

(2) THE IMPOSITION OF A FINE NOT TO EXCEED \$500 \$300 FOR A VIOLATION OF THE REGULATIONS. [The Board may adopt regulations to restrict the number of students attending each barber school to ensure that students receive adequate training and competent instruction.]

(c) Subject to approval by the Department of Education, the Board may adopt regulations that specify subjects in the curricula of barber schools.]

(C) IN DETERMINING THE AMOUNT OF FINANCIAL PENALTY TO BE IMPOSED UNDER THIS SECTION, THE BOARD SHALL CONSIDER THE FOLLOWING:

(1) THE SERIOUSNESS OF THE VIOLATION;

(2) THE GOOD FAITH OF THE VIOLATOR;

(3) THE VIOLATOR'S HISTORY OF PREVIOUS VIOLATIONS;

(4) THE DELETERIOUS EFFECT OF THE VIOLATION ON THE COMPLAINANT, THE PUBLIC, AND THE BARBER INDUSTRY; AND

(5) ANY OTHER FACTORS RELEVANT TO THE DETERMINATION OF THE FINANCIAL PENALTY.

(D) THE BOARD SHALL COMMENCE PROCEEDINGS TO ASSESS A PENALTY UNDER THIS SECTION ON A COMPLAINT TO THE BOARD BY A MEMBER OF THE BOARD OR ANY PERSON.

(E) (1) A COMPLAINT SHALL:

(I) BE IN WRITING;

(II) BE SIGNED BY THE COMPLAINANT;

(III) STATE SPECIFICALLY THE FACTS ON WHICH THE COMPLAINT IS BASED;

(IV) BE SUBMITTED TO THE SECRETARY OF THE BOARD;

AND

(V) BE SERVED ON THE PERSON TO WHOM IT IS DIRECTED:

1. PERSONALLY; OR

2. BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED, BEARING A POSTMARK FROM THE UNITED STATES POSTAL SERVICE, TO THE PERSON'S LAST KNOWN ADDRESS AS SHOWN ON THE BOARD'S RECORDS.

(2) IF SERVICE IS MADE BY CERTIFIED MAIL, THE PERSON WHO MAILES THE DOCUMENT SHALL FILE WITH THE BOARD VERIFIED PROOF OF MAILING.