

Kansas Board of Barbering
Notice of Hearing on Proposed
Administrative Regulations

A public hearing will be conducted at 10 a.m. Thursday, January 29, 2015 in the Senate Room, located off the main lobby, Jayhawk Tower, 700 S.W. Jackson, Topeka, to consider adoption of the proposed amendments to K.A.R. 61-3-7 and K.A.R. 61-3-22 as permanent regulations of the Kansas Board of Barbering.

This 60 day notice of the public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed adoption of amendments to K.A.R. 61-3-7 and K.A.R. 61-3-22. All parties may submit written comments prior to the hearing to Bob Zook, administrative officer, State Board of Barbering, 700 S.W. Jackson, Suite 1002, Topeka, 66603, or to kbob@kbob.ks.gov. All interested parties will be given a reasonable opportunity to present their views orally on the adoption of amendments to K.A.R. 61-3-7 and K.A.R. 61-3-22 during the hearing. In order to give all parties an opportunity to present their views, it may be necessary to request each participant to limit any oral presentation to five minutes.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the regulation and economic impact statement in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting Bob Zook at bob.zook@kbob.ks.gov or 785-296-2211.

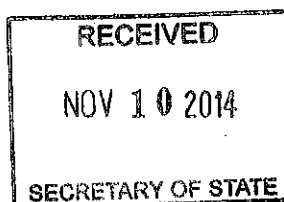
Amendments to K.A.R. 61-3-7 and K.A.R. 61-3-22 are proposed for permanent adoption. A summary of the proposed amendments and the estimated economic impact statement follows:

K.A.R. 61-3-7. Minimum requirements for opening a school or college of barbering. This regulation is amended to include definitions of the minimum requirements for opening a barber school or barber college housed in an existing establishment teaching or conducting other trades, professions, or businesses. Updates regulatory style.

K.A.R. 61-3-22. Schools and colleges ineligible for a permit to operate a barber school or college. Deletes language which prohibits the board from licensing a barber school or barber college housed in an establishment which teaches or conducts any other trade, profession, or business.

Economic Impact. The adoption of these amendments will not have an economic impact on any other government entity or general public. It is anticipated that there will be an economic impact to the Board as it will need to increase the number of yearly barber license examinations conducted, resulting from an increase in barber school graduates should the number of approved barber schools increase. The increase in expenditure to the board to cover costs of conducting these examinations will be covered by the examination and licensing fees charged by the Board. There is no environmental impact.

Copies of the regulations and the economic impact statement may be obtained by contacting the Board of Barbering at Jayhawk Tower, 700 S.W. Jackson, Suite 1002, Topeka, 66603, at 785-296-2211 or kbob@kbob.ks.gov.



Bob Zook
Administrative Officer

61-3-7. Minimum requirements for opening a barber school or barber college of barbering. (a) Each approved barber school or barber college of barbering shall have a minimum of ten at least 10 students enrolled and a minimum of at least 2,500 square feet of floor space available 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).

~~The~~ Each barber school or barber college shall have at least two rooms accessible to its students at all times, . One room to 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 two rest rooms restrooms, which shall be kept in a sanitary condition. Each room shall be equipped to fully comply with meet the requirements of all applicable rules and regulations of the Kansas state board of barber examiners barbering.

(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 K.S.A. 65-1825 65-1825a, K.S.A. 2014 Supp. 74-1806; implementing K.S.A. 65-1810; effective Jan. 1, 1966; amended May 1, 1988; amended P-_____.)

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Proposed

61-3-22. Schools or colleges 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 of barbering. No school or college of barbering housed in an establishment which teaches or conducts any other trade, profession, or business shall be granted a permit to operate a school or college of barbering. (Authorized by K.S.A. 4965-Supp. 65-1825 65-1825a, K.S.A. 2014 Supp. 74-1806; implementing K.S.A. 65-1810; effective Jan. 1, 1966; amended May 1, 1988; amended P-_____.)

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**KANSAS BOARD OF BARBERING
ECONOMIC IMPACT STATEMENT
PROPOSED AMENDMENTS TO K.A.R. 61-3-7 and K.A.R. 61-3-22**

K.A.R. 61-3-7 and K.A.R. 61-3-22 are part of a group of regulations which regulate the barber industry in the State and are not mandated by federal law. The proposed amendment to K.A.R. 61-3-22 will revoke existing language which prohibits the Board of Barbering from approving a barber school to operate in an establishment in which another entity operates a business or school that conducts or teaches another trade, profession, or business other than barbering. The proposed amendment to K.A.R. 61-3-7 defines certain requirements for barber schools which would fall into that category.

The amended regulations are proposed in response to an increased interest in the marketplace in pursuing a career in the barber profession. As a result, the Board of Barbering has received a number of inquiries from existing educational entities interested in expanding their educational offerings by opening a barber school. Previous to these amendments the language in K.A.R. 61-3-22 prohibited the Board from approving a barber school located in an establishment housing another business or school conducting or teaching any other trade, profession, or business. Ultimately, this restriction resulted in limiting the scope of barber school locations. The proposed amendments will allow for the expansion of career opportunities in the barber profession for Kansans by creating a climate favorable to the opening of more barber schools.

Anticipated Economic Impact.

The proposed changes will not have an economic impact on any other government entity or to the individual Kansas citizen, other than expanding career opportunities of the individual. It is possible that these changes could have an economic impact on the existing proprietary barber schools through an increase in competition for students. An increase in the number of approved barber schools in the State will have an economic impact on the Board of Barbering. By statute, the Board can only issue a Kansas barber license to an individual who has graduated from an approved barber school and has taken and passed the Kansas barber license examination conducted by the Board. The anticipated increase in schools will mean an increase in the number of graduates requiring examination which in turn, will require that the Board conduct more examinations throughout the year. Based on graduation projections provided by the entities expressing interest in opening a barber school, the Board may see examination registrations increase from the current 100-120 per year to 300. If these projections hold true and in order for the Board to meet the statutory requirement for examination, the number of examinations conducted each year may need to increase from the current four to upwards of eight or ten. This will result in an increase in the Board's expenditures for conducting exams. While the full economic impact to the Board is difficult to determine at this time, any increased examination expenditures will be fully offset by the additional examination and licensing fees collected.

Environmental Benefit Statement.

K.A.R. 61-3-7 and K.A.R. 61-3-22 – Not applicable, as there will be no environmental benefit or impact.

