

SOUTH DAKOTA COSMETOLOGY COMMISSION

Minutes July 9, 2007

The regular meeting of the Cosmetology Commission was called to order by President Jacquelyn Dahlquist on Monday, July 9, 2007, at 4:32 p.m. in the Cosmetology office, Pierre, South Dakota.

Roll call was taken by Secretary/Treasurer Lois Porch, with the following members present: Jacquelyn Dahlquist, Ila Davis, Dorothy Johnson, Lois Porch, and Nora Slykhuis. Staff present: Susan Monge, Executive Director. Others present: Todd Kolden, Department of Labor, and Shannon George-Larson, Department of Labor.

Minutes

A MOTION WAS MADE by Dorothy Johnson, seconded by Nora Slykhuis, to accept the minutes of May 9, 2007. The motion passed.

Treasurer's Report

Lois Porch reported that as of 6/29/2008 the available budget was \$11,862.29, and the cash center balance of \$52,846.74. This is the final report for fiscal year 2007.

Monge also distributed a budget comparison sheet.

A MOTION WAS MADE by Ila Davis, seconded by Nora Slykhuis, to approve the Treasurer's report. The motion passed.

Election of Officers

Monge made the suggestion to have the members take turns in the various offices. The question then arose on how to transfer the vice-president's duties since the vice-president knew details of current investigations. Some members felt that the members did not have to switch offices.

A MOTION WAS MADE by Dorothy Johnson, seconded by Lois Porch, to reelect the same slate of current officers. The motion passed.

Executive Director's Report

Susan Monge reported on numerous issues (attachment #1.)

The Commission set the planning meeting for July 30, 2007. The meeting would start at 8:00 a.m. The first order of business would be to finalize planning for the NIC meeting, and then Monge will prepare an agenda of specific items that will be addressed.

Kolden will check on how or if board members can be paid for commission work done from home through telephone calls with the director and/or attorney.

Disciplinary Actions

C-2007. Monge presented a recommendation from the Investigating Committee to dismiss complaint C-2007 against a school. The student withdrew the complaint, and the committee did not find sufficient reason for the complaint.

A MOTION WAS MADE by Nora Slykhuis, seconded by Dorothy Johnson, to dismiss complaint C-2007. The motion passed.

B-2007. Monge presented a Consent Order to the Commission regarding an unlicensed worker injuring a client, callus shavers in the salon, unsanitary nail tools, and claiming unlicensed workers as apprentices. Copies of the order were distributed to and read by the Commission.

A MOTION WAS MADE by Lois Porch, seconded by Dorothy Johnson, to approve the Consent Order for case B-2007. A voice vote was taken: Dahlquist – yes, Davis – abstain, Johnson – yes, Porch – yes, and Slykhuis – yes. The motion passed.

E-2007 and F-2007. Monge presented two Consent Orders to the Commission regarding unlicensed workers, use of electric files without the required continuing education, and unsanitary tools.

A MOTION WAS MADE by Nora Slykhuis, seconded by Lois Porch, to approve the Consent Orders for cases E-2007 and F-2007. A voice vote was taken: Dahlquist – yes, Davis – abstain, Johnson – yes, Porch – yes, and Slykhuis – yes. The motion passed.

Old Business

2007 Proposed Rules Final Report

Monge reported that a memo was sent to the schools outlining the new rules. Copies were sent also to the Commission and inspectors. Monge received emails from some of the schools with questions.

An email from Stewart School requests that the Commission start the new State laws/rules test that reflects the new state laws/rules in either November or January. The Commission had earlier informed the schools that the new test would start in September. A lengthy discussion was held.

A MOTION WAS MADE by Dorothy Johnson, seconded by Ila Davis, to start the new test in September. The motion passed.

An email from Sandy Nespor at Headlines Academy had two questions. The first question asked for clarification on the “no deduction of hours.” The Commission felt that if a student forgets to “clock in”, the student should not lose those hours or have the hours “deducted”. Every effort should be made to credit the student with those hours if the student was in the school. The school should not be relying on only a “clock” for the recording. There should be alternate methods of recording the student’s time such as appointment books, roll calls for theory classes, etc. Instructors should have ways of verifying if a student was present.

The second question from the Headlines Academy email was students being responsible for the break room. The Commission had a long discussion on this area. The Commission decided that the break room is part of the normal school duties and should involve “light” cleaning which could be washing dishes, picking up magazines, cleaning counters, emptying the trash, etc. Since cleaning the break room would be part of the normal duties, students may receive clock hours for

time spent cleaning the break room. However, this should be a small amount of time, and students should be sharing this duty. Keeping the break room clean would be part of health and safety issues.

An email letter from Stewart School asked numerous questions. The first question asked about the eight clock hours in a day and if the student volunteered to stay over the eight hours would this be allowed if a form was signed by the student. The Commission decided to discuss this with their attorney. The Commission is aware that sometimes situations are unavoidable so will find some guidance for the schools.

The Stewart email letter was also concerned over students cleaning the break room. This was just addressed by the Commission through the email from Headlines Academy.

The Stewart email letter requested web-conferencing or recordings of the Commission meeting. The Commission meeting is held in Pierre and open to the public. If anyone wishes to attend they do need to attend the meeting in Pierre, and attendance is highly encouraged.

The Stewart email letter requested considering examinations be held in Sioux Falls or Rapid City. The Commission has examined this, and the costs are not feasible. In addition, if the exams were held in Rapid City or Sioux Falls, then why not in Watertown, Britton, Winner, Vermillion, or any other city in South Dakota? Candidates come from every city in South Dakota, and if asked every candidate would like to take the examinations in their hometown and not have to travel. The Commission understands the one-time travel expense to the candidates, and the examination fees are kept low to help the candidates.

NIC National Meeting – August 26-28

The Commission discussed further preparations for the conference in Rapid City. Final preparations will be done on July 30th.

Junior License Requirements

The instructor state laws test is completed and ready for use. The Commission decided to have the test as open-book, and then have the staff review any incorrect answers with the instructor. The intent is to make sure the instructor understands the laws and rules that must be adhered to in the school.

A memo was sent out to all schools regarding the changes to the instructor licenses. Updated forms were also sent.

The Education Committee will be planning visits to the schools to review their current instructor education programs. Monge will contact the schools to set the dates. The committee will have basic questions, and then will report back to the Commission their overall recommendations for a basic instructor education program that should be used by the schools.

Instructor Seminar Report

The seminar will be held September 23-24 in Pierre. The flyer is prepared and will be mailed out around mid-July.

School License Renewal Form

Monge presented the new school license renewal form. It was reviewed earlier by our attorney. The schools would have to use the form starting with 2008. This form would keep us up-to-date on the schools. The fee also changes to \$300 at that time.

The Commission approved the form and directed Monge to notify the schools of this requirement.

Electric file education provider report

Monge distributed a list of current electric file providers. Monge discussed with the Commission the problems licensees were having finding providers. Some of the licensees did not complete the requirement before the deadline of December 1, 2006. The providers from out-of-state are finding the costs to hold a class in South Dakota expensive, and the participants few. The participants want classes held in their area so they don't have to travel and then they want it at their convenience. Monge suggested we may have to contract and offer the course at our office on a regular set schedule. We could do something similar what we do with the instructors seminar.

New Business

Field Trips

Field trip plans were submitted by Headlines Academy for their nail technology class and Black Hills Beauty College, Sioux Falls.

A MOTION WAS MADE by Nora Slykhuis, seconded by Dorothy Johnson, to approve the submitted field trips. The motion passed.

Two requests were received for field trips. One request was from Black Hills Beauty College, Rapid City, to allow a field trip to the Arrowhead Country Club to do mini manicures and pedicures. The other request was from Stewart School to allow field trips to do services to charity and non-profit organizations and to approve field trips on an individual student basis.

The Commission discussed these two requests at length and discussed the purpose of a field trip. The Commission felt that these requests did not fit into the field trips as an educational purpose. These requested trips were to provide services. This would change the Commission's view of a field trip. Services should be done in the school clinic area. Voluntary services were discussed. Voluntary services would not be able to accept anything in exchange including school hours, tips, meals, etc. The Commission will discuss this further at their July 30th planning meeting and come up with some specific guidelines for field trips.

Protection Class for Disciplinary Actions

Monge is working on an Infection Protection review class that could be presented using PowerPoint. This would be used in for future disciplinary actions.

Outreach at Beauty Shows

The Commission decided to have a booth at the Peel's beauty show in Rapid City on September 29-30.

Next Meeting and State Boards

The planning meeting is scheduled for July 30, 2007. The next meeting is scheduled for September 23-25, 2007

Adjournment

A MOTION WAS MADE by Ila Davis, seconded by Nora Slykhuis, to adjourn. The motion passed. The meeting adjourned at 8:05 p.m.

Respectfully submitted by:

Susan Monge, Recording Secretary and _____
Lois Porch, Secretary/Treasurer

Attest:

Jackie Dahlquist, President

Ila Davis, Vice-President

Dorothy Johnson, Member

Nora Slykhuis, Member

ATTACHMENT #1 EXECUTIVE DIRECTOR'S REPORT – July 9, 2007

1. We had to postpone the long-range planning meeting. Another date needs to be set.
2. Notices were sent to the schools, inspectors and licensees regarding the various law and rules changes.
3. The web page was updated to show the law and rule changes. All forms were updated. The computer database was updated. All reports were updated. All tests were updated. The law/rule books were updated and will be printed and distributed by July 20th. We currently charge \$1.75 for the law/rule books which covers the printing and mailing. Or a person may access the laws/rules for free from our web page.
4. I did a history of the cosmetology license. It is a helpful document when dealing with reciprocity.
5. We have gotten a few calls from licensees who are unhappy that the manager license has been dropped. The Argus Leader did a story on it.
6. In-state lodging has increased to \$46.50 starting July 1, 2007. In-state meals remain the same.
7. The esthetician testing was held on June 8th and went very well.
8. I am suggesting that commission members such as the president and the vice-president be reimbursed for the time that they spend on commission-business during various times of the month. The vice-president deals with numerous investigative committee issues with the director and attorney which are done over the phone and through correspondence. The same applies to the business conducted by the president and the director during the month as issues are raised such as setting the agenda for upcoming meetings.