CHAPTER 20:39:03

APPROVAL OF SCHOOLS AND INSTRUCTORS

Section

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20:39:03:01. General requirements for initial approval of barber schools. Each barber school shall meet the following requirements to receive board approval:
— (1) All students must be supervised by an instructor. Each instructor may directly supervise a maximum of 15 students at any one time, except an instructor may teach any number of students in the theory classroom;

— (2) Each school must have at least one barber chair for each student present and performing or receiving instruction on practical work; and

(3) All instructors employed at the school shall have a barber certificate issued by the board, a high school diploma, and a minimum of three years of practical experience in the trade of barbering.

Upon application to the board, any person complying with these requirements may take the board’s instructor examination. Upon passing the examination, the person shall receive an instructor license issued by the board:

— (1) The applicant completes and submits the application form with all attachments;

— (2) The application is accompanied by the fee required in this chapter;

— (3) The applicant is in good standing with any other agencies the applicant may be licensed by; and

— (4) The school passes an inspection ensuring that the school meets all the applicable requirements of this chapter; and

Source: SL 1975, ch 16, § 1; 6 SDR 106, effective May 12, 1980; 12 SDR 151, 12 SDR 155, effective July 1, 1986; 44 SDR 76, effective November 1, 2017; 46 SDR 64, effective November 25, 2019.

General Authority: SDCL 36-14-9.

Law Implemented: SDCL 36-14-6, 36-14-17, 36-14-24.
20:39:03:01. Substitute-instructors. A barber school licensed by the board may hire a substitute instructor if:

(1) The individual is a registered barber in this state;
(2) The substitute instructor instructs 80 hours or less during a calendar year; and
(3) The barber school notifies the board office as soon as the emergency need arises with the name of the substitute instructor and the hours the substitute will be instructing.

A substitute instructor cannot be otherwise employed by the school. Transferred to § 20:39:03:12.

Source: 4 SDR 8, effective August 21, 1977; 12 SDR 151; 12 SDR 155, effective July 1, 1986; 46 SDR 64, effective November 25, 2019.

General Authority: SDCL 36-14-9(2).

Law Implemented: SDCL 36-14-9.

20:39:03:02. Equipment requirements. Each barber school shall possess the following equipment:

(1) An instruction board or blackboard in the lecture room;
(2) A set of enlarged anatomic charts showing nerves, muscles, blood vessels, bones of the head and neck, structure of the hair, and skin structure;
(3) A library of reference books on anatomy, physiology, and diseases of the skin;
(4) A minimum of one properly working sink for each four students present and performing services at any time; and
(5) A medical dictionary.
(4) At least one barber chair for each student present and performing services on a client;
and

(5) Time-keeping system to track student hours.

Source: SL 1975, ch 16, § 1; 12 SDR 151, 12 SDR 155, effective July 1, 1986; 44 SDR 76, effective November 1, 2017; 46 SDR 64, effective November 25, 2019.

General Authority: SDCL 36-14-9.

Law Implemented: SDCL 36-14-17.

20:39:03:03. Approval Inspections of school license. To obtain board approval for the first time, a barber school shall apply to the board on forms requested from the secretary-treasurer. Two unannounced inspections shall be made of each school per calendar year applying for approval. The first inspection shall inspect the physical location of the school. The second inspection shall inspect the condition of the school plant, walls, ceilings, floors, required classrooms, cloakrooms, school office, lighting, plumbing, equipment, fixtures, records, and the qualifications of instructors. The inspection report will be given to the instructor in charge and present during each inspection.

Source: SL 1975, ch 16, § 1; 12 SDR 151, 12 SDR 155, effective July 1, 1986; 44 SDR 76, effective November 1, 2017; 46 SDR 64, effective November 25, 2019.

General Authority: SDCL 36-14-9.

Law Implemented: SDCL 36-14-6, 36-14-17.
20:39:03:04. Length and annual renewal of school license. Each barber school must be approved. A barber school license is valid for a period of one year expiring on June 30. To renew its license, each the school shall apply to the board by July 1 May 1. The renewal application shall state a statement that the school has complied with SDCL 36-14 and this article during the previous year. If the board denies or fails to act on any application for renewal, the school may, within 60 days after application or denial, whichever is later, demand a board hearing pursuant to SDCL 1-26.

The renewal application shall be accompanied by the school’s curriculum, and textbook list for review and approval by the board.

Source: SL 1975, ch 16, § 1; 6 SDR 106, effective May 12, 1980; 12 SDR 151, 12 SDR 155, effective July 1, 1986; 44 SDR 76, effective November 1, 2017; 46 SDR 64, effective November 25, 2019.

General Authority: SDCL 36-14-9.

Law Implemented: SDCL 36-14-17.

20:39:03:05. Curriculum and Educational materials requirements for state licensed barber schools. Each barber school licensed by this board shall:

(1) Submit its curriculum at least once annually for review by the board of barber examiners;

(2) Supply each student with or require each student to obtain a textbook of barbering that has received prior approval of the board, if the board determines that the textbook deals with
each subject area prescribed by SDCL 36-14-17 the textbooks necessary to learn the subjects in the school’s curriculum; and

(3) (2) Supply each student with or require each student to obtain a tool kit containing one razor, one thinning shears, two haircutting shears, one changeable blade razor, one box of blades, four haircutting combs, one electric clipper, one box of styptic powder, one carrying case for these instruments, and one approved textbook—thinning shears, cutting shears, changeable straight razor, box of blades for straight razor, styling and taper combs, spray bottle for water, mannequin head, electric clippers and attachments, electric trimmer, styptic powder, barber smock or apron, cape for client protection.

Source: SL 1975, ch 16, § 1; 12 SDR 151, 12 SDR 155, effective July 1, 1986; 44 SDR 76, effective November 1, 2017; 46 SDR 64, effective November 25, 2019.

General Authority: SDCL 36-14-9.

Law Implemented: SDCL 36-14-9, 36-14-17.

20:39:03:06. Requirements Curriculum Requirements for classroom education. Each barber school offering a complete barber program, totaling 1500 hours, shall meet the following minimum curriculum requirements:

(1) General infection control: implements and equipment; first aid; blood exposure standards; 100 hours;

(2) Professional standards and development; effective communication; business practices; and state laws and rules; 70 hours;
(3) Scientific fundamentals, including hygiene; bacteriology; anatomy; chemistry; electricity; diseases of the skin and hair; massaging and manipulating the muscles of the upper body: 220 hours;

(4) Principles of hair design, scalp care, shampooing, haircutting and hairstyling: 430 hours;

(5) Chemical hair services, including chemical texture services; and hair coloring: 280 hours;

(6) Shaving, including care and use of a straight-edge razor: 130 hours; and

(7) Skin sciences, including physiology and histology of the skin; skin care products; chemistry, ingredients and selection: 70 hours.

In addition to the hours set forth in this section, each student must receive an additional 200 hours of education. The additional hours of service may be in areas that the school determines are necessary to supplement the basic course requirements for an individual student.

Barber students must spend 150 hours in classrooms, demonstrations, and practice before performing service on any client of the school. A school must teach 1,200 hours of practical work and 300 hours of theory, classroom instruction, and demonstrations.

A school may not require a student to work, be instructed, or earn credit for more than eight hours in a day. However, a school may offer students the option to earn credit for more than eight hours in a day.
A student may receive a maximum of 32 hours for educational field trips if the trip has been approved. For approval the school must complete a field trip form and attach a lesson plan. The students must be accompanied by an instructor. One licensed instructor shall accompany no more than 15 students.

**Source:** SL 1975, ch 16, § 1; 12 SDR 151, 12 SDR 155, effective July 1, 1986; 44 SDR 76, effective November 1, 2017; 46 SDR 64, effective November 25, 2019.

**General Authority:** SDCL 36-14-9.

**Law Implemented:** SDCL 36-14-17.

20:39:03:07. **Student barber practice.** Student barber practice must meet the following conditions:

—— (1) Each school shall place a sign, either on the front window or extending above the front door, giving the name of the school and specifying that the school is a college of barbering;

—— (2) No school may advertise outside the school the prices charged in the school or that the school is a barber shop;

—— (3) No commissions in any form may be paid by the school to students;

—— (4) A sign must be displayed inside the school workroom indicating that all work done in the school is done by students;

—— (5) The price schedule for student labor shall be submitted to and approved by the board of barber examiners prior to its implementation.

**Distance Learning.** Students may earn a maximum of 300 hours of theory and classroom demonstrations through distance learning. The distance learning plan must be submitted to the
board for approval. All distance learning must be completed using a format that will allow direct supervision of a student by an instructor.

Source: SL 1975, ch 16, § 1; 12 SDR 151, 12 SDR 155, effective July 1, 1986.

General Authority: SDCL 36-14-9.

Law Implemented: SDCL 36-14-17.

20:39:03:08. Credit for general coursework earned in related educational programs.

A licensed cosmetologist, nail technician and esthetician seeking a barber certificate may be granted maximum credit for related hours and curriculum earned in another educational program as shown below:

(1) General infection control; implements and equipment; first aid; blood exposure standards: 90 hours;

(2) Professional standards and development; effective communication; business practices; and state laws and rules: 60 hours;

(3) Scientific fundamentals, including hygiene; bacteriology; anatomy; chemistry; electricity; diseases of the skin and hair; massaging and manipulating the muscles of the upper body: 200 hours;

(4) Principles of hair design, scalp care, shampooing, haircutting and hairstyling: 300 hours;

(5) Chemical hair services, including chemical texture services; and hair coloring: 280 hours;

(6) Shaving, including care and use of a straight-edge razor: 130 hours; and
(7) Skin sciences, including physiology and histology of the skin; skin care products; chemistry, ingredients and selection. 70 hours.

Source:

General Authority: SDCL 36-14-7.1, 36-14-9.

Law Implemented: SDCL 36-14-7.1, 36-14-17.

20:39:03:09. Credit for hours from other institutions. Any individual seeking credit for coursework completed at an institution not teaching the practice of barbering, shall submit an official transcript from that institution.

For education earned in a credit hour program, each credit hour is equal to 30 clock hours.

Source:

General Authority: SDCL 36-14-7.1.

Law Implemented: SDCL 36-14-7.1.

20:39:03:10. Instructor requirements for initial licensure. To receive an instructor license, the applicant shall:

(1) Possess a South Dakota barber certificate of registration;

(2) Complete at least one year of licensed barber experience;

(3) Complete at least 500 hours of instructor training to include methods of teaching, student barber services, and clinic floor management, of which 100 hundred hours must be
instructing experience in a licensed barber school under the direct supervision of a licensed barber instructor; and

(4) Passage of a board-approved instructor theory examination.

Source:

General Authority: 36-14-9.

Law Implemented: 36-14-9.

20:39:03:11. **Instructor requirements and responsibilities.** All instructors employed at a school must have the following responsibilities:

(1) **Check** clients receiving services from a student before, during, and after the performance of the services;

(2) Be readily identified at all times while instructing;

(3) **Supervise** students. Each instructor may directly supervise a maximum of 15 students at any one time, except an instructor may teach any number of students in the theory classroom; and

(4) Be present during any demonstration.

Must be present. A person qualified and trained in a particular profession for special instruction of students in the field of that person’s specialty may demonstrate services to students. A demonstrator shall be readily identifiable as a demonstrator at all times of the demonstration.

Source:
**General Authority:** SDCL 36-14-9.

**Law Implemented:** SDCL 36-14-9.

**20:39:03:01.01 20:39:03:12. Substitute instructors.** A barber school licensed by the board may hire a substitute instructor if:

1. The individual is a registered barber in this state;
2. The substitute instructor instructs 80 hours or less during a calendar year; and
3. The barber school notifies the board office as soon as the emergency need arises with the name of the substitute instructor and the hours the substitute will be instructing.

A substitute instructor cannot be otherwise employed by the school.

**Source:** 4 SDR 8, effective August 21, 1977; 12 SDR 151, 12 SDR 155, effective July 1, 1986; 46 SDR 64, effective November 25, 2019; transferred from § 20:39:03:01.01.

**General Authority:** SDCL 36-14-9(2).

**Law Implemented:** SDCL 36-14-9.

**20:39:03:13. Student barber practice.** Student barber practice must meet the following conditions:

1. Each school shall place a sign, either on the front window or extending above the front door, giving the name of the school and stating that it is a school or college of barbering;
2. No school may advertise outside the school the prices charged in the school or that the school is a barber shop;
3. No commissions in any form may be paid by the school to students.
(4) A sign must be displayed inside the school near the entrance indicating that all work done in the school is done by students.

Source: SL 1975, ch 16, § 1; 12 SDR 151, 12 SDR 155, effective July 1, 1986.

General Authority: SDCL 36-14-9.

Law Implemented: SDCL 36-14-9, 36-14-17.