

**BEFORE THE IOWA BOARD OF BARBERING AND COSMETOLOGY
ARTS AND SCIENCES**

In the Matter of the Petition for Waiver by:

**CORNERKUTZ BARBER COLLEGE’S
and JAMES WILLIAMS,**

Petitioners.

**ORDER DENYING PETITION FOR
WAIVER 26-0001**

Pursuant to Iowa Code § 17A.9A and 481 Iowa Administrative Code chapter 6, the Iowa Board of Barbering and Cosmetology Arts and Sciences (“Board”) hereby makes the following ruling on Petition for Waiver submitted by Cornerkutz Barber College’s (“Cornerkutz”) by and through licensed instructor James Williams (collectively, “Petitioners”).

FACTS AND COURSE OF PROCEEDINGS

1. Petitioner Cornerkutz is seeking school licensure from the Board, and Petitioner Williams filed an application on its behalf in July 2025.
2. The school would be operated by Petitioner Williams, who received a barbering and cosmetologist license in 2017 and an instructor license in 2023.
3. Petitioner Williams has arranged for a commercial lease to be able to teach a limited number of students in a smaller-sized school. The space is less than 1,000 square feet.
4. The location does not have an in-unit washer and dryer, nor does it have space to put one in. Petitioner Williams suggested the school could meet laundering requirements through arranging for a vendor to pick up laundry, but there was no written plan documenting how often the vendor would pick up laundry.
5. Petitioners filed a Petition for Waiver from the Iowa Administrative Code rules requiring that schools have a laundry room, and that schools have at least 3,000 square feet or 100 square feet per student. 481 IAC 941.12(1)–(2); *id.* r. 941.12(3) “f”.
6. The Board has previously reviewed the Petition, and it made the decision to table the matter until May. The Board reviewed the waiver in Open Session at the May meeting.

SUMMARY OF LAW

7. Pursuant to 481 Iowa Administrative Code rule 6.1(3), the Board may, in its sole discretion, issue an order waiving in whole or in part the requirements of a rule if the Board finds, based on clear and convincing evidence, all of the following:

- a. The application of the rule to the Petitioner[s] would impose an undue hardship on the person or class of persons for whom the waiver is requested;

b. The waiver from the requirements of the rule in the specific case would not prejudice the substantial legal rights of any person;

c. The provisions of the rule subject to the petition for waiver are not specifically mandated by statute or another provision of law; and

d. Substantially equal protection of public health, safety, and welfare will be afforded by a means other than that prescribed in the particular rule for which the waiver is requested.

8. “The burden of persuasion rests with the Petitioner[s] to demonstrate by clear and convincing evidence that the [Board] should exercise its discretion to grant a waiver from a [Board] rule.” 481 IAC 6.1(8) “b”; *see also* Iowa Code § 17A.9A(3).

PETITIONERS HAVE NOT MET THE CRITERIA TO WAIVE RULES 481—941.12(1), (2), AND (3) “f”

Upon review of the Petition, the Board finds that Petitioners have not satisfied the four criteria for waiver of the spacing and laundry requirements in Iowa Administrative Code rule 481—941.12.

First, Petitioners meet the undue hardship element. Petitioners have already signed a commercial lease agreement, and it could be expensive to break it and find a new location.

Second, a waiver has the potential to prejudice the substantial legal rights of at least some people. Students might not have appropriate spacing to get hands-on practice working with hair. This could affect their education quality, and the ramifications may extend to their future clients.

Third, the provisions of the rule are not mandated by statute or another non-waivable provision of law. *See* Iowa Code § 157.8. Other items are required, but not laundry or spacing specifically.

Finally—and dispositively—the public health, safety, and welfare cannot be afforded by other means if this current waiver is granted. There could be serious sanitary concerns with letting laundry accumulate, especially if the laundering vendor could not arrive daily. Petitioners could be forced to re-use towels while training students, which increases risk of infections.

ORDER

IT IS THEREFORE ORDERED the petition for waiver of 481 Iowa Administrative Code rules 941.12(1), (2), and (3) “f” is hereby **DENIED**. By consequence, the current application for the school is also hereby **DENIED**.

Issued June 5, 2026.



Andrew Oswald, Chair
Iowa Board of Barbering and Cosmetology
Arts and Sciences