In accordance with § 2.2-4002.1 of the Code of Virginia, this proposed guidance document conforms to the definition of a guidance document in § 2.2-4101.



## **Board for Barbers and Cosmetology**

Amended Guidance Document: March 15, 2023

### **Frequency of Providing School Rosters**

#### I. Background

On September 26, 2022, the Board for Barbers and Cosmetology approved the guidance document establishing a format for schools to provide school rosters. Under Board regulations 18 VAC 41-20-250.A and 18 VAC 41-70-250.A, barber, cosmetology, nail, wax, and esthetics schools are required to provide rosters of current students and students who attended within the previous six months in the manner, format, and frequency specified by the Board. The original guidance document required schools to email the Board their student rosters. The Board for Barbers and Cosmetology revised the guidance document on January 9, 2023, to mandate that schools transmit student rosters to a secure link provided by the Board. The submission process uploads the roster into a secure site that can only be accessed by board staff and is complaint with the Family Educational and Privacy Act (FERPA). FERPA is a federal law that protects the privacy of student education records.

#### II. Issue

The email address supplied in the initial guidance document did not adhere to security protocols. The Board has established a secure link for schools to upload student rosters. The files will be encrypted and uploaded to cloud storage. Cloud storage will comply with mandatory security measures outlined by FERPA. These documents will only be accessible to authorized board staff.

#### III. Board Guidance

On January 9,2023, the Board approved the revised guidance for the frequency of providing school rosters:

In accordance with 18 VAC 41-20-250.A and 18 VAC 41-70-250.A barber, cosmetology, nail, wax, and esthetics schools are required to provide rosters of current students and students who attended in the last six months in the manner, format, and frequency prescribed by the Board.

- 1. Rosters must be submitted quarterly, with rosters due on January 15, April 15, July 15, and October 15 every year. The roster should be current to within 15 days of the submission. For example, the January 15 roster should be current through December 31.
- 2. Rosters will include all students enrolled in the school as well as any students who completed in the past six months. Students who are enrolled but have not begun classes must be included in the report.
- 3. Rosters will be provided on a Board supplied spreadsheet, which will include the students full name, date of birth, program type, date enrolled, the total number of hours to-date, and the date completed, terminated, or withdrawn.
- 4. Schools with no students enrolled, but the intention of operating, must submit a report to that effect. Schools with no students enrolled that no longer wish to operate should terminate their license in accordance with Board regulations.
- 5. Rosters must be submitted via a secure link provided by the Board.
- 6. In each calendar year, schools will not be penalized on their first instance of reporting after the deadline, provided the report is provided within 15 days of the deadline. Subsequent late filings or failing to report within 15 days of the deadline will result in a referral for disciplinary action.

The Virginia Board for Barbers and Cosmetology will be taking public comment on this proposed guidance document regarding the frequency of providing school rosters. A 30-day comment period will begin on February 13, 2023.

If you wish to comment on the proposed guidance document, you may do so via the Town Hall website or you may submit written comments so that they are received no later than March 15, 2023 to:

# **<u>Proposed</u>** Guidance Document Board for Barbers and Cosmetology

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