Mr. Stephen Kirschner  
Executive Director  
Board for Barbers and Cosmetology  
Department of Professional and Occupational Regulation  
9960 Mayland Drive-Suite 400  
Richmond VA 23233-1485

NOIRA Stage ID: 9708  
VAC: 18 VAC 41-20  
Action: Reduce cosmetology training hours to 1,000  
Position: SUPPORT

Dear Mr. Kirschner:

Thank you for the opportunity to comment on the proposed rule that reduces the education required to become a licensed cosmetologist in Virginia from 1,500 to 1,000 hours. The Institute for Justice\(^1\) (IJ) supports the reduction as an important step toward greater opportunities for aspiring beauty-service providers.

In Virginia, and nationwide, cosmetology licensing is broken. The proposed rule’s adoption of the reduced hours enacted in California and other states\(^2\) is a start toward repair in Virginia.

IJ’s research, *Beauty School Debt and Drop-Outs*\(^3\) shows that:

- Nationwide, the average cosmetology program costs $16,104. This is a significant amount of money for a program that offers training of about only one year. In Virginia, the average cost is even higher, $17,264.\(^4\)

---

\(^1\) IJ is a nonprofit public interest law firm. It litigates to secure constitutional rights that allow all Americans to pursue their dreams. Among other activities, IJ also engages in legislative advocacy and original research. See www.ij.org/about-us

\(^2\) California SB 803 reduced required training hours for cosmetology and barbering from 1,600 and 1,500, respectively, to 1,000 effective Oct. 7, 2021, www.tinyurl.com/SB-803. New York and Vermont also require only 1,000 hours.


\(^4\) Ibid., Table A1. These cosmetology program costs are six-year averages covering the academic years 2011-2012 through 2016-2017. It is noteworthy that the $17,264 average cost for cosmetology school in Virginia is greater than the cost of an associate degree earned at community colleges in Virginia. For the 2022-2023 academic year, the in-state tuition and mandatory fees for the state’s community colleges is approximately $2,310 for a semester of full-time study (15 credit hours). Virginia’s Community Colleges, www.tinyurl.com/vcu-tuition
On average across all 50 states, cosmetology students borrow $7,368 in federal student loans to complete the education required for cosmetology licensure. In Virginia, the average amount borrowed is more, $7,456.5

On average nationwide, only about 27% of students graduate on time from cosmetology schools. In Virginia, the average graduate rate is only 20%.6

Those students who do graduate and become licensed face a low return on their investment. Nationally, in 2019, they could expect to earn just $26,270 annually on average. In Virginia, they could expect to earn a little more, $26,510.7 With such low wages, many cosmetologists may find it difficult to repay their student debt.

The study’s findings suggest state licensure requirements drive cosmetology program lengths. Although licensure requirements vary widely, nearly all cosmetology program lengths in the study exactly match local licensure requirements. And program lengths in Virginia are no exception.8 Moreover, when states reduce requirements, cosmetology schools usually make identical changes to their programs.9

Meanwhile, cosmetology licensure requirements often bear little relation to public health and safety. Many of the services cosmetologists provide pose little or no risk to the public, and yet, as other IJ research has found, cosmetologists face greater average licensing requirements than entry-level emergency medical technicians.10 Not only that, but other recent research has found that, nationwide, the cosmetology curricula mandated by state governments generally spend little time on health and safety.11

Given the tenuous links between cosmetology licensure and public safety, the proposed rule’s reduction in required training hours is unlikely to affect consumer protection in Virginia. It is likely, however, to relieve some of the burden on aspiring cosmetologists.

CONCLUSION

Based on the findings from IJ’s study and other research, my colleagues and I support the proposed change in Virginia’s rule.

LOOKING FORWARD

The Board for Barbers and Cosmetology and the Department of Professional and Occupational Regulation should consider repealing completely Virginia’s occupational licensing and, instead, bolstering the Commonwealth’s inspection regimes.

---

5 Ibid., Table A5.
6 Ibid., Table A6.
7 Ibid., Table 1.
8 Ibid., Table 2.
9 Ibid., Figure 8.
The United Kingdom and other European countries do not license cosmetologists, and there is no reason to believe consumers are worse off.\textsuperscript{12}

Closer to home, Virginia’s Department of Health uses only inspections to regulate restaurants. It does not license chefs, wait staff or purchasing managers. It inspects food establishments based on the risks associated with their activities and their compliance history.\textsuperscript{13} VDH’s approach may be exportable to the regulation of cosmetologists and barbers in Virginia.

To that end, the Institute for Justice has developed model regulation\textsuperscript{14} that replaces barber and cosmetology occupational licenses with salon facility licenses and inspections.

My colleagues from IJ’s headquarters in Arlington would be pleased to meet with you to discuss this alternative approach. Thank you.

Sincerely,

\[Signature\]

Lee U. McGrath  
Senior Legislative Counsel  
e: lmcgrath@ij.org  
c: (612) 963-0296

cc: Jessica Poitras  
Legislative Counsel  
Institute for Justice  
901 N. Glebe Rd-Ste 900  
Arlington VA 22203  
(703) 682-9320  
lpoitras@ij.org

\textsuperscript{12} Testimony of Professor Edward Timmons before the Ohio Senate, Small Business and Economic Opportunity Committee, May 5, 2021, www.tinyurl.com/Timmons-Ohio-Senate

\textsuperscript{13} Virginia Dept. of Health’s Inspection of 31,000 food establishments, including restaurants and mobile food units, https://inspections.myhealthdepartment.com/virginia

\textsuperscript{14} Institute for Justice’s model Salon Inspection Act, www.ij.org/legislation/salon-inspection-act