cloth Clip
- \_\_\_\_\_ Tool Bag



**Curriculum 2.1**  
**Milady's Curriculum**

Kansas Licensed Schools and Colleges of Barbering primarily utilize the barbering textbook titled:

Milady's Standard Professional Barbering  
Thompson Delmar Learning  
5 Maxwell Drive  
Clifton Park, New York 12065-2919  
[www.milady.com](http://www.milady.com)

With a secondary address of:

Milady  
20 Channel Center Street  
Boston, MA02210  
Milady.cengage.com  
Or  
[www.cengagebrain.com](http://www.cengagebrain.com)

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The following links have proven helpful to some students in pre-NIC testing:

<http://www.barber-license.com/how-to-pass-the-nic-barbering-exam/>

[Microsoft Word - NIC Barber Styling Theory CIB Eff 2-2015 9-26-2014.docx \(kansas.gov\)](#)

**Curriculum 2.2**  
**Minimum Barber School Curriculum of 1,200 Hours**



Kansas Board of Barbering  
 Policy and Procedure  
 KANSAS BARBER MINIMUM CURRICULUM (1 ,200 Hours)  
 Adopted by Board July 28, 2016

REQUIRED SUBJECTS IN COURSE OF STUDY	Minimum Hours of Supervised Practice on Clinical Floor	Minimum Hours of Demonstration & Lecture in Classroom
Scientific Fundamentals of Barbering		150
Histology of the Hair and Skin		10
Anatomy, including particularly structure of the head, face and neck		10
Skin, Scalp and Hair and their Common Disorders		10
Electricity as applied to Barbering		2
Elementary Chemistry in Relation to Sterilization and Antiseptics		10
Chemistry and Pharmacology		2
Sanitation and Sterilization	10	10
Hygiene and First Aid		5
Bacteriology		5
Scalp Care and Shampooing	30	5
Instruments		5
Economics, Equipment and Shop Management		15
History of Barbering		5
Singeing and Hair Tonics	1	1
Soaps, Shampoos, Creams, Lotions and Tonics		5

Facials, Massages and Packs	20	5
Honing and Stropping	1	1
Shaving	100	20
Haircutting	600	25
Hair styling and Arranging	30	10
Permanent Waving	20	10
Coloring Bleaching Tinting and Dyeing the Hair	25	17
Laws and Ethics		25
MINIMUM TOTAL OF EACH	837	363

**Curriculum 2.3**  
**Minimum Related Industry Curriculum of 500 Hours**

Kansas Board of Barbering Policy and Procedure  
 INDUSTRY-RELATED MINIMUM ADDITIONAL CURRICULUM (500 Hours)  
 Adopted by Board July 28, 2016

REQUIRED SUBJECTS IN COURSE OF STUDY	Minimum Hours of Supervised Practice on Clinical Floor	Minimum Hours of Demonstration & Lecture in Classroom
Anatomy, including particularly structure of the head, face and neck		10
Electricity as Applied to barbering		2
Bacteriology		5
History of Barbering		5
Singeing and Tonics	1	1
Honing and Stropping	1	1
Shaving	100	20
Haircutting	325	29
TOTAL OF EACH	427	73
<b>TOTAL NUMBER OF HOURS (MINIMUM) 500</b>		

**U.S. Department of Education Gainful Employment Regulations**

## **Federal Gainful Employment Regulation**

The United States Department of Education's new Gainful Employment Regulation is critical of trade schools requiring too many hours, at too much cost, for the income level their students are projected to earn.

The new Gainful Employment Regulation requires proof of student barber's (as well as other trades) ability to repay Title IV funds based on a ratio of the "cost of education" to the "amount of earnings".

Recently, the Executive Director of the ACCS — Accrediting Commission of career Schools, Mr. Michael McComis, wrote to KBOB stating that whether we require 1,200 hours, 1,500 hours or somewhere in between, what a school will need to show is: "how the length is appropriate to the employment goals". He went on to say that his fear is that "Cosmetology and Barbering school generally are in danger of being pushed out of the Title IV funding programs because of the length of program and the associated cost of tuition in relation to earnings". He then went on to provide the following quote.

"I fear that is barbering/Cosmetology Boards do not agree on how to get Cosmetologists and barbers through programs more quickly with lower costs, the federal gain employment regulation will make these programs very difficult to operate" Michael McComis, ACCS Executive Director

In a separate communication, the Executive Director of the NACCAS — National Accrediting Commission of Career Arts & Science, Dr. Anthony Mirando wrote to inform us that NACCAS accredits schools, with different hourly requirements based on state law, and that "few hours and lesser cost will generally help achieve requirements of the Gainful Employment Regulations".



**Statutory Requirements 3.1**  
**Overview**



## Statutory Overview

Pre-2016 Statutes	2016 Barbering Bill Amendments
K.S.A. 65-1810(a)(1) — Not less than 1,500 hour	K.S.A. 65-1810(a)(1) - Not less than 1,200 hours and not more than 1,500 hours, as prescribed in Rules and Regulations by the board.
K.S.A. 65-1810(a)(3) — Licensed barbers need three year's of experience to set for the Instructor's Examination.	K.S.A. 65-1810(a)(3) — Licensed barbers have no years of experience requirement to set for the Instructor's Examination.
65-1810(e) — Barber schools may not offer any post graduate courses.	65-1810(e) — Barber schools may conduct courses as prescribed by the board.
65-1812(3) — Silent on courses for related industry professionals such as military barbers or Kansas licensed cosmetologists.	65-1812(3) — Enacted military and cosmetology courses as prescribed by the board.

**Statutory Requirements 3.2**  
**Barbering Statute**

**65-1808. Practice of barbering regulated by act.** It is unlawful for any person to engage in barbering for hire in this state, to operate a barber shop, barber school or barber college, to employ any person to engage in the practice of barbering as defined in K.S.A. 65-1809 and amendments thereto, except in conformity with the provisions of this act.

**History:** L. 1939, ch. 241, § 1; L. 1970, ch. 255, § 1; L. 1981, ch. 248, § 1; July 1.

**65-1809. Definitions.** As used in this act:

- (a) "Board" means the Kansas board of barbering;
- (b) "administrative officer" means the administrative officer of the board;
- (c) "license" means a license entitling the person to whom issued to practice barbering, or to operate a barber school, barber college or barber shop;
- (d) "barber shop" means any place, shop or establishment, wherein the practice of barbering is engaged in or carried on;
- (e) "barber school" or "barber college" means any place or establishment wherein the practice, fundamentals, theories or practical applications of barbering are taught;
- (f) "barbering" means any one or any combinations of the following practices (when done upon the upper part of the human body for cosmetic purposes and not for the purpose of diseases or physical or mental ailments, and when done for payment, either directly or indirectly, or without payment, for the public generally, upon male or female): Shaving or trimming the beard or cutting the hair; giving facial or scalp massages or treatments with oils, creams, lotions or other preparations, either by hand or mechanical appliances, singeing, shampooing or dyeing, arranging, perming or waving the hair, or applying tonics; applying cosmetic preparations, antiseptic powders, oils, clays, or lotions to the scalp, face, neck or upper part of the body.

**History:** L. 1939, ch. 241, § 2; L. 1990, ch. 225, § 2; July 1.

**65-1810. Barber schools and colleges; approval by board; requirements; students, application, fees, license; unlawful acts.** (a) No barber school or barber college shall be approved by the board unless:

(1) The school or college requires, as a prerequisite to graduation, a course of instruction of not less than 1,200 hours and not more than 1,500 hours, as prescribed in rules and regulations by the board, to be completed within 18 months of not more than eight hours in any one working day;

(2) the course of instruction required by the school or college includes scientific fundamentals of barbering; hygiene; histology of the hair and skin; structure of the head, face and neck; elementary chemistry relating to sterilization and antiseptics; massages and manipulations of the muscles of the scalp, skin and neck; cutting, shaving, arranging, perming, waving, curling, coloring, bleaching, tinting and dyeing the hair; and barbering practices for all major ethnic groups residing in the state;

(3) all instructors of the school or college have been licensed practicing barbers and hold instructors licenses; and

(4) no practice or policy of discrimination is in effect against applicants for admission to the school or college by reason of race, religion, color, national origin or ancestry.

(b) An instructor's license shall be granted by the board only after the applicant has passed a two-part examination, prescribed by the board for such purpose, with a grade of not less than 75% on each part of the examination, and has paid the prescribed fee for such examination.

(c) Every barber school and every barber college shall designate to the public that it is a barber school or barber college by posting a sign on the front window or entrance with letters not less than six inches in height. (d) No barber school or barber college shall enroll or admit any student unless such student shall make and file in duplicate an application upon a form prescribed and furnished by the board. One copy of such application shall be retained by the school or college, and the school or college shall file the other with the board. Upon enrollment, a student shall pay to the board the fee prescribed for a student learning license. Such license shall be used by the student while enrolled in the school or college and shall be placed next to or near the working area of the student.

(e) Barber schools or barber colleges may design courses of study for barbers who have not renewed their licenses for a period of at least three years, for students who have failed at least two examinations conducted by the board to determine fitness to practice barbering or for other purposes as prescribed by the board, including courses of study for professionals in related industries.

(f) It shall be unlawful for any person, firm or corporation to operate a barber school or barber college without first obtaining a license from the board, fully complying with the provisions of this act and paying an annual fee for operation.

**History:** L. 1939, ch. 241, § 3; L. 1961, ch. 288, § 1; L. 1965, ch. 380, § 1; L. 1970, ch. 255, § 2; L. 1980, ch. 190, §1; L. 1982, ch. 265, § 1; L. 1988, ch. 249, § 1; L. 1990, ch. 225, § 3; L. 2016, ch. 91, § 3; July 1.

**65-1812. Qualifications for licensure as a barber; temporary license.** (a) Any person shall be qualified to receive a license to practice barbering if such person:

(1) Is at least 16 years of age and of good moral character and temperate habits;

(2) has graduated from a high school accredited by the appropriate accrediting agency or has otherwise obtained the equivalent of a high school education;

(3) is a graduate of a barber school or barber college approved by the board or has satisfactorily completed the barber course at an institution under the control of the secretary of corrections or the disciplinary barracks at Fort Leavenworth or has been certified in a related industry, such as barbering in any branch of the United States military service, and has completed a course of study in a licensed Kansas barber college or barber school as prescribed by the board under K.S.A. 65-1810(e), and amendments thereto, or has been a cosmetologist licensed by the Kansas board of cosmetology and has completed a course of study in a licensed Kansas barber college or barber school as prescribed by the board under K.S.A. 65-1810(e), and amendments thereto; and

(4) has paid an examination fee and has passed the examination conducted by the board to determine the fitness of such person to practice barbering.

(b) Any person who fails to pass an examination conducted by the board to determine such person's fitness to practice barbering shall be entitled to take the next examination conducted by the board.

(c) The board may issue a temporary license to practice barbering to any person who has graduated from an approved barber school or barber college and who makes application to take the next examination for licensure to practice barbering. Such license shall be effective only until the results of the examination are announced. No more than three temporary licenses shall be issued to any one person.

**History:** L. 1939, ch. 241, § 5; L. 1965, ch. 380, § 2; L. 1970, ch. 255, § 4; L. 1976, ch. 272, § 3; L. 1978, ch. 244, § 1; L. 1980, ch. 190, § 3; L. 1981, ch. 248, § 2; L. 1982, ch. 265, § 2; L. 1990, ch. 225, § 4; L. 1990, ch. 309, § 36; L. 2016, ch. 91, § 4; July 1.

**65-1813. Same; persons authorized to practice outside state; examination exemption, conditions; reciprocity.** (a) The board may issue, without examination, a license to practice barbering to any person who pays the prescribed fee and submits evidence satisfactory to the board that such person:

(1) Is at least 18 years of age;

(2) is of good moral character and temperate habits; and

(3) is legally authorized to practice barbering in another state, territory or country which has substantially the same requirements for authorization to practice as required for licensure under this act and which grants reciprocal authorization to barbers licensed in this state as required by subsection (b).

(b) A license shall be issued pursuant to this section only if the state, territory or country in which the person is authorized to practice barbering grants, under like conditions and without examination, reciprocal authorization to barbers licensed in this state.

(c) No license shall be issued to any person without examination unless such person meets all requirements of this section.

**History:** L. 1939, ch. 241, § 6; L. 1980, ch. 190, § 4; L. 1982, ch. 265, § 3; L. 1990, ch. 225, § 5; July 1.

**65-1814. Application.** Any person who desires to practice barbering shall file with the board a written application on a form prescribed by the board.

**History:** L. 1939, ch. 241, § 7; L. 1961, ch. 288, § 3; L. 1974, ch. 253, § 3; L. 1976, ch. 272, § 2; L. 1981, ch. 248, § 3; L. 1982, ch. 265, § 4; April 29.

**65-1815. Examinations for licensure; times, places, content and required grade; reexamination; applications; seminar permits.** The board shall conduct examinations for applicants for licensure to practice barbering at such times and places as the board shall determine; but examinations shall be given not less than twice in each year. Such examination shall include both a practical demonstration and a written test of the applicant's knowledge of hygiene and the fundamentals of the vocation. A license to practice shall be issued each applicant who shall satisfactorily pass both the practical demonstration and the written test with a grade of not less than 80%, and shall possess the other qualifications required by law. The board shall allow an applicant who fails one part of the examination to be reexamined only on that part which was failed. Each application to practice shall contain, in addition to any other information required by the board or by law, the name, address, social security number, height, weight and age of the applicant to whom issued. The board may issue seminar permits to barbers and teachers holding valid licenses from Kansas or any other state or country, to teach and demonstrate the art of advanced barbering. Such seminar permit shall be restricted to prescribed dates and places, but in no instance shall it be valid for more than five days. No such seminar permit shall be required of any barber or teacher demonstrating the art of advanced barbering at no cost to those viewing such demonstration.

**History:** L. 1939, ch. 241, § 8; L. 1961, ch. 288, § 4; L. 1974, ch. 253, § 1; L. 1981, ch. 248, § 4; L. 1982, ch. 265, § 5; L. 1990, ch. 225, § 6; July 1.

**65-1816. Exemptions.** The following persons are exempt from the provisions of this act, while in the discharge of their professional duties: (a) Persons licensed by the law of this state to practice medicine and surgery or chiropractic; (b) commissioned medical or surgical officers of the United States army, navy or marine hospital service; (c) registered nurses; (d) undertakers and morticians; and licensed cosmetologists and apprentices.

**History:** L. 1939, ch. 241, § 9; July 1.

**65-1817. Fees; determination and collection; limitations; duplicate licenses.** (a) In each fiscal year, the board shall determine the amount of funds which will be required during the next ensuing fiscal year to properly administer the laws which the board is

directed to enforce and administer and shall fix fees in accordance with this section for such ensuing year in such reasonable sums as may be necessary for such purposes.

(b) After fixing such fees, the board may charge and collect the fees, in advance for the following purposes, subject to the following limitations:

- For examination of applicant to practice barbering—not more than.....\$100
- For issuance of license to practice barbering—not more than .....\$80
- For renewal of license to practice barbering—not more than ..... \$80
- For restoration of expired license to practice barbering, if expiration period is under three years, the lapsed fees plus a restoration fee of not more than ..... \$100
- After three years applicant shall be reexamined upon payment of the regular examination fee—not more than ..... \$100
- For instructors license or annual renewal thereof—not more than ..... \$90
- For restoration of expired instructors license, if expiration period is under three years, the lapsed fees plus a restoration fee of not more than ..... \$90
- After three years the instructor shall be reexamined upon payment of the regular examination fee—not more than ..... 170
- For a license to operate a barber school or barber college, annual fee—not more than ..... 500
- For shop inspection, and annual license fee—not more than ..... \$40
- For restoration of expired shop license, if expiration period is under three years, the lapsed fee plus a restoration fee of not more than ..... \$80
- For a new shop, relocation or change of ownership—not more than .....\$80
- For issuance of a seminar permit—not more than ..... \$80
- For issuance of student learning license—not more than ..... \$55

(c) A duplicate license will be issued upon the filing of a statement covering the loss of same and the payment of a fee of \$5 for the issuance of same. Each duplicate shall have the word "duplicate" stamped across the face thereof and will bear the same number as the original.

**History:** L. 1939, ch. 241, § 10; L. 1949, ch. 333, § 1; L. 1956, ch. 52, § 11; L. 1957, ch. 431, § 8; L. 1958, ch. 53, § 1 (Budget Session); L. 1961, ch. 288, § 5; L. 1963, ch. 398, § 12; L. 1970, ch. 255, § 5; L. 1973, ch. 309, § 18; L. 1974, ch. 253, § 2; L. 1975, ch. 321, § 1; L. 1980, ch. 191, § 1; L. 1981, ch. 248, § 5; L. 1982, ch. 265, § 6; L. 1990, ch. 225, § 7; L. 2003, ch. 36, § 1; July 1.

**65-1817a. Disposition of moneys; board of barbering fee fund.** The board shall remit all moneys received by or for it from fees, charges or penalties to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury. Ten percent of each such deposit shall be credited to the state general fund and the balance shall be credited to the board of barbering fee fund. All expenditures from such fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the chairperson of the board or by a person or persons designated by the chairperson.

**History:** L. 1973, ch. 309, § 19; L. 1990, ch. 225, § 8; L. 2001, ch. 5, § 231; L. 2011, ch. 53, § 29; July 1.

**65-1818. Display of license.** Every holder of a license to practice barbering shall display such license in a conspicuous place next to or near the holder's work chair.

**History:** L. 1939, ch. 241, § 11; L. 1990, ch. 225, § 9; L. 1992, ch. 112, § 1; July 1.

**65-1819. Renewal of license; annual requirement; expiration dates; fees prorated, when; restoration of license.** (a) Every licensed barber, instructor, operator of a barber shop and operator of a barber school or barber college shall annually renew the license and pay the required fee. The expiration date of each license which is issued, restored or renewed by the board shall be established by rules and regulations of the board so that licenses are renewed by the board throughout the year on a continuing basis. In each case in which a license is issued, restored or renewed for a period of time of less than one year, the board may prorate the amount of the fee established under K.S.A. 65-1817, and amendments thereto.

(b) A barber, instructor or operator of a barber shop whose license has been expired for a period of less than three years may have the license renewed upon filing with the board a renewal application and payment of the required restoration fee. Any barber, instructor or operator of a barber shop whose license has been expired for a period of three or more years may renew the license by filing with the board an application for reexamination, successfully completing such reexamination by the board and paying the required examination and license fees. Upon receipt of such application, payment of fees and passage of reexamination, if applicable, the board may grant a new license according to the provisions of K.S.A. 65-1820a, and amendments thereto.

**History:** L. 1939, ch. 241, § 12; L. 1961, ch. 288, § 6; L. 1978, ch. 245, § 1; L. 1981, ch. 248, § 6; L. 1990, ch. 225, § 10; L. 1992, ch. 112, § 2; L. 2016, ch. 91, § 5; July 1.

**65-1820a. Nonissuance, nonrenewal, suspension or revocation of license; grounds; board orders requiring remediation of violations.** (a) The board may censure, limit, condition, suspend, revoke or refuse to issue, reinstate or renew a license of any applicant or licensee upon proof that the applicant or licensee:

- (1) Has committed malpractice or incompetency;
- (2) has become afflicted with an infectious or communicable disease;
- (3) has advertised by knowingly false or deceptive statements;
- (4) has advertised, practiced or attempted to practice under a trade name other than one's own;
- (5) is unable to practice barbering with skill and safety due to current abuse of drugs or alcohol;
- (6) has committed unprofessional conduct as defined in rules and regulations adopted by the board;
- (7) has obtained or attempted to obtain a license for money other than the required fee, or for any other thing of value or by fraudulent misrepresentations;
- (8) has willfully failed to display a license to practice barbering as required by K.S.A. 65-1818, and amendments thereto;
- (9) has practiced or attempted to practice barbering by fraudulent misrepresentations;
- (10) has violated any of the sanitation standards adopted by the secretary of health and environment pursuant to K.S.A. 65-1,148, and amendments thereto, for the regulation of barber shops, barber schools and barber colleges;
- (11) has violated any lawful rules and regulations of the board concerning the operation or management of a barber shop, barber school or barber college; or
- (12) has been convicted of any felony offense or misdemeanor offense of a crime against persons or involving illegal drugs as determined by the board in rules and regulations, and the licensee or applicant for a license is unable to demonstrate to the board's satisfaction that such person has been sufficiently rehabilitated to warrant the public trust.

(b) The board, in lieu of or addition to any other penalty prescribed under the provisions of article 18 of chapter 65 of the Kansas Statutes Annotated, and amendments thereto, may assess a civil fine against a licensee for a violation of the provisions of article 18 of chapter 65 of the Kansas Statutes Annotated, and amendments thereto, in an amount not to exceed \$1,000.

(c) In all matters pending before the board, the board shall have the power to revoke the license of any licensee who voluntarily surrenders such person's or entity's license pending investigation of misconduct or while charges of misconduct against the licensee are pending or anticipated.

(d) All proceedings under the provisions of article 18 of chapter 65 of the Kansas Statutes Annotated, and amendments thereto, shall be conducted in accordance with the Kansas administrative procedure act. Judicial review and civil enforcement of agency actions under the provisions of article 18 of chapter 65 of the Kansas Statutes Annotated, and amendments thereto, shall be in accordance with the Kansas judicial review act.

**History:** L. 1939, ch. 241, § 13; L. 1970, ch. 255, § 6; L. 1981, ch. 248, § 7; L. 1982, ch. 265, § 7; L. 1984, ch. 313, § 112; L. 1990, ch. 225, § 11; L. 1991, ch. 191, § 1; L. 1992, ch. 112, § 3; L. 2016, ch. 91, § 6; July 1.

**65-1821. Same; reinstatement.** When a license has been refused, suspended or revoked, the person aggrieved thereby may apply for reinstatement, and such reinstatement shall be granted by the board upon showing that the reason therefor no longer exists.

**History:** L. 1939, ch. 241, § 14; L. 1988, ch. 356, § 200; L. 1990, ch. 225, § 12; L. 1992, ch. 112, § 4; July 1.

**65-1822. Unlawful acts; penalties.** Each of the following constitutes a misdemeanor punishable upon conviction by a fine of not less than \$10 and not more than \$100: (a) The violation of any of the provisions of this act; (b) obtaining or attempting to obtain a license for any other than the required fee, or for any other thing of value or by fraudulent misrepresentations; (c) practicing or attempting to practice by fraudulent misrepresentations.

**History:** L. 1939, ch. 241, § 15; L. 1990, ch. 225, § 13; July 1.

**65-1824. Powers of board.** The board is hereby authorized, empowered, and directed to administer and enforce the provisions of this act and the board is hereby granted such specific powers as are necessary for the purpose of administering and enforcing the same. In addition, thereto, the board shall have power;

(a) To supervise and regulate the barbering industry in this state. Nothing contained in this act shall be construed to abrogate, affect the status, force or operation of any provision of the general laws of this state relating to public health or any lawful rule, regulation or order promulgated thereunder, the law regulating the practice of barbering or any local health ordinance or regulation.

(b) To investigate all matters pertaining to the proper supervision and control of barber shops and the practice of barbering in this state.

(c) To subpoena barber shop owners, operators, managers or employees, their books and accounts, and other persons from whom such information may be desired, to carry out the purposes and intent of this act, and may issue commissions to take depositions from witnesses absent from the state. Any member of the board may sign and issue subpoenas and administer oaths to witnesses.

(d) To act as mediator and arbitrator in any controversy or issue that may arise among or between barbers as individuals or that may arise between them as groups. Nothing herein contained shall be construed as authorizing any interference with the authority of the state department of labor or the United States department of labor. The operation and effect of any provisions of this act which

confer a general power upon the board shall not be impaired or qualified because a specific power has been granted to the board by this act.

(e) To issue a cease and desist order against any individual, operator or licensee if the board determines that such individual, operator or licensee has practiced without a valid license or engaged or attempted to engage in any act or practice in violation of article 18 of chapter 65 of the Kansas Statutes Annotated, and amendments thereto, or rules and regulations adopted thereunder.

(f) To make an application to any court of competent jurisdiction for an order enjoining any person who has engaged or attempted to engage in any act or practice in violation of article 18 of chapter 65 of the Kansas Statutes Annotated, and amendments thereto, or rules and regulations adopted thereunder. Upon a showing by the board that such person has engaged or attempted to engage in any such act or practice, an injunction, restraining order or such other order as may be appropriate shall be granted by such court without bond.

**History:** L. 1941, ch. 298, § 2; L. 1990, ch. 225, § 15; L. 2004, ch. 179, § 89; L. 2016, ch. 91, § 7; July 1.

**65-1825a. Rules and regulations; sanitation standards.** (a) Except with regard to sanitation standards provided for by K.S.A. 65-1,148, and amendments thereto, the board may adopt rules and regulations necessary to carry out the provisions of this act. The rules and regulations of the board shall be posted for public inspection in the main office of the board and a certified copy thereof shall be filed in the office of the administrative officer of the board. The board may also publish such rules and regulations in publications representing the barbering industry.

(b) The board shall furnish a copy of the sanitation standards adopted pursuant to K.S.A. 65-1,148 and amendments thereto to each person to whom a license is granted and a copy shall be posted in a conspicuous place in each barber shop, barber school and barber college by the manager thereof.

**History:** L. 1941, ch. 298, § 3; L. 1965, ch. 506, § 31; L. 1980, ch. 190, § 5; L. 1984, ch. 313, § 113; L. 1988, ch. 366, § 17; L. 1990, ch. 225, § 16; L. 1991, ch. 191, § 2; L. 1992, ch. 112, § 5; July 1.

**65-1826. Investigation; fees of witnesses and officers.** The practice and procedure of the board with respect to any investigation made by it under authority of this act shall be in accordance with rules and regulations adopted by the board. Each person who serves a subpoena shall receive the same fees as a sheriff, and each witness who appears in obedience to a subpoena, shall receive for attendance the fees and mileage provided by law for witnesses in civil cases in the district courts of this state. Such fees and mileage shall be paid by the board in the same manner as other expenses are paid by the board. No witness subpoenaed at the instance of a party other than the board or one of its members, or its administrative officer, shall be entitled to fees and mileage unless the board shall certify that the witness' testimony was material to the matter investigated.

**History:** L. 1941, ch. 298, § 4; L. 1984, ch. 313, § 114; L. 1990, ch. 225, § 17; L. 1992, ch. 112, § 6; July 1.

**65-1827. Entry and inspection.** Any member of the board or employee designated for the purpose, shall have access to and may enter at all reasonable hours all places where barbering is being carried on. Any member of the board or designated employee also shall have power to inspect all books, papers, records or documents in any barber shop within the state for the purpose of ascertaining facts to enable the board to administer this act.

**History:** L. 1941, ch. 298, § 5; July 1.

**65-1828. Penalty for violations; enforcement of act and sanitation standards; procedure.** (a) A violation of any provision of this act, except as otherwise expressly provided by this act, is a misdemeanor punishable by a fine of not less than \$25 or by imprisonment not exceeding six months, or both, and each day during which such violation continues shall be deemed a separate violation.

(b) The board may institute such actions in the courts of competent jurisdiction as may appear necessary to enforce compliance with any provision of this act.

(c) The board may obtain enforcement of its rules and regulations or any subpoena or other order of the board in accordance with the Kansas judicial review act and may obtain enforcement of any sanitation standards adopted by the secretary of health and environment pursuant to K.S.A. 65-1,148 as if such standards were rules and regulations of the board.

**History:** L. 1941, ch. 298, § 6; L. 1989, ch. 195, § 4; L. 2010, ch. 17, § 135; July 1.

**65-1831. Confidentiality of documents, records, investigative information.** No member of the board, nor any officer, agent or employee thereof, shall divulge to any person, firm or corporation the contents of any document, paper or record, examined in the performance of duties hereunder, or any information obtained in the course of any investigation, except as may be required to carry out the purpose of this act.

**History:** L. 1941, ch. 298, § 9; L. 1990, ch. 225, § 18; July 1.

**65-1832. Performance of duties by board; additional compensation prohibited.** The members of the board shall not be entitled to additional compensation for the performance of duties required of them by this act.

**History:** L. 1941, ch. 298, § 10; L. 1973, ch. 309, §20; L. 1990, ch. 225, § 19; July 1.

**65-1833. Declaration of legislative intent.** The legislature hereby declares that this act is necessary to protect the public welfare, public health and public safety and that this act is enacted in the exercise of the police power of the state.

**History:** L. 1941, ch. 298, § 11; July 1.

**65-1834. Constitutionality.** If any part or parts of this act shall be held to be unconstitutional by any court, it shall be conclusively presumed that the legislature would have passed this act without such invalid part or parts.

**History:** L. 1941, ch. 298, § 12; July 1.

**65-1835. Licensing barbershops; fees; compliance with sanitary standards required.** The board shall license barber shops and shall issue licenses therefor upon payment of the prescribed fees, if the board finds the barber shop to be in compliance with its rules and regulations and the sanitation standards prescribed pursuant to K.S.A. 65-1,148 and amendments thereto.

**History:** L. 1992, ch. 112, § 7; July 1.

**74-1805a. Board of barbering, creation, appointment, composition, qualifications, oath, terms, chairperson, vacancies; administrative officer, appointment, unclassified service, salary, duties.** (a) There is hereby created the Kansas board of barbering which board shall be composed of five members to be appointed by the governor. Four members of the board shall be barbers and one member of the board shall represent the general public. Each member of the board, except the members who are appointed to represent the general public, shall have had experience as a practical barber for at least five years immediately prior to appointment. Each member of the board, before entering upon the member's duties shall take the oath provided by law for public officers. One member of the board shall be appointed each year for a term of three years, and shall hold office until a successor is appointed and qualified.

(b) The governor shall designate one member of the board as the chairperson thereof and the member shall hold such position during the member's term of office. Vacancies caused by death, resignation or other causes, shall be filled by appointment as provided for regular appointments, but such appointees shall serve only for the unexpired terms of their predecessors.

The board shall appoint an administrative officer who shall be in the unclassified service of the Kansas civil service act. The administrative officer shall receive an annual salary fixed by the board subject to approval of the governor. The administrative officer shall be treasurer of the board and shall keep a record of its proceedings and perform other duties as directed by the board.

**History:** L. 1939, ch. 241, § 16; L. 1961, ch. 379, § 1; L. 1967, ch. 434, § 30; L. 1975, ch. 462, § 110; L. 1978, ch. 308, § 59; L. 1981, ch. 248, § 8; L. 1990, ch. 225, § 20; L. 1991, ch. 191, § 3; July 1.

**74-1805b. Official designation.** (a) On July 1, 1990, the board of barber examiners shall be and hereby is officially designated as the Kansas board of barbering.

(b) On and after July 1, 1990, when the board of barber examiners or the administrative officer of the board of barber examiners, or words of like effect, is referred to or designated by a statute, contract or other document, such reference or designation shall mean and apply to the Kansas board of barbering and to the administrative officer of the Kansas board of barbering.

(c) Nothing in this act shall be construed as abolishing the board of barber examiners or the office of the administrative officer thereof, or as reestablishing the same.

**History:** L. 1990, ch. 225, § 1; July 1.

**74-1806. Meetings of board; records; compensation and expenses; dual-licensed salon and barber shops; rules and regulations; employees.** (a) Except as provided in subsection (b), the board shall meet immediately after appointment and determine the policies of the board and may conduct any business that may be before such board. Thereafter, the board shall meet as required by law, at times designated by the board and on the call of the administrative officer. The board shall keep a record of all its proceedings and a register of all applicants for licensure and all licensees. Members of the board attending meetings of such board, or attending a subcommittee meeting thereof authorized by such board, shall be paid compensation, subsistence allowances, mileage and other expenses as provided in K.S.A. 75-3223, and amendments thereto. The board shall adopt rules and regulations for the purpose of carrying out the provisions of this act. The administrative officer, with the approval of the board, shall have authority to employ inspectors and office personnel as may be deemed necessary to administer this act, and shall provide and maintain offices. The inspectors so appointed shall perform all of the inspection duties of the board. All employees of the board shall be within the classified service of the Kansas civil service act, with the exception of the administrative officer, who shall be in the unclassified service.

(b) The chairperson of the board of barbering, with the approval of the board, may enter into an agreement with the chairperson of the board of cosmetology as to which board's inspectors shall inspect a dual-licensed salon and barber shop. Such designated inspectors shall perform all of the inspection duties of both boards, as required by the applicable statutes and rules and regulations of both boards and the sanitation standards adopted by the secretary of health and environment pursuant to K.S.A. 65-1,148, and amendments thereto. Such designated inspectors shall be trained by both boards as required by the applicable statutes and rules and regulations of both boards.



**History:** L. 1939, ch. 241, § 17; L. 1947, ch. 397, § 1; L. 1961, ch. 379, § 2; L. 1965, ch. 458, § 27; L. 1967, ch. 443, § 8; L. 1970, ch. 255, § 8; L. 1974, ch. 348, § 54; L. 1974, ch. 253, § 4; L. 1979, ch. 241, § 1; L. 1990, ch. 225, § 21; L. 2014, ch. 63, § 2; July 1.

**74-1807. Inspection and enforcement.** Upon presentation of proper credentials, any member of the board, the administrative officer or the board's inspectors shall have the authority to enter, inspect and enforce rules and regulations pertaining to barber shops, barber schools or barber colleges at any time during business hours.

**History:** L. 1939, ch. 241, § 18; L. 1961, ch. 288, § 7; L. 1990, ch. 225, § 22; July 1.



## **Regulatory Requirements 4.1 Overview**

## Regulatory Overview

Pre-2016 Regulations	2016 Barbering Regulations, as Amended
K.A.R. 61-1-24 — Temporary permits following graduation.	K.A.R. 61-1-24 — Housekeeping changes on Temporary permits following graduation.
K.A.R. 61-3-2 — Not less than 1,500 hours	K.A.R. 61-3-2 — Not less than 1,200 hours or more than 1,500 hours for barbering program. Not less than 500 hours for related industry course.
K.A.R. 61-3-3 — Identified subjects for barbering program, but not hours. Did not identify subjects or hours for related industry course.	K.A.R. 61-3-3 — Adopts by reference a policy identifying subjects and hours for a minimum 1,200 hour barbering program and a policy identifying subjects and hours for a minimum 500 hour related industry course.
K.A.R. 61-3-5 — A barbering course shall be under the personal direction of an administrator who is a licensed barber.	K.A.R. 61-3-5 — A barbering course shall be under the supervision of a licensed barber instructor.
K.A.R. 61-3-7 — Required a minimum of 10 students and 2,500 sq. feet of space to open a barber school.	K.A.R. 61-3-7 — Requires a minimum of 3 students and 5 feet between centers of adjoining barber chairs. If barber course is taught in a building where other trades are also taught, it must have a separate entrance and be completely separate within that building, except for registration, lounges, hallways and restrooms.
K.A.R. 61-3-20 - Requires at least two licensed instructors.	K.A.R. 61-3-20 — Requires at least one licensed instructor for 10 or fewer students.
K.A.R. 61-3-22 - Barbering school not allowed in a building teaching other trades.	K.S.A. 65-1810(e) — Reverses that regulation.
K.A.R. 61-7-1 — Old fee Structure Revoked	K.A.R. 61-7-2 - Replaced K.A.R. 61-7-1.

**Regulations 4.2**  
**2016 Regulatory Amendments and Regulations**

**61-1-1. When open for inspection.** All barber shops, schools or colleges, or public rest rooms in connection therewith or any place where barbering is being carried on, shall be open for inspection at any time during business hours to the members of the state board of barber examiners and their deputies, to enable the board to enforce proper observance of the provisions of K.S.A. 65-1808 to 65-1822, inclusive. (Authorized by K.S.A. 1977 Supp. 74-1805; effective Jan. 1, 1966; amended May 1, 1978.)

**61-1-2. Ventilation; water; sanitary condition; disinfection; closing shops.** All barber shops, schools or colleges, and all rest rooms in connection therewith shall be well ventilated, provided with hot and cold running water and kept in a sanitary condition and they shall be efficiently disinfected when ordered by an inspector or the proper health officer. The members of the board shall have power to close shops where, in their judgment, unsanitary conditions exist, until such conditions are abolished. (Authorized by K.S.A. 1977 Supp. 74-1805; effective Jan. 1, 1966; amended May 1, 1978.)

61-1-3. Water supply; lavatory; waste disposal. (a) Each barbershop, barber school or barber college within an area which is served by an approved public water supply and sewer system shall be connected to that system, shall have positive pressure on both hot and cold water, and shall have the lavatory drain connected to the approved sewer system.

(b) Each barbershop, barber school or barber college that is within an area which does not have an approved public water or sewer system shall install a closed tank with a spigot or a storage system of water. Waste water from such a barber facility shall be drained into a septic tank lateral field installation or other private sewerage system approved by the appropriate authority.

(c) A lavatory shall be near each station at which a barber is working. (Authorized by K.S.A. 1983 Supp. 74-1805 and K.S.A. 74-1806; implementing K.S.A. 1983 Supp. 74-1805; effective Jan. 1, 1966; amended May 1, 1981; amended May 1, 1984.)

**61-1-4. Expectoration; use of cuspidors prohibited.** No barber or other person shall expectorate on the floor or in any lavatory of any barber shop, school or college of barbering, or any rest room; or upon any sidewalk adjacent thereto. The use of cuspidors or other receptacles for sputum in any barber shop or other place where barber services are performed is hereby prohibited. (Authorized by K.S.A. 1977 Supp. 74-1805; effective Jan. 1, 1966; amended May 1, 1978.)

**61-1-5. Sterilization of tools and instruments.** All tools and instruments used in performing barber services that come in direct contact with the human head, hair, face, or neck, shall be sterilized by immersion as hereinafter provided. Tools shall be submerged in one of the solutions approved by the board. Tools shall be sterilized as herein provided immediately before use on each separate person served. Containers of adequate size and depth, equipped with an adequate supply of solutions shall be provided for each barber chair in use. All tools and instruments, when not in use, shall be thoroughly cleansed and placed in a dust proof drawer or cabinet where only tools and instruments are kept. No tools or instruments shall be 61-1-5. Sterilization of tools and instruments (continued). left in an exposed condition on the work stand or other place at any time after use on a patron. (Authorized by K.S.A. 74-1806; implementing K.S.A. 74-1805; effective Jan. 1, 1966; amended May 1, 1981.)

**61-1-6. Shaving brushes and mugs; use prohibited.** The use of shaving mugs and lather brushes, or either of them, in barber shops, schools and colleges of barbering and other places where barber services are performed, is hereby prohibited. (Authorized by K.S.A. 74-1805; effective Jan. 1, 1966.)

**61-1-14. Mandatory use of neck strips, or towels, sanitary.** The hair cloth shall never be permitted to come in direct contact with the neck of the patron. Sanitary neck strips or towels must be used at all times necessary to prevent such contacts. (Authorized by K.S.A. 1977 Supp. 74-1805; effective Jan. 1, 1966; amended May 1, 1978.)

**61-1-15. Cleansing hands before serving customer.** Every barber or student shall thoroughly cleanse his or her hands before serving a customer. (Authorized by K.S.A. 74-1806; authorized by and implementing K.S.A. 1981 Supp. 74-1805; effective Jan. 1, 1966; amended May 1, 1982.)

**61-1-16. Use of shop for living quarters or business purposes prohibited.** No barber shop, school or college or rest room in connection therewith shall be used for living quarters, or business purposes except for the sale of items related to hair and skin care. If a room or rooms used for residential or non-barbering business purposes are in the same room or rooms or adjacent to a room or rooms used for the practice of barbering, then a solid partition shall separate the premises used for residential or non-barbering business purposes from the barbering area. The partition may contain a door, provided it remains closed except for entering and leaving. A separate outside entrance must be provided for the barber shop. (Authorized by K.S.A. 74-1805, 74-1806; effective Jan. 1, 1966; amended May 1, 1978; amended May 1, 1979; amended May 1, 1981.)

**61-1-19. Persons suffering from contagious or infectious diseases not served.** No person suffering from communicable or infectious diseases, which are dangerous to the public health, shall knowingly be served in a barber shop, school or college, or rest room in connection therewith. (Authorized by K.S.A. 74-1805; implementing K.S.A. 74-1805; effective Jan. 1, 1966; amended May 1, 1982; amended May 1, 1988.)

**61-1-20. Infectious or contagious disease; when examination of barbers required.** Any member of the board or proper health officer shall have authority to require any barber to submit to a physical examination when in the judgment of this officer, the barber may be affected with a contagious or infectious disease. (Authorized by K.S.A. 74-1806; authorized by and implementing K.S.A. 1981 Supp. 74-1805; effective Jan. 1, 1966; amended May 1, 1982.)

**61-1-21. Use of tools or instruments on corpses or outside shop; disinfection.** All tools or instruments used by barbers outside of the shop in serving any person suffering from infectious or contagious disease or used on a corpse are required to thoroughly and efficiently disinfect them with formaldehyde solution immediately after being used for same. (Authorized by K.S.A. 74-1805; effective Jan. 1, 1966.)

**61-1-24. Temporary permits issued; permits and licenses conspicuously displayed.** (a) A temporary permit issued to any student graduating from a Kansas barber school or barber college shall be valid until the next examination. (b) All permits, barber licenses, and shop licenses shall be displayed in a conspicuous manner. (Authorized by K.S.A. 65-1825a; implementing K.S.A. 2016 Supp. 65-1812 and K.S.A. 65-1818; effective Jan. 1, 1966; amended May 1, 1979; amended May 1, 1982; amended Dec. 2, 2016.)

**61-1-27. Head rests.** Clean cloth or clean tissue shall be placed on head rests before serving each patron. When the head rest is not in use, it shall be kept in a clean place, free from dust and dirt. (Authorized by K.S.A. 74-1805; effective Jan. 1, 1966.)

**61-1-28. Pets.** The keeping of dogs, cats, birds, and other pets in all barber shops, schools or colleges, or in public rest rooms in connection therewith, or in any place where barbering is carried on is hereby prohibited. (Authorized by K.S.A. 1977 Supp. 74- 1805; effective Jan. 1, 1966; amended May 1, 1978.)

**61-1-29.** Opening of a new, relocated or change of ownership of any barber shop in the state of Kansas. No person, firm or corporation shall open or commence the operation of a barber shop in the state of Kansas until said shop has been duly licensed or has the permission of the state board of barber examiners or one of its inspectors to open. This shall include new, relocated or shops that have changed ownership. Upon receipt of said notice of opening, the board shall inspect such barber shop, and upon approval of said barber shop and its facilities and upon receipt of the annual shop inspection and license fee, the board shall issue a shop certificate to the proprietor thereof. Any such license may be suspended or revoked or issuance denied by the board for violation of the laws of the state of Kansas or the rules and regulations promulgated by the board under authority of law. (Authorized by K.S.A. 1965 Supp. 74-1806; effective Jan. 1, 1966.)

**61-1-30. Clean towels, discarding, supply of.** Each barber shop, school or college shall have a sufficient supply of clean towels on hand at all times. These towels shall be kept in enclosed cabinets or containers readily accessible to each operator until immediately before use in serving each customer. All used towels shall be discarded into enclosed containers immediately after use. (Authorized by K.S.A. 74-1806; implementing K.S.A. 74-1805; effective May 1, 1981.)

**61-1-31. Lump alum, styptic sticks or pencils, powder puffs, sponges or finger or towel bowls; use prohibited.** The use of lump alum, styptic sticks or pencils, powder puffs, sponges or finger or towel bowls is prohibited. (Authorized by K.S.A. 74-1806; implementing K.S.A. 1982 Supp. 74- 1805; effective May 1, 1981; modified, L. 1983, ch. 354, May 1, 1983.)



## Article 3 – SCHOOL REQUIREMENTS

**61-3-1. Approval of school by state board of barber examiners.** No person, firm or corporation shall operate or maintain, within the state of Kansas, a school or college of barbering, unless and until duly approved by the state board of barber examiners, and unless full compliance shall be made with the rules and regulations herein set forth and established. (Authorized by K.S.A. 1965 Supp. 65-1825, 74-1806; effective Jan. 1, 1966.)

**61-3-2. Minimum requirements for courses of instruction.** (a) No barber school or barber college shall be approved by the board unless the barber school or barber college requires, as a prerequisite to graduation, a course of instruction of at least 1,200 hours and not more than 1,500 hours completed within nine months of not more than eight hours in any one working day. This course of instruction consisting of 1,200-1,500 hours shall not apply to any student who is a person specified in paragraph (b)(1) or (2).

(b)(1) Each barber certified as a barber by a branch of the United States military services shall meet the requirements of K.A.R. 61-3-3(b), in addition to the credits that the individual earned to become a certified barber in the United States military services.

(2) Each person licensed as a cosmetologist by the Kansas board of cosmetology shall meet the requirements of K.A.R. 61-3-3(b), in addition to the hours that the individual earned to become a licensed cosmetologist in Kansas. (Authorized by K.S.A. 65-1825a; implementing K.S.A. 2016 Supp. 65- 1810 and 65-1812; effective Jan. 1, 1966; amended Dec. 2, 2016.)

**61-3-3. Subjects required in courses of instruction.** (a) Each barber school or barber college shall conduct regular classes teaching the theory and practice of all phases of barbering. The course of instruction shall meet the curriculum requirements in the board's document titled "Kansas barber minimum curriculum (1,200 hours)," as adopted by the board on July 28, 2016, which is hereby adopted by reference. This course of instruction shall not apply in its entirety to any student who is a person specified in subsection (b).

(b) Any person certified as a barber by a United States military service who meets the requirements of K.A.R. 61-3-2(b)(1) and any Kansas cosmetologist who meets the requirements of K.A.R. 61-3-2(b)(2) may apply to take the Kansas barbering examination if the applicant has completed at least 500 hours of instruction, at a barber school or barber college licensed by the board, in subjects listed in the curriculum specified in this subsection. The board's document titled "industry-related minimum additional curriculum (500 hours)," as adopted by the board on July 28, 2016, is hereby adopted by reference. (Authorized by K.S.A. 65-1825a; implementing K.S.A. 2016 Supp. 65-1810 and 65-1812; effective Jan. 1, 1966; amended May 1, 1983; amended Dec. 2, 2016.)

**61-3-4. Permit to operate a barber school or college; annual fee; proof of financial responsibility.** Any person, firm or corporation may apply to the state board of barber examiners for a permit to establish and operate a school or college of barbering. Such permit shall be issued only upon proper and sufficient showing of the character and competency of the applicant with the requirements of these rules and regulations, and upon payment to the board of an annual fee. No permit to establish or operate a school or college of barbering shall be issued to any applicant until such applicant shall have filed with the board a financial statement, duly verified by such applicant. The board shall either refuse to issue or shall suspend or revoke any permit to establish or operate a school or college of barbering of any person, firm or corporation who fails to file such statement or who makes any false statement therein. (Authorized by K.S.A. 65-1825, K.S.A. 1977 Supp. 74-1806; effective Jan. 1, 1966; amended May 1, 1978.)

**61-3-5. Qualifications for supervisors of barber schools or barber colleges.** The individual supervising the barbering course of study at a barber school or barber college shall be a Kansas licensed barber instructor.

(Authorized by K.S.A. 65-1825a; implementing K.S.A. 2016 Supp. 65- 1810; effective Jan. 1, 1966; amended Dec. 2, 2016.)

**61-3-7. Minimum requirements for opening a barber school or barber college.** (a) Each approved barber school or barber college shall have at least three students enrolled and at least five feet between the centers of each adjoining barber chair in the clinical demonstration room before opening. If the barber school or barber college is located in a building in which another entity operates a business or school that conducts or teaches anything other than barbering as defined in K.S.A. 65-1809 and amendments thereto, the barber school or barber college shall have a separate entrance and shall be completely separate within that building, except as provided in subsection (b). Each barber school or barber college shall have at least two rooms accessible to its students at all times. One room shall be used for class study, examinations, and lectures, and the other room shall be used for practical demonstrations. The barber school or barber college shall provide at least one restroom with a toilet and washbasin, which shall be kept in a sanitary condition. Each room shall be equipped to meet the requirements of all applicable regulations of the board. (b) Any barber school or barber college that shares a building in which another entity operates a business or school that conducts or teaches anything other than barbering may share the following facilities with that entity: (1) Classrooms other than the clinic floor, if no classroom is used by both the entity and the barber school or barber college at the same time; (2) restrooms; and (3) common areas, including reception areas, lounges, and hallways. (Authorized by and implementing K.S.A. 65-1825a, K.S.A. 2015 Supp. 74-1806; effective Jan. 1, 1966; amended May 1, 1988; amended March 20, 2015; amended May 13, 2016.)

**61-3-8. Minimum equipment.** The minimum equipment with which a school or college shall be permitted to operate is as follows: One chair, lavatory and back stand, a proper cabinet for immediate linen supply and individual sterilizers for each student and other such equipment required in the teaching of proper sanitation and sterilization for protection of the public. (Authorized by K.S.A. 74-1806; implementing K.S.A. 74-1805; effective Jan. 1, 1966; amended May 1, 1981.)

**61-3-9. Application for admission.** No school or college of barbering shall enroll or admit any student thereto unless such student shall make and file, in duplicate, a duly verified application upon forms prescribed and furnished by the board. One copy of such application shall be retained by the school or college, and the school or college shall file the other with said board. (Authorized by K.S.A. 1965 Supp. 65-1825, 74-1806; effective Jan. 1, 1966.)

**61-3-10. Qualifications for students.** No student shall be admitted to any school or college unless he or she is at least sixteen (16) years of age and of good moral character and temperate habits, and unless he or she furnishes a certificate from a Kansas licensed physician, showing that he or she is free from any contagious, infectious or communicable diseases. The certificate shall not be dated more than thirty (30) days prior to the date of his or her admittance. (Authorized by K.S.A. 65-1825; implementing K.S.A. 65-1810, 65-1811, 65-1812 and 65-1814; effective Jan. 1, 1966; amended May 1, 1978; amended May 1, 1981.)

**61-3-11. Library.** Each school or college shall maintain an adequate library containing suitable reference books, including medical dictionaries, books on anatomy and physiology, or other books dealing with the functions of the human body as applicable to the proper practice of barbering. (Authorized by K.S.A. 1965 Supp. 65-1825, 74-1806; effective Jan. 1, 1966.)

**61-3-12. Positions shall not be guaranteed.** No one in any way connected with a school of barbering shall guarantee positions to students nor guarantee financial aid to students in equipping a shop. (Authorized by K.S.A. 1965 Supp. 65-1825, 74-1806; effective Jan. 1, 1966.)

**61-3-13. Students to receive no fees for services; tuition and other charges to be paid to school or college.**

No student shall be allowed to receive compensation, directly or indirectly, for services rendered by him or her in any barber school or college. All sums for tuition or other charges made for services or expenses shall be paid to the school or college. (Authorized by K.S.A. 65-1825, K.S.A. 1977 Supp. 74-1806; effective Jan. 1, 1966; amended May 1, 1978.)

**61-3-14. Designation as school or college.** Every barber school or college shall designate to the public that it is a barber school or college by having a sign on the front window or entrance, with letters not less than six inches in height, reading "Barber School (or College). All work in This School (or College) Done by Students Only." No school or college shall erect or maintain a barber pole. (Authorized by K.S.A. 1965 Supp. 65-1825, 74-1806; effective Jan. 1, 1966.)

**61-3-15. Clothing during school hours.** Students shall be attired in clean, neat, washable clothing at all times during school hours. (Authorized by K.S.A. 65-1825, K.S.A. 1977 Supp. 74-1806; effective Jan. 1, 1966; amended May 1, 1978.)

**61-3-16. Labels on bottles and containers.** All bottles and other containers must be distinctly and correctly labeled, showing the nature of and intended use of the contents. (Authorized by K.S.A. 1965 Supp. 65-1825, 74-1806; effective Jan. 1, 1966.)

**61-3-17. School hours; attendance; examinations. Regular** school hours shall be established by all schools and colleges. Any time lost by the student shall be made up before a diploma is issued. A minimum of ten recitations per week, including practical shop work, of one hour each, shall be required of all students. All examinations and other written papers shall be carefully graded and returned to the students. (Authorized by K.S.A. 1965 Supp. 65-1825, 74-1806; effective Jan. 1, 1966.)

**61-3-18. Graduation.** All students shall be given a complete course in barbering as prescribed by the curriculum set forth above, and no student shall be issued a diploma of graduation from any school or college unless and until he or she shall have satisfactorily passed examinations covering the entire course of instruction. (Authorized by K.S.A. 65-1825, K.S.A. 1977 Supp. 74-1806; effective Jan. 1, 1966; amended May 1, 1978.)

**61-3-19. Records.** Each school or college shall forward to the state board of barber examiners a completed application for enrollment upon the date of admission of each student. Each school or college shall keep a daily class record of each student showing the total number of hours in attendance, the hours and classes missed and such daily records shall be subject to inspection by members of the board at all times. The owner or manager of each school (or college) shall furnish the state board of barber examiners, at the end of each month, the names of all students enrolled therein and the record of their attendance. A final record and summary of each student's grades, hours and attendance shall be prepared by the manager, certified by him as correct, and presented to the student upon graduation. (Authorized by K.S.A. 1965 Supp. 65-1825, 74-1806; effective Jan. 1, 1966.)

**61-3-20. Teaching staff. Each barber school and each barber college shall have at least one licensed instructor for every 10 or fewer students.** Each licensed instructor shall instruct and supervise all student work. The maximum instructor-to-student ratio during instruction and supervision of all student work shall be no less than 1:10. (Authorized by K.S.A. 65-1825a; implementing K.S.A. 2016 Supp. 65-1810; effective Jan. 1, 1966; amended May 1, 1978; amended Dec. 2, 2016.)

**61-3-21. Postgraduate course.** No school or college of barbering shall enroll or admit a student in a postgraduate course for the purpose of qualifying the student to pass the examination conducted by the board to determine fitness to practice barbering. (Authorized by K.S.A. 65- 1825, 74-1806; effective Jan. 1, 1966; amended May 1, 1981.)

**61-3-22. Schools ineligible for a permit to operate a barber school or barber college.** No correspondence school shall be granted a permit to establish or operate a barber school or barber college. (Authorized by K.S.A. 65-1825a, K.S.A. 2014 Supp. 74-1806; implementing K.S.A. 65-1810; effective Jan. 1, 1966; amended May 1, 1988; amended March 20, 2015.)

**61-3-23. Revocation of permit.** Failure on the part of any school or college to comply with applicable statutes or the rules and regulations prescribed therein, or with the sanitary rules and regulations of the board, shall be sufficient grounds for revocation of its permit and removal of such school from the list of recognized and approved barber colleges or schools. However, no revocation of permit will be made unless and until notice shall have been given and public hearing conducted by the board in the same manner as now provided by K.S.A. 65- 1821, relating to certificates of registration. (Authorized by K.S.A. 1965 Supp. 65-1825, 74-1806; effective Jan. 1, 1966.)

**61-3-24. Eligibility to take registered barber examination.** A person shall not be permitted to take an examination conducted by the state board of barber examiners to determine his or her fitness to practice as a registered barber, as provided in K.S.A. 1982 Supp. 65-1812, until he or she has furnished the board with evidence of his or her satisfactory completion of the regular course of study at any school or college of barbering which complies with the standards and offers the course of study established by this article for schools and colleges of barbering, and which has been approved by the state board of barber examiners. (Authorized by K.S.A. 65- 1825; implementing K.S.A. 1982 Supp. 65-1812; effective Jan. 1, 1966; amended May 1, 1978; amended May 1, 1982; amended May 1, 1983.)

**61-3-25. Supervision of registered apprentice barbers.** Every registered barber who supervises a registered apprentice barber within the state of Kansas shall give notice thereof in writing not more than ten (10) days after the commencement of the period of supervision of such registered apprentice barber. Such notice shall be given on a form supplied by the board of barber examiners and shall be given to the administrative officer of said board at his or her office in Topeka. No supervision more than ten (10) days prior to the giving of such notice may be included in the period of twelve (12) months of supervised practice required for the registered apprentice barber by K.S.A. 65-1811. Upon termination of the supervision of any registered apprentice barber within the state of Kansas, his or her supervisor shall file in the office of the administrative officer of the board a statement showing the date such supervision commenced, the date of termination, any interval of supervision within such period and the average number of hours per week of supervised practice of barbering by such registered apprentice during such period. Said statement shall be made on a form provided by the board and shall be verified by the supervisor. (Authorized by K.S.A. 1977 Supp. 74-1806; effective Jan. 1, 1966; amended May 1, 1978.)

**61-3-26. Night classes permitted.** Any school or college of barbering may be issued a permit to operate night classes provided that the classes are held in the school or college of barbering. (Authorized by K.S.A. 65-1825, 74-1806; implementing K.S.A. 65-1810; effective May 1, 1988.)

**61-4-2. Issuance and renewal of licenses.** (a) Each barber license, shop owner license, and instructor license shall be renewed annually on an alphabetical basis as follows: (1) For each licensee whose last name begins with A, B, C, M, N, or O, on or before March 31; (2) for each licensee whose last name begins with D, E, F, P, Q, or R, on or before June 30; (3) for each licensee whose last name begins with G, H, I, S, T, or U, on or before

September 30; and (4) for each licensee whose last name begins with J, K, L, V, W, X, Y, or Z, on or before December 31. (b) The restoration fee for late renewals shall be in accordance with K.A.R. 61-7-2. (c) Except as specified in subsection (e), any student may be issued a barber license passing the barber examination, paying a prorated license fee, and meeting all other requirements of K.S.A. 65-1808 et seq. and amendments thereto. The license shall expire as specified in subsection (a). (d) Each barber school and each barber college shall renew the license annually on or before December 31. (e) Any person who has complied with K.A.R. 61-3-3(b) and meets the following requirements may be granted a Kansas barber license: (1) Has filed an application to take the Kansas barber examination; (2) has paid the applicable examination and licensing fees; and (3) has passed the Kansas barber examination. (Authorized by K.S.A. 65-1825a; implementing 61-4-2. K.S.A. 2016 Supp. 65-1812 and 65-1819; effective, E-81-37, Dec. 10, 1980; effective May 1, 1981; amended May 1, 1982; amended May 1, 1983; amended Dec. 2, 2016.)

**61-4-3. Potentially disqualifying civil and criminal records; advisory opinion; fee.** (a) For purposes of this regulation, "conviction" shall mean the rendering of a judgment or order by a court of competent jurisdiction in any state, or a subdivision thereof, or territory of the United States, by a court of the United States, or by a military court-martial pursuant to the uniform code of military justice. (b) The following criminal records may disqualify an applicant from receiving a license or permit: (1) Conviction of any offense classified as a felony in the jurisdiction in which the conviction occurred; (2) conviction of any offense classified as a class A person misdemeanor or similar classification in the jurisdiction in which the conviction occurred; (3) conviction of any offense classified as a class A misdemeanor pursuant to K.S.A. 21-5701 et seq. and amendments thereto, any predecessor statute before its repeal, or any similar classification in the jurisdiction in which the conviction occurred; and (4) conviction of any other misdemeanor pursuant to K.S.A. 21-5701 et seq. and amendments thereto, any predecessor statute before its repeal, or any similar classification in the jurisdiction in which the conviction occurred if one of the following conditions is met: (A) Fewer than five years have passed since the applicant completed that individual's sentence, including any term of incarceration, probation, or community supervision or payment of any fine, fees, or restitution; or (B) the applicant has been convicted of another crime in the five years immediately preceding the date of the application for license or permit. (c) Civil records that may disqualify an applicant from receiving a license or permit shall be any records of any court judgment or settlement in which the applicant admitted or was found to have engaged in conduct that would constitute a violation of the barbering act or any of the board's regulations. Those records shall not be used to disqualify an applicant for more than five years after the applicant satisfied any judgment or restitution ordered by the court or the settlement agreement signed by the parties. (d) Any individual with a criminal or civil record described in this regulation may petition the board for an informal, advisory opinion concerning whether the individual's civil or criminal record may disqualify the individual from licensure. Each petition shall include the following: (1) The details of the individual's civil or criminal record, including a copy of court records and the settlement agreement signed by the parties; (2) an explanation of the circumstances that resulted in the civil or criminal record or settlement agreement; and (3) a check or money order in the amount of \$50.00. (Authorized by K.S.A. 65- 1825a and 74-120; implementing K.S.A. 65-1820a and 74-120; effective Feb. 19, 2021.)

**61-5-1. Limitation on filing date.** Any person who desires to practice barbering shall file with the board a completed application with proper amount of fees not later than 15 days before the examination. (Authorized by K.S.A. 65-1825; implementing K.S.A. 1982 Supp. 65-1817; effective Jan. 1, 1966; amended May 1, 1982; amended May 1, 1983.)

## RECIPROCITY

**61-6-2. Barbers who qualify for reciprocity.** Effective July 1, 1980, a reciprocal barber's license shall be issued to licensed registered barbers who meet the following requirements: (1) Currently licensed in a state, territory, or country, which has a reciprocal agreement with Kansas. (2) Actively licensed and practicing barbering for at least twenty-four (24) months. The applicant shall provide the board with a notarized statement from previous and current employers attesting to this. (3) Submit a letter from the current licensing board verifying that the licensee is in good standing. (4) Certify in writing that he or she has read, understands, and will abide by the rules, regulations, and statutes of the state of Kansas. (5) Submit an application subject to approval by the board. The reciprocal fee shall accompany the application. (6) The reciprocal fee shall be a processing and license fee equal to the examination and barber license fee. (Authorized by K.S.A. 65-1813, 65-1825, 74-1806; effective, E-81-17, June 25, 1980; effective May 1, 1981.) 61-7-1. (Authorized by K.S.A. 65-1825; implementing K.S.A. 1982 Supp. 65-1817; effective May 1, 1983; revoked May 13, 2016.)

## **Article 25. —SANITARY REGULATIONS FOR BARBERS**

### **28-25-1. Definitions.**

- (a) "EPA" means the United States environmental protection agency.
- (b) "Shop" means any place where barbering is practiced, other than a barbering school.
- (c) "Licensee" means any person licensed as a barber.
- (d) "School" means any place licensed by the board of barbering for the training of barbers.
- (e) "Student" means a person receiving training in a school. (Authorized by and implementing K.S.A. 1991 Supp. 65-1,148; effective Aug. 23, 1993.)

### **28-25-2. Personal cleanliness.**

- (a) The person and the uniform or attire worn by an individual serving a patron shall at all times be clean.
- (b) Each person shall thoroughly wash his or her hands with soap and water or any equally effective cleansing solution before serving each patron. (Authorized by and implementing K.S.A. 1991 Supp. 65-1,148; effective Aug. 23, 1993.)

### **28-25-3. Infectious disease.**

- (a) No person afflicted with an infectious or communicable disease, which may be transmitted during the performance of the acts of barbering shall be permitted to work or train in a school or shop.
- (b) No school or shop shall require or permit a student or licensee, knowingly, to work upon a person suffering from any infectious or communicable disease which may be transmitted during the performance of the acts of barbering. (Authorized by and implementing K.S.A. 1991 Supp. 65-1,148; effective Aug. 23, 1993.)

### **28-25-4. Towels.**

- (a) After a towel has once been used, it shall be deposited in a closed receptacle, and shall not again be used until properly laundered and sanitized.
- (b) Used towels shall be laundered either by regular commercial laundering or by a noncommercial laundering process which includes immersion in water at 140 degrees F for not less than fifteen minutes during the washing or rinsing operation.
- (c) All clean towels are to be stored in a closed cabinet or container. (Authorized by and implementing K.S.A. 1991 Supp. 65-1,148; effective Aug. 23, 1993.)

### **28-25-5. Headrests and shampoo bowls.**

- (a) Clean cloth or clean tissue shall be placed on headrests before serving each patron. When the headrest is not in use, it shall be kept in a clean place, free from dust and dirt.
- (b) A shampoo bowl or sink with hot and cold running water shall be near each station at which a barber is working. The water shall be supplied from an approved public water supply, with drain connected to an approved sewer system.
- (c) A soap dispenser and disposable towels shall be provided near each sink or shampoo bowl.
- (d) The shampoo bowl or sink shall be kept in good repair and in a clean and sanitary condition at all times. (Authorized by and implementing K.S.A. 1991 Supp. 65-1,148; effective Aug. 23, 1993.)

### **28-25-6. Bottles and containers.**

All bottles and containers in use shall be distinctly and correctly labeled to disclose their contents. All bottles containing poisonous or caustic substances shall be additionally and distinctly marked as such. (Authorized by and implementing K.S.A. 1991 Supp. 65-1,148; effective Aug. 23, 1993.)

**28-25-7. Liquids, creams, powders and other preparations.**

(a) All liquids, creams, and other preparations shall be kept in properly labeled, clean and closed containers. Powders shall be kept in a clean shaker. (b) When only a portion of a preparation is to be used on a patron, it shall be removed from the container in such a way as not to contaminate the remaining portion. (Authorized by and implementing K.S.A. 1991 Supp. 65-1,148; effective Aug. 23, 1993.)

**28-25-8. Neck strips.**

The hair cloth shall never be permitted to come in direct contact with the neck of the patron. Sanitary neck strips or towels must be used at all times to prevent such contacts. (Authorized by and implementing K.S.A. 1991 Supp. 65-1,148; effective Aug. 23, 1993.)

**28-25-9. Instruments and supplies.**

(a) All supplies and instruments which come in direct contact with a patron and cannot be disinfected shall be disposed of in a covered waste receptacle immediately after use. (b) No person training or working in a school or establishment shall be permitted to carry any instrument or supplies in or on a garment or uniform. (Authorized by and implementing K.S.A. 1991 Supp. 65-1,148; effective Aug. 23, 1993.)

**28-25-10. Disinfecting non-electrical instruments and equipment.**

(a) Before use upon a patron, all non-electrical instruments and equipment shall be disinfected in the following manner: clean with soap or detergent and water and then totally immerse in either an EPA-registered product that contains one of the following terms on its label: sterilant; or bactericide, fungicide and virucide; or disinfectant, fungicide and virucide; or germicide, fungicide and virucide used according to manufacturer's instructions or 70% isopropyl alcohol for at least ten minutes. (b) The disinfectant solutions specified in section (a) shall remain covered at all times and shall be changed at least once per week and/or whenever visibly cloudy or dirty. (c) All non-disinfected instruments that have been used on a patron or soiled in any manner shall be placed in a properly labeled covered receptacle. (d) All disinfected instruments shall be stored in a clean enclosed cabinet or covered container reserved for instruments only. (Authorized by and implementing K.S.A. 65-1,148; effective Aug. 23, 1993.)

**28-25-11. Disinfecting electrical instruments.**

(a) Clippers, vibrators, and other electrical instruments shall be disinfected prior to each use by: (1) First removing all foreign matter; and (2) Disinfecting with an EPA-registered product that contains one of the following terms on its label: sterilant; or bactericide, fungicide and virucide; or disinfectant, fungicide and virucide; or germicide, fungicide and virucide used according to manufacturer's instructions. (b) All disinfected electrical instruments shall be stored in a clean, covered place. (Authorized by and implementing K.S.A. 65-1,148; effective Aug. 23, 1993.)

**28-25-12. Physical facilities.**

(a) The school or shop shall be kept well lighted, well ventilated, and in a sanitary condition. Floors, walls, ceilings, furniture and other fixtures and apparatus and all other exposed surfaces in each school or shop shall be kept clean, free from dust, hair and other debris, and in good repair at all time. All curtains shall be kept carefully laundered or chemically cleaned. (b) If a room or rooms used for residential or non-barbering business purposes are in the same room or adjacent to a room used for the practice of barbering, then a solid partition shall separate the premises used for residential or business purposes from the barbering area. The partition may contain a door, provided it remains closed except for entering and leaving. (c) A separate outside entrance shall be provided for the school or shop. (d) All schools or shops shall be supplied with sanitary drinking water facilities. (Authorized by and implementing K.S.A. 1991 Supp. 65-1,148; effective Aug. 23, 1993.)



**28-25-13. Prohibitions.**

(a) The use of cuspidors or other receptacles for sputum is prohibited. No person shall expectorate in any shop or school. (b) The use of shaving mugs and lather brushes is prohibited. (c) The use of lump alum, styptic sticks or pencils, powder puffs, and sponge, finger or towel bowls is prohibited. (d) Neck dusters are prohibited. (e) No person shall bring any animal into, or permit any animal to be brought into, or permit any animal to remain in a school or shop. Trained animals accompanying sightless or hearing impaired persons shall be exempt from this section. (f) No school or shop shall permit an accumulation of waste or refuse. (g) All open waste containers are prohibited. (Authorized by and implementing K.S.A. 1991 Supp. 65-1,148; effective Aug. 23, 1993.)

**28-25-14. Rules and licenses posted.**

(a) Each school or shop shall keep a copy of the sanitation regulations adopted by the Kansas department of health and environment, the inspection report for the school or shop, and the license of the school or shop posted in a conspicuous place. (b) Each employee or student shall post their personal license at their work station. (Authorized by and implementing K.S.A. 1991 Supp. 65-1,148; effective Aug. 23, 1993.)

**28-25-15. Enforcement.**

(a) The holder or holders of a shop or school license and the person in charge of any such shop or school shall be liable for implementing and maintaining all applicable sanitary regulations individually and jointly with all persons employed by or working in or on the premises. All students and licensees shall be held individually liable for implementation and maintenance of all applicable sanitary regulations. (b) Refusal to permit, or interference with, an inspection by an authorized representative of the board of barbering during any time the instruction or practice of barbering is being conducted shall constitute a cause for disciplinary action. (Authorized by and implementing K.S.A. 1991 Supp. 65-1,148; effective Aug. 23, 1993.)

**Article 7.—FEES**

61-7-2. Fees. The following fees shall be charged by the board:

(a) Barber license

- (1) Examination to practice barbering .....\$100
- (2) Issuance of license to practice barbering .....80
- (3) Renewal of license to practice barbering .....80
- (4) Restoration of expired license to practice barbering
- (A) If the expiration period is not more than three years, the restoration and lapsed fees

shall be as follows:

- lapsed 1 through 30 days .....100
- lapsed 31 through 365 days .....160
- lapsed 366 through 730 days .....240
- lapsed 731 through 1,095 days .....320

(B) For each barbering license that has lapsed for more than three years, the applicant shall be reexamined upon payment of the barbering examination and issuance of license fees.....180

(b) Instructor license

- (1) Examination to instruct barbering .....40
- (2) Issuance of license to instruct barbering .....40
- (3) Renewal of license to instruct barbering .....40
- (4) Restoration of expired instructor’s license

(A) If the expiration period is not more than three years, the restoration and lapsed fees shall be as follows:

- lapsed 1 through 30 days .....60
- lapsed 31 through 365 days .....80
- lapsed 366 through 730 days .....120
- lapsed 731 through 1,095 days .....160

(B) For each instructor’s license that has lapsed for more than three years, the instructor shall be reexamined upon payment of the examination, instructor’s license, and renewal fees .....120

(c) License to operate a barber school or barber college

(annual fee) .....500

(d) License to operate a barber shop

- (1) Shop inspection and annual license fee ..... 40
- (2) Restoration of expired shop license. If the expiration period is not more than three years, the

restoration and lapsed fees shall be as follows:

- lapsed 1 through 30 days .....55
- lapsed 31 through 365 days .....120
- lapsed 366 through 730 days .....160
- lapsed 731 through 1,095 days .....200

(3) New shop, relocation, or change of ownership ....80

(e) Seminar permit .....80

(f) Student learning license .....55

(Authorized by and implementing K.S.A. 2015 Supp. 65-1817; effective May 13, 2016.)

