
Requirements:

1. The proposed school shall be a fixed, permanent structure or part of one;
2. The proposed school shall have a contracted enrollment of students;
3. The proposed school shall contain at least five hundred square feet of floor space and facilities, staff, apparatus, and equipment appropriate to its projected enrollment in accordance with the standards established by rule and regulation; and
4. The proposed school shall not have the same entrance as or direct access to a cosmetology salon or nail technology salon.
5. License fee (see application).

Submit:

1. A detailed floor plan or blueprint of the proposed school building showing compliance with the relevant rules and regulations;
2. Evidence of minimal property damage, personal injury, and liability insurance coverage for the proposed school;
3. A copy of the curriculum to be taught for all courses;
4. A copy of the school catalog, handbook, or policies and the student contract; and
5. A list of the names and credentials of all persons licensed under the Cosmetology, Electrology, Esthetics, Nail Technology, and Body Art Practice Act to be employed by the school.

NOTE: A licensed school of cosmetology is not required to be licensed as a nail technology school in order to provide a nail technology program.

The completed application must be submitted **at least 30 days** before construction or remodeling of the building proposed for the school is scheduled to begin. If no construction or remodeling is planned, the application must be mailed at least 30 days before the proposed opening of the school.

If you are a SOLE Owner and you are NOT a U.S. Citizen, you must submit:

1. Green Card, otherwise known as a Permanent Resident Card (Form I-551), both front and back of the card.
2. Form I-94 (Arrival-Departure Record) **AND** an unexpired foreign passport with a valid unexpired US visa.
3. Employment Authorization Document (EAD) (unexpired) **AND** at one of the following documents under the Federal REAL ID Act:
 - An approved deferred action status (DACA);
 - A pending application for asylum in the United States;
 - A pending or approved application for temporary protected status in the United States;
 - A pending application for adjustment of status to that of an alien lawfully admitted for permanent residence; or in the United States or conditional permanent resident status in the United States.
4. Other document that shows current immigration status

NOTE: Documents (other than those for U.S. Citizenship) are verified by our office through the Department of Homeland Security. This process may take 4-6 weeks.

Department of Education:

You must contact the Department of Education, Marisol Birth, to obtain the appropriate application and approval to recruit students. Her e-mail is: Marisol.birth@nebraska.gov or phone 402-471-4825.

Questions:

Contact the Licensure Unit, by phone at (402) 471-2117 or by e-mail at: DHHS.licensure2117@nebraska.gov

DEPT. OF HEALTH AND HUMAN SERVICES
 DIVISION OF PUBLIC HEALTH – Licensure Unit
 P.O. Box 94986, Lincoln, Nebraska 68509-4986
 402-471-2117 DHHS.Licensure2117@nebraska.gov

APPLICATION TO OPERATE A NAIL TECHNOLOGY SCHOOL

APPLICATION CATEGORY and FEES: (Check appropriate application type)

Initial License (\$300)

Transfer of Location Within Same County (\$150)

NOTE: If this is a Change of Ownership or Transfer of Location to a Different County, an initial license application is required.

If this application is submitted within 180 days of December 31st of an odd-numbered year, the fee is ¼ of the fee listed above)

SECTION A: SCHOOL INFORMATION			
1	School Name:		
2	Address:	Street/PO/Route:	
		City:	State: Zip:
3	Telephone Number:		
4	What is the Anticipated Opening Date?	Date:	If this is a change in location, what is the School's Lic # #:

Owner Information

5	Owner Name:											
6	Address of the Owner of the Business	Street/PO/Route:										
		City:	State:	Zip:								
7	If the applicant is a sole proprietorship, identify the social security number of the owner (this is REQUIRED INFORMATION)		SS #:									
		Neb. Rev. Stat. §§38-123 and 38-130 requires you to provide your social security number to DHHS. Although your number is not public information, DHHS may share your social security number for child support enforcement or other administrative purposes and provide it to the Department of Revenue or the Department of Labor.										
8	Federal Identification Number (FIN) (in the event a refund is warranted)		FIN#:									
9	Business Phone #: (optional)	Business Fax #: (optional)	Owner/Business E-Mail Address: (optional)									
10	Name of each Person in Control of the Business (if space is not adequate, attach additional sheet)											
		<p>Indicate the type of ownership for this school:</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border: none;"><input type="checkbox"/> Sole proprietorship</td> <td style="width: 50%; border: none;"><input type="checkbox"/> Corporation</td> </tr> <tr> <td style="border: none;"><input type="checkbox"/> Partnership</td> <td style="border: none;"><input type="checkbox"/> Governmental unit</td> </tr> <tr> <td style="border: none;"><input type="checkbox"/> Limited 1 liability company that has only one member</td> <td style="border: none;"><input type="checkbox"/> Other: Identify Type _____</td> </tr> <tr> <td style="border: none;"><input type="checkbox"/> Limited liability company that has more than 1 member</td> <td></td> </tr> </table>			<input type="checkbox"/> Sole proprietorship	<input type="checkbox"/> Corporation	<input type="checkbox"/> Partnership	<input type="checkbox"/> Governmental unit	<input type="checkbox"/> Limited 1 liability company that has only one member	<input type="checkbox"/> Other: Identify Type _____	<input type="checkbox"/> Limited liability company that has more than 1 member	
<input type="checkbox"/> Sole proprietorship	<input type="checkbox"/> Corporation											
<input type="checkbox"/> Partnership	<input type="checkbox"/> Governmental unit											
<input type="checkbox"/> Limited 1 liability company that has only one member	<input type="checkbox"/> Other: Identify Type _____											
<input type="checkbox"/> Limited liability company that has more than 1 member												

SECTION B: HOURS OF OPERATION List below the hours/days the school is open						
Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday

SECTION C: INSTRUCTOR(S) AND MANAGER(S) TO BE EMPLOYED BY THE SCHOOL				
List the Name(s) of each Instructor below:				Instructor License #
1	First:	Middle:	Last:	
2	First:	Middle:	Last:	
3	First:	Middle:	Last:	

The Owner, if a sole owner, must complete the following information:

SECTION D: CONVICTION AND LICENSURE INFORMATION
Failure to list any conviction(s) or disciplinary action(s), regardless of when the action occurred, could result in disciplinary action.

SOLE OWNER: CONVICTION INFORMATION: **The sole owner must list ALL** misdemeanor or felony convictions (regardless of when they occurred); you are NOT required to list infractions, diversions or dismissals. Misdemeanor and felony convictions can either be processed through traffic or criminal court, so when you check with the county court/district court, you should ask for both traffic and criminal court misdemeanor and felony convictions.

1	Have you EVER been convicted of a misdemeanor or felony?	Name of Conviction	Date of Action	Name of Court Taking Action
	Yes <input type="checkbox"/> No <input type="checkbox"/>			

The following provides **SOME** examples of convictions; this is **NOT** a complete list:

<ul style="list-style-type: none"> • MIP • DUI / DWI • Controlled Substance • Open Container • Tobacco Use by Minor • Shoplifting / Theft / Burglary • Unauthorized use of a Financial Transaction • Disturbing the Peace • Assault • Disorderly Conduct / Disorderly House • Reckless Driving 	<ul style="list-style-type: none"> • Driving under Suspension / Revocation • License Vehicle without Liability Insurance • Fail to Appear in Court • False Information or Reporting • Leave the Scene of an Accident • Operator not Carrying License • Unlawful Display of Plates/Renewal tabs • Park Rule Violation / Curfew Violation • Dog at Large / Fail to Vaccinate Animal • Littering / Bad Check • Fireworks
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NOTE: If you have any criminal charges or license disciplinary actions pending that result in a conviction or license discipline, you are required to report such action to the Investigative Unit **within 30 days of the conviction or disciplinary action**. **Reporting forms can be obtained at the following website:** <http://dhhs.ne.gov/Pages/Investigations.aspx> or by phone **402-471-0175**.

SOLE OWNER: LICENSE INFORMATION: The following questions relate to a license that you currently hold or have held to provide health related services (such as nursing, nail technician, massage, etc.) in a state **other** than Nebraska.

2	Have you ever been denied the right to take a license examination in any State?	If yes, please explain below.		
3	Do you hold or have you held a license in any other state(s)?	If yes, what state(s)?	What type of license?	
	Yes <input type="checkbox"/> No <input type="checkbox"/>			
	If YES, has your license ever been denied, refused renewal, limited, suspended, revoked or had other disciplinary measures taken against it?	Type of Licensure Action	Date of Action	Name of State Taking Action
	Yes <input type="checkbox"/> No <input type="checkbox"/>			

NOTE: If you have disciplinary charges pending on your license in another state or if your license has been revoked, suspended, limited, is on probation or disciplined in any way, please contact the state(s) taking the action and request a copy of the disciplinary action be sent to the Nebraska Licensure Unit.

Check each box below to verify compliance with the requirements:

SECTION E: STUDENT RECORDS/TRAINING	
1	STUDENT RECORDS (Student Records must include the following) <ul style="list-style-type: none"> <input type="checkbox"/> Record for every student; # of students ____ <input type="checkbox"/> Daily Record of Student Attendance <input type="checkbox"/> Student Grading System in Place <input type="checkbox"/> Examinations and Grades <input type="checkbox"/> Student Progress Reports <input type="checkbox"/> Evidence that each student is 17 years old on/before enrollment <input type="checkbox"/> Evidence of a high school diploma or equivalent for each student; <input type="checkbox"/> Evidence of final examination grade, both practical and written, for each student and apprentice; and <input type="checkbox"/> Daily records of each student's practical and theory hours.
2	SPEICAL STUDY STUDENTS: <ul style="list-style-type: none"> <input type="checkbox"/> If special study students or apprentices are enrolled, the following must also be documented: <ul style="list-style-type: none"> <input type="checkbox"/> Evidence of at least 10th grade completion; and <input type="checkbox"/> Evidence that students are continuing high school on a full-time basis.
4	INSTRUCTORS/TEACHING <ul style="list-style-type: none"> <input type="checkbox"/> 1 instructor up to 20 students <input type="checkbox"/> Documents showing the Content Instructors will be teaching <input type="checkbox"/> Time and Day Instructors are assigned to teach

Note:

Schools must retain all student and training records for at least 5 years after the student has completed or has officially dropped.

SECTION F: TEACHING TOOLS, EQUIPMENT, LIBRARY AND DOCUMENT POSTING REQUIREMENTS	
1	<p>TEACHING TOOLS</p> <ul style="list-style-type: none"> <input type="checkbox"/> Flip Chart, chalk board, white board, or similar type of chart/board
2	<p>STUDENT EQUIPMENT (the following is the minimum requirement)</p> <ul style="list-style-type: none"> <input type="checkbox"/> 1 kit per student <p><u>STUDENT KIT EQUIPMENT</u></p> <ul style="list-style-type: none"> <input type="checkbox"/> Nail and foot files; <input type="checkbox"/> Acrylic nail brush; <input type="checkbox"/> Cuticle pusher; <input type="checkbox"/> Nail clipper and nail nipper; and <input type="checkbox"/> Textbook or training information.
3	<p><u>SCHOOL EQUIPMENT</u></p> <ul style="list-style-type: none"> <input type="checkbox"/> Disinfectant containers; <input type="checkbox"/> Electric file; <input type="checkbox"/> Electric file bits; <input type="checkbox"/> First aid kit; <input type="checkbox"/> Gel light; <input type="checkbox"/> Nail tables with chairs; <input type="checkbox"/> Practice finger or hand; <input type="checkbox"/> Suitable work area for each student attending theory and clinical class; <input type="checkbox"/> Supplies, products, and equipment necessary to comply with the curriculum; <input type="checkbox"/> Nail technology supplies, for providing the following services: <ul style="list-style-type: none"> <input type="checkbox"/> Liquid and powder <input type="checkbox"/> Gels <input type="checkbox"/> Wraps
4	<p><u>DOCUMENTS POSTED OR AVAILABLE.</u> Must be posted/available in the designated area of the school as specified below.</p> <p><u>DISPENSARY</u></p> <ul style="list-style-type: none"> <input type="checkbox"/> Sanitation regulations, 172 NAC 34, must be available; and <input type="checkbox"/> Emergency evacuation plan must be posted. <p><u>EACH CLASSROOM</u></p> <ul style="list-style-type: none"> <input type="checkbox"/> Emergency evacuation plan must be posted in each classroom. <p><u>PRACTICAL AREA</u></p> <ul style="list-style-type: none"> <input type="checkbox"/> Sanitation regulations, 172 NAC 34, must be available; <input type="checkbox"/> Emergency evacuation plan must be posted; and <input type="checkbox"/> A sign posted for viewing by the public, which reads: "All services in this school are performed by students who are in training." <p><u>SCHOOL ENTRANCE</u></p> <ul style="list-style-type: none"> <input type="checkbox"/> The name of school must be posted at the entrance to the school. <p><u>PUBLIC AREA</u></p> <ul style="list-style-type: none"> <input type="checkbox"/> Each instructor's current license card or verification of licensure must be posted; and <input type="checkbox"/> The latest inspection report must be posted. <p><u>RESOURCE AREA</u></p> <p>The following documents must be assessable to students or apprentices during the school's operating hours:</p> <ul style="list-style-type: none"> <input type="checkbox"/> A copy of the latest printing of the nail technology references published on the National-Interstate Council of State Boards of Cosmetology Examination Candidate Information Bulletin; <input type="checkbox"/> If teaching an instructor program, a copy of the latest printing of the references published on the National-Interstate Council of State Boards of Cosmetology Examination Instructor Candidate Information Bulletin; <input type="checkbox"/> Standard dictionary of the English language; <input type="checkbox"/> A copy of the current school rules; <input type="checkbox"/> A copy of the latest printing of the Cosmetology, Electrology, Esthetics, Nail Technology and Body Art Practice Act; and <input type="checkbox"/> A copy of latest printing of the regulations relating to cosmetology, esthetics, and nail technology, including 172 NAC 34, 36, and 37.

SECTION G: EXAMINATION, STUDENT COUNSELING AND CURRICULUM

EXAMINATION PROCEDURES: (submit a sample copy of one of your examinations)

1	What will be your Method(s) of Examination:	Multiple Choice <input type="checkbox"/> Essay <input type="checkbox"/> True and False <input type="checkbox"/> Completion <input type="checkbox"/> Oral <input type="checkbox"/>
2	How often WILL tests be given:	
3	What are your standards for evaluation, performance, and student grading:	
4	Where are tests and grades recorded:	

STUDENT COUNSELING: (Submit a copy of the counseling form you will utilize)

1	How will counseling be provided?	
2	When will counseling be provided?	
3	Who will do the counseling?	
4	Where will results be recorded?	
5	Will parents be furnished a copy of student's progress?	
6	How will the privacy act be upheld?	

Nail Technology Curriculum:

1	Does your Program of studies consist of at least 300 hours.	<input type="checkbox"/> Yes <input type="checkbox"/> No
2	Does your Theory class include at least 75 hours.	<input type="checkbox"/> Yes <input type="checkbox"/> No
3	Does your Practical class include at least 225 hours.	<input type="checkbox"/> Yes <input type="checkbox"/> No
4	Will you have a final practical and written examination that covers all the subject areas as a condition of graduation	<input type="checkbox"/> Yes <input type="checkbox"/> No

NAIL TECHNOLOGY PROGRAM OF STUDY. All Nebraska licensed schools providing a nail technology program must provide the required program of studies. Schools must not pay direct compensation to any of its students. All theory and clinical hours must be obtained in the school, except that the unassigned hours may be obtained outside of the school area. The program of study must include at least 300 hours as follows:

- (A) Theory hours that includes at least 75 hours. A maximum of 18 hours and 45 minutes may be presented using video tapes, electronic media, or self-study.
- (B) Clinical hours that includes at least 225 hours as follows:
 - (i) 100 hours of practice on an artificial nail or hand or live person; and
 - (ii) 125 hours of practice on a live person or through demonstration.
- (C) The school may use 50 hours in additional subject areas in the practical curriculum to equal a total of 225 hours of practical training hours.
- (D) As a condition of graduation, completion of a final practical and written examination that covers all the subject areas listed in the curriculum.
- (E) Schools must provide the following training:

Following is the REQUIRED NAIL TECHNOLOGY CURRICULUM (fill in the number of hours you are teaching for each subject listed):

NAIL TECHNOLOGY THEORY 75 HOURS MINIMUM		
Up to 18 hours and 45 minutes may be presented using video tapes, electronic medial or self-study. Training must include the following subjects:		
SUBJECT	SUBJECT CONTENT	School hours
1	Client Consultation	1. Client intake form, professionalism, communications
2	Infection control and disinfection	1. Methods 2. Sterilization 3. Sanitation, cleaning, storage and Nebraska regulations 4. Disinfection 5. Supplies/Implements
3	Safety in salon, including chemicals, following infection control methods	1. Safety Data Sheets (SDS) 2. Nail Product Chemistry 3. Chemical Hazards 4. Personal and Client Safety
4	Basic First Aid	
5	Bacteria and other infectious agents following infection control methods	1. Bacteria 2. Parasites 3. Viruses 4. Fungus 5. Infections 6. Immunity and Communicable Diseases
6	Anatomy and Physiology	1. Nail Composition 2. Skin of the Hands and Feet 3. Structure of the Hands and Feet
7	Nail and Skin Disorders and Diseases Following Infection Control Methods and Nebraska Regulations	1. Client services that can be done 2. Client services that cannot be done 3. Implement disinfection and storage, pedicure throne disinfection following infection control methods
8	Chemistry and Electricity	1. Nail product chemistry 2. Occupational Safety and Health Administration (OSHA) standards
9	Manicures Following Infection Control Methods	1. Supplies 2. Check for Disease and Disorders 3. Pre-service, Service, Post Service 4. Filing the Natural Nail 5. Hand Massage Techniques
10	Pedicures following infection control methods	1. Checking for Disease and Disorders 2. Pre-service, Service, Post Service 3. Filing the Toe Nails 4. Foot Massage Techniques 5. Diabetic Pedicures and Pregnancy Pedicures
11	Application, Repair, Maintenance and Removal of Nail enhancements Following Infection Control Methods	1. Wraps, Including Fabric 2. Acrylic, Including Tip Overlay, Natural Overlay, and Sculpt or Forms 3. Gels, Including Hard or Soft or Forms 4. Dipped
12	Filing Techniques Following Infection Control Methods	1. Hand File 2. Electric File
13	Nail Salon Business	1. Professional Image or Ethics 2. Building a Clientele, Rebooking, Referrals, Retailing, Social Media 3. Salon Management and Business
75 TOTAL HOURS ARE REQUIRED TO COMPLETE THE NAIL TECHNOLOGY THEORY CURRICULUM		

**NAIL TECHNOLOGY PRACTICAL
225 HOURS MINIMUM**

1. 100 hours of practice on an artificial nail or hand or live person;
2. 125 hours of practice on a live person or through demonstration

Training must include the following subjects:

SUBJECT		SUBJECT CONTENT	School hours
1	Nail enhancement application following infection control methods: Total 55 hours	a. Wraps, Including Fabric: 5 hours b. Acrylic, Including Tip Overlay, and Sculpt: 25 Hours c. Gels, Including Hard and Soft: 20 Hours d. Dipped Nail: 5 Hours	
2	Filing techniques following infection control methods: Total 15 hours	a. Manual Filing: 1 Hour b. Nail Drill: 14 Hours	
3	Repair, maintenance, and removal following infection control methods: Total 40 hours	a. Wrap Fill: 5 Hours b. Acrylic Fill Including Two Tone and Forms: 15 Hours b. Gel Fill: 15 Hours c. Dipped Nail: 5 Hours	
4	Manicure or pedicure following infection control methods: Total 15 hours	a. Manicure: 5 Hours b. Pedicure: 10 Hours	
125 HOURS OF PRACTICAL TRAINING ARE REQUIRED WITHIN THE NAIL TECHNOLOGY PRACTICAL TRAINING CURRICULUM			
PRACTICAL FLEXIBLE HOURS 50 HOURS MAXIMUM The school may use 50 hours in additional subject areas in the practical curriculum to equal a total of 225 hours of practical training hours.			
225 TOTAL HOURS ARE REQUIRED TO COMPLETE THE NAIL TECHNOLOGY PRACTICAL CURRICULUM			

COMPLETE THIS SECTION IF YOU WILL BE PROVIDING AN INSTRUCTOR PROGRAM

Nail Technology Instructor Curriculum:

1	Does your Program of Studies consists of at least 300 hours of teachers training.	<input type="checkbox"/> Yes <input type="checkbox"/> No
2	Will you administer a final practical and written examination that covers all the subject areas as a condition of graduation	<input type="checkbox"/> Yes <input type="checkbox"/> No

Following is the REQUIRED NAIL TECHNOLOGY INSTRUCTOR CURRICULUM (fill in the number of hours you are teaching for each subject listed)

The Program must include:

- A. At least 300 hours of instructor training in a school of cosmetology or nail technology.
- B. As a condition of graduation, completion of a final practical and written examination that covers all the subject areas listed in the curriculum.
- C. Schools must provide the following training:

STUDENT INSTRUCTOR CURRICULUM 300 HOURS MINIMUM		School Hours
Training must include the following subjects:		
1.	Student instructor orientation <ol style="list-style-type: none"> a. Introduction to faculty, staff, student body b. School policy c. Overview of the student instructor training program 	
2.	Nebraska statutes and regulations <ol style="list-style-type: none"> a. Teaching techniques and educational tools b. Student and instructor relations or counseling 	
3.	Preparation of a cosmetology program <ol style="list-style-type: none"> a. Overview of student curriculum as required by state and school b. Detailed course outline including chapters c. Detailed subject layout or daily lessons 	
4.	Theory and practical techniques, including freshman and advanced student training experiences <ol style="list-style-type: none"> a. Classroom observations <ol style="list-style-type: none"> 1) Assist with <ol style="list-style-type: none"> a) Presentations or lectures b) Teaching basic skills c) Practical activities b. Practical observations c. Supervision of services d. Student or client relationships e. Practical activities <ol style="list-style-type: none"> 1) Supervision of procedures or demonstrations 2) Practice teaching or basic skills 	
5.	The student instructor learns to evaluate student progress and basic evaluation techniques, including written, observation, and oral	
6.	Administrative techniques <ol style="list-style-type: none"> a. Office management <ol style="list-style-type: none"> 1) Student folder 2) Recording student hours 3) Entrance notification 4) Graduate records b. Office records <ol style="list-style-type: none"> 1) State rules and regulations 2) Nail technology schools 3) Enrollment procedures 4) Maintaining student records c. School management and business <ol style="list-style-type: none"> 1) Client and student scheduling 2) Record keeping procedures 3) Receptionist responsibilities 4) Inventory control, purchasing, retailing 	

METHOD OF INSTRUCTION.

Each instructor must teach from long range lesson plans, including subject outlines with daily lesson plans, for a complete course of training as defined above.

The Owner(s) must complete the following information:

SECTION H: OWNER ATTESTATION

A school that operates prior to issuance of a license is subject to assessment of an Administrative Penalty of \$10 per day up to \$1,000, or such other action as provided in the statutes and regulations.

If the owner is a **sole proprietorship (sole owner)**, for the purpose of complying with Neb. Rev. Stat. §4-108 through 4-114, the applicant must attest as follows:

I am a citizen of the United States.

OR

I am a qualified alien under the Federal Immigration and Nationality Act.

I am a nonimmigrant lawfully present in the United States.

I am **NOT** a citizen of the United States, a nonimmigrant, nor a qualified alien under the Federal Immigration and Nationality Act.

The application must be signed by the individual(s) indicated below (place a check mark in the appropriate box) and dated:

- 1. The owner or owners if the applicant is a sole proprietorship, a partnership, or a limited liability company that has only one member;
- 2. Two of its members if the applicant is a limited liability company that has more than one member;
- 3. Two of its officers if the applicant is a corporation;
- 4. The head of the governmental unit having jurisdiction over the business if the applicant is a governmental unit; or
- 5. If the applicant is not an entity described in 1 through 4 above, the owner or owners or, if there is no owner, the chief executive officer or comparable official.

Signature of Owner/Representative as listed above

Date

Signature of Owner/Representative as listed above

Date

ADDITIONAL INFORMATION (Statutes):

A nail technology school's license shall be valid only for the location named in the application. When a school desires to change locations, it shall comply with section 38-10,158.

38-10,151. Nail technology school; application; review; inspection.

Each application for a license to operate a nail technology school shall be reviewed by the department for compliance with the requirements of the Cosmetology, Electrology, Esthetics, Nail Technology, and Body Art Practice Act. If an application is denied, the applicant shall be informed in writing of the grounds for denial and such denial shall not prejudice future applications by the applicant. If an application is accepted, the department shall immediately conduct an accreditation inspection of the proposed school. A school passing the inspection shall be issued a license and may begin operation as soon as the inspection results are received. If the proposed school fails the inspection, the applicant shall submit, within fifteen days, evidence of corrective action taken to improve those aspects of operation found deficient. If, after a second inspection to be conducted within thirty days after receipt of evidence, the school does not receive a satisfactory rating, or if evidence is not received within fifteen days, the application may be denied.

38-10,152. Nail technology school; operating requirements.

In order to maintain its license in good standing, each nail technology school shall operate in accordance with the following requirements:

- (1) The school shall at all times comply with all applicable provisions of the Cosmetology, Electrology, Esthetics, Nail Technology, and Body Art Practice Act and all rules and regulations adopted and promulgated under such act;
- (2) The school owner or owners or their authorized agent shall notify the department at least thirty days prior to any change of ownership, name, or address, and at least sixty days prior to closure, except in emergency circumstances as determined by the department;
- (3) No school shall permit anyone other than a nail technology student, nail technology student instructor, or nail technology instructor to perform any of the practices of nail technology within its confines or employment, except that such restriction shall not prevent a school from inviting guest educators who are not licensed to provide education to students or student instructors if the guest educator does not perform any of the practices of nail technology;
- (4) The school shall display a name upon or near the entrance door designating it as a nail technology school;
- (5) The school shall display in a conspicuous place within the clinic area a sign reading: All services in this school are performed by students who are training in nail technology. A notice to such effect shall also appear in all advertising conducted by the school for its clinic services;
- (6) The school shall permit any duly authorized agent of the department to conduct an operation inspection or investigation at any time during the normal operating hours of the school without prior notice, and the owner or manager shall assist the inspector by providing access to all areas of the school, all personnel, and all records requested by the inspector;
- (7) The school shall display in a conspicuous place the following records:
 - (a) The current license to operate a nail technology school;
 - (b) The current licenses of all persons licensed under the act, except students, employed by or working in the school; and
 - (c) The rating sheet from the most recent accreditation inspection;
- (8) At no time shall a school enroll more students than permitted by the act or the rules and regulations adopted and promulgated under the act;
- (9) The school shall not knowingly permit its students, employees, or clients to use, consume, serve, or in any other manner possess or distribute intoxicating beverages or controlled substances upon its premises;
- (10) No nail technology instructor or nail technology student instructor shall perform, and no school shall permit such person to perform, any of the practices of nail technology on the public in a nail technology school other than that part of the practical work which pertains directly to the teaching of practical subjects to nail technology students or nail technology student instructors, and complete nail technology services shall not be provided for a client unless done in a demonstration class of theoretical or practical studies;
- (11) The school shall maintain space, staff, library, teaching apparatus, and equipment as established by rules and regulations adopted and promulgated under the act;
- (12) The school shall keep a daily record of the attendance and clinical performance of each student and student instructor;
- (13) The school shall maintain regular class and instructor hours and shall require the minimum curriculum;
- (14) The school shall establish and maintain criteria and standards for student grading, evaluation, and performance and shall award a certificate or diploma to a student only upon completing a full course of study in compliance with such standards, except that no student shall receive such certificate or diploma until he or she has satisfied or made an agreement with the school to satisfy all outstanding financial obligations to the school;
- (15) The school shall maintain on file the enrollment of each student; and
- (16) The school shall print and provide to each student a copy of the school rules, which shall not be inconsistent with the act or with the rules and regulations adopted and promulgated under such act and which shall include policies of the school with respect to tuition, reimbursement, conduct, attendance, grading, earning of hours and credits, demerits, penalties, dismissal, graduation requirements, dress, and other information sufficient to advise the student of the standards he or she will be required to maintain. The department may review any school's rules to determine their consistency with the intent and content of the act and the rules and regulations and may overturn any school rules found not to be in accord.

38-10,153. Nail technology school; students; requirements.

In order to maintain its license in good standing, each nail technology school shall operate in accordance with the following requirements:

- (1) Every person accepted for enrollment as a standard student shall meet the following qualifications:
 - (a) He or she has attained the age of seventeen years on or before the date of his or her enrollment in a nail technology school;
 - (b) He or she has completed the equivalent of a high school education; and
 - (c) He or she has not undertaken any training in nail technology in this state after January 1, 2000, without being enrolled as a nail technology student;
- (2)(a) Every person accepted for enrollment as a special study nail technology student shall meet the following requirements:
 - (i) He or she has attained the age of seventeen years on or before the date of enrollment in a nail technology school;
 - (ii) He or she has completed the tenth grade; and
 - (iii) He or she is actively continuing his or her formal high school education on a full-time basis as determined by the department.

(b) Special study nail technology students shall be limited to attending a nail technology school for no more than eight hours per week during the school year;
- (3) No nail technology school shall accept an individual for enrollment who does not provide evidence of meeting the age and education requirements;
- (4) Every person accepted for enrollment as a nail technology student instructor shall show evidence of current licensure as a nail technician in Nebraska and completion of formal education equivalent to a United States high school education;
- (5) The school shall, at all times the school is in operation, have at least one nail technology instructor in the school for each twenty students or fraction thereof enrolled in the school;
- (6) The school shall not permit any nail technology student to render clinical services on members of the public with or without fees until such student has satisfactorily completed the beginning curriculum, except that the department may establish guidelines by which it may approve such practices as part of the beginning curriculum;
- (7) No school shall pay direct compensation to any of its nail technology students. Nail technology student instructors may be paid as determined by the school;
- (8) All nail technology students and nail technology student instructors shall be under the supervision of a cosmetology instructor, nail technology instructor, or nail technology student instructor at all times when nail technology services are being taught or performed;
- (9) No student shall be permitted by the school to train or work in a school in any manner for more than ten hours a day; and
- (10) The school shall not credit a nail technology student or nail technology student instructor with hours except when such hours were earned in the study or practice of nail technology in accordance with the required curriculum. Hours shall be credited on a daily basis. Once credited, hours cannot be removed or disallowed except by the department upon a finding that the hours have been wrongfully allowed.

38-10,154. Nail technology school; transfer of students.

Nail technology students or nail technology student instructors may transfer from one nail technology school to another school at any time.

The school to which the student is transferring shall be entitled to receive from the student's previous school, upon request, any and all records pertaining to the student after all financial obligations of the student to the previous school are met.

38-10,156. Nail technology school; student instructor limit.

No nail technology school shall at any time enroll more than two nail technology student instructors for each full-time nail technology instructor or cosmetology instructor actively working in and employed by the school.

38-10,157. Nail technology school license; renewal; inactive status.

The procedure for renewing a school license shall be in accordance with section 38-143, except that in addition to all other requirements, the nail technology school shall receive a satisfactory rating on an accreditation inspection conducted by the department within the six months immediately prior to the date of license renewal.

Any nail technology school not able to meet the requirements for license renewal shall have its license placed on inactive status until all deficiencies have been corrected, and the school shall not operate in any manner during the time its license is inactive. If the deficiencies are not corrected within six months after the date of license renewal, the license may be revoked unless the department approves an extension of the time limit. The license of a school that has been revoked or expired for any reason shall not be reinstated. An original application for licensure shall be submitted and approved before such school may reopen.

38-10,158. Nail technology school; change of ownership or location; effect.

Each nail technology school license issued shall be in effect solely for the owner or owners and premises named thereon and shall expire automatically upon any change of ownership or change in the county of location. An original application for licensure shall be submitted and approved before such school may reopen, except that a school moving to a new location within the same county may do so by filing an application as required by the department, paying the required fee, submitting a new floor plan, and passing an operation inspection. Materials shall be received by the department no less than thirty days prior to the move, and all provisions of this section shall be complied with before the school may begin operation at its new location.