

Recommendations for Rule Changes:

Remove **82.10 Definitions**

- (19) Registered Examination Proctor- An individual authorized by the Department to evaluate or grade a practical examination for the department for a certificate or license issued under Texas occupations Code, Chapter 1601.

Justification: TDLR uses a contract exam firm that has certification for the rater that administers the exams.

Remove **82.20 License Requirements- Individuals**

- (j) Registered Examination Proctor- To be eligible for an Examination Proctor registration, an applicant must:
- (1) have held an active teacher's certificate for at least two of the five years preceding the application;
 - (2) hold an active teacher's certificate;
 - (3) obtain a certificate of completion from a department of approved training course;
 - (4) submit a completed application for initial registration on a form approved by the department; and
 - (5) pay the applicable fee under §82.80
- (k) A license application is valid for one year from the date it is filed with the department.

Justification: As per 82.10

Remove **82.31 Licenses- License Terms**

- (b) The following licenses issued under this chapter shall have a term of one year from the date of issuance:
- (2) Examination Proctor Registration

Justification: As per 82.10

82.54 Corrective Modifications Following Inspection

- (3) the department may grant an extension of time, consistent with established procedures, if satisfactory evidence is presented showing that the time period specified is inadequate to perform the necessary corrections.
- (b) When corrective modifications to achieve compliance involves violations of sanitation rules or violations relating to unlicensed practice, those violations may be referred to the department's enforcement division for further action. The barber establishment will be contacted by the department to arrange final resolution of these violations. Additionally, the department may assess administrative penalties and/or administrative sanctions for violations or for failure to complete corrective modifications timely or provide written verification to the department timely, in accordance with 82.90

Justification: If a shop/salon makes the modifications within the specified time period they have shown good faith and the intention of following the rule.

Add to (3) with Shops and individuals that make the modifications and notify the department should be given a warning if notification is done within specified time frame.

82.72 Responsibilities of Barber Schools

- (e) A barber school shall furnish each student within seven days of the student's enrollment his or her own copy of the law and rules book published by the department. Each student shall retain permanent ownership of the books so that he or she will have ready access to and be knowledgeable of the laws and rules that regulate barbering.

Replace (e) with Mailed to student by the agency

Justification: TDLR mails a copy of the Law and Rule book to each new student enrolled in school.

Remove (g) Within 30 days of enrollment, a barber school shall furnish to or ensure that each student is equipped with his or her own personal tools which must include the following:

Remove marked in yellow

Add marked in **red**

Recommendations for Rule Changes:

(12) *two washable uniforms*

Justification: Schools do not need to be in the clothing business.

Remove (i) Each barber school shall have:

(9) *Teacher's desk in classroom; and*

Justification: There is no need for a desk in the classroom.

- (1) Whenever a barber school is without the services of at least one teacher who has a valid Texas teacher's certificate for all or any portion of three consecutive days, no instruction may be provided, and no student shall accrue hours for either practical or theory work for duration of such absence.

Replace Eight consecutive days not including Saturdays that are for practical work only.

Remove (j) Each classroom consultant to theory instruction in a barber school *shall have a valid Texas barber teacher's certificate*

Justification: Not all consultants have a teacher certification.

Replace (j) with classroom consultants are to be under the supervision of a person holding a teaching certificate.

Remove (k) A student teacher may instruct theory *only if assisted by a person holding a teaching Certificate*

Justification: Student teachers need to have time in classroom without the Certified Teacher directly standing over them.

Replace (k) with under the supervision of a person holding a teaching certificate.

Remove (t) A student enrolled in a barber school must wear a clean uniform or smock *during school hours.*

Justification: Smocks and outer garments have hair on them and are hot. When a student is not attending a client they should be allowed to remove the smock or garment.

Replace (t) with while attending clients

Remove 82.75 Responsibilities of Registered Examination Proctor

(a) Responsibilities of Registrant

- (1) A registrant shall be knowledgeable of and comply with all standards, specifications, and procedures established by the commission or department relating to the evaluation or grading of practical examinations.
- (2) A registrant shall be knowledgeable of and have expertise in the subject matter(s) of the practical examination. It is the obligation of the registered examination proctor to exercise reasonable judgment and skill in the evaluation or grading of practical examinations conducted under Texas occupations Code, Chapter 1601.
- (3) A registrant shall be professional, honest, and trustworthy in the evaluation or grading of practical examinations and any activities related to evaluating or grading practical examinations.
- (4) A registrant must hold a current and active teacher certification throughout the entire period of the registration.
- (5) A registrant shall notify the department in writing of any name change within thirty days of the change.
- (6) A registrant shall maintain a current mailing address on file with the department and must notify the department not later than thirty days following any change of mailing address.

Remove marked in yellow

Add marked in **red**

Recommendations for Rule Changes:

(b) Responsibilities of Registrant- Prohibited Acts

- (1) A registrant shall not perform an examination proctor without a current and active examination proctor registration.
- (2) A registrant shall not evaluate or grade a practical examination of an applicant who is the registrant's current student.
- (3) A registrant shall not evaluate or grade a practical examination of an applicant who is the registrant's current employee, employer, or co-worker.
- (4) A registrant shall not evaluate or grade a practical examination of an applicant who is related to the registrant by family or by other personal or financial interest or relationship.
- (5) A registrant shall not knowingly furnish false, misleading, inaccurate, or deceitful information about an applicant or an applicant's performance on a practical examination.
- (6) A registrant shall not engage in any act or practice that constitutes a threat, coercion, or extortion of an applicant.
- (7) A registrant shall not ask for or receive directly from an applicant anything in connection to a registrant's evaluation or grading of an applicant.
- (8) A registrant shall not state or imply that the department will grant or approve an applicant's certificate or license, or that the applicant will pass the examination.
- (9) A registrant shall not engage in any activity that constitutes dishonesty or misinterpretation of or relating to the registrant's responsibilities.

Justification: As per 82.10

Curriculum for the Class A Barber Certificate- 1,500 Hours- Minimum of Nine Months

- (1) theory, consisting of 180 hours
- (D) anatomy, physiology, and histology, consisting of the study of 50 - Replace with 20
- (H) shaving 5 - Replace with 15
- (N) shampooing and rinsing 2 - Replace with 7
- (P) haircutting, male and female 2 - Replace with 7
- (2) instruction in practical work, consisting of study of: 1320 hours
- (B) shaving 80 - Replace with 100
- (J) barbershop management 22- Replace with 7
- (K) hair weaving and hairpieces 17- Replace with 7
- (N) beards and mustaches 15 - Replace with 25
- (Y) singeing 7 - Replace with 2

Justification: Due to the test changes with more emphasis on shaving there areas of the curriculum that deal with outdated, or little used techniques that would be more utilized by these changes.