Meeting Agenda
SOUTH DAKOTA COSMETOLOGY COMMISSION
123 W. Missouri Ave, Pierre, SD
February 9, 2018 8:30 a.m. CST

To join the meeting via conference call:
Dial: (866) 410-8397 • Conference Code: 5816742095

A. Call to Order ............................................................... Tammy Ugofsky
B. Roll Call ................................................................. Crystal Carlson
C. Approval of Agenda ..................................................... Tammy Ugofsky
D. November 17, 2017 Meeting Minutes ............................... Crystal Carlson
E. Treasurer’s Report ....................................................... Crystal Carlson
F. Executive Director’s Report ........................................... Kate Boyd
   Agreed Upon Procedures Report of Revenues for FY 2017 from Lamfers & Maas

G. Disciplinary Actions ..................................................... Violations Committee
   1. Case P-2017
   2. Case R-2017
   3. Case S-2017
   4. Lapsed Case 14-2017
   5. Lapsed Case 15-2017
   6. Lapsed Case 16-2017
   7. Lapsed Case 20-2017
   8. Lapsed Case 21-2017
   9. Lapsed Case 23-2017
  10. Lapsed Case 26-2017
  11. Lapsed Case 27-2017
  12. Lapsed Case 28-2017

H. Cosmetology Inspectors

I. Special Events - Inspection of licensees who have a booth license solely for purpose of performing services at special events.

J. Leo Thomas Salon - Status of Apprenticeships

K. School Requests
   1. Stewart School License Renewal Application
   2. Headlines Academy
      • Peggy Sproat Request for Waiver of 12 Hours Instructor Continuing Education
L. Administrative Rules Modification Requests
   1. Dermaplane Procedures - Request to remove from the list of prohibited procedures
      - Kimberly Landsman
   2. Glycolic Acid Peels - Request to modify allowable pH levels - Karma Crane, Stewart School
   3. Microdermabrasion Machines - Questions and request from Karma Crane, Stewart School

M. Other Business

N. Upcoming Meeting Dates
   1. March 8 & 9, 2018 - State Board Exams - Pierre
   2. April 21 & 22, 2018 - NIC All Region Meeting - Charlotte, NC
   3. April 27, 2018 - Sioux Falls & Watertown Schools Visits & Commission Meeting
   4. April 28, 2018 - State Board Exams - Watertown

O. ADJOURN

Individuals needing assistance, pursuant to the Americans with Disabilities Act, should contact the Cosmetology Commission (605/773-6193) at least 48-hours before convening to make any necessary arrangements.
Thursday, September 21, 2017

President Tammy Ugofsky called the meeting to order at 8:35 am.

President Ugofsky announced that Commission member Lori Berreth resigned from the Commission in October, 2017.

Secretary-Treasurer Crystal Carlson read the roll and a quorum was established.

Members Present: Laurie Brandner
                 Crystal Carlson
                 Tammy Ugofsky

Members Absent: Lori Little

Others Present: Kate Boyd, Executive Director
                 Kelsey Skoglund, Commission staff member
                 Graham Oey, Staff Attorney, Department of Labor & Regulation
                 Emily Ward, Department of Labor & Regulation
                 Director of Administrative Services
                 Tami Stokes, Cosmetologist
                 Meagan Williams, Revive Day Spa
                 Tara Mortland, Revive Day Spa
                 Cricket Rick, Headlines Academy
                 Nicole Finch Headlines Academy
                 Angela Taylor, Stewart School, via phone

Tammy Ugofsky made a motion to approve the agenda as presented. Laurie Brander seconded the motion. MOTION PASSED.

Crystal Carlson made a motion to approve the September 21 & 22, 2017 meeting minutes. Laurie Brander seconded the motion. MOTION PASSED.

Secretary-Treasurer Crystal Carlson reported that as of October 31, 2017 the available budget was $163,648 and the cash center balance was $196,674.

Department of Labor & Regulation Director of Administrative Services, Emily Ward, was present to provide a verbal explanation of the various documents contained in the monthly financial report.

The Executive Directors Report had been included as a part of the meeting packets that were mailed. Tammy Ugofsky referred to the KELO news report that was included in the report. She
commented that some of the statements that the reporter attributed to her were not things that she actually said.

Case L-2017: Crystal Carlson made a motion to approve the Consent Agreement for Case L-2017 with the following terms:

a. Tuan Nguyen license, Lic. #NT-11469, will be suspended for a period of 7 days, but will be immediately reinstated with the 7 days being held in abeyance; Tuan Nguyen’s license will have no active suspension.

b. The 7 days of suspension for his license will be held in abeyance for a period of 1 year, beginning on the effective date of this agreement, so long as the following conditions are met:
   1) Mr. Nguyen will comply with all laws and regulations relating to his profession under SDCL chapter 36-15 and ARSD article 20:42 for a period of 1 year beginning on the effective date of this Agreement;

c. Cobe Nails Salon license, Lic. #NS-07613, will be suspended for a period of 7 days, but will be immediately reinstated with the 7 days being held in abeyance; Cobe Nails Salon license will have no active suspension.

d. The 7 days of suspension for the salons license will be held in abeyance for a period of 1 year, beginning on the effective date of this agreement, so long as the following conditions are met:
   1) Cobe Nails Salon will comply with all laws and regulations relating to its profession under SDCL chapter 36-15 and ARSD article 20:42 for a period of 1 year beginning on the effective date of this Agreement;
   2) Cobe Nails Salon will be subject to additional inspections for a period of 1 year from the date of execution of this agreement. Mr. Nguyen, as owner of the salon, will make a onetime payment to the Commission for the additional expenses of the inspections in the amount of $350.00 by December 31, 2017.
   3) Pursuant to SDCL 36-15-58.5 the Commission imposes a monetary penalty of $500.00 to be paid prior to December 31, 2017.

Tammy Ugofsky seconded the motion. MOTION PASSED with Violations Committee Laurie Brandner abstaining.

Case Q-2017: Crystal Carlson made a motion to dismiss Case Q-2017 for lack of evidence. Tammy Ugofsky seconded the motion. MOTION PASSED with Violations Committee Laurie Brandner abstaining.

Lapsed Case 18-2017: Tammy Ugofsky made a motion to approve Lapse Case 18-2017 Consent Agreement with the following terms:
Ms. Erickson’s personal license, Lic.#CO-02001, will be suspended for a period of 5 days with 5 days being held in abeyance; Ms. Erickson’s license will not actively be suspended.

b. The 5 days of suspension for her license will be held in abeyance for a period of 1 year, beginning on the effective date of this agreement, so long as the following conditions are met:
   1) Ms. Erickson will comply with all laws and regulations relating to her profession under SDCL chapter 36-15 and ARSD article 20:42 for a period of 1 year beginning on the effective date of this agreement.
   2) Pursuant to SDCL 36-15-58.5 the Commission imposes a monetary penalty of $50.00, as a condition for the immediate reinstatement of her personal license, to be paid prior to March 1, 2018.

c. Style Masters Salon license, Lic.#CS-00792, will be suspended for a period of 10 days with 10 days being held in abeyance; Style Masters Salon’s license will not actively be suspended.

d. The 10 days of suspension for the salon license will be held in abeyance for a period of 1 year, beginning on the effective date of this agreement, so long as the following conditions are met:
   1) Style Masters Salon will comply with all laws and regulations relating to its profession under SDCL chapter 36-15 and ARSD article 20:42 for a period of 1 year beginning on the effective date of this Agreement;
   2) Pursuant to SDCL 36-15-58.5 the Commission imposes a monetary penalty of $150.00, as a condition for the immediate reinstatement of the salon license, to be paid prior to March 1, 2018.

Crystal Carlson seconded the motion. MOTION PASSED with Violations Committee Laurie Brandner abstaining.

In response to a request from the Commission at the September 21, 2017 meeting information was provided about the inspectors, their wages and benefits, and what the added expense would be to have inspectors work half-time and what the procedure would be to request additional FTE for inspectors. It was agreed to invite the inspectors to participate in the February 9, 2018 Commission meeting.

At the February 9, 2018 meeting, the inspectors can also give their thoughts on how to deal with booth renters who only have a booth for purposes of complying with the law so that they can perform special events services.

Revive Day Spa in Aberdeen has completed their three-month probation as an apprentice salon. The staff recommendation was to approve moving forward with the two apprenticeships. Tara Mortland and Meagan Williams from Revive Day Spa were present to respond to any questions the Commission may have about their apprenticeship program.
Tammy Ugofsky made a motion to approve the success of the Revive Day Spa three-month apprenticeship probationary period and to allow them to continue with their apprenticeships. Laurie Brandner seconded the motion. **MOTION PASSED.**

There was discussion about the apprentice kits and whether or not the apprentice salon is required to provide all of the kit supplies.

Tammy Ugofsky made a motion to approve the conditional senior instructor licenses requested by Headlines Academy for Kara Ammons, Kirianna Marenchin and Caroline Vettorazzi. Crystal Carlson seconded the motion. **MOTION PASSED.**

Tammy Ugofsky made a motion to approve the conditional senior instructor license requested by Black Hills Beauty College-Rapid City for Mary Ann Rankin. Crystal Carlson seconded the motion. **MOTION PASSED.**

Crystal Carlson made a motion to approve the school license renewal application of Black Hills Beauty College-Rapid City. Tammy Ugofsky seconded the motion. **MOTION PASSED.**

Tammy Ugofsky made a motion to approve the pre-approved provider application for Ramona Reicherts for microdermabrasion. Crystal Carlson seconded the motion. **MOTION PASSED.**

Crystal Carlson made a motion to approve the pre-approved provider application for Ayla Archer for eyelash extensions. Tammy Ugofsky seconded the motion. **MOTION PASSED.**

Tammy Ugofsky requested that the staff review the 2018 State Board Exam and Commission meeting calendar and try to schedule these for the same time whenever possible.

Crystal Carlson made a motion to adjourn. Tammy Ugofsky seconded the motion. **MOTION PASSED.**

The meeting was adjourned at 10:20 am.

Respectfully submitted,

____________________________   _________________________
Kate Boyd, Executive Director     Crystal Carlson, Secretary-Treasurer
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**Note:** The table above contains financial information for the year-end date of 2/27/00, showing various account numbers and amounts related to miscellaneous income. The account numbers and centers are listed alongside the amounts for each entry.
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**Notes:**
- Pay Date Ref: 14
- For Year Ending: 06/30/07
- FY 2008 Ref: 46
- FY 2009 Ref: 47
- FY 2010 Ref: 48
- FY 2011 Ref: 49
- Budget Unit: 1013
- Nov 17
- Page 14

**Available Fund:**
- 0.00
- 0.00
- 0.00
- 0.00
- 0.00
- 0.00
- 0.00

**Dicotyledonous Plants:**
- 0.00
- 0.00
- 0.00
- 0.00
- 0.00
- 0.00
- 0.00

**Total:**
- 316,243.00

**Expenditures:**
- 0.00
- 0.00
- 0.00
- 0.00
- 0.00
- 0.00
- 0.00

**Available Fund:**
- 0.00
- 0.00
- 0.00
- 0.00
- 0.00
- 0.00
- 0.00

**Total:**
- 316,243.00

**Expenditures:**
- 0.00
- 0.00
- 0.00
- 0.00
- 0.00
- 0.00
- 0.00

**Available Fund:**
- 0.00
- 0.00
- 0.00
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**Total:**
- 316,243.00

**Expenditures:**
- 0.00
- 0.00
- 0.00
- 0.00
- 0.00
- 0.00
- 0.00
1. **Legislative Update** - The 2018 legislative session has been extremely busy. I have been spending a great deal of time at the Capitol talking to legislators and testifying on our bills. I have sent the Commission several email reports and will continue to do so as our bills progress through the legislature.

2. **Tri-Annual Agreed-Upon Procedures Review of Revenue** - The CPA firm Lamfers & Maas completed our tri-annual review of the Commission’s revenues. They do not review the expenditures because it is the Department of Labor & Regulation, together with the State Auditor’s office who actually pays our bills. The report is enclosed for information and review of the Commission.

3. **NIC All Region Meeting - April 21 & 22, 2018 - Charlotte, NC** - Commission members were mailed information about the NIC All Region Meeting scheduled for Charlotte, NC, together with out-of-state travel requests. If you are interested in being considered to attend this meeting, please send or bring your out-of-state travel requests to the Commission office.

4. **Electric Nail File Certification** - We have been receiving inquiries from licensees who would like to become certified for electric nail file, but are unsuccessful in finding a place to go for the training, especially in eastern South Dakota. We may need to come up with other providers as a suggestion for the licensees who want the certification, since the South Dakota schools who have applied and been preapproved are reluctant to teach a class for one or two individuals.
INDEPENDENT ACCOUNTANTS' REPORT ON APPLYING AGREED-UPON PROCEDURES

To the Commissioners of the South Dakota Cosmetology Commission,
and to the South Dakota Department of Labor and Regulation
Pierre, South Dakota

We have performed the procedures enumerated below, which were agreed to by the South Dakota Cosmetology Commission, and the South Dakota Department of Labor and Regulation (the specified parties), solely to assist you in evaluating the internal controls over the revenue function of the South Dakota Cosmetology Commission for the year ended June 30, 2017. The South Dakota Cosmetology Commission’s management is responsible for the Commission’s internal controls over the revenue function. This agreed-upon procedures engagement was conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants and the standards applicable to attestation engagements contained in Government Auditing Standards issued by the Comptroller General of the United States. The sufficiency of these procedures is solely the responsibility of those parties specified in this report. Consequently, we make no representation regarding the sufficiency of the procedures described below either for the purpose for which this report has been requested or for any other purpose.

Our procedures were as follows:

1) We inquired of management regarding the internal control processes as they relate to cash receipts for the revenue process.

2) We selected 30 licensed individuals approved by the Board from the licensee list on the Commission’s database. For the licensees selected, we agreed the renewal fee charged with the South Dakota Codified Laws and Administrative Rules in effect for fiscal year June 30, 2017, and with the fees published on the Commission’s website. We traced the payment received to the deposit receipt and agreed the information on the receipt to the weekly deposit voucher. We agreed the total from the deposit voucher to the monthly deposit report. We found one exception during our testing. The deposit voucher tested for 09/8/2016 reported a total deposit of $2,488 but the monthly deposit report spreadsheet showed $2,448, a difference of $40. The difference related to $40 that was erroneously entered into the non-cash portion of the spreadsheet instead of the respective deposit column. Therefore, the total cash was still accounted for – the $40 was merely placed in the wrong column on the schedule.

3) We selected 15 salon licensed businesses approved by the Board from the licensee list on the Commission’s database. For the licensees selected, we agreed the renewal fee charged with the South Dakota Codified Laws and Administrative Rules in effect for fiscal year June 30, 2017, and with the fees published on the Commission’s website. We traced the payment received to the deposit receipt and agreed the information on the
receipt to the weekly deposit voucher. We agreed the total from the deposit voucher to the monthly deposit report. There were no exceptions found as a result of applying these procedures.

4) We selected 10 examinees from the exam roster. We agreed the fee charged based on our review of the exam fee schedule included in the South Dakota Codified Laws and Administrative Rules in effect for fiscal year June 30, 2017 and with the fees published on the Organization’s website. We traced the payment received to the deposit receipt and agreed the information on the receipt to the weekly deposit voucher. We agreed the total from the deposit voucher to the monthly deposit report. There were no exceptions found as a result of applying these procedures.

5) We agreed the totals from the monthly deposit report to the confirmation report provided by the Bureau of Financial Management. There were no exceptions found as a result of applying these procedures.

We were not engaged to and did not conduct an audit or a review, the objectives of which would be the expression of an opinion or limited assurance on the internal controls over the revenue function. Accordingly, we do not express such an opinion or limited assurance. Had we performed additional procedures, other matters might have come to our attention that would have been reported to you.

This report is intended solely for the information and use of the South Dakota Cosmetology Commission and the South Dakota Department of Labor and Regulation, and is not intended to be and should not be used by anyone other than these specified parties.

November 28, 2017
AGENDA ITEM J - Leo Thomas Salon

Status of Apprenticeships

Leo Thomas Salon currently has two apprenticeships in progress. To date the salon has passed its inspections and the salon is on-time submitting the weekly timesheets to the Commission office.

The staff recommendation is that they have successfully completed their probationary period and the continuation of the apprenticeships should be approved by the Commission.
SOUTH DAKOTA COSMETOLOGY COMMISSION
SCHOOL LICENSE RENEWAL FORM

Instructions
Please print or type. All areas should be completed. If not applicable, print NA. Information may be listed on a separate sheet and attached. Attach a non-refundable School License fee of $300.00 for one (1) school license renewal. The expiration date is on the license. The renewal form and fee should be submitted at least two months before the expiration date.

1. TYPE OF LICENSE RENEWING
   - Cosmetology School [x]
   - Nail School [ ]
   - Esthetics School [ ]
   - Branch School [ ]

2. SCHOOL INFORMATION
   - School Name: Stewart School
   - Current On-site Director: Angela Taylor
   - School Address: 604 N West Ave
   - City/State/Zip: Sioux Falls, SD, 57104
   - Telephone: 605-336-2775
   - Fax: 605-357-0288
   - Email: angela.taylor@stewartschool.com
   - Programs Offered:
     - Cosmetology [x] YES [ ] NO Number of clock hours 2100
     - Nail Technology [x] YES [ ] NO Number of clock hours 400
     - Esthetics [x] YES [ ] NO Number of clock hours 600
   - Are the courses in clock or credit hours? CLOCK [x] CREDIT [ ] If in credit hours, attach the conversion.
   - Days/Times Open: Attach a separate sheet with this information Attachment #1
   - Days and Times of Theory Classes: Attach a separate sheet with this information Attachment #2
   - Days and Times of Clinic: Attach a separate sheet with this information Attachment #3
   - What months are programs started? Cosmetology: January, March, June, September & November Esthetics: January & July Nail Tech: February
   - Current Enrollment in - - - - - Cosmetology Program: 71 Nails Program: 0 Esthetics Program: 6
   - Approximate Square Footage of school physical premises: 15,799

3. SCHOOL OWNER INFORMATION
   - Ownership (check one): Sole Proprietorship [ ] Partnership [ ] Corporation [x]
   - List the name and address of each individual owner, partner, or corporate officer. If more space is needed, attach a separate sheet.

<table>
<thead>
<tr>
<th>Owner Name</th>
<th>Owner Residence Address/City/State/Zip</th>
<th>Telephone Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Matthew Fiegen</td>
<td>18518 Raylyn Rd. Durango, Iowa 52039</td>
<td>563-588-2379 ext. 308</td>
</tr>
</tbody>
</table>

If a corporation or partnership, list the name and address of the principal place of business of the partnership or corporation. Stewart School, 604 N West Ave Sioux Falls SD 57104

If the corporation has a registered agent in South Dakota authorized to accept legal service, list the name and address of the agent. Robert Fiegen, 25644 475th Ave, Renner, SD 57055

4. INSTRUCTOR(S) AND QUALIFICATIONS – ATTACH a list of all instructors. Include their names, license numbers (both instructor license and personal license), and license expiration dates. All instructors must have a current South Dakota instructor license and a current cosmetologist, nail technician, or esthetician license, as applicable. There must be one (1) senior instructor for every 20 students or a fraction thereof. IF THIS LIST CHANGES, THE SCHOOL NEEDS TO SUBMIT THE NEW INSTRUCTOR NAME TO THE COMMISSION OFFICE TO ADD TO THIS FORM. Attachment #4
5. REQUIRED ATTACHMENTS – the following need to be attached.

- List of required and non-required equipment (ARSD 20:42) Attachment #5
- School’s current catalog Attachment #6
- List of textbook(s) and workbook(s) used Attachment #7
- School advertising brochures and website address Attachment #8 www.stewartschool.edu
- School rules and regulations Attachment #9
- Student policies and procedures Attachment #10
- Explanation of procedure to track student hours Attachment #11
- Explanation of how student records are kept and stored Attachment #12
- Schedule of days and times open, showing theory and practical times, holidays closed Attachment #13
- Listing of proposed field trips on Commission form Attachment #14
- Listing of substitute instructors and guest demonstrators Attachment #15
- List any changes made since the last renewal application Attachment #16

6. AGREEMENT AND SIGNATURE

   It is understood and agreed that any license granted is not transferable to another person, partnership, or corporation, or another location. Whenever the owner of the school or the location or school is changed, a new application must be submitted for approval by the Cosmetology Commission at least two months before the change.

   It is further understood that the school license is renewed annually on the start date of the license. A renewal application must be submitted at least two months prior to the expiration date with all required attachments and the required fee. If a license is expired, the school shall pay the added penalty fee.

   It is further understood that the Commission will be notified in writing of any changes from this application such as new instructors, change of days/times, etc.

   It is further understood and acknowledged that the Commission may revoke or suspend the license of such school for any violation of the law or rules relating to cosmetology, esthetics, or nail technology, or if any of the above noted requirements or if further investigation reveals misrepresentation or false information being given in any manner or form as to any application or request for information made by the Commission, by any individual, partnership or corporation acting for or associated with said school.

   I declare and affirm under the penalties of perjury that this information has been examined by me, and the best of my knowledge and belief, is in all things true and correct.

   Owner or School Director Signed: [Signature]  Dated: 11/18/18
   Owner or School Director Signed: [Signature]  Dated:

Notary

Subscribed and sworn to before me this 18 day of 01, 2018.

SEAL

Notary Public – South Dakota

My Commission expires: 12/01/20
Attachment #1:

Days/Times Open:

Our hours of operations are:
Mondays    8:00 am – 4:30 pm
Tuesdays   8:00 am – 8:00 pm
Wednesdays 8:00 am – 4:30 pm
Thursdays  8:00 am – 8:00 pm
Fridays    8:00 am – 4:30 pm
Saturdays  9:00 am – 3:00 pm
Attachment 2

Days and Times of Theory Classes:

Cosmetology:
Our classes start: January, April, June, September and November. Students have basic training for 9 weeks (166 hours of theory training). After a student graduates from basics they have Advance Training for 4 hours one day each week until they graduate (theory averages 2.5 hours and the remaining time is hands-on/practical training). We hold advance training by class start date. Advance training classes are scheduled Tuesdays, Wednesdays and Thursdays.

Esthetics:
We hold an Esthetics course twice a year, January and July. They have 3 weeks of basics training (120 hours) which consists of 55 – 60% theory and the remaining is hands-on/practical training. After the completion of basics they have Advance Training one day (8 hours) each week until they graduate with 4 hours of theory and 4 hours hands-on/practical training. Their Advance Training is held on Fridays.

Nail Technology:
If we have a Nail Technology class they have 2 weeks of basic training (80 hours), which consists of about 45 – 50% theory, and the remaining is hands on practice. After the completion of basics they have Advance Training one day (8 hours) each week until they graduate consisting of 3-4 hours of theory and the remaining time hands-on/practical training. Their Advance Training would be held on Fridays.
Stewart School License Renewal Attachments
Angela Taylor; 605-336-2775 ext. 3
January 18th, 2018

Attachment 3

Days and Times of Clinic:

Our Clinic Floor hours of operation are as follows:
Tuesday  8:00 am – 8:00 pm
Wednesday 8:00 am – 4:30 pm
Thursday  8:00 am – 8:00 pm
Friday    8:00 am – 4:30 pm
Saturday  9:00 am – 3:00 pm

Cosmetology: After the completion of the first 10 weeks of basic training the students have 35 hours of clinical training each week, except when they have skill evolutions or specialty classes. During the hours of clinic operations there is a mixture of students at all levels who have completed their 10 weeks (350 hours) of basic training.

Esthetics: After the completion of the first 3 weeks of basic training the students have 32 hours of clinical training each week.

Nail Technology: After the completion of the first 2 weeks of basic training the students have 32 hours of clinical training each week.
### Instructors:

<table>
<thead>
<tr>
<th>Name</th>
<th>Instructor License</th>
<th>Cosmetology License</th>
<th>Expiration Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lyndsey Braunesriether</td>
<td>IC-09333-2018</td>
<td>CO-07746-2018</td>
<td>4/25/2018</td>
</tr>
<tr>
<td>Karma Crane</td>
<td>IC-07967-2018</td>
<td>CO-06471-2018</td>
<td>8/23/2018</td>
</tr>
<tr>
<td>Caitlin Hoogland</td>
<td>IC-09910-2019</td>
<td>CO-08460-2019</td>
<td>1/6/2019</td>
</tr>
<tr>
<td>Angi Marso</td>
<td>IC-07968-2018</td>
<td>CO-05937-2018</td>
<td>7/17/2018</td>
</tr>
<tr>
<td>Arielle Miller</td>
<td>IC-13404-2018</td>
<td>CO-11782-2018</td>
<td>12/03/2018</td>
</tr>
<tr>
<td>Katie VanBallegooyen</td>
<td>IC-11551-2018</td>
<td>CO-09161-2018</td>
<td>8/29/2018</td>
</tr>
<tr>
<td>Samantha Kastengren</td>
<td>JC-13771-2018</td>
<td>CO-10626-2018</td>
<td>07/08/2018</td>
</tr>
</tbody>
</table>
Class Start Times:
Stewart School starts Cosmetology five times a year; usually in the months of February, April, June, September, and November. Esthetics and Nail Technology are offered no more two times a year. Classes may be cancelled or delayed if less than 6 students are enrolled.

Stewart School Hours of operation:
Student schedules vary based on start date. Students are scheduled to attend an average of 36 hours a week unless arranged otherwise with administrative staff.
Monday 8:30 am - 4:00 pm
Tuesday 8:00 am - 8:00 pm
Wednesday 8:00 am - 4:30 pm
Thursday 8:00 am - 8:00 pm
Friday 8:00 am - 4:30 pm
Saturday 9:00 am - 3:00 pm

Holiday Schedule:
The school is closed on the following holidays:
   New Year Day
   Easter
   Memorial Day
   4th of July
   Labor Day
   Thanksgiving Day
   Christmas Day
Stewart School will offer waived days off determined by the administrative staff for the 4th of July Holiday and the Christmas Holiday. These will be posted for students at least two months in advance.

Weather Closings:
Notice of school closings due to snow or natural disasters will be aired on local radio stations and/or television stations in the city of Sioux Falls, South Dakota. They will also be posted on the school's Facebook page and voicemail system.
Stewart School License Renewal Attachments
Angela Taylor; 605-336-2775 ext. 3
January 18th, 2018

Attachment 7

List of Textbooks and Workbooks used.

Stewart School uses the following books in our programs:

Cosmetology:
Pivot Point Cosmetology Fundamentals Text Book
Pivot Point Cosmetology Fundamentals Study Guide Workbook
Pivot Point Cosmetology Fundamentals Online LAB
Nuts and Bolts Business Training Solutions (3 Text Books)

Esthetics:
Pivot Point Salon Fundamentals Text Book
Pivot Point Salon Fundamentals Study Guide Workbook
Pivot Point Salon Fundamentals Exam Prep Book

Nail Technology:
Pivot Point Salon Fundamentals Text Book
Pivot Point Salon Fundamentals Study Guide Workbook
Pivot Point Salon Fundamentals Exam Prep Book
Cosmoprof Spring Hair Show
Omaha, NE May 7th, 2018 or Minneapolis, MN October 29th
May 7th, 2018
8 hours
Educational Objectives:
- Students will gain knowledge of a variety of products, their proper applications, benefits, etc.
- Students will have the opportunity to observe top industry platform artists presenting current trends in color, Haircoloring and texture techniques and troubleshooting ideas for artificial nail services.
- Students will be able to gain new information on basic techniques and troubleshooting ideas for artificial nail services.
- Students will be exposed to a variety of products and treatments available for skin care and other spa treatments used in salons.
- Students will gain new insights on how to give good client service and to market their skills effectively from people who are successful and respected by peers in the Cosmetology profession.

Students will be required to sign in with instructors at various time throughout the day. Students will need to turn in reports on techniques they learned from classroom, sessions, as well 1 – 3 instructors will attend based on the number of students.

Charity Work
Sioux Falls Community
Dates are Open
8 hours
Student Number Varies on Need
Educational Objectives:
- Students will learn the importance of doing outreach services to build their reputation within the community where their salon is, so people see they are interested in serving others at no charge. Request from organizations vary, Good Shepard Center calls for people to do haircuts for the homeless and needy people who are trying to get back into the work force; girl scouts call to have people come do up-styles for an event they have; Sr. Citizen Organizations have called to have people come to do manicures; Elementary Schools call to have people come to do hairstyles for the career and health classes.

Salon Tours
Sioux Falls Area
Dates are Open
8 hours
Educational Objectives:
- Students will have the opportunity to observe the functioning of a variety of salons in order to help them make a career decision for their future in the salon.
- Students will have a worksheet with questions they will need to ask the manager/receptionist as well as questions they can answer from observing or touring the salon.
Stewart School License Renewal Attachments
Angela Taylor; 605-336-2775 ext. 3
January 18th, 2018

Attachment 15

Listing of substitute Instructors and guest demonstrators:
None

Guest Demonstrators:
Product Trainers through:
L'ANZA
Clinical Care
Sebastian
Aquage
Nioxin

and local salons:
Hair by Stewarts
Great Clips
Smart Styles
Hollywood Styles
The Barbershop a Hair Salon for Men
Attachment 16

List any changes made since the last renewal application:

Changes:
  * Danica Terry is no longer with us.
  * We have hired two new Junior Coaches: Samantha Kastengren and Danielle Bouwman
AGENDA ITEM K 2 - Peggy Sproat

Request for Waiver of 12 Hours of Continuing Education to Renew Instructor License

Shown below is a request from Peggy Sproat, owner of Headlines Academy for the Commission to waive the required 12 hours of continuing education to renew her instructor license. Peggy indicated that she will be attending a two-day teacher workshop with the rest of the Headlines teaching staff in March, 2018.

Staff recommendation would be to renew Peggy Sproat’s instructor license with the understanding that she will be doing her instructor continuing education in March, 2018.

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**Boyd, Kate**

From: psproat@headlinesacademy.com
Sent: Tuesday, December 19, 2017 1:55 PM
To: Boyd, Kate
Subject: [EXT] instructor license

I am requesting a waiver of the 12 hours of instructor continuing education to renew my license. I teach maybe 40 hours a year if even that. We are fully staffed at the moment, and I don’t see myself teaching beyond that.

I am however taking my staff to Denver again in March for the Regions Teach Training to which I will get my 12 hours then.

http://speakercarol.com/events/two-day-teacher-workshop-2/

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Peggy Sproat  
Financial Aid / President / CEO  
Headlines Academy, INC  
Tuscany Square  
333 Omaha Street Suite 7  
Rapid City, SD 57701  
605-348-4247  
www.HeadlinesAcademy.com
AGENDA ITEMS L 1, L 2 and L 3

Administrative Rules

The Commission has received three requests to consider changing administrative rules. The Commission will likely pursue some administrative rules changes later in the Spring after the Legislative Session is over.

Shown below and in the next pages are the three current requests.

Agenda Item L 1 - Dermaplane Procedures
20:42:04:04.03. Prohibited equipment and procedures.

We have received a request from Esthetician Kimberly Landsman for the Commission to consider removing dermaplane procedures from the list of prohibited equipment and procedures.

Ms. Landsman’s letter and thoughts about the administrative rule are attached. She plans to be present at the February 9, 2018 Commission Meeting to answer any questions the Commission may have.
Dear South Dakota Cosmetology Commission Members,

My name is Kimberly Landsman, and I have been a licensed esthetician in the state of South Dakota since 2010. Since 2010, I have practiced skincare services in my private studio, and I started working for an established dermatologist part-time in 2014. In December 2017, I completed one-on-one, hands-on training in Wyoming with Dermaplane Pro. Once I summarize the definition, purpose, and established techniques, I hope rule 20:42:04:04.03 is modified to allow independent, licensed estheticians to perform dermaplaning after receiving advanced training.

During the February 9th meeting, I will discuss in detail the safety/scope of new dermaplaning techniques and tools. Dermaplanning is a wonderful and safe alternative for people who are not good candidates for chemical peels and microdermabrasion; however, because there is no other safe choice, these individuals seek out riskier services to achieve the same results. These individuals include those who are pregnant, nursing, highly sensitive skin, and those with broken capillaries.

Dermaplanning is a physical/mechanical exfoliation that is extremely safe when performed by a professionally trained skincare specialist utilizing the appropriate tools for the service. Currently, nurses perform dermaplanning in Aberdeen and Sioux Falls. I look forward to presenting more detailed information and providing a list of other states which currently enable estheticians to treat their clients specific to their individual needs.

On the following page I have listed the current administrative rule (in bold font) which prohibits dermaplane procedures, and I will address within it the relevant reasons to change this rule.

Sincerely,

Kimberly Landsman, LE
20:42:04:04.03. Prohibited equipment and procedures. The following equipment and procedures are prohibited:

(1) Blades, knives, razor-type callus shavers, credo blades, rasps, graters, or any other implements used to remove corns or calluses capable of cutting below the stratum corneum layer of the skin, except for lancets used specifically for extraction of impurities;

**This rule specifically lists tools with the rationale to prevent possible damage to the 15-20 layers of dead skin (aka, stratum corneum); yet, many tools and products esthetician currently use possess the potential to cause damage much deeper into the living skin if used carelessly, incorrectly, and/or without training.

- Examples: wax, chemical peels, tweezers, dermafile, microdermabrasion, lancets, etc.
- Note-worthy distinction: dermaplane blades are specifically designed to only remove the first few layers of the stratum corneum with the lightest of touch. Whereas, the tools listed above require higher amounts of pressure and risk. These blades are not pointed.
- Despite the design, training is essential to protect the client's safety and esthetician's liability.

(2) Dermaplane procedures, dermabrasion procedures, ultrasound equipment;

**The modern definition of dermaplane is to use a sterile blade at a 45-degree angle to remove the keratinized cells on the outer stratum corneum and fine villus hair. Dermabrasion, on the other hand, is a procedure used by a surgeon with a high-speed rotating brush to remove the entire epidermis (dead and living skin) with the goal of resurfacing extremely scarred and wrinkled skin. Dermabrasion is usually performed with the patient under anesthesia.

- Forty years ago, dermaplane also required anesthesia and the use of harsh chemicals (acetone and alcohol).
- Also, forty years ago, dermaplane used more aggressive, pointed surgical blades and devices called dermatomes (electric scalpel which moved back and forth).
- Dermatomes are now used as a surgical instrument to remove thin slices of skin to complete skin grafts.

(3) Any procedure in which human tissue is cut or altered by any FDA Class 3 or above mechanical or energy devices; and

**Current dermaplane procedures only remove non-living tissue. No mechanical devices are utilized.

(4) UV sterilizers or light boxes are prohibited as infection control devices.

**Each dermaplane blade is one-time use.
L 2 - Glycolic Acid Peels

20:42:04:05.01 Infection control and safety procedures.

Stewart School is requesting a change in the administrative rule as it relates to glycolic acid peels. Angela Taylor and Karma Crane from Stewart School will join the meeting via teleconference to discuss this.

Shown below is the administrative rule and the comments of the school regarding a proposed change to the administrative rule regarding the allowable pH level for a glycolic peel. Please note that the two items in question are (18) (f) and (g) and they are underlined for easy review.

20:42:04:05.01. Infection control and safety procedures. The following procedures must be used for infection control and safety:

... 

(18) Chemical exfoliation in salons or booths must comply with the following practices:
(a) Salons or booths, within the scope of their practice, may use chemicals or products, natural or synthetic, which act on or affect the epidermis layer of the skin;
(b) All exfoliant products or formulations shall be used in accordance with the manufacturer's recommendations;
(c) Cosmetic-use alpha hydroxy acid (AHA glycolic and lactic acids) exfoliation preparations that do not exceed a 35 percent concentration with a pH value not lower than pH 3.0 may be used;
(d) Jessner's solutions of 14 percent salicylic acid, lactic acid, and 2 percent resorcinol may be used;
(e) Trichloroacetic acid (TCA) with levels less than 20 percent may be used;
(f) Twenty percent beta hydroxy acid (BHA) which includes salicylic acid with a pH of 3.0 or higher may be used; and

(g) A licensee may not apply any exfoliating acid to a client's skin that has undergone microdermabrasion within the previous seven days.

 Comments from Karma Crane, esthetics instructor at Stewart School

After researching the pH levels of glycolic acid peels, it states that a pH of at least 2.0 is the most effective for chemical peels. Most home peels have a pH of 2.5. As a professional and providing chemical peel services, a pH of 1.95 to 2.0 would be a safe level for our guidelines for up to 35% glycolic acid. The product stays on for 1 to 3 minutes maximum timing. The options for peels up 35% with a pH of 3 is non-existing. The product that is pharmaceutical grade that I would like to offer is 33% and a pH of 2.48.
L 3 - Microdermabrasion machine requirements.

Stewart School would like to discuss microdermabrasion machine requirements and possible changes to the administrative rule. Shown first is the current administrative rule with (3) underlined for ease of reading. After that are the questions from Stewart School. Angela Taylor and Karma Crane from Stewart School will join the meeting via teleconference to discuss this.

20:42:04:04.02. Microdermabrasion machine requirements. The requirements for a microdermabrasion machine are as follows:
   (1) The machine shall be specifically manufactured and labeled for use in esthetic services;
   (2) The machine may not be modified;
   (3) The machine shall include a closed-loop vacuum system that uses a tissue retention device;
   (4) The machine shall be kept in a clean, disinfected, and safe manner; and
   (5) The machine may only be used in accordance with specific manufacturer directions that do not result in the removal of the epidermis beyond the stratum corneum.

Questions from Angela Taylor & Karma Crane at Stewart School

Matt purchased a new microdermabrasion machine for us. It is a diamond tip machine, not closed loop. Karma (our skin care director) wants to know if the No exfoliation for 7 days prior for South Dakota would still apply? What they show for this machine is that it is used after a facial treatment a vacuum. I believe Karma is wanting to know if it is legal to do or is this still considered an exfoliation treatment.