

HB 2242 - S COMM AMD

By Committee on Labor, Commerce & Consumer Protection

1 Strike everything after the enacting clause and insert the
2 following:

3 "NEW SECTION. **Sec. 1.** The legislature finds that online learning
4 provides tremendous opportunities for students to access curriculum,
5 courses, and a unique learning environment that might not otherwise be
6 available. Online learning provides additional flexibility that can
7 enable students to maintain work and family commitments. Online
8 learning reduces travel and saves travel time for students. Online
9 learning expands options for students in rural areas. Online learning
10 reduces the length of training time required on campus. Online
11 learning provides students with quicker access to employment. The
12 legislature supports and encourages online learning opportunities and
13 believes that online learning is an appropriate and efficient method
14 for the study of theory for cosmetology, manicuring, barbering,
15 esthetics, and instructor-training.

16 **Sec. 2.** RCW 18.16.020 and 2008 c 20 s 1 are each amended to read
17 as follows:

18 As used in this chapter, the following terms have the meanings
19 indicated unless the context clearly requires otherwise:

20 (1) "Apprenticeship program" means a state-approved apprenticeship
21 program pursuant to chapter 49.04 RCW and approved under RCW 18.16.280
22 for the training of cosmetology, barbering, esthetics, and manicuring.

23 (2) "Apprentice" means a person who is engaged in a state-approved
24 apprenticeship program and who must receive a wage or compensation
25 while engaged in the program.

26 (3) "Apprenticeship training committee" means a committee approved
27 by the Washington apprenticeship and training council established in
28 chapter 49.04 RCW.

29 (4) "Department" means the department of licensing.

- 1 (5) "Board" means the cosmetology, barbering, esthetics, and
2 manicuring advisory board.
- 3 (6) "Director" means the director of the department of licensing or
4 the director's designee.
- 5 (7) "The practice of cosmetology" means arranging, dressing,
6 cutting, trimming, styling, shampooing, permanent waving, chemical
7 relaxing, straightening, curling, bleaching, lightening, coloring,
8 waxing, tweezing, shaving, and mustache and beard design of the hair of
9 the face, neck, and scalp; temporary removal of superfluous hair by use
10 of depilatories, waxing, or tweezing; manicuring and pedicuring,
11 limited to cleaning, shaping, polishing, decorating, and caring for and
12 treatment of the cuticles and nails of the hands and feet, excluding
13 the application and removal of sculptured or otherwise artificial
14 nails; esthetics limited to toning the skin of the scalp, stimulating
15 the skin of the body by the use of preparations, tonics, lotions, or
16 creams; and tinting eyelashes and eyebrows.
- 17 (8) "Cosmetologist" means a person licensed under this chapter to
18 engage in the practice of cosmetology.
- 19 (9) "The practice of barbering" means the cutting, trimming,
20 arranging, dressing, curling, shampooing, shaving, and mustache and
21 beard design of the hair of the face, neck, and scalp.
- 22 (10) "Barber" means a person licensed under this chapter to engage
23 in the practice of barbering.
- 24 (11) "Practice of manicuring" means the cleaning, shaping,
25 polishing, decorating, and caring for and treatment of the cuticles and
26 the nails of the hands or feet, and the application and removal of
27 sculptured or otherwise artificial nails by hand or with mechanical or
28 electrical apparatus or appliances.
- 29 (12) "Manicurist" means a person licensed under this chapter to
30 engage in the practice of manicuring.
- 31 (13) "Practice of esthetics" means care of the skin by application
32 and use of preparations, antiseptics, tonics, essential oils, or
33 exfoliants, or by any device or equipment, electrical or otherwise, or
34 by wraps, compresses, cleansing, conditioning, stimulation, pore
35 extraction, or product application and removal; the temporary removal
36 of superfluous hair by means of lotions, creams, mechanical or
37 electrical apparatus, appliance, waxing, tweezing, or depilatories;

1 tinting of eyelashes and eyebrows; and lightening the hair, except the
2 scalp, on another person.

3 (14) "Esthetician" means a person licensed under this chapter to
4 engage in the practice of esthetics.

5 (15) "Instructor-trainee" means a person who is currently licensed
6 in this state as a cosmetologist, barber, manicurist, or esthetician,
7 and is enrolled in an instructor-trainee curriculum in a school
8 licensed under this chapter.

9 (16) "School" means any establishment that offers curriculum of
10 instruction in the practice of cosmetology, barbering, esthetics,
11 manicuring, or instructor-trainee to students and is licensed under
12 this chapter.

13 (17) "Student" means a person sixteen years of age or older who is
14 enrolled in a school licensed under this chapter and receives
15 instruction in any of the curricula of cosmetology, barbering,
16 esthetics, manicuring, or instructor-training with or without tuition,
17 fee, or cost, and who does not receive any wage or commission.

18 (18) "Instructor" means a person who gives instruction in a school,
19 or who provides classroom theory training to apprentices in locations
20 other than in a school, in a curriculum in which he or she holds a
21 license under this chapter, has completed at least five hundred hours
22 of instruction in teaching techniques and lesson planning in a school,
23 and has passed a licensing examination approved or administered by the
24 director. An applicant who holds a degree in education from an
25 accredited postsecondary institution shall upon application be licensed
26 as an instructor to give instruction in a school, or to provide
27 classroom theory training to apprentices in locations other than in a
28 school, in a curriculum in which he or she holds a license under this
29 chapter. An applicant who holds an instructional credential from an
30 accredited community or technical college and who has passed a
31 licensing examination approved or administered by the director shall
32 upon application be licensed as an instructor to give instruction in a
33 school, or to provide classroom theory training to apprentices in
34 locations other than in a school, in a curriculum in which he or she
35 holds a license under this chapter. To be approved as an "instructor"
36 in an approved apprenticeship program, the instructor must be a
37 competent instructor as defined in rules adopted under chapter 49.04
38 RCW.

1 (19) "Apprentice trainer" means a person who gives training to an
2 apprentice in an approved apprenticeship program and who is approved
3 under RCW 18.16.280.

4 (20) "Person" means any individual, partnership, professional
5 service corporation, joint stock association, joint venture, or any
6 other entity authorized to do business in this state.

7 (21) "Salon/shop" means any building, structure, or any part
8 thereof, other than a school, where the commercial practice of
9 cosmetology, barbering, esthetics, or manicuring is conducted; provided
10 that any person, except employees of a salon/shop, who operates from a
11 salon/shop is required to meet all salon/shop licensing requirements
12 and may participate in the apprenticeship program when certified as
13 established by the Washington state apprenticeship and training council
14 established in chapter 49.04 RCW.

15 (22) "Approved apprenticeship shop" means a salon/shop that has
16 been approved under RCW 18.16.280 and chapter 49.04 RCW to participate
17 in an apprenticeship program.

18 (23) "Crossover training" means training approved by the director
19 as training hours that may be credited to current licensees for similar
20 training received in another profession licensed under this chapter.

21 (24) "Approved security" means surety bond.

22 (25) "Personal services" means a location licensed under this
23 chapter where the practice of cosmetology, barbering, manicuring, or
24 esthetics is performed for clients in the client's home, office, or
25 other location that is convenient for the client.

26 (26) "Individual license" means a cosmetology, barber, manicurist,
27 esthetician, or instructor license issued under this chapter.

28 (27) "Location license" means a license issued under this chapter
29 for a salon/shop, school, personal services, or mobile unit.

30 (28) "Mobile unit" is a location license under this chapter where
31 the practice of cosmetology, barbering, esthetics, or manicuring is
32 conducted in a mobile structure. Mobile units must conform to the
33 health and safety standards set by rule under this chapter.

34 (29) "Curriculum" means the courses of study taught at a school,
35 online by a school, or in an approved apprenticeship program
36 established by the Washington state apprenticeship and training council
37 and conducted in an approved salon/shop, set by rule under this
38 chapter, and approved by the department. After consulting with the

1 board, the director may set by rule a percentage of hours in a
2 curriculum, up to a maximum of ten percent, that could include hours a
3 student receives while training in a salon/shop under a contract
4 approved by the department. Each curriculum must include at least the
5 following required hours:

6 (a) School curriculum:

7 (i) Cosmetologist, one thousand six hundred hours;

8 (ii) Barber, one thousand hours;

9 (iii) Manicurist, six hundred hours;

10 (iv) Esthetician, six hundred hours;

11 (v) Instructor-trainee, five hundred hours.

12 (b) Apprentice training curriculum:

13 (i) Cosmetologist, two thousand hours;

14 (ii) Barber, one thousand two hundred hours;

15 (iii) Manicurist, eight hundred hours;

16 (iv) Esthetician, eight hundred hours.

17 (30) "Student monthly report" means the student record of daily
18 activities and the number of hours completed in each course of a
19 curriculum that is prepared monthly by the school and provided to the
20 student, audited annually by the department, and kept on file by the
21 school for three years.

22 (31) "Apprentice monthly report" means the apprentice record of
23 daily activities and the number of hours completed in each course of a
24 curriculum that is prepared monthly by the approved apprenticeship
25 program and provided to the apprentice, audited annually by the
26 department, and kept on file by the approved apprenticeship program for
27 three years.

28 (32) "Distance or online learning" means theory training provided
29 online, by a school licensed under this chapter, in the areas of
30 cosmetology, manicuring, barbering, esthetics, and instructor-training.

31 NEW SECTION. Sec. 3. A new section is added to chapter 18.16 RCW
32 to read as follows:

33 The director shall adopt rules regarding distance or online
34 learning. The rules must include a limit on the number of hours of
35 online learning that can be used toward licensing requirements in the
36 areas of cosmetology, manicuring, barbering, esthetics, and
37 instructor-training.

1 The department must provide an evaluation review of distance or
2 online learning in the areas of cosmetology, manicuring, barbering,
3 esthetics, and instructor-training to the labor committees of the
4 legislature no later than January 1, 2015."

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5 On page 1, line 3 of the title, after "instructor-training;" strike
6 the remainder of the title and insert "amending RCW 18.16.020; adding
7 a new section to chapter 18.16 RCW; and creating a new section."

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