

SOUTH DAKOTA COSMETOLOGY COMMISSION MEETING MINUTES

March 16, 2015

Call Meeting to Order

A meeting of the Cosmetology Commission was called to order by President Lois Porch on Monday, March 16, 2015 at 2:05 pm at the Cosmetology Commission office, 111 E Capitol Avenue, Pierre, South Dakota.

Roll Call

Attendance was taken by Secretary-Treasurer Nora Slykhuis, with the following members present: Lori Little, Lois Porch, Nora Slykhuis and Tammy Ugofsky. Members absent: Lori Berreth. Staff present: Attorney Aaron Arnold, Executive Director Kate Boyd. Others present: Cricket Rick, Peggy Sproat, Tom Poloncic, Joy Poloncic, Angela Taylor, Penny Thompson.

2. Minutes of January 5, 2015 Meeting

IT WAS MOVED BY TAMMY UGOFISKY, SECONDED BY NORA SLYKHUIS, TO APPROVE THE MINUTES OF THE JANUARY 5, 2015 MEETING. THE MOTION PREVAILED ON A VOICE VOTE.

3. Treasurer's Report

Secretary-Treasurer Nora Slykhuis reported that as of February 28, 2015, the available budget was \$59,753.53 and the cash center balance was \$287,819.71.

IT WAS MOVED BY TAMMY UGOFISKY, SECONDED BY LORI LITTLE, TO APPROVE THE TREASURER'S REPORT AS PRESENTED. THE MOTION PREVAILED ON A VOICE VOTE.

4. Executive Director's Report

Executive Director Kate Boyd reported on a variety of subjects. The written report is attached to these Minutes.

5. Disciplinary Actions - N/A

6. Commission Approval of Reciprocity Application

The Commission reviewed an esthetics reciprocity application that required Commission approval due to a prior felony conviction. IT WAS MOVED BY TAMMY UGOFISKY, SECONDED BY NORA SLYKHUIS, TO APPROVE PROCESSING OF THIS ESTHETICS RECIPROCITY APPLICATION. THE MOTION PREVAILED ON A VOICE VOTE.

7. School-Related Subjects

a. Proof of High School Graduation - Black Hills Beauty College - Tom and Joy Poloncic from Black Hills Beauty College were present to inform the Commission that their accrediting agency, NACCAS had advised them that they will not accept ACT scores as proof of high school graduation due to the fact that you can take the ACT exam at any age. The commission responded that they will take this into consideration and possibly pursue an administrative rules change to remove ACT from acceptable proof of high school graduation.

b. Cosmetology School Graduation vs. Completion of Required Hours - Headlines Academy - Peggy Sproat and Cricket Rick from Headlines Academy requested that the

Commission consider a rules change due to a discrepancy in the current administrative rules. Currently completion of the required curriculum hours are required to apply for State Board Exams, but graduation from cosmetology school is not. However, the rules also state that you cannot be issued a temporary license unless you have graduated from cosmetology school. The school requested that the Commission adopt a new administrative rule requiring graduation from school for both exam application/licensing and application for a temporary license. The commission indicated a willingness to pursue an administrative rules change for this discrepancy to require graduation from cosmetology school for both.

c. Acceptance of 2100 hours from Minnesota Cosmetology School - Stewart School -

Stewart School representatives Angela Taylor and Penny Thompson requested that the Commission rescind their prior approval of accepting 2100 hours of education directly from Avalon Cosmetology School in Worthington, Minnesota, unless the Minnesota Board of Cosmetology will accept hours directly from a South Dakota school. The Commission did not take any action on this subject.

8. School Approval Requests

a. School License Renewal Application - Stewart School - Sioux Falls

IT WAS MOVED BY NORA SLYKHUIS, SECONDED BY TAMMY UGOFISKY, TO APPROVE THE SCHOOL LICENSE RENEWAL APPLICATION FOR STEWART SCHOOL, SIOUX FALLS. THE MOTION PREVAILED ON A VOICE VOTE.

b. School License Renewal Application - Lake Area Technical Institute Cosmetology Program - Watertown

IT WAS MOVED BY NORA SLYKHUIS, SECONDED BY TAMMY UGOFISKY, TO APPROVE THE SCHOOL LICENSE RENEWAL APPLICATION FOR LAKE AREA TECHNICAL INSTITUTE COSMETOLOGY PROGRAM, WATERTOWN. THE MOTION PREVAILED ON A VOICE VOTE.

c. School License Renewal Application - Black Hills Beauty College - Sioux Falls

IT WAS MOVED BY NORA SLYKHUIS, SECONDED BY TAMMY UGOFISKY, TO APPROVE THE SCHOOL LICENSE RENEWAL APPLICATION FOR BLACK HILLS BEAUTY COLLEGE-SIOUX FALLS. THE MOTION PREVAILED ON A VOICE VOTE.

d. Approval to Enroll a Reciprocity Nail Technician for 50 hours in South Dakota - BHBC-Sioux Falls

Black Hills Beauty College-Sioux Falls had been contacted by an individual who attended nail technician school in another state but was 50 hours short of meeting South Dakota's 400 hour requirement. This individual did not have any work experience so was inquiring about attending school for the additional 50 hours. Black Hills Beauty College is a licensed cosmetology school, but does not have a separate nail program. However, cosmetology schools are required to teach their students nail technology as part of the cosmetology curriculum. The school requested permission to enroll this individual for 50 hours to complete the nail hour requirement. IT WAS MOVED BY NORA SLYKHUIS, SECONDED BY TAMMY UGOFISKY, TO APPROVE BLACK HILLS BEAUTY COLLEGE-SIOUX FALLS REQUEST TO ENROLL THIS INDIVIDUAL FOR 50 HOURS TO MEET SOUTH DAKOTA'S 400 HOUR NAIL TECHNICIAN EDUCATION REQUIREMENT. THE MOTION PREVAILED ON A VOICE VOTE.

e. Conditional Approval of Senior Instructor License - BHBC-Sioux Falls - Black Hills Beauty College-Sioux Falls submitted a request for an emergency Senior Instructor license for Hanna Shillingstad. Hanna has been a junior instructor at the school and has 5,632 hours of salon experience. An emergency has arisen that necessitates the school hiring another senior instructor. IT WAS MOVED BY LORI LITTLE, SECONDED BY TAMMY UGOFKY, TO APPROVE THE EMERGENCY SENIOR INSTRUCTOR LICENSE FOR HANNA SHILLINGSTAD. THE MOTION PREVAILED ON A VOICE VOTE.

f. Instructor Continuing Education - Headlines Academy - Headlines Academy submitted a request for approval of instructor continuing education that will be conducted by Carol Woodard at the CEA Regional meeting in Denver, Colorado. IT WAS MOVED BY LORI LITTLE, SECONDED BY TAMMY UGOFKY, TO APPROVE THE INSTRUCTOR CONTINUING EDUCATION PLAN FOR HEADLINES ACADEMY. THE MOTION PREVAILED ON A VOICE VOTE.

g. Conditional Approval of Instructor License - Headlines Academy - Request Withdrawn

h. Electric File Provider Application - Headlines Academy, Rapid City
I WAS MOVED BY NORA SLYKHUIS, SECONDED BY TAMMY UGOFKY, TO APPROVE THE ELECTRIC FILE PROVIDER APPLICATION FOR HEADLINES ACADEMY, RAPID CITY. THE MOTON PREVAILED ON A VOICE VOTE.

i. Microdermabrasion Provider Application - Headlines Academy - IT WAS MOVED BY NORA SLYKHUIS, SECONDED BY TAMMY UGOFKY, TO APPROVE THE MICRODERMABRASION PROVIDER APPLICATION OF HEADLINES ACADEMY. THE MOTION PREVAILED ON A VOICE VOTE.

9. Foreign Document Translation & Evaluation

Executive Director Kate Boyd recommended that the Commission adopt a policy requiring all non-English high school diplomas and education hour verification to be translated and verified by AEQUO International. The reason for suggesting that this be adopted as policy is the number of fraudulent high school diplomas/translations that the office has been receiving. The applicants would be required to work directly with AEQUO International for the translation and pay for that service. AEQUO would then report to our Commission the results of the translation/verification. It was noted that other State Boards of Cosmetology require translation by AEQUO, who also translates and verifies documents for individual seeking licensure as Accounts.

IT WAS MOVED BY NORA SLYKHUIS, SECONDED BY TAMMY UGOFKY, TO REQUIRE ALL NON-ENGLISH DIPLOMAS AND EDUCATION HOURS TO BE TRANSLATED AND VERIFIED BY AEQUO INTERNATIONAL AT THE APPLICANTS EXPENSE. THE MOTION PREVAILED ON A VOICE VOICE.

10. Instructor Training

Executive Director Kate Boyd informed the Commission that Milady has discontinued their 12-hour new instructor boot camp. She also discussed possible sources for instructor on-line continuing education providers to meet our Commission's 12-hour annual requirement.

The Commission reviewed a request from Cosmetology Education Group from Minnesota to be approved as an instructor continuing education provider. IT WAS MOVED BY NORA SLYKHUIS, SECONDED BY TAMMY UGOFKY TO APPROVE COSMETOLOGY EDUCATION GROUP AS AN APPROVED PROVIDER FOR INSTRUCTOR CONTINUING EDUCATION. THE MOTION PREVAILED ON A VOICE VOTE.

Instructor Individual Education Plan - Holly Ringo - Nothing to report at this time.

11. NIC Region Meeting Report

President Tammy Ugofsky and Executive Director Kate Boyd reported on their attendance at the NIC Region Meeting. Among the topics discussed was the goal to work toward all states having the same number of required hours for cosmetology education.

12. Other Business - N/A

13. Upcoming Meeting Dates - The list of upcoming meeting and exam dates was reviewed.

Adjournment

THERE BEING NO FURTHER BUSINESS, IT WAS MOVED BY LORI LITTLE, SECONDED BY TAMMY UGOFKY TO ADJOURN. THE MOTION PREVAILED ON A VOICE VOTE.

The meeting adjourned at 4:50 pm.

Respectfully submitted,

Kate Boyd, Recording Secretary

Nora Slykhuis, Secretary-Treasurer

Executive Director's Report

March 16, 2015

- 1. Status of Database and On-line Renewal of Licenses - Temporary Employee**
Work continues on the new database. There are still a number of salon and booth licenses that need to be imported into the new database. We have been fortunate to have a temporary employee, Bradi Stampe, who has been instrumental in helping with the daily tasks of opening mail, processing renewals, filing, inspection data input, and other tasks as assigned. Bradi is a great worker and we wish we could keep her on permanently. We have recently signed a contract with Smart Software Solutions to provide maintenance on the new database.
- 2. NIC Exam Update**
Effective February 1, 2015, NIC is implementing new exam content for estheticians and nail technicians. There are some optional areas in the esthetics practical exam that our Commission can choose to test or not test. We have sent a request to NIC to delay implementation of the new exam until June 1, 2015.
- 3. June 9 & 10 Safety & Infection Control Seminars - Sioux Falls & Rapid City**
We have secured space for these seminars at the Downtown Holiday Inn in Sioux Falls and the Ramkota Inn in Rapid City.
- 4. Education Hour & Curriculum Requirements** - We have begun an evaluation of our required Cosmetology hours with the idea being that we may reduce our hours to be more in alignment with other states. We have been fortunate to have some of our cosmetology schools provide their input into the hour and curriculum requirements. However, at the recent NIC Region Meeting, it was learned that a national committee comprised of individuals from various segments of the cosmetology profession, including schools and textbook manufacturers, have undertaken a study of hours/curriculum requirements across the country. In light of the fact that this group plans to have their final report ready for review by late August, I believe we should wait to move forward until we are able to review what the national group reports.
- 5. Email Certifications**
The office would like to start emailing certifications to the other State Boards of Cosmetology instead of sending them via U.S. mail. This will accomplish two things: (1) the certifications will be received in the other state in a more timely manner, and (2) most importantly, this should cut down on fraudulently prepared license certifications. Many states are only sending license certifications electronically due to the risk of fraud with paper certifications.
- 6. Board/Commission Appointments & Sherman Anti-trust Laws**
DLR Attorney Aaron Arnold will provide a brief overview of this federal case at the Commission meeting.
- 7. Pine Ridge Nail Technician School**
We have been contacted by an individual who would like to open a nail technician school in Pine Ridge.