

Kansas Board of Barbering  
Notice of Hearing on Proposed  
Administrative Regulations

A public hearing will be conducted at 10 a.m. on Tuesday, October 25, 2016 in the Senate Room, located off the main lobby, Jayhawk tower, 700 S. W. Jackson, Topeka, to consider adoption of proposed regulations K.A.R. 61-1-24, K.A.R. 61-3-2, 61-3-3, K.A.R. 61-3-5, K.A.R. 61-3-20 and K.A.R. 61-4-2 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 these regulations. All parties may submit written comments prior to the hearing to Larry Montgomery, Administrator, Kansas Board of Barbering, 700 S.W. Jackson, Suite 1002, Topeka, 66603 or to [kbob@ks.gov](mailto:kbob@ks.gov). All interested parties will be given a reasonable opportunity to present their views orally on the adoption of the regulations 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 regulations and economic impact statements in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting Sonia Sprouse, Director of Licensing, Kansas Board of Barbering at [Sonia.sprouse@ks.gov](mailto:Sonia.sprouse@ks.gov) or 785-296-2211.

These regulations are proposed for permanent adoption. A summary of the proposed regulations and the estimated economic impact statement follows:

**K.A.R. 61-1-24. Temporary permits issued; permits and licenses conspicuously displayed.** This regulation is amended to clarify that temporary permits issued to students upon graduation from a licensed barber school or college are only valid until the next examination.

**K.A.R. 61-3-2. Minimum requirements for courses of instruction.** This regulation is amended to require at least 1,200 hours and not more than 1,500 hours to enable a candidate to sit for the barber examination and it requires at least 500 hours for military certified or Kansas licensed cosmetologist related-industry professionals to enable a candidate to sit for the barber examination.

**K.A.R. 61-3-3. Subjects required in courses of instruction.** This regulation is amended to specify that licensed barber schools and colleges will meet the requirements in the board's documents "Kansas barber minimum curriculum (1,200 hours)" for the traditional barbering program and "Industry-related minimum additional curriculum (500 hours)" for the industry-related program.

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**K.A.R. 61-3-5. Qualifications for supervisors of barber school or barber colleges.**

This regulation is amended to specify that the individual supervising the barbering course shall be a licensed barber instructor.

**K.A.R. 61-3-20. Teaching staff.** This regulation is amended to specify there shall be one licensed instructor of every 10 or fewer students.

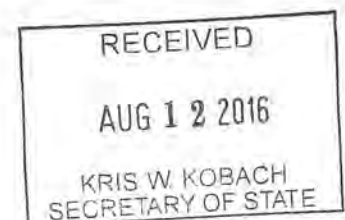
**K.A.R. 61-4-2. Issuance and renewal of licenses.** This regulation is amended to clarify annual licensing dates by the first letter of the last name of barbers, shop owners and instructors.

**Economic Impact.** The adoption of these regulations will have a minimal but positive impact on the growth in local, county and state taxes as a result of income and asset growth based on an increase in schools, colleges, instructors, students and new barbers. It is anticipated 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 as the number of licensed barber schools and colleges 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 statements may be obtained by contacting the Kansas Board of Barbering at Jayhawk Tower, 700 S. W. Jackson, Suite 1002, Topeka, 66603, or at 785-296-2211 or [kbob@ks.gov](mailto:kbob@ks.gov).

Larry Montgomery

Administrator



61-1-24. Temporary permits issued; permits and licenses to be conspicuously displayed. (a)  
A temporary permits shall be issued to students graduating from a Kansas licensed barber school or college only until the next examination permit issued to any student graduating from a Kansas barber school or barber college shall be valid until the next examination.

(b) All permits, barber licenses, and shop licenses shall be displayed in a conspicuous manner. (Authorized by K.S.A. ~~65-1825~~ 65-1825a; implementing K.S.A. 65-1812, as amended by 2016 HB 2456, sec. 4, and 65-1818; K.S.A. 1981 Supp. ~~65-1815~~; effective Jan. 1, 1966; amended May 1, 1979; amended May 1, 1982; amended P-\_\_\_\_\_.)

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61-3-2. Minimum requirements for ~~course~~ courses of instruction. (a) No barber school or barber college ~~of barbering~~ shall be approved by the board unless it the barber school or barber college requires, as a prerequisite to graduation, a course of instruction of ~~not less at least~~ at least 1,200 hours and not more than 1,500 hours, ~~to be completed within nine (9) months~~, of not more than eight (8) hours in any one working day. This course of instruction consisting of 1,200-1,500 hours shall not apply to any student who is a person specified in paragraph (b)(1) or (2).

(b)(1) Each person certified as a barber by a branch of the United States military services shall meet the requirements of K.A.R. 61-3-3(b), in addition to the credits that the individual earned to become a certified barber in the United States military services.

(2) Each person licensed as a cosmetologist by the Kansas board of cosmetology shall meet the requirements of K.A.R. 61-3-3 (b), in addition to the hours that the individual earned to become a licensed cosmetologist in Kansas. (Authorized by K.S.A. 1965 Supp. 65-1825, 74-1806 65-1825a; implementing K.S.A. 65-1810, as amended by 2016 HB 2456, sec. 3, and K.S.A. 65-1812, as amended by 2016 HB 2456, sec. 4; effective Jan. 1, 1966; amended P-\_\_\_\_\_.)

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**61-3-3. Subjects required in course courses of instruction.** (a) Each barber school or barber college shall conduct regular classes teaching the theory and practice of all phases of barbering. The course of instruction shall include the following subjects: meet the curriculum requirements in the board’s document titled “Kansas barber minimum curriculum (1,200 hours).” as adopted by the board on July 28, 2016, which is hereby adopted by reference. This course of instruction shall not apply in its entirety to any student who is a person specified in subsection (b).

~~(a) Supervised practice. Scalp care and shampooing; honing and stropping; shaving; facials, massages and packs; haircutting; hair styling; hair tonics and singeing; arranging, coloring, bleaching, tinting and dyeing the hair.~~

~~(b) Demonstrations and lectures. Scientific fundamentals of barbering, hygiene, general; histology of the hair and skin; hair styling; anatomy, including particularly structure of the head, face and neck; elementary chemistry relating to sterilization and antiseptics; law, ethics, economics, equipment and shop management; history of barbering; sanitation, sterilization, personal hygiene and first aid; bacteriology; skin, scalp, hair and their common disorders; electricity, as applied to barbering; chemistry and pharmacology; scalp care; honing and stropping; shaving; facials, massage and packs; haircutting; permanent waving; hair tonics and singeing; dyeing and bleaching; instruments, soaps, shampoos, creams, lotions and tonics.~~

(b) Any person certified as a barber by a United States military service who meets the requirements of K.A.R. 61-3-2(b)(1) and any Kansas cosmetologist who meets the requirements of K.A.R. 61-3-2(b)(2) may apply to take the Kansas barbering examination if the applicant has completed at least 500 hours of instruction, at a barber school or barber college licensed by the board, in subjects listed in the curriculum specified in this subsection. The board’s document titled “industry-related minimum additional curriculum (500 hours).” as adopted by the board on

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July 28, 2016, is hereby adopted by reference. (Authorized by K.S.A. ~~65-1825~~ 65-1825a;  
implementing K.S.A. ~~1982 Supp.~~ 65-1810, as amended by L. 2016, ch. 91, sec. 3, and K.S.A.  
65-1812, as amended by L. 2016, ch. 91, sec. 4; effective Jan. 1, 1966; amended May 1, 1983;  
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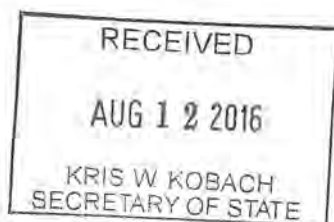
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61-3-5. Qualifications for ~~administrators or managers~~ supervisors of barber schools or barber colleges. ~~The administration, supervision and management of each school or college of barbering shall be under~~ The actual personal direction of an administrator or manager who individual supervising the barbering course of study at a barber school or barber college shall be a duly registered Kansas-licensed barber of the state of Kansas and who shall possess all of the qualifications and take and pass such examinations and pay such fees as are hereinafter required for teachers or instructors in barbering instructor. (Authorized by K.S.A. 1965 Supp. 74-1806 65-1825a; implementing K.S.A. 65-1810, as amended by 2016 HB 2456, sec. 3; effective Jan. 1, 1966; amended P-\_\_\_\_\_.)



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61-3-20. Teaching staff. ~~In every~~ Each barber school or and each barber college of barbering there shall be have at least two (2) registered teachers or instructors devoting their full time during school hours to instructing and supervising one licensed instructor for every 10 or fewer students. Each licensed instructor shall instruct and supervise all practice student work. In each such school or college of barbering there shall be an additional registered teacher or instructor for every ~~fifteen (15) students, or a fraction thereof, in excess of thirty (30) students.~~ The maximum instructor-to-student ratio during instruction and supervision of all student work shall be no less than 1:10. (Authorized by K.S.A. 65-1825, K.S.A. 1977 Supp. 74-1806 65-1825a; implementing K.S.A. 65-1810, as amended by 2016 HB 2456, sec. 3; effective Jan. 1, 1966; amended May 1, 1978; amended P-\_\_\_\_\_.)

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61-4-2. Issuance and renewal of licenses and certificates of registration. (a) ~~All~~ Each barber license, shop owner license, chair lessee, and instructor licenses license shall be renewed annually on an alphabetical basis as follows:

(1) ~~Barbers, shop owners, chair lessees, and instructors~~ For each licensee whose last name begins ~~A-C and M-O~~ shall renew their licenses annually with A, B, C, M, N, or O, on or before March 31~~;~~

(2) ~~Barbers, shop owners, chair lessees, and instructors~~ for each licensee whose last name begins ~~D-F and P-R~~ shall renew their licenses annually with D, E, F, P, Q, or R, on or before June 30~~;~~

(3) ~~Barbers, shop owners, chair lessees, and instructors~~ for each licensee whose last name begins ~~G-I and S-U~~ shall renew their licenses annually with G, H, I, S, T, or U, on or before September 30~~;~~ and

(4) ~~Barbers, shop owners, chair lessees, and instructors~~ for each licensee whose last name begins ~~J-L and V-Z~~ shall renew their licenses annually with J, K, L, V, W, X, Y, or Z, on or before December 31.

(b) The restoration fee for late renewals shall be ~~an amount which is less than the license fee, for the first 30 days after the expiration date. After this 30-day period the restoration fee shall be the full amount of the license fee~~ in accordance with K.A.R. 61-7-2.

(c) ~~Students, upon passing the master barber examination, shall~~ Except as specified in subsection (e), any student may be issued a barber license, the cost of which shall be upon

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passing the barber examination, paying a prorated license fee, and meeting all other requirements of K.S.A. 65-1808 et seq. and amendments thereto. This The license shall expire in the proper quarter as provided specified in subsection (a).

(d) The Each barber schools school and colleges each barber college shall continue to renew their licenses the license annually on or before December 31.

(e) Any person who has complied with K.A.R. 61-3-3(b) and meets the following requirements may be granted a Kansas barber license:

(1) Has filed an application to take the Kansas barber examination;

(2) has paid the applicable examination and licensing fees; and

(3) has passed the Kansas barber examination. (Authorized by K.S.A. 65-1825 65-1825a; implementing K.S.A. 65-1812, as amended by 2016 HB 2456, sec. 4, and K.S.A. 1982-Supp. 65-1819, as amended by 2016 HB 2456, sec. 5; effective, E-81-37, Dec. 10, 1980; effective May 1, 1981; amended May 1, 1982; amended May 1, 1983; amended P- \_\_\_\_\_.)

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KANSAS BOARD OF BARBERING  
ECONOMIC IMPACT STATEMENT  
K.A.R. 61-1-24

**I. Summary of Proposed Regulation, Including its purpose.**

K.A.R. 61-1-24 provides requirements for temporary student instructor permits. Its purpose is to set minimum requirements.

**II. Reason or Reasons the Proposed Regulation is Required, Including Whether or Not the Regulation is Mandated by Federal Law.**

This regulation is amended to clarify that temporary permits issued to students upon graduation from a licensed barber school or college are only valid until the next examination. This regulation is not mandated by federal law, and, therefore, the regulation does not exceed the requirements of federal law.

**III. Anticipated Economic Impact upon the Kansas Board of Barbering.**

There is no anticipated economic impact upon the Kansas Board of Barbering.

**IV. Anticipated Financial Impact upon Other Governmental Agencies and upon Private Business or Individuals.**

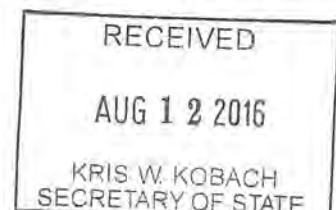
There is no anticipated economic impact upon other governmental agencies. Graduates of Kansas licensed barber schools or colleges and the shop where they will work until examination time will benefit from fees received for cutting hair and providing shaves.

**V. Anticipated Economic Impact upon Barbers, Shops, Schools, Students or Instructors.**

This regulation has limited, but beneficial economic impact; primarily for graduates.

**VI. Less Costly or Intrusive Methods That were Considered, but Rejected, and the Reason for Rejection.**

The Board was not able to identify any less costly or intrusive methods to accomplish this objective.





**KANSAS BOARD OF BARBERING  
ECONOMIC IMPACT STATEMENT  
K.A.R. 61-3-2**

**Proposed**

**I. Summary of Proposed Regulation, Including its purpose.**

K.A.R. 61-3-2 provides requirements for professionals from a related industry, such as a certified barber in the U. S. Military Service or a cosmetologist licensed by the Kansas Board of Cosmetology to take the barbering examination authorized by the board. Its purpose is to set minimum requirements.

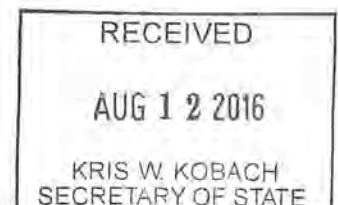
**II. Reason or Reasons the Proposed Regulation is Required, Including Whether or Not the Regulation is Mandated by Federal Law.**

There is a need for more licensed barbers to provide barbering to citizens of Kansas. Many counties in western Kansas have no barbers and many communities in other Kansas counties have no barbers. This regulation allows professionals in related industries a pathway to becoming barbers in Kansas. This regulation is not mandated by federal law, and, therefore, the regulation does not exceed the requirements of federal law.

**III. Anticipated Economic Impact upon the Kansas Board of Barbering.**

The Board anticipates immediate response from 10 to 20 professionals in related industries with similar numbers annually for the next decade or two. Whether professionals from related industries choose to be barbers, instructors or own barber shops, schools or colleges and meet the requirements of the Board to be appropriately licensed the fee funds generated in excess of cost is likely to be from \$5,000 to \$12,000 annually.

**IV. Anticipated Financial Impact upon Other Governmental Agencies and upon Private Business or Individuals.**



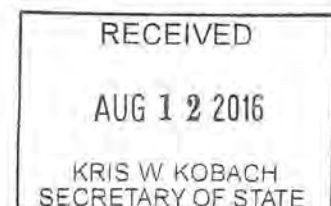
Over the next 2 ½ years, the Board anticipates growth in local, county and state taxes as a result of income and asset growth based on a significant increase in new students, barbers, instructors, schools and shops.

**V. Anticipated Economic Impact upon Barbers, Shops, Schools, Students or Instructors.**

Over the next 2 ½ years, the Board anticipates an increase in income for new barbers of between \$400,000 to \$800,000 annually, with additional positive economic impact on schools and shops.

**VI. Less Costly or Intrusive Methods That were Considered, but Rejected, and the Reason for Rejection.**

The Board was not able to identify any less costly or intrusive methods to accomplish the objective of licensing more barbers from associated industries.



**KANSAS BOARD OF BARBERING  
ECONOMIC IMPACT STATEMENT  
K.A.R. 61-3-3**

**I. Summary of Proposed Regulation, Including its purpose.**

K.A.R. 61-3-3 provides course of study requirements for professionals from a related industry, such as a certified barber in the U. S. Military Service or a cosmetologist licensed by the Kansas Board of Cosmetology to take the barbering examination authorized by the board. Its purpose is to set minimum requirements.

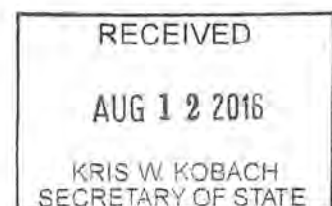
**II. Reason or Reasons the Proposed Regulation is Required, Including Whether or Not the Regulation is Mandated by Federal Law.**

There is a need for more licensed barbers to provide barbering to citizens of Kansas. Over two dozen counties in western Kansas have no barber and many communities in other Kansas counties have no barber. This regulation allows professionals in related industries a pathway to becoming barbers in Kansas. This regulation is not mandated by federal law, and, therefore, the regulation does not exceed the requirements of federal law.

**III. Anticipated Economic Impact upon the Kansas Board of Barbering.**

The Board anticipates immediate response from 10 to 20 professionals in related industries with similar numbers annually for the next decade or two. Whether professionals from related industries choose to be barbers, instructors or own barber shops, schools or colleges and meet the requirements of the Board to be appropriately licensed the fee funds generated in excess of cost is likely to be from \$5,000 to \$12,000 annually.

**IV. Anticipated Financial Impact upon Other Governmental Agencies and upon Private Business or Individuals.**





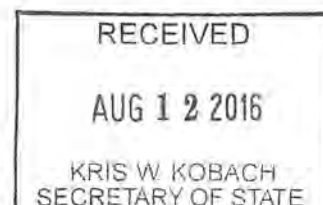
Over the next 2 ½ years, the Board anticipates growth in local, county and state taxes as a result of income and asset growth based on a significant increase in new students, barbers, instructors, schools and shops.

**V. Anticipated Economic Impact upon Barbers, Shops, Schools, Students or Instructors.**

Over the next 2 ½ years, the Board anticipates an increase in income for new barbers of between \$400,000 to \$800,000 annually, with additional positive economic impact on schools and shops.

**VI. Less Costly or Intrusive Methods That were Considered, but Rejected, and the Reason for Rejection.**

The Board was not able to identify any less costly or intrusive methods to accomplish the objective of licensing more barbers from associated industries.



**KANSAS BOARD OF BARBERING  
ECONOMIC IMPACT STATEMENT  
K.A.R. 61-3-5**

**I. Summary of Proposed Regulation, Including its purpose.**

K.A.R. 61-3-5 provides clarification between supervising a course of study for barbering and the professional administrator who might run an entire educational facility. Its purpose is to clarify the differences between an administrator of an education institution and the supervisor of a course of study for barbering.

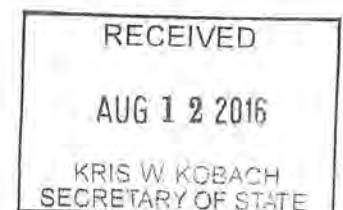
**II. Reason or Reasons the Proposed Regulation is Required, Including Whether or Not the Regulation is Mandated by Federal Law.**

Many Community Colleges and technical schools in Kansas are run by professional administrators who are not barbers. This regulation recognizes the need for professional administrators for the overall education program as well as the need for supervision of the barbering course of study to be a licensed barber instructor. This regulation is not mandated by federal law, and, therefore, the regulation does not exceed the requirements of federal law.

**III. Anticipated Economic Impact upon the Kansas Board of Barbering.**

The Board anticipates that educational institutions with many divisions or separate trade schools will benefit from the requirement for a licensed barber instructor who directly supervises the barbering course of study, but is not the administrator of multiple educational courses.

**IV. Anticipated Financial Impact upon Other Governmental Agencies and upon Private Business or Individuals.**



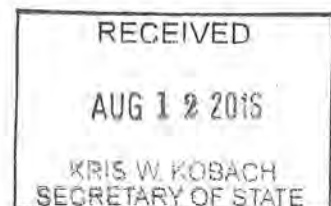
Over the next 2 ½ years, the Board anticipates growth in local, county and state taxes as a result of income and asset growth based on a significant increase in new students, barbers, instructors, schools and shops.

**V. Anticipated Economic Impact upon Barbers, Shops, Schools, Students or Instructors.**

Over the next 2 ½ years, the Board anticipates an increase in income for new barbers of between \$400,000 to \$800,000 annually, with additional positive economic impact on schools and shops.

**VI. Less Costly or Intrusive Methods That were Considered, but Rejected, and the Reason for Rejection.**

The Board was not able to identify any less costly or intrusive methods to accomplish the objective of licensing more barbers from associated industries.





**KANSAS BOARD OF BARBERING  
ECONOMIC IMPACT STATEMENT  
K.A.R. 61-3-20**

**I. Summary of Proposed Regulation, Including its purpose.**

K.A.R. 61-3-20 provides flexibility for entrepreneurs, Community Colleges or trade schools who may wish to open a school or college of barbering with less than then (10) students in order to meet market demand in any particular area of the state. Its purpose is to set minimum requirements.

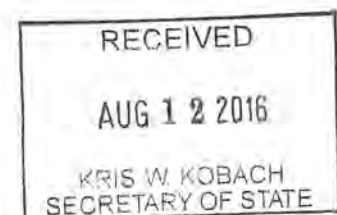
**II. Reason or Reasons the Proposed Regulation is Required, Including Whether or Not the Regulation is Mandated by Federal Law.**

There is a need for more licensed barbers to provide barbering to citizens of Kansas. Over two dozen counties in western Kansas have no barbers and many communities in other Kansas counties have no barbers. This regulation allows any barber to become a licensed instructor and start a school or college of barbering, potentially in the barber's current barber shop, with less than ten (10) students as determined by market demand. This regulation is not mandated by federal law, and, therefore, the regulation does not exceed the requirements of federal law.

**III. Anticipated Economic Impact upon the Kansas Board of Barbering.**

The Board anticipates one to three small schools will be licensed within FY-17 and FY-18 with economic impact from annual licensing of the schools, instructors and barbers in the range of \$1,000 to \$3,000 annually.

**IV. Anticipated Financial Impact upon Other Governmental Agencies and upon Private Business or Individuals.**



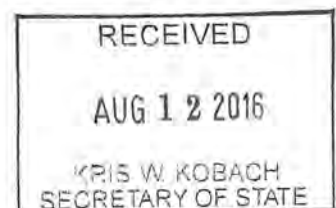
Over the next 2 ½ years the Board anticipated growth in local, county and state taxes as a result of income and asset growth based on an increase in new students, barbers, instructors, schools and shops.

**V. Anticipated Economic Impact upon Barbers, Shops, Schools, Students or Instructors.**

During FY-17 and FY-18, the Board anticipates an increase in income for new barbers of between \$120,000 to \$360,000 annually, with additional positive economic impact on school and shops.

**VI. Less Costly or Intrusive Methods That were Considered, but Rejected, and the Reason for Rejection.**

The Board was not able to identify any less costly or intrusive methods to accomplish the objective of licensing more schools, instructors, students and barbers in underserved areas of Kansas.



Proposed

**KANSAS BOARD OF BARBERING  
ECONOMIC IMPACT STATEMENT  
K.A.R. 61-4-2**

**I. Summary of Proposed Regulation, Including its purpose.**

This amendment is strictly housekeeping, to bring this regulation in line with K.A.R. 61-7-2.

**II. Reason or Reasons the Proposed Regulation is Required, Including Whether or Not the Regulation is Mandated by Federal Law.**

Section (a) is amended because there are no longer chair lessees and section (b) is deleted because fees need to comply with K.A.R. 61-7-2.

**III. Anticipated Economic Impact upon the Kansas Board of Barbering.**

The Board does not anticipate any economic impact.

**IV. Anticipated Financial Impact upon Other Governmental Agencies and upon Private Business or Individuals.**

The Board does not anticipate any economic impact.

**V. Anticipated Economic Impact upon Barbers, Shops, Schools, Students or Instructors.**

The Board does not anticipate any economic impact.

**VI. Less Costly or Intrusive Methods That were Considered, but Rejected, and the Reason for Rejection.**

The Board does not anticipate any economic impact.

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