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**TITLE 820 STATE BOARD OF COSMETOLOGY
EXAMINERS**

Proposed Rule
LSA Document #03-21

DIGEST

Amends 820 IAC 4-1-11 to revise the graduation requirements for a manicurist student in a cosmetology school. Amends 820 IAC 6-1-3 to bring the requirements for the certificate of completion into conformity with the distance learning continuing education requirements and procedures. Adds 820 IAC 6-3 to establish distance learning continuing education requirements and procedures for cosmetology professionals, continuing education educators, and courses. Effective 30 days after filing with the secretary of state.

820 IAC 4-1-11

820 IAC 6-1-3

820 IAC 6-3

SECTION 1. 820 IAC 4-1-11 IS AMENDED TO READ AS FOLLOWS:

820 IAC 4-1-11 Graduation defined

Authority: IC 25-8-3-23

Affected: IC 25-8-5-4; IC 25-8-9-3

Sec. 11. A student shall be deemed to have graduated from a cosmetology school (having completed the educational requirements established by IC 25-8-9-3(3)) when all of the following have occurred:

(1) When one (1) of the following education requirements have been completed:

(A) At least the one thousand five hundred (1,500) hours as required by 820 IAC 4-4-4.

(B) At least the ~~three~~ four hundred (300) **fifty (450)** hours as required by 820 IAC 4-4-5.

(C) At least the three hundred (300) hours as required by 820 IAC 4-4-6.

(D) At least the three hundred (300) hours as required by 820 IAC 4-4-7.

(E) At least the seven hundred (700) hours as required by 820 IAC 4-4-7.1.

(F) At least the one thousand (1,000) hours as required by 820 IAC 4-4-7.2.

(2) The student has passed all required examinations.

(3) All money owed by the student to the school has been paid.

(State Board of Cosmetology Examiners; 820 IAC 4-1-11; filed Feb 23, 1990, 5:00 p.m.: 13 IR 1406, eff Apr 1, 1990; filed Dec 3, 1991, 11:00 a.m.: 15 IR 570; filed Dec 29, 1998, 10:54 a.m.: 22 IR 1489; filed May 4, 2001, 11:16 a.m.: 24 IR 2685; readopted filed May 22, 2001, 9:56 a.m.: 24 IR 3236)

SECTION 2. 820 IAC 6-1-3 IS AMENDED TO READ AS FOLLOWS:

820 IAC 6-1-3 Certificate of course completion

Authority: IC 25-8-3-23

Affected: IC 25-8-15-6

Sec. 3. The certificate of course completion required under IC 25-8-15-6 shall indicate the following:

(1) Name, address, and signature of the approved cosmetology educator **and provider.**

(2) Name, address, and signature of the instructor.

~~(2)~~ **(3)** Name, address, and license number of the attendee.

~~(3)~~ **(4)** Title of the course.

- ~~(4)~~ (5) Course location.
~~(5)~~ (6) Date of the course.
~~(6)~~ (7) Number of continuing education credit hours completed.

(State Board of Cosmetology Examiners; 820 IAC 6-1-3; filed Jul 18, 1996, 8:45 a.m.: 19 IR 3467; readopted filed Jul 18, 2002, 12:21 p.m.: 25 IR 4221)

SECTION 3. 820 IAC 6-3 IS ADDED TO READ AS FOLLOWS:

Rule 3. Distance Learning Continuing Education

820 IAC 6-3-1 "Distance education" defined

Authority: IC 25-1-4-3.2; IC 25-8-15-11; IC 25-8-16-4

Affected: IC 25-8-15; IC 25-8-16

Sec. 1. (a) "Distance education" means a course in which instruction does not take place in a traditional classroom setting but rather through other media where educator and student are separated by distance and sometimes by time.

(b) Methods of distance learning education include, but are not limited to, the following:

- (1) Education by correspondence.**
- (2) Video instruction.**
- (3) Internet education.**

(c) A provider means an individual or company that creates and delivers continuing education by distance learning methods. *(State Board of Cosmetology Examiners; 820 IAC 6-3-1)*

876 IAC 6-3-2 Distance education courses and providers

Authority: IC 25-1-4-3.2; IC 25-8-15-11; IC 25-8-16-4

Affected: IC 25-8-15-4; IC 25-8-16

Sec. 2. (a) The state board of cosmetology examiners (board) must approve continuing education courses offered by a distance learning method and the provider of the distance learning method.

(b) A licensee must complete the distance education course within one (1) year of the date of enrollment.

(c) Course subjects allowed under IC 25-8-15-4, 820 IAC 6-2-2, and 820 IAC 6-2-3 may be taken through distance learning. However, only fifty percent (50%) of continuing education courses may be taken through distance learning.

(d) The board must approve a distance education course if the board determines to its satisfaction the following:

- (1) The distance education course serves to protect the public by contributing to the maintenance and improvement of the quality of the services provided by the cosmetology professional to the public.**
- (2) An appropriate and complete application has been filed and approved by the board.**
- (3) The distance education course meets the content requirements as prescribed in 820 IAC 6-2-2 and 820 IAC 6-2-3.**
- (4) The distance education course meets all other requirements as prescribed in the statutes and rules, which govern the operation of approved courses.**

(State Board of Cosmetology Examiners; 820 IAC 6-3-2)

876 IAC 6-3-3 Approval of distance education course and provider

Authority: IC 25-1-4-3.2; IC 25-8-15-11; IC 25-8-16-4

Affected: IC 25-8-15; IC 25-8-16

Sec. 3. In order for a distance education course to be approved for credit, the cosmetology educator shall submit the following information:

(1) For course design, the following:

- (A) A plan for submitting substantial changes in the course to the state board of cosmetology examiners (board).**

Substantial changes include, but are not limited to, the following:

- (i) Expanded or reduced course content.
- (ii) Change in the time allotments for portions of the course.
- (iii) Change or redirect learning objectives.
- (iv) Change of instructor.
- (v) Change in course delivery method.

(B) A course may provide a test and the participant must score at least a seventy-five percent (75%) to pass and receive credit for the class. A test must have multiple choice and/or fill-in questions with at least twenty (20) questions per two (2) hours of instruction. True/false and essay questions are not allowed. If a test is not used, an alternate plan must be submitted and approved by the board for what constitutes successful completion of the course.

(2) For course delivery, the following:

(A) Names and qualifications for cosmetology educator, provider, and instructor of the course offered by distance learning methods. Submit their credentials, including any specific training for teaching via the specified delivery method as well as a plan for their continued professional development.

(B) An identity affirmation statement is required. The licensee is required to sign the statement before any certificate of completion for distance learning is issued.

(C) A plan for sufficient security to:

- (i) ensure against fraudulent practices;
- (ii) protect licensee identification information; and
- (iii) verify that the student enrolled in the course is the one who completes the course and any required tests.

(3) For licensee support services, information about the course, if applicable, including the following:

- (A) Broadcasts and distance site locations.
- (B) Faculty contact information.
- (C) Course outline and learning objectives.
- (D) Testing and grading information.
- (E) Guidelines regarding what constitute successful completion of the course.
- (F) Homework assignments and deadlines.
- (G) Fees and refunds.
- (H) Prerequisites for the course.
- (I) List of required student materials.
- (J) A list of other support services made available to the students.

(4) For evaluation and assessment, an evaluation form, which solicits licensee feedback on:

- (A) the delivery approach;
- (B) the equipment;
- (C) suggestions for class improvement; and
- (D) their overall satisfaction with the course.

It is required that every licensee in a distance education course be given an evaluation form at the conclusion of the course.

(State Board of Cosmetology Examiners; 820 IAC 6-3-3)

Notice of Public Hearing

Under IC 4-22-2-24, notice is hereby given that on July 21, 2003 at 1:30 p.m., at the Indiana Government Center-South, 402 West Washington Street, Conference Center Room 12, Indianapolis, Indiana the State Board of Cosmetology Examiners will hold a public hearing on proposed amendments to revise the graduation requirements for a manicurist student in a cosmetology school, to bring the requirements for the certificate of completion into conformity with the distance learning continuing education requirements and procedures, to establish distance learning continuing education requirements and procedures for distance learning continuing education providers. Copies of these rules are now on file at the Indiana Government Center-South, 302 West Washington Street, Room E012 and Legislative Services Agency, One North Capitol, Suite 325, Indianapolis, Indiana and are open for public inspection.

Gerald H. Quigley
Executive Director
Indiana Professional Licensing Agency