

## 240 CMR 7.00: OPERATION OF MANICURING SCHOOLS

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### 7.01: Definitions

As used in 240 CMR 7.00:

Manicuring. The practice for compensation of cutting, trimming, polishing, tinting, coloring or cleansing the nails of any person and application of artificial nail products.

Board. The Board of Registration of Cosmetology and Barbering.

School. A school or other institution privately owned or conducted for the purpose of teaching manicuring, and shall include "post-secondary institution" as defined by General Laws c. 112, § 87T as amended.

### 7.02: Application for Licensure

- (1) No person or entity shall operate a manicuring school without a license issued by the Board or by the Division of Professional Licensure Office of Private Occupational School Licensure.
- (2) Each applicant for a license to operate a manicuring school shall submit to the Board:
  - (a) A certificate of occupancy or other authentic form issued by the appropriate city or town approving the premises to be used as a school. Such certificate or form shall be submitted to the Board prior to final inspection and approval by the Board.
  - (b) A bond of \$10,000 which bond shall be subject to the approval of the Board.
  - (c) A detailed outline of the school curriculum.
  - (d) A proposed schedule of hours.
  - (e) A detailed floor plan.
  - (f) A list of equipment.
  - (g) A copy of the school catalog.
  - (h) A copy of the school enrollment agreement.
  - (i) A statement signed by the applicant that the school shall have an adequate library.

(j) A completed application, licensure fee and such other information as the Board may require.

7.03: Licensure and Approval

(1) A cosmetology school (private or vocational) which is currently licensed by the Board shall not be required to obtain a separate license to operate a manicuring school or offer a manicuring program. 240 CMR 7.00 shall not apply to cosmetology schools (private or vocational).

(2) Each school shall be required to renew the school license every two years and pay the required renewal fee.

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~~7.03: continued~~

(3) A school license is valid only for the location named in the license and is not transferable. School licensees must ~~immediately~~-notify the Board in writing at least 30 days in advance of the sale, ~~or~~ change in ownership or management, or closure of a school. A school licensee seeking to change the location of the school shall notify the Board in writing at least 30 days before any ~~such~~ change. Upon approval of a new location by the Board, the Board shall cancel the license for the previous location and issue a new license indicating the new location. Each school shall display ~~at~~ its license in a conspicuous place near its main entrance.

(4) No school shall be conducted or advertised as a shop.

7.04: Instructors

(1) Every school shall at all times be in the charge of and under the immediate supervision of instructors currently licensed by the Board.

(2) Instructors in schools shall be currently licensed ~~registered~~ cosmetology instructors or licensed manicuring instructors and shall be competent to impart instructions in manicuring. Instructors shall not be permitted to perform any work on paying customers on school premises except incidentally to instruct a student.

(3) Every school must regularly employ or have in attendance during school hours at least one instructor for every 12 students or less.

7.05: Premises

School premises shall contain, at a minimum, the following:

(1) A clinic room of not less than 600 square feet, to be used exclusively for the teaching of manicuring and containing all necessary equipment for practical training.

(2) A lecture room of not less than 400 square feet, with a minimum of 12 arm chairs or desks and chairs. The lecture room must be available for at least one period per day for exclusive use for instruction in manicuring.

(3) A reception area.

(4) An office area.

7.06: Equipment

(1) Every school shall have and maintain in good working condition appropriate and adequate equipment for its entire student body. The following equipment is the minimum equipment required for a school and, unless otherwise noted, for every 12 students enrolled in a manicuring course:

12 manicuring tables with lamps, drawers and chairs/stools

- 12 wet sanitizers
- 1 dry sterilizer
- 1 wet hospital grade sterilizer
- 3 sinks/hot/cold running water
- 12 covered waste containers
- 1 first aid kit
- 12 finger bowls
- 12 nail brushes
- 1 electrical hand held manicuring tool with bits
- 1 hot oil manicuring unit
- 4 dozen towels
- 12 foot basins

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- (2) Every school shall provide the following equipment to each student:
- (a) Manicuring Kit which must include, at a minimum, the following:
    - cuticle nippers
    - acrylic nippers
    - natural nail scissors
    - silk scissors
    - nail and toe clippers
    - tweezers
    - finger bowl
    - nail brush
    - cuticle pusher
    - metal nail file
    - 2 orange wood sticks
    - 12 emery boards
    - 1 set of disposable latex gloves
    - ~~dry sterilizer container/with disinfectant~~
    - wet sterilizer container/with disinfectant
    - antiseptic
    - cuticle cream/oil
    - base coat
    - top coat
    - nail enamel
    - polish remover product
    - hand massage cream
  - (b) Basic Manicuring Foot Care Kit
  - (c) Complete Artificial Nail Kit
  - (d) Textbook

7.07: Course of Study

- (1) Each school shall maintain a course of study of not less than 100 hours, ~~extending over a period of not less than four weeks.~~
- (2) No student shall be required to attend classes more than five days per week (Monday through ~~Friday~~Saturday) nor more than 100 hours per month in class training. ~~A minimum of one hour per day shall be directed to theory training in each school.~~
- (3) New students shall be enrolled on a weekly basis. After a school's first class has graduated, transfer students may be enrolled at any time.
- (4) Each school shall maintain a daily schedule of regular class hours.
- (5) Each school shall include the following curriculum as part of its course of study:

HOURS

Safety/Sanitation	10 Hours
Artificial Nail Techniques	25 Hours
First Aid	2.5 Hours
Basic Manicuring with Hand and Arm Massage	40 Hours
Professional Ethics/Salon Management/ State Laws	12.5 Hours
Oral-Written-Practical Examinations Hygiene and Anatomy	<u>10 Hours</u>
TOTAL	100 Hours

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(6) Board approval of curriculum and schedule of hours shall not be considered permanent and may be subject to expiration and re-approval as prescribed by the Board.

7.08: Records

- (1) Each school shall keep a daily record of the earned hours of each student. This record shall be submitted to the Board on a monthly basis.
- (2) Each school shall maintain records of satisfactory progress for each student throughout the course of study.
- (3) All school records shall be made available for inspection by the Board or its designated agents.

7.09: Sanitary Conditions

- (1) Each school shall follow proper procedures to ensure that school premises, equipment and personnel meet the safety and sanitary conditions required by the Board.
- (2) Each school shall provide each student with a separate locker sufficiently large to store the student's effects.
- (3) Each school may establish the attire to be worn by students and require its students to dress in conformance with school requirements.
- (4) Each school shall maintain separate lavatories for males and females, which shall provide an adequate supply of hospital grade antibacterial soap which must be used by all students before any manicuring procedure.

7.10: Performance of Services by Students

- (1) No school may, directly or indirectly, accept any remuneration or ~~change-charge~~ any fee for services by its students in the course of their practical training. A school may impose a reasonable charge for ~~the cost of materials used~~ costs related to services performed on customers in practical training.
- (2) Every school shall display in conspicuous places or at each of its entrances, signs with lettering at least two inches in height stating the following:

ALL WORK IN THIS SCHOOL IS DONE BY STUDENTS.  
CHARGES ARE FOR ~~MATERIAL USED ONLY~~ COSTS RELATED TO SERVICES.  
NO CHARGE FOR SERVICES.

~~7.11: Performance of Services Pursuant to Temporary Permits~~

- ~~(1) Students who have graduated from a school may begin working in a salon only after filing a complete license examination application and paying all fees required by the Board.~~

7.11: Licensed private occupational schools

(1) Private occupational schools licensed pursuant to M.G.L. c. 112, §263 may offer manicuring programs without being licensed or otherwise meeting the requirements of 240 CMR 7.02 and 7.03. However, no manicuring program offered by a private occupational school shall be accepted for credit towards a Board issued license unless said program is first approved by the Board as having met all other provisions of 240 CMR 7.04 to 7.11.

(2) Notwithstanding the provisions of 240 CMR 7.11(1), the Board may waive any requirements of 240 CMR 7.04 to 7.10 for private occupational schools if the Board determines that said requirements are duplicative of, or in conflict with, requirements imposed by the Division of Professional Licensure Office of Private Occupational School Education.

(3) If required in order to obtain a private occupational school license pursuant to M.G.L. c. 112, §263, a prospective (not yet licensed) manicuring school may have its programs approved by the Board under the same conditions granted to private occupational schools pursuant to 240 CMR 7.11(1) and (2) so long as said school agrees, as a condition of the Board's approval, that the school will obtain a license pursuant to M.G.L. c. 112, §263 prior to commencing any manicuring programs.

~~(2) A health certificate and a copy or receipt of a check or money order evidencing payment of a candidate's examination fee must be posted in a salon where the candidate is employed until the candidate receives a temporary permit valid for a maximum period of 12 weeks.~~

~~(3) Temporary permits are issued one time only and cannot be extended.~~

~~(4) A candidate whose temporary permit expires before the candidate is issued a license may not be employed in a salon until the candidate qualifies for and receives his/her license from the Board.~~

REGULATORY AUTHORITY

240 CMR 7.00: M.G.L. c. 112, §§ ~~87BB, 87CC and 87T87V~~, 87BB and 87JJ.