

**ARKANSAS STATE BOARD OF COSMETOLOGY
101 EAST CAPITOL AVENUE - SUITE 108
LITTLE ROCK, ARKANSAS 72201
VOICE (501) 682-2168 – FAX (501) 682-5640**

LICENSURE REQUIREMENTS FOR A NEW SCHOOL OF COSMETOLOGY

Pursuant to your request, attached is an application packet for a new School of Cosmetology. Also enclosed is a copy of the Cosmetology Code (A.C.A. Sections 17-26-401 - 17-26-418) and a copy of the Board's Rules. Please contact our office if you have any questions about the requirements for licensure of a new School of Cosmetology.

APPLICATION PACKET

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APPLICATION PACKET – NEW SCHOOL OF COSMETOLOGY

FACILITY REQUIREMENT

Health and Safety Rules for Cosmetology Schools

The Health and Safety Rules set forth in Board Rule 4.2 shall apply to all schools of cosmetology except where otherwise specified in Board Rules.

Building Requirements

A) Separation of School from other Business

A school shall not be conducted with any other type of business or occupation. A school and any other type of business shall be physically separated by solid walls (from the floor to the ceiling) of permanent construction and shall not have doors or openings of any kind between the businesses.

B) Prohibition on use. No person having charge of a school, whether as an owner or an employee, shall permit any room or part thereof in which any of the branches or practices of cosmetology are conducted, practiced, or taught to be used for sleeping, for residential purposes, or for any other purpose that would tend to make the room unsanitary.

C) School Entrances and Accessibility

1) The school shall have a front and back entrance. The main entrance to the school shall open directly into the reception area. Exterior doors shall be clearly marked with exit signs.

2) The school shall be accessible to and useable to persons who are disabled.

D) Ventilation

In addition to the requirements set forth in Board Rule 4.2(C)(12), the school shall have a central heating and cooling unit(s) of sufficient size to adequately heat and cool the facility. The unit(s) shall be maintained in good working condition.

E) Water Supply, Sewage, Plumbing, and Lighting

In addition to the requirements set forth in Board Rule 4.2(C)(1)(2)(3)(4)(5)(6), certification from a licensed Electrician or City Inspector that wiring and fixtures are adequate for the building size and purpose for which it is to be used and certification from a licensed plumber that hot water supply and pressure is sufficient for the building size and purpose for which it is to be used must be submitted to the inspector at the time of the second inspection.

Floor Space Requirements and Specifications

A) Minimum Floor Space Requirements

The school shall contain not less than 2500 square feet of working area as required by A.C.A. 17-26-407. Working area is defined as those areas specified in Sub-section B of this Section and excludes restrooms, student lounge, hall and stairways. Therefore, the school must contain 2500 square feet of working area plus the footage required for restroom facilities, student lounge and for any hallways or stairways that may be in the school. No partitions will be permitted except for the specified areas listed in Sub-section (B) and (C) of this section.

B) Working Area

1) Clinic Area

The primary clinic area shall contain not less than 1200 square feet of open space with no walls to obstruct the view of the Instructor. The clinic square footage requirement is for a maximum enrollment of 25 students. A school may contain more than one clinic area provided the school has complied with the minimum floor space requirements set forth in Board regulations. When more than one clinic area is provided, the school shall assign a minimum of one cosmetology instructor to each clinic area to supervise the activities and oversee the training of duly enrolled students.

The clinic area(s) shall contain only that equipment that is required for practical instruction or services rendered to the public. Customer services are limited to the clinical area.

Sub-clinic areas may be used for services requiring privacy such as facials, electrolysis, etc. These sub-areas when provided are in addition to the 1200 square feet required in the primary clinic area. These rooms or areas must open directly into the primary clinic area.

2) Classroom

The classroom shall contain not less than 275 square feet with no obstruction to block or otherwise obstruct the view of the students. The classroom shall have acoustic ceilings. The classroom shall be shielded from visual and auditory distractions. No outside exit shall be in the classroom.

Only equipment that is related to the theoretical instruction of students is permitted in the classroom unless said classroom is also used for demonstrations/practical instruction. When the classroom is also used for demonstrations/practical instruction the equipment used for this purpose is limited to a work bar for mannequin practice and/or a one station set up. Carpet is not permitted in the classroom if the classroom is also used for demonstrations/practical instruction.

3) Reception Area

A reception area is required for clinic clients. The reception area shall contain a desk or counter and chairs. The reception area shall contain only that equipment or furnishings needed to accommodate the clients while waiting for services. Equipment that is used for clinical services or theoretical instruction is prohibited in this area. An area shall be provided for storage of clients' coats. No customer services may be performed in the reception area.

4) Dispensary

A dispensary area is required. An adequate inventory of supplies to meet the daily needs of clinic services and first aid supplies shall be stored in the dispensary. Additional clinic supplies may be stored in the dispensary provided the dispensary is of sufficient size to allow the orderly storage of supplies. Otherwise, excess supplies shall be stored in a separate storage room. The dispensary shall open directly into the primary clinic area.

5) Office Space

A separate room shall be provided for office space for instructors/owners. The office shall be used for student and school business recordkeeping and be equipped with furnishings necessary to reasonably accommodate an administrative office.

6) Library

An area shall be provided for reference books and materials. The collection of such material shall be systematically arranged for reading and reference by students.

7) Personal Locker

A personal locker or other secured facility is required for each student enrolled. No more than two students may share a locker or the secured facility. An area shall be provided for the storage of students' coats.

8) Utility Room

A utility room is required. The utility room shall contain cleaning supplies, mops, brooms, etc. Carpeting is prohibited in the utility room.

C) Other Required Areas - (Non-working areas)

1) Restrooms

Separate restrooms are required for males and females in the school. Each restroom shall contain a commode and lavatory. The floor and floor covering shall be constructed of smooth, non-absorbent, durable material such as sealed concrete, durable grades of linoleum or tile.

2) Student Lounge

A lounge (break room) shall be provided for students. The lounge shall be furnished to allow students to eat and smoke in this room unless the school chooses to be a smoke-free environment. Eating and smoking will not be permitted in any other area of the school. The lounge shall be restricted to preparation of food for students and school employees only, if equipped for food preparation.

INSTRUCTIONAL EQUIPMENT, MATERIALS AND SUPPLIES

Minimum Equipment Requirements

- A) Every school shall possess sufficient apparatus and equipment necessary for the ready and full teaching of all the subjects or practices of cosmetology for a minimum of twenty-five students or part thereof as required by A.C.A. Sections 17-26-407 and 17-26-408.
- B) Every school shall possess equipment that is in good workable condition, which is appropriately maintained in order to promote the health and safety of school employees, students and clients. An adequate supply of working equipment for all cosmetology courses shall be maintained in the school to reasonably accommodate the clientele received in the school. Each school shall maintain a time clock to register student hours for reporting to the Board and a glass display case for student permits. These requirements comply with Board Rule 6.3.

All schools shall be inspected on a quarterly basis and recommendations for improvements will be mailed to the school owners when necessary. Violations will be addressed appropriately and as necessary.

INSTRUCTIONAL STAFF

A) School Supervisor

Every school shall at all times be in charge of and under the immediate supervision of a School Supervisor who is currently licensed by the Board as a Cosmetologist and Cosmetology Instructor as required by A.C.A. 17-26-409. To qualify as a School Supervisor the instructor must have three (3) years of experience in the licensed practice of cosmetology in a licensed cosmetological establishment or in the teaching of cosmetology in a licensed school of cosmetology or any combination of experience thereof.

B) Instructor/Enrolled Student Ratio

Every person employed in a school to instruct students therein shall be currently licensed by the Board. All instructors shall be continuously engaged in teaching students in theoretical or practical work. Except when instructing a student, no instructor may practice upon a client. Instructor/enrolled student ratio shall be as follows:

STUDENTS ENROLLED	NUMBER OF INSTRUCTORS
1-25	1
26-50	2
51-75	3

MINIMUM ENROLLMENT REQUIREMENTS

A) Bona fide, Full-time Student Requirements

- 1) In accordance with A.C.A. Section 17-26-407, no applicant shall be granted a license to operate a school unless the Board has received student registration requests, with supporting documentation, for not less than twenty-five (25) bona fide, full-time students.
- 2) To be considered as a bona fide, full-time student said student must be registered and plan to attend as a full time student. Full-time status will be determined based upon the school’s schedule of operation as published in its catalog.
- 3) The Board will monitor student attendance for the first two complete calendar months after initial licensure of the school for compliance with A.C.A. Section 17-26-407. The Board has the power under Section 17-26-320 to revoke or suspend the school’s license for violation of Section 17-26-105 (1) and (3) should the school submit any student registration request for the sole purpose of enabling it to meet the 25 student licensure requirements.

B) Student Registration Requirements

- 1) Registration prerequisites are as follows:
 - a) Completed Registration Form (forms provided by the Board).
 - b) One copy of student/school contract.
 - c) A copy of the student’s drivers license or other form of identification verifying the student’s age.
 - d) Proof of education.
 - i) Cosmetology, Aesthetics and Manicure – completed two (2) years of high school or its equivalent based on standards mandated by the Arkansas Department of Education.
 - ii) Electrology and Instructor Training – completed four (4) years of high school or its equivalent based on standards mandated by the Arkansas Department of Education.
 - iii) Equivalency tests in lieu of high school credits shall be administered by a licensed teacher currently employed in a high school or college in Arkansas or any recognized State agency authorized to administer these tests will be accepted.
 - e) Required registration fee.

STUDENT RECORDS

Required Records

A) Enrollment Records

The school shall maintain an enrollment record on each student enrolled in the school. Said record shall include a copy of all documents required by the Cosmetology Law and the Board's Rules for enrollment into the course.

B) Financial Records

The school shall maintain financial records on each student enrolled in the school. The record shall contain a copy of the student's contract, the date and amount of all payments and charges made to the student's account and a statement identifying the nature of each accounting transaction.

C) Attendance Records

The school shall keep a daily record of attendance for each student enrolled. A time clock shall be used for the purpose of documenting student hours.

D) Activity Records

The school shall keep a daily activity record for each student enrolled. Said records shall reflect the number of hours devoted to theoretical instruction and the number of services performed by each student in the various practices or branches of cosmetology or electrology.

E) Progress/Counseling Records

The school shall maintain progress and counseling records on each student enrolled which shall be updated at regular intervals.

F) Disciplinary Records

The school shall maintain incident reports of any disciplinary matter involving a student. The records shall reflect the nature of the incident, the school rule or policy violated by the student, and the action taken by the school.

G) Withdrawal/Graduation Records

The school shall maintain completion records on each student that graduates from the school. Further, the school shall maintain withdrawal records on any student who transfers to another school or otherwise withdraws from school. Said records shall certify the period of enrollment (defined as the time elapsed between the actual starting date and the date of the student's last day of physical attendance in school), the total number of hours earned during the enrollment period, the total number of hours released, a breakdown of hours earned in each area of prescribed study for said course, and an hour release statement.

Retention of Records

A) Retention of Records

The school shall maintain student records for a period of not less than three (3) years from the date the student is released from the school.

APPLICATION REQUIREMENTS FOR INITIAL LICENSURE

The application process to secure licensure of a school of cosmetology consists of six (6) steps, which are:

- 1) Notification to the Board of intent to open a school of cosmetology. (*Appendix 1*)
- 2) First inspection pursuant to Board Rule 6.4.
- 3) Board review to seek approval.
- 4) Notification to Director when facility is complete and twenty-five (25) bona fide students are acquired. Registration fee will be required at this time.
- 5) Submission of enrollments applications and fees for the twenty-five (25) bona fide students, along with an Affidavit of Bona-fide, Full-time Student from each student. (*Appendix 2*)
- 6) License issued.

Board Rule 6.5 outlines the information necessary for the above steps to be completed. Any person, firm or corporation who has applied for a school of cosmetology and said application has been approved by the Board shall submit the following requirements:

Any person, firm or corporation who has applied for a school of cosmetology and said application has been approved by the Board shall submit the following requirements:

- A) A bond certified by the Board in the amount of \$5,000, which shall be subject to the inspection of the Board. This bond shall provide for payment of any prepaid tuition to any student duly enrolled in said school, in the event the school is closed. Said bond is to be renewed yearly and renewal of this bond is to be certified by the Board. (*Appendix 3*)
- B) If a surety bond submitted by the school has an individual offered as surety, in lieu of a licensed bonding company, this individual shall submit a notarized affidavit of his/her qualifications. The affidavit shall state that the said individual is a resident of the State of Arkansas, that he or she collectively owns property in this state in excess of his/her liabilities, and it is subject to the execution of a value equal to double the amount of the bond.
- C) In cases of corporate schools a corporate surety shall be provided.
- D) A detailed floor plan of the proposed school showing adequate floor space.
- E) One certified financial statement.
- F) A list of proposed equipment of the school.
- G) Personal Survey Form for Instructors shall be completed listing detailed information; such as the Instructor's education, previous work experience, etc. (*Appendix 4*)
- H) Correspondence from the Planning and Zoning Board certifying that the area which the proposed school is to be located is properly zoned for this type of business.
- I) A statement certifying that the owner(s) of the proposed school shall provide not less than fifteen-hundred (1500) hours of continuous training for all cosmetology students enrolled.
- J) The owner shall file a statement designating the name and address of the person who is authorized to accept service of notice from the Board and to transact all business negotiations in behalf of the proposed school, including answers to citations for hearings, and compliance with rulings issued by the Board. (*Appendix 5*)
- K) The required registration fee.
- L) Samples of all forms to be used in the school; such as attendance record, sign-in sheets, state inspector time sheets, contracts, releases, progress records, progress cards.

Additional Information

School Catalog. A copy of the school catalog shall be submitted to the Board. The catalog shall set forth basic information about the school and address all areas required by Board Rules.

School Term. The applicant must file a statement certifying that the applicant shall maintain a school term of not less than 1500 hours for all students enrolled in the basic cosmetology program as required by A.C.A. Sec. 17-26-412. If the applicant plans to offer other courses, then the applicant shall file a certification statement for each training program.

School Schedule. The applicant must file a school schedule reporting the hours of operation and the time scheduled for theory classes. At a minimum the school must provide five (5) hours each week in theoretical instruction for each student enrolled. (*Appendix 6*)

Upon receipt of the foregoing requirements, the Applicant will be advised of any deficiencies. In the absence of any deficiencies, the Applicant will be authorized to proceed with and will be sent the requirements for the third phase of the application process.

Any false statements made in connection with the license application shall constitute sufficient grounds for refusal to grant a license to the Applicant. Or, in the case where false statements are detected after a license has been issued this will be sufficient grounds to cancel the school license as authorized by A.C.A. Section 17-26-406.

Upon approval of the application by the Board, a license will be granted to the Applicant to operate a School of Cosmetology subject to compliance with the Cosmetology Law and Board's Rules.

ARKANSAS STATE BOARD OF COSMETOLOGY
101 EAST CAPITOL AVENUE, SUITE 108
LITTLE ROCK, ARKANSAS 72201 682-2168

APPLICATION FOR COSMETOLOGY SCHOOL LICENSE

Please complete the entire form and submit it to the above address with the requirements listed on the attached document.

DO NOT COMPLETE
AMOUNT: _____
SCHOOL ID# _____
RECEIPT # _____
DATE: _____

NAME OF SCHOOL: _____ PHONE # _____

LOCATION OF SCHOOL: _____
Street Address City Zip County

OWNERSHIP INFORMATION: (Check one of the following as applicable)

_____ Sole Proprietorship; _____ Partnership; _____ Corporation.

If Sole Proprietorship or Partnership list the name, mailing address and Phone # for the Owner(s). If a Corporation, list the exact name of the Corporation, the Name, mailing address and Phone # of the President, Secretary and Agent of Service of the Corporation.

SOLE PROPRIETORSHIP OR PARTNERSHIP

- 1) _____
(Owner's Name, Street Address, City, State, Zip and Phone Number)
- 2) _____
(Owner's Name, Street Address, City, State, Zip and Phone Number)
- 3) _____
(Owner's Name, Street Address, City, State, Zip and Phone Number)

CORPORATION

NAME OF CORPORATION

President's Name, Address, City, Zip and Phone Number

Secretary's Name, Address, City, Zip and Phone Number

Agent of Service Name, Address, City, Zip and Phone Number

APPLICANT'S SIGNATURE

DATE OF APPLICATION

AFFIDAVIT OF BONA FIDE, FULL-TIME STUDENT

STATE OF ARKANSAS)
COUNTY OF _____)

COMES _____, and after first having been duly sworn states on oath
Name of Student
as follows:

I, _____, reside at _____,
Student Name Street Address City Zip

I may be contacted at the following telephone numbers: _____
Home Number Message Number Work Number

I have registered to attend _____
Name of School

as a full-time student and I certify that I plan to attend school on a full-time basis. I further certify that I have
registered to attend school on the following days (as denoted by check marks) and during the hours specified for
each day:

Table with 3 columns: DAYS OF ATTENDANCE, Beginning Time, Ending Time. Rows for Monday through Saturday.

DATED THIS _____ DAY OF _____, 20____.

STUDENT'S SIGNATURE

SUBSCRIBED AND SWORN BEFORE ME THIS _____ DAY OF _____, 20____

NOTARY SEAL NOTARY PUBLIC

My Commission Expires: _____

STATE OF ARKANSAS
SURETY BOND

KNOW ALL THESE MEN BY THESE PRESENTS:

THAT _____ d/b/a _____
OWNER'S NAME SCHOOL NAME

as Principal, and _____, as Surety, are held and firmly bound unto the State of Arkansas for the use and benefit of the State of Arkansas and the protection of duly enrolled students of the school operated by Principal in the penal sum of FIVE THOUSAND DOLLARS (\$5,000), for the payment of which we bind ourselves, our heirs, executors, administrators, successors, and assigns, jointly and severally.

THE condition of this operation is such that, whereas the Principal hereto had made application to the Arkansas State Board of Cosmetology for a license to operate a school of cosmetology pursuant to the provisions of all laws pertaining thereto.

NOW, THEREFORE, in the event the said _____, a licensed school of cosmetology, shall faithfully comply with the provisions of all laws, and shall pay, satisfy and discharge any judgment or decree that may be rendered against him, it or them in a court of competent jurisdiction in a suit or action brought by a duly enrolled student of said school this bond shall be null and void, otherwise, this bond shall be in full force and effect.

THIS bond shall be and remain in full force and effect continuously from the effective date of said license of such school of said Principal until it is terminated by the Surety hereon giving written notice to the State Board of Cosmetology sixty (60) days prior to the effective date thereof of its intention to terminate suretyship or until license of said Principal as a school of cosmetology in the State of Arkansas is terminated either by expiration of the license or cancellation of the license for any cause.

IN no event shall the total liability of the Surety, to all persons, cumulative or otherwise, exceed the amount specified in the bond.

WITNESS our hand and seal this _____ day of _____, 20____, A.D.

Persons executing for Surety other than Corporate Officer, must attach Power of Attorney authorizing them to execute bonds for Surety.

PRINCIPAL'S SIGNATURE

SURETY'S SIGNATURE

Subscribed and sworn to before me this _____ day of _____, 19____, A.D.

(SEAL)

My Commission Expires: _____
NOTARY PUBLIC SIGNATURE

AUTHORIZED DESIGNEE CERTIFICATION

I, _____, d/b/a _____
OWNER'S NAME SCHOOL NAME

do hereby designate and authorize _____ to accept service of notice
DESIGNEE'S NAME
from the Board and to transact all business negotiations on behalf of the school, including answers to citations for
hearing, and compliance with rulings issued by the Board.

DATED THIS _____ DAY OF _____, 20 ____.

OWNER/ADMINISTRATOR'S SIGNATURE

DESIGNEE'S SIGNATURE

ARKANSAS STATE BOARD OF COSMETOLOGY
101 EAST CAPITOL, SUITE 108
LITTLE ROCK, ARKANSAS 72201
(501) 682-2168

- 1) Please complete this form and return it to our office.
- 2) Be sure you sign the form.
- 3) School Schedule: please state the time your school opens and closes as well as the day(s) your school is closed.
- 4) Theory Class Schedule: please state the time your theory classes are conducted.
- 5) Before you submit this form check to see if your theory classes are conducted in accordance with the Board's Regulations.
- 6) **Board Rules**: Each school shall hold five (5) hours or more of theory classes, each week, for each student that is enrolled. Further, the time of the class period is to be registered with the Board's office. Students shall not be permitted to leave theory class to work on patrons.

NAME OF SCHOOL: _____

ADDRESS OF SCHOOL: _____

SCHOOL SCHEDULE

HOURS OF OPERATION

M _____

T _____

W _____

T _____

F _____

S _____

THEORY CLASS SCHEDULE

M _____

T _____

W _____

T _____

F _____

S _____

WHAT PROVISIONS DO YOU MAKE FOR THEORY CLASS FOR PART-TIME STUDENTS: _____

I ALSO HAVE IN MY SCHOOL A TIME CLOCK FOR KEEPING ACCURATE TIME RECORDS FOR STUDENTS (yes) _____ (no) _____. IF ANSWER IS NO, PLEASE EXPLAIN: _____

Signature of Owner and/or Instructor

Date

