

**TITLE 175. STATE BOARD OF COSMETOLOGY AND BARBERING  
CHAPTER 10. LICENSURE OF COSMETOLOGISTS, BARBERS, SCHOOLS AND  
RELATED ESTABLISHMENTS**

**RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking

**PROPOSED RULES:**

Subchapter 3. Licensure of Schools

175:10-3-47. Eyelash Extension Specialist course entrance and curriculum requirements

[NEW]

Subchapter 3. Licensure of Schools

Part 7, General Operations and Licensing Requirements

175:10-3-79. Hybrid learning in all courses [AMENDED]

Subchapter 9. Licensure of Cosmetologists, Barbers and Related Occupations

Part 3. State Board Examination

175:10-9-31. Failure to appear for examination [AMENDED]

Part 5. Demonstrators; Cosmetic Studios; Trade Shows; Guest Artists; Wig Dressing;  
Other Practices of Cosmetology and Barbering

175:10-9-55. Practices of cosmetology and barbering [AMENDED]

**SUMMARY:**

The proposed rule changes, increase the number of hybrid, or online training, from ten-percent (10%) of theory only hours to twenty-five percent (25%) of all course hours. This allows for as many three-hundred and seventy-five hours of online training versus the current maximum allowed of fifteen hours for the cosmetology course. *See* OAC 175:10-3-79. The rules include public catastrophe for excused absence from examinations. *See* OAC 175:10-9-31.

Finally, several of the amended rules and the new rule establish a new limited specialty license for Eyelash Extension Specialists, consistent with the Board's authority in 59 O.S., § 199.3(B)(5). *See* OAC 175:10-3-47; and 175:10-9-55. Eyelash Extension Specialists will be required to undergo only two hundred (200) hours of training, as opposed to the one thousand five hundred (1,500) currently required of Cosmetology and Barbering course or the six hundred (600) hours currently required of Estheticians/Facialists; currently, per OAC 175:10-9-55, only licensed Cosmetologists or Facialists/Estheticians may perform eyelash extensions. The amended rules allow for Barbers to perform eyelash extensions, *See* OAC 175:10-9-55. The amended rules and new rule establish curriculum and examination requirements; sanitation, disinfection and safety requirements; set a licensure fee; and allow the Board to grant reciprocity for licensed specialists from other states. This less restrictive licensing program is needed to help settle litigation that was recently instituted against the State of Oklahoma, in *Davis v. State Board of Cosmetology and Barbering*, CV-2022-1729 (Okla. Cty. Dist. Ct. Sept. 7, 2022).

**AUTHORITY:**

Oklahoma State Board of Cosmetology and Barbering; 59 O.S. §§ 199.3 and 199.6

**COMMENT PERIOD:**

Persons wishing to present their views in writing may do so before 5:00 p.m. on February 9, 2024, at the following address: 2401 NW 23<sup>rd</sup> Street Suite 84, Oklahoma City, OK 73107, or [John.Funderburk@cosmo.ok.gov](mailto:John.Funderburk@cosmo.ok.gov)

**PUBLIC HEARING:**

A public hearing will be held at 10:00 a.m. on February 12, 2024, at the Oklahoma State Board of Cosmetology and Barbering, 2401 NW 23<sup>rd</sup> Street Suite 84, Oklahoma City, OK 73107. Anyone who wishes to speak must sign in at the door by 10:05 a.m.

**REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:**

Business entities affected by these proposed rules are requested to provide the agency with information, in dollar amounts if possible, about the increase in the level of direct costs, indirect costs, or other costs expected to be incurred by the business entity due to compliance with the proposed rules. Business entities may submit this information by 5:00 p.m. on February 9, 2024, at the Oklahoma State Board of Cosmetology and Barbering, 2401 NW 23<sup>rd</sup> Street Suite 84, Oklahoma City, OK 73107, Attn: John Funderburk, or by email to [John.Funderburk@cosmo.ok.gov](mailto:John.Funderburk@cosmo.ok.gov).

**COPIES OF PROPOSED RULES:**

The proposed rules may be viewed on the agency's website at [www.oklahoma.gov/cosmo](http://www.oklahoma.gov/cosmo) and copies may be obtained from the Oklahoma State Board of Cosmetology and Barbering, located at 2401 NW 23<sup>rd</sup> Street, Suite 84, Oklahoma City, OK 73107. Copies may also be obtained by written request mailed to the attention of John Funderburk, 2401 NW 23<sup>rd</sup> Street, Suite 84, Oklahoma City, OK 73107, or emailed to [John.Funderburk@cosmo.ok.gov](mailto:John.Funderburk@cosmo.ok.gov).

**RULE IMPACT STATEMENT:**

Pursuant to 75 O.S., § 303(D), a rule impact statement will be prepared and may be obtained from the Oklahoma State Board of Cosmetology and Barbering at the above address beginning December 15, 2023.

**CONTACT PERSON:**

John Funderburk, Principal Assistant, Oklahoma State Board of Cosmetology and Barbering, (405) 522-7616, [John.Funderburk@cosmo.ok.gov](mailto:John.Funderburk@cosmo.ok.gov).

**175:10-3-47. Eyelash Extension Specialist course entrance and curriculum requirements**

**[NEW]**

**(a) Entrance requirements.** Eyelash Extension Specialist course entrance requirements are the same as for a basic course student.

(1) Each student shall be provided an approved textbook or manual before commencing classroom training.

(2) An Eyelash Extension Specialist student shall not be allowed to perform patron services until such time as he/she has received at seventy-five hours (75) clock hours of practice and classroom instruction under the direct supervision of an instructor licensed by the board

**(b) Curriculum requirements.** The two hundred (200) clock hour curriculum is prescribed as follows: (Note: Hours may be measured in credits and ratio as recognized by the United States Department of Education or by a regional or national accreditation entity recognized by the United States Department of Education.)

(1) Orientation, rules and law – six (6) clock hours;

(2) First aid and adverse reactions – nine (9) clock hours;

(3) Sanitation and contagious diseases – twenty (20) clock hours;

(4) Safety and client protection – fifty (50) clock hours;

(5) Eyelash growth cycles and selection – five (5) clock hours;

(6) Chemistry of products – three (3) clock hours;

(7) Supplies, materials and related equipment – six (6) clock hours;

(8) Eyelash extension application – eighty five (85) clock hours;

(9) Eyelash extension isolation and separation – thirteen (13) clock hours;

(10) Professional image/salon management – three (3) clock hours.

(12) Total hours – two hundred (200) clock hours.

**(c) Minimum training supplies.** Eyelash Extension Specialist minimum training supplies are required as follows:

(1) One (1) textbook or manual;

(2) One (1) mannequin;

(3) One (1) first aid/eye wash/blood exposure kit;

(4) One (1) straight tweezer;

(5) One (1) curved tweezer;

(6) Adequate supply of disposable mascara wands;

(7) Adequate supply of disposable microfiber brushes;

(8) Adequate supply of lashes;

(9) Adequate supply of eyelash adhesive;

(10) Adequate supply of adhesive remover;

(11) Adequate supply of eyelash extension tape;

(12) Adequate supply of small scissors; and

(13) Adequate supply of facial table/chair/beds.

**175:10-3-79. Hybrid learning in all courses [AMENDED]**

- (a) A school must submit a curriculum and schedule for students utilizing hybrid learning.
- (b) School must show proof that hybrid learning activities are continuously monitored by the school and the process must be formally approved by the Board.
- (c) Credit for hybrid learning is limited to ~~10%~~ 25% of the ~~theory-related~~ course hours presented asynchronous. ~~of training in any given course.~~
- (d) A record of students actively participating in hybrid learning activities must be maintained in the school and available for inspection purposes.
- (e) Equipment and materials necessary for participation in hybrid learning shall be made available to students or specified in school/student agreement.
- (f) Board Executive Director has authority to extend the 25% limit due to a public catastrophe.

**175:10-9-31. Failure to appear for examination [AMENDED]**

**(a) Excused from examination due to emergency circumstances.**

(1) In order to be excused from examination, the applicant must notify the Board in writing within five (5) calendar days after the examination stating that the failure to appear was due to an emergency or public catastrophe. Emergency circumstance is considered to be serious injury, illness or death in the immediate family of the applicant. Documentation, such as physician's statement, may be required.

(2) If an applicant is excused from the examination, any previously issued work permit shall remain valid until the date of the next scheduled examination. The applicant shall not be required to pay any additional fee or submit another examination registration form.

**(b) Un-excused from examination; work permit limitation.**

An applicant who fails to appear for examination, without emergency excuse, or an applicant who fails to pass the examination for the second time, will not be issued any further work permit and any previously issued work permit will become immediately null. Applicant is required to re-register for examination with appropriate fee.

**175:10-9-55. Practices of cosmetology and barbering [AMENDED]**

- (a) Only licensed Facialist/Esthetician, Cosmetologist, Threading Technician or Barber may perform threading.
- (b) Only a licensed Facialist/Esthetician, Barber, Cosmetologist or Eyelash Extension Specialist may perform eyelash extensions.
- (c) Only licensed Facialist/Esthetician, Cosmetologist or Barber may perform body sugaring.