



STATE OF WASHINGTON

DEPARTMENT OF LICENSING

PO Box 9020, Olympia, Washington 98507-9020

Washington Administrative Code
Notice of Permanent Rules for
Cosmetology School online training.

Adoption of: WAC 308-20-010, Definitions; 308-20-090, Student credit for training in a licensed school and 308-20-573, School catalog, enrollment agreement/contract and cancellation and refund policy minimum requirements.

Effective date: These rule changes will become effective 31 days after filing or on November 8, 2020 .

What are the agency’s reasons for adopting this rule?

In March of 2020, Governor Jay Inslee issued the Stay Home – Stay Healthy proclamation to help limit the spread of COVID-19. As part of this response, cosmetology schools were unable to operate due to WAC 308-20-010 Definitions, which limited the definition of “online training” to theoretical instruction not to exceed 25% of the approved course study.

In order to enable schools to continue to conduct business during the Stay Home – Stay Healthy proclamation, the Department of Licensing (DOL) filed emergency rules with the Washington State Code Reviser that allowed schools to offer 100% of theoretical instruction online. Since filing these rules, the DOL has recognized the benefit of the additional online instruction for cosmetology schools and students, which has the potential to increase access and reduce overall costs for schools and students. However, in considering permanent adoption of these rules, the DOL has determined necessary revisions to minimize inequity between accredited and unaccredited cosmetology schools, and allow for greater flexibility for schools in determining which approved course study activities are offered online.

The DOL will now allow for cosmetology schools to offer 50% of their entire approved course of study online. The new rules remove from the definition of online, the words “This training is limited to theory only”; therefore allowing cosmetology schools to determine the best content to be offered online and in person.

Summary of all public comments received on this rule proposal and the agency’s response to those comments:

WACs 308-20-101, 308-20-090 and 308-20-573 Concise Explanatory Statement	
Paraphrased Comment	Department Response
Increase online learning to 75% in emergency situations	
1. Asks DOL to consider language in the proposed rule to allow an increase to	The purpose of the proposed rule change is to set a baseline for a new standard for how

The Administrative Procedure Act (RCW 34.05.325(6)) requires agencies to complete a concise explanatory statement before filing adopted rules with the Office of the Code Reviser. This statement must be provided to anyone who gave comment about the proposed rulemaking.

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75% for online learning in emergency situations similar to the one provided in Emergency Rules WSR 20-15-055.	curriculums can be delivered. The Department has the ability to develop Emergency Rules if emergent situations require the need to increase curriculum delivery flexibility.
Implement proposed rule change	
<ol style="list-style-type: none"> 1. What do schools need to do to implement the proposed rule changes? How does this change relate to rules currently in place e.g. building requirements, bathroom etc.? 	Schools must submit their proposed online training program to the Department for approval. This rule change does not impact or change any of the rules currently in place regarding school facility requirements.
General	
<ol style="list-style-type: none"> 1. This change will enable schools to deliver Distance Education to students not only during a pandemic but also could dramatically improve the opportunity for student in more rural and remote locations where a school is not within a reasonable commute. The single parent could better manage family dynamics. 2. I have personally been teaching students online and it's been working great. 3. In favor of the DOL rulemaking change. 4. With the Covid -19 situation, this change will allow students and staff to maintain safety protocols, and keep our students safe. It also allows for bit of flexibility with the use of zoom and distance learning. It is about time that we allow some up to date options, as all of the Colleges are doing. 5. Please log our continued support from our 5 schools. 	Thank you for your comments

Changes made to the proposed WAC as a result of public comment:

No changes were made.

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