

I Mina'trentai Sais Na Liheslaturan Guåhan
BILL STATUS

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES	NOTES
262-36 (LS)	Tina Rose Muña Barnes Therese M. Terlaje	AN ACT TO AMEND § 18128 OF CHAPTER 18, TITLE 10, GUAM CODE ANNOTATED, RELATIVE TO AMENDING THE REQUIREMENTS FOR A SCHOOL LICENSE AND ESTABLISHING AN INTERIM LICENSE FOR SCHOOLS SEEKING ACCREDITATION.	2/25/22 9:29 a.m.						

I MINA'TRENTAI SAIS NA LIHESLATURAN GUÅHAN
2022 (SECOND) Regular Session

Bill No. 262-36 (LS)

Introduced by:

Tina Rose Muña Barnes 
Therese M. Terlaje 

**AN ACT TO AMEND § 18128 OF CHAPTER 18, TITLE 10,
GUAM CODE ANNOTATED, RELATIVE TO AMENDING
THE REQUIREMENTS FOR A SCHOOL LICENSE AND
ESTABLISHING AN INTERIM LICENSE FOR SCHOOLS
SEEKING ACCREDITATION.**

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. § 18128 of Chapter 18, Title 10, Guam Code Annotated is hereby
amended to read as follows:

§ 18128. Schools; License.

(a) The Board shall issue a license for a school during a Board meeting
duly held for the purpose of issuing licenses for schools for applicants who
have made the proper applications for such license and who have qualified as
follows:

(1) pay the required fee as approved by the Board;

(2) public and private post secondary schools are accredited by
the Western Association of Schools and Colleges, or Colleges, or
~~National Accrediting Commission of Cosmetology, Arts, and Sciences~~
the National Accrediting Commission of Career Arts and Sciences or
its successor; the school license *shall* be renewed annually after
inspection.

1 (A) If a school loses accreditation, the school has two (2)
2 years to regain accreditation before their school license is
3 rescinded.

4 (b) The Board *may* issue an interim school license to a school without
5 accreditation. Within two (2) years after being issued an interim school license
6 by the Board, the school *shall* submit to the Board proof that it has applied for
7 accreditation with the Western Association of Schools and Colleges, or
8 National Accrediting Commission of Career Arts and Sciences or its
9 successor. Within five (5) years after being issued an interim school license
10 by the Board, a school *shall* submit to the Board proof that it has achieved
11 accreditation. If a school fails to provide documentation that it has applied for
12 accreditation or has achieved accreditation, the interim license *shall* be
13 rescinded. The interim school license *shall* be renewed annually after
14 inspection.

15 A school can only hold an interim school license for a total of six (6)
16 years. If a school fails to achieve accreditation within five (5) years, the school
17 must apply as a new applicant. If the school does not achieve accreditation
18 within six (6) years of initial issuance of an interim school license, the license
19 *shall* be rescinded and the school cannot reapply for an interim school license.

20 ~~(b)~~(c) No school of cosmetology shall be granted a certificate of license,
21 unless the school provides for health-related instructions or injuries, and
22 employs and maintains a:

23 (1) sufficient number of licensed instructors and requires courses
24 of instruction in cosmetology of not less than one thousand six hundred
25 (1,600) hours extending over a period of not less than nine (9) months,
26 and maintains such courses in both practical and technical instruction,
27 including instruction in sanitary sterilization and the use of antiseptics,

1 necessary to meet the requirements for examination for certificate,
2 registration and license as a cosmetologist; and

3 (2) procedure to consult with a Guam licensed physician.

4 ~~(d)~~(e) No school of electrology shall be granted a certificate of
5 registration and license, unless it provides for health-related instructions or
6 injuries, and employs and maintains a:

7 (1) sufficient number of licensed instructors and requires courses
8 of instruction in electrology of not less than five hundred (500) hours
9 extending over a period of not less than four (4) months and maintains
10 such courses in both practical and technical instruction, including
11 instruction in sanitary sterilization and the use of antiseptics, necessary
12 to meet the requirements for examination for certificate, registration
13 and license as an electrologist. Any school of cosmetology providing a
14 course in electrology shall meet the requirements of this Subsection;
15 and

16 (2) procedure to consult with a Guam licensed physician.

17 ~~(e)~~(f) Persons receiving instructor training in a cosmetology,
18 esthetician, electrology, barbering or nail technology school shall spend all of
19 their training time under the direct supervision of a licensed instructor and
20 shall not be left in charge of students or school at any time during their six
21 hundred (600) hours of training without the direct supervision of a licensed
22 instructor in the classroom or in the clinic area where patrons are serviced.
23 Instructor trainees may instruct only in the presence of a licensed instructor.

24 ~~(f)~~(g) Persons receiving instructor training are not permitted to perform
25 clinical services on a patron for compensation, either by appointment or
26 otherwise.

1 ~~(g)~~(h) Persons receiving instructor training shall be furnished an
2 instructor training manual.

3 ~~(h)~~(i) Students seeking an instructor certificate of completion from an
4 accredited school of cosmetology, nail technology, esthetics, electrology or
5 barbering must complete Vocational Education I and Vocational Education II
6 (classes typical of the program often includes some variation of Instructor
7 Concepts, Instructor Practicum, Laboratory and Clinical Supervision,
8 Classroom Management, Testing and Evaluation and Teaching Methods and
9 Lesson Planning) courses from an accredited college or university designed
10 to prepare them for a career in cosmetology instruction. Students must also
11 acquire the skills in lesson planning, grading, student counseling,
12 communication, record-keeping and student supervision and safety
13 procedures.

14 ~~(i)~~(j) No school shall employ, hire or in any manner allow any
15 individual to teach cosmetology, barbering, manicuring or nail technology,
16 esthetics, electrology or hair styling unless that individual has a current license
17 to teach the applicable specific practice of cosmetology, barbering,
18 manicuring or nail technology, esthetics, electrology or hair styling.

19 ~~(j)~~(k) Any person who practices or teaches cosmetology, barbering,
20 manicuring or nail technology, esthetics, electrology or hair styling for
21 compensation, or who carries on any business, practice or operation governed
22 by this Chapter, without the applicable license when a license is required, is
23 guilty of a misdemeanor punishable, upon conviction, by a fine of not more
24 than Seven Hundred Fifty Dollars (\$750.00).

25 ~~(k)~~(l) At least one (1) licensed instructor must be present on the school
26 premises at all times students are present.

1 ~~(h)~~(m) If a school offers, in addition to the full cosmetology course,
2 separate manicuring/nail technology and/or esthetics or electrology courses,
3 one (1) additional instructor shall be required for each separate course offered.

4 ~~(m)~~(n) There shall be no more than twenty (20) students present for
5 each instructor. Of the twenty (20) students permitted per instructor, no more
6 than three (3) shall be student instructors.

7 ~~(n)~~(o) All students and student instructors shall be under the supervision
8 of a licensed instructor throughout the entire course of instruction.

9 ~~(o)~~(p) If an instructor who is necessary to maintain minimum school
10 requirements transfers or is terminated, the school must replace that instructor
11 within thirty (30) days of the date such transfer or termination occurs. A
12 properly licensed instructor must be present at all times a school is operating.

13 ~~(p)~~(q) Students having training interrupted by service in the United
14 States military may re-enroll within one (1) year after completion of their tour
15 of duty and get credit for previous hours earned.

16 ~~(q)~~(r) No student may be enrolled in more than one (1) school at the
17 same time.

18 **Section 2. Effective Date.** This Act *shall* be effective upon enactment.