

# MAINE STATE LEGISLATURE

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Frank T. Kelly, Executive Sec.

State Board of Hairdressers

George C. West, Deputy

Attorney General

### Clinics in Beauty Schools

#### FACTS:

Beauty schools, or schools of hairdressing and beauty culture, perform work upon members of the public for a fee. The work is done by the students as a part of their training in the schools.

#### QUESTION:

Does the law give the State Board of Hairdressers the right to prescribe or limit the number of hours of clinical operation practiced on the public for a fee?

#### ANSWER:

Yes.

#### OPINION:

There are three provisions of the statutes which must be considered. All three must be read together and correlated to create a proper balance. R. S. 1954, C. 25, § 215, provides in part:

"The board shall make rules and regulations not contrary to law . . . prescribing the requirements for the . . . operation . . . of any school of hairdressing and beauty culture . . . ."

R. S. 1954, C. 25, § 220, provides in part:

"Any person shall be eligible to obtain a certificate of registration . . . ."

"III. who has satisfactorily completed a course of instruction in a school of hairdressing and beauty culture approved by said board . . . ."

R. S. 1954, C. 25, § 222, provides in part:

"No school of hairdressing and beauty culture shall be approved by said board . . . nor unless it has a minimum requirement of a continuous course of study of 1,500 hours distributed over a term of not less than 9 months, including practical demonstrations . . . practical instruction in sanitation, sterilization and use of antiseptics, cosmetics and electrical appliances, which course of study and instruction shall be subject to the approval of the board."

Thus, we find that the board may make rules and regulations governing the operation of schools. Also, it must approve the curriculum of the school to be sure it contains a balanced program of theoretical and practical study. Practical demonstrations and instruction must include, in fact be limited to, working on a human being. It cannot mean otherwise. All of this must be completed in a course of at least 1,500 hours covering not less than 9 months. This means, roughly, 40 hours a week for 39 weeks.

The present rule of the board, by rule numbered 37, requires certain minimum hours to be spent in various subjects both in theory and practice. Of these, 575 hours are wholly in the field of practical or clinical work. Some 705 hours are defined as "Theory and Practical Class Theory." Some part of these 705 hours must apparently be devoted to practical demonstrations or instruction in classes, rather than as individual clinical work.

The board has the authority to change these minimum figures as it believes will best provide students with the knowledge necessary to become registered hairdressers. It may break these figures down into monthly, weekly or daily minimums. However, in doing so it must bear in mind the danger of a school not being able to schedule models for the practice work if minimum hours are broken down into short periods of time.

One must also bear in mind that the time element may well militate against exclusive use of students as models. The time spent by a student as a model would hardly be classified as time spent in learning hairdressing or beauty culture, in some instances.