



---

**State of Vermont**  
**Office of the Secretary of State**

**Office of Professional Regulation**  
89 Main Street, 3<sup>rd</sup> Floor  
Montpelier, VT 05620-3402  
sos.vermont.gov

**James C. Condos, Secretary of State**  
**Christopher D. Winters, Deputy Secretary**  
**S. Lauren Hibbert, Director**

**SECRETARY OF STATE**  
**OFFICE OF PROFESSIONAL REGULATION**  
**BARBERS & COSMETOLOGISTS**

**Interim Waiver Licensing Policy**

**Purpose**

**This waiver policy governs the transition from old rules to new and only extends to specific subjects listed below with the purpose of extending the flexibility intended by Act 144.**

Act 144 (2018) added flexibility to initial licensing requirements for barbers, cosmetologists, estheticians, nail technicians, and schools. The Office of Professional Regulation has proposed [Administrative Rules for Barbers, Cosmetologists, Estheticians, & Nail Technicians](#) to replace the existing, [2005 Rules](#), however the new rules have not been adopted yet.

**Policy**

Pending final adoption of the [Administrative Rules for Barbers, Cosmetologists, Estheticians, & Nail Technicians](#):

**Information for Schools**

- (a) A school will be deemed to be in regulatory compliance if it meets the standards of the 2005 or proposed rules.
- (b) A licensed school of cosmetology may apply to be recognized as a testing authority for the Capstone Exam. Students who pass an approved school Capstone Exam shall be deemed to have satisfied the requirements of 26 V.S.A. § 283.
- (c) Examinations “as determined by the director” (26 V.S.A. § 284(a)) include those accepted under the 2005 rules or proposed rules, meaning a school may apply for and receive recognition as a testing authority as contemplated by the proposed rules. Students may elect between (1) the traditional exam path, which includes the

national licensing examination or (2) examination at a school approved to administer one as contemplated by the proposed rules.

- (d) Technical schools that are not currently licensed with OPR will need to apply for a school license with OPR to be eligible to administer the exams.
- (e) Schools may employ instructors qualified under either the 2005 or proposed rules.
- (f) Schools may apply credit rules and use instructors in ratios acceptable under either the 2005 or proposed rules.
- (g) A curriculum consistent with statutory training-hour requirements (1000 for cosmetologists; 750 for barbers; 500 for estheticians; 200 for nail technicians) is acceptable, so long as it addresses required core competencies common to the 2005 and proposed rules.
- (h) **Applicants who only complete the Capstone Exam through their school and do not complete the National Exams with PCS may have difficulty endorsing into other states and jurisdictions. The school-based Capstone Exam is for students who intend to practice in Vermont.**

### **Information for Individuals**

- (a) The Office will grant licenses to persons qualified under either the 2005 or proposed rules.

**\*This only extends to specific subjects listed in this policy and does not extend scope of practice until formal adoption of the proposed rules.**

- (b) A school may set their own course hour requirements, policies, and procedures which must be completed in order to fully satisfy the school's curriculum. The requirement to complete the program may exceed the requirement for licensure (Cosmetology 1,000, Barber 750, Esthetician 500, Nail Technician 200). The student must complete the program to obtain the Verification of Education from the school.

**\*A Verification of Education is a requirement for licensure and may not be released by the school due to failure to complete an entire curriculum and satisfying all school policies.**

- (c) A student in a program of longer duration than the 1000/750/500/200 required by statute and the proposed rules may become license-eligible when he or she attains

both the statutory training-hour minimum and his or her school certifies attainment of training in the core competencies.

### **FAQs**

#### **How does my licensed school go about offering licensure testing as contemplated by Proposed Rule 8-8:**

1. *Begin by reviewing the proposed rule and compiling a testing plan consistent with its requirements set forth in rule 8-8. Submit the test plan to the office.*
2. *OPR will review the Exam Administration Plan and additional supporting documents required by the office in consultation with advisors and may request additional details or modifications.*
3. *If the advisors and/or OPR find that a plan is complete and demonstrates ability to administer an appropriate examination for licensure, OPR will issue a specialty to the schools license titled "Authorized Testing Facility," verifying that a passing score on its exam will be recognized toward the exam requirement for licensure at 26 V.S.A. § 284(a).*

---

#### **Career technical centers are not required to become licensed schools. 26 V.S.A. § 281(b). Are unlicensed schools able to offer Capstone Exams?**

*No. Any school or technical center who wishes to administer the Capstone Exam upon approval must hold an active and unencumbered school license with the Office which includes the Authorized Testing Facility specialty.*

---

#### **I have completed the 1,000 of hours at a cosmetology school required for licensure, but I have not finished the full program. May I test for licensure?**

*No. You must have training in all of the core cosmetology competencies, certified by your school. A person who enrolls in a cosmetology school should plan to complete its full course.*

---

#### **I completed 750 hours at a cosmetology school but did not complete the program. May I apprentice for remaining hours and thereby meet the 1500 hour requirement for apprenticeship?**

*No. School curricula and apprenticeship plans are built around the attainment of competencies. The rules do not contemplate switching between formal schooling and apprenticeships, and the Office generally will not allow it. If schooling is disrupted because of circumstances beyond a student's control, such as financial hardship or*

*medical circumstances, the student may request a waiver from the Director of the Office requesting that OPR approve apprenticeship credit commensurate to time and competencies it can verify.*

*Note that it can be very difficult to verify what competencies were attained during partial completion of a comprehensive program.*

---

**I began apprenticing as a cosmetologist or barber but earned only 500 hours. May I complete half of a school program?**

*Schools sometimes encounter transfer applicants or applicants who would like credit for partial experience toward licensure. This is similar to a request for transfer credit, and is at the discretion of the school, not OPR. The school's duty to the State is to verify that students have attained required training in the core competencies required for licensure.*

---

**Are all of the benefits of the new rule available prior to formal adoption?**

*No. New elements of the proposed rule that are not clearly contemplated by statute will not be implemented until adoption. Mobile shops and crossover paths are examples.*