



Karen B. Salmon, Ph.D.  
State Superintendent of Schools

200 West Baltimore Street • Baltimore, MD 21201 • 410-767-0100 • 410-333-6442 TTY/TDD • msde.maryland.gov

**TO:** Members of the State Board of Education  
**FROM:** Karen B. Salmon, Ph.D. *KBS*  
**DATE:** February 28, 2017  
**SUBJECT:** COMAR 13A.04.19  
*Program in Cosmetology (Amend)*  
**ADOPTION**

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**PURPOSE:**

The purpose of this action is to seek adoption of the amended regulations to COMAR 13A.04.19 *Program in Cosmetology*.

**BACKGROUND/HISTORICAL PERSPECTIVE:**

The Program in Cosmetology operates under regulations from the Department of Labor, Licensing and Regulation's (DLLR's) State Board of Cosmetology as well as the Maryland State Department of Education's (MSDE's) regulations for secondary teachers. Thus, the proposed amendments align COMAR 13A.04.19 to regulations from DLLR and to update the language.

**SUMMARY:**

The regulations were amended to reflect the following changes:

- 1) Eliminate subsection .03 because the State Board of Cosmetology no longer offers a Makeup Artist license and then reorder the subsequent subsections;
- 2) Update the name of the *Division of Career Technology and Adult Learning* to the *Division of Career and College Readiness*;
- 3) Clarify that students' work-study is conducted under a work-based learning agreement with the school;
- 4) Clarify that the school—not MSDE—is responsible for submitting certifying documentation to the testing vendor;
- 5) Update the names of student organizations cited in the regulations; and
- 6) Update the reference of the teacher certification from COMAR *13A.12.02.47* to *13A.12.02.15*.

This regulation came before the State Board on October 25, 2016 requesting permission to publish the regulation with the amendments in the Maryland Register. The regulation was published and no comments were received.

**ACTION:**

Requesting adoption of the amendments to COMAR 13A.04.19 *Program in Cosmetology*.

KBS:LMG:nsr

Attachment: Amended COMAR 13A.04.19

**Title 13A  
STATE BOARD OF  
EDUCATION**

**Subtitle 04 SPECIFIC SUBJECTS**

**13A.04.19 Program in Cosmetology**

Authority: Business Occupations and Professions Article, §§5-301—5-305, 5-509, 5-523, and 5-608; Education Article, §§21-201—21-203; Annotated Code of Maryland

**Notice of Proposed Action  
[16-341-P]**

The Maryland State Board of Education proposes to amend Regulations .01 and .02, amend and recodify existing Regulations .06, .07, and .09 to be Regulations .05, .06, and .08, repeal existing Regulation .03, and recodify existing Regulations .04, .05, and .08 to be Regulations .03, .04, and .07 under COMAR 13A.04.19 Program in Cosmetology.

This action was considered by the State Board of Education at their meeting on October 25, 2016.

**Statement of Purpose**

The purpose of this action is to: (1) eliminate Regulation .03 because the State Board of Cosmetology no longer offers a Makeup Artist license; (2) update the name of the Division of Career Technology and Adult Learning to the Division of Career and College Readiness; (3) clarify that students' work-study is conducted under a work-based learning agreement with the school; (4) clarify that the school—not MSDE—is responsible for submitting certifying documentation to the testing vendor; (5) update the names of student organizations cited in the regulations; and (6) update the reference of the teacher certification from COMAR 13A.12.02.47 to 13A.12.02.15.

**Comparison to Federal Standards**

There is no corresponding federal standard to this proposed action.

**Estimate of Economic Impact**

The proposed action has no economic impact.

**Economic Impact on Small Businesses**

The proposed action has minimal or no economic impact on small businesses.

**Impact on Individuals with Disabilities**

The proposed action has no impact on individuals with disabilities.

**Opportunity for Public Comment**

Comments may be sent to Nina Roa, Specialist, Career and Technology Education, Maryland State Department of Education, 200 West Baltimore Street, Baltimore, Maryland 21201, or call 410-767-0467 (TTY 410-333-6442), or email to nina.roa@maryland.gov, or fax to 410-333-2099. Comments will be accepted through January 23, 2017. A public hearing has not been scheduled.

**Open Meeting**

Final action on the proposal will be considered by the Maryland State Board of Education during a public meeting to be held on February 28, 2017, 9:00 a.m., at 200 West Baltimore Street, Baltimore, Maryland 21201.

**.01 Program Approval.**

A. (text unchanged)

B. To obtain approval for a cosmetology program after June 30, 1991, a local school system shall apply to the State Department of Education on a form provided by the Department. The proposal for approval of a cosmetology program shall meet all the requirements in Regulations .02—[.08] .07 of this chapter.

**.02 Program Completer Requirements for Cosmetology Operator.**

A. — B. (text unchanged)

C. Related Instruction.

(1) Related instruction, not to exceed 300 hours, may apply toward the 1,500-hour requirement when the cosmetology teacher approves hours for documented student participation in any of the following activities:

(a) Organizational activities of the [Vocational Industrial Clubs of America] *Skills USA* which are directly related to the subject of cosmetology;

(b) (text unchanged)

(c) Work-study employment, after successful completion of 1,000 hours of cosmetology operator instruction, which is supervised by a senior cosmetologist[,] and conducted under a work-based learning agreement with the school.

(2) (text unchanged)

D. (text unchanged)

**[.06] .05 Student Records.**

A. (text unchanged)

B. The student record shall:

(1) — (3) (text unchanged)

(4) Be [the basis for submitting a certificate of completion, on a form prescribed by the State Department of Education, to the State Board of Cosmetologists.] *used to comply with the testing vendor's process for certifying student training and verifying student experience.*

**[.07] .06 Cosmetology Teacher.**

A. A cosmetology teacher shall possess a senior cosmetology license and shall meet the teacher certification requirements in COMAR [13A.12.02.47.] *13A.12.02.15.*

B. (text unchanged)

**[.09] .08 Denial, Suspension, and Revocation of Approval.**

A. Grounds. The State Board of Education may deny, suspend, or revoke approval of a cosmetology program if the program:

(1) Fails to meet the standards established in Regulations .02—[.08] .07 of this chapter;

(2) — (4) (text unchanged)

B. Decision.

(1) The Assistant State Superintendent for the Division of Career [Technology and Adult Learning] and *College Readiness* shall make a recommendation to the State Board of Education to deny, suspend, or revoke approval of a cosmetology program, stating the basis for the recommendation in writing. A copy of the recommendation shall be provided to the local school system.

(2) — (3) (text unchanged)

C. Reinstatement. The State Department of Education may reinstate approval of a cosmetology program for which approval has been revoked if the local school system:

(1) (text unchanged)

(2) Provides adequate evidence that the cosmetology program:

(a) (text unchanged)

(b) Meets the standards established in Regulations .02—  
[.08] .07 of this chapter.

KAREN B. SALMON, Ph.D.  
State Superintendent of Schools

## Subtitle 04 SPECIFIC SUBJECTS

### 13A.04.20 Program for Barbers

Authority: Business Occupations and Professions Article, §§4-301, 4-302, 4-511, and 4-514, *Education Article, §§21-201—21-203*; Annotated Code of Maryland

#### Notice of Proposed Action [16-342-P]

The Maryland State Board of Education proposes to amend Regulations .02, .04, .05 and .07 under COMAR 13A.04.20 **Program for Barbers**. This action was considered by the State Board of Education at their meeting on October 25, 2016.

#### Statement of Purpose

The purpose of this action is to: (1) update the name of the Division of Career Technology and Adult Learning to the Division of Career and College Readiness; (2) clarify that the school—not MSDE—is responsible for submitting certifying documentation to the testing vendor; (3) update the names of student organizations cited in the regulations; (4) clarify that students' work-study is conducted under a work-based learning agreement with the school; and (5) update the reference of the teacher certification from COMAR 13A.12.02.47 to 13A.12.02.15.

#### Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

#### Estimate of Economic Impact

The proposed action has no economic impact.

#### Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

#### Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

#### Opportunity for Public Comment

Comments may be sent to Nina Roa, Specialist, Career and Technology Education, Maryland State Department of Education, 200 West Baltimore Street, Baltimore, Maryland 21201, or call 410-767-1904 (TTY 410-333-6442), or email to [nina.roa@maryland.gov](mailto:nina.roa@maryland.gov), or fax to 410-333-2099. Comments will be accepted through January 23, 2017. A public hearing has not been scheduled.

#### Open Meeting

Final action on the proposal will be considered by the Maryland State Board of Education during a public meeting to be held on February 28, 2017, 9:00 a.m., at 200 West Baltimore Street, Baltimore, Maryland 21201.

### .02 Program Completer Requirements for Barbers.

- A.—B. (text unchanged)
- C. Related Instruction.

(1) Related instruction, not to exceed 240 hours, may apply toward the 1,200-hour requirement when the teacher of barbering approves hours for documented student participation in any of the following activities:

- (a) Organizational activities of the [Vocational Industrial Clubs of America] *Skills USA* which are directly related to the subject of barbering;

(b) (text unchanged)

(c) Work-study employment after successful completion of 800 hours of barbering instruction, which is supervised by a master barber and conducted under a work-based learning agreement with the school.

(2) (text unchanged)

D. (text unchanged)

### .04 Student Records.

A. (text unchanged)

B. The student record shall:

(1) — (3) (text unchanged)

(4) Be [the basis for submitting a certificate of completion, on a form prescribed by the State Department of Education, to the State Board of Barbers] *used to comply with the testing vendor's process for certifying student training and verifying student experience.*

### .05 Barber Teachers.

A. A barber teacher shall possess a master barber license and shall meet the teacher certification requirements in COMAR [13A.12.02.47.] *13A.12.02.15.*

B. (text unchanged)

### .07 Denial, Suspension, and Revocation of Approval.

A. (text unchanged)

B. Decision.

(1) The Assistant State Superintendent for the Division of Career [Technology and Adult Learning] and *College Readiness* shall make a recommendation to the State Board of Education to deny, suspend, or revoke approval of a barber program, stating the basis for the recommendation in writing. A copy of the recommendation shall be provided to the local school system.

(2) — (3) (text unchanged)

C. (text unchanged)

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## Subtitle 06 SUPPORTING PROGRAMS

### 13A.06.07 Student Transportation

Authority: Education Article, §§2-205, 5-205, and 8-410, Annotated Code of Maryland

#### Notice of Proposed Action [16-356-P]

The Maryland State Board of Education proposes to amend Regulations .01, .08, .09, and .10 under COMAR 13A.06.07 **Student Transportation**. This action was considered Education Article, §§2-205, 5-205, and 8-410, Annotated Code of Maryland

#### Statement of Purpose

The purpose of this action is to (1) increase vehicle damage threshold to \$3,000; (2) add definition of "School Vehicle Attendant"; (3) add provision to "School Vehicle Driver"; (4) revise definition of "School Vehicle Driver Trainee"; (4) revise School Vehicle Attendant Qualifications and Disqualifications; (5) revise Instructional Content Requirements for School Vehicle Drivers, School Vehicle Driver Recertification and School Vehicle Attendants; and (6) revise reporting requirements of positive controlled substances or alcohol results.

#### Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.