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

Α.	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	
G.	Disciplinary Actions	Violations Committee
	 Case P-2017 Case R-2017 Case S-2017 Lapsed Case 14-2017 	

H. Cosmetology Inspectors

Lapsed Case 26-2017
 Lapsed Case 27-2017
 Lapsed Case 28-2017

- 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.

Meeting Minutes SOUTH DAKOTA COSMETOLOGY COMMISSION

123 W Missouri Ave, Pierre, South Dakota November 17, 2017 CST

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

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commented that some of the statements that the reporter attributed to her were not things that she actually said.

<u>Case L-2017</u>- 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.

<u>Case Q-2017</u>- 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 abstaing.

<u>Lapsed Case 18-2017</u>- Tammy Ugofsky made a motion to approve Lapse Case 18-2017 Consent Agreement with the following terms:

- a. 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:
 - 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:
 - 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 10days 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.

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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	

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Respectfully submitted,	
Kate Boyd, Executive Director	Crystal Carlson, Secretary-Treasurer

Dec. 17

			AVAILA AS OF:	AVAILABLE FUNDS AS OF: 12/31/2017	MONTHLY		PAGE 1,	1,452
BUDGET UNIT 1033			FY YEAR REMAINING: PAY DAYS REMAINING:	MAINING: 49.9% EMAINING: 12			DATE 12/3	12/30/2017
BUDGET UNIT NAME	COSMETOLOGY COMMISSION	MISSIM						
COMP	ORIGINAL APPROPRIATION	APPROPRIATION TRANSFERS	YEAR-TO-DATE	YEAR-TO-DATE ENCUMBRANCES	YEAR-TO-DATE	AVAILABLE APPROPRIATIONS	CASH ONS BALANCE	G G
6503-I	316,243.00	0.00	0.00	30,071.90	174,695.3	111,475.77	180,789	89.52
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TOTAL BUDGETED:	•							
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5101 EMPLOYEE 5102 EMPLOYEE 5203 TRAVEL	E SALARIES E BENEFITS	142,785.00 49,184.00 40,074.00	000	0.00	14,298.49 3,891.78	87,116.20 23,724.41 23 290 86	55,668.80 25,459.59	39.0 51.8 0
	CONTRACTUAL SVCS SUPPLIES & MATRLS	73,719.00 10,481.00	0.00		7,324.08 1,171.67	33,538.14 7,025.72	10,108.96 3,455.28	13.7 33.0
	TOTALS	316,243.00	0.00	30,071.90	27,949.88	174,695.33	111,475.77	35,3
BREAKOUT BY COMPANY:	YNY:							
COMPANY 6503-I	PROFESSIONAL & I	LICENSING BOARDS						
5101000 EMPLOYEE	SALARIES BENEFITS	142,785.00 49,184.00	0.00		14,298.49	87,116.20 23,724,41	55,668.80 25,459.59	•
		40,074.00	0.00	0.00	1,263.86	23,290.86	16,783.14	
	SUPPLIES & MATRIS	10,481.00	0.00	30,071.90 0.00	7,324.08 1,171.67	33,538.14 7,025.72	10,108.96 3,455.28	33.7
JEUS SE	SUBTOTALS	191,969.00	0.00	0.00	18,190.27	110,840.61	81,128.39	42.3
OE SUBTOTALS	TALS	124,274.00	0.00	30,071.90	9,759.61	63,854.72	30,347.38	24.4
COMPANY 6503-I	6503-I TOT	316,243.00	0.00	30,071.90	27,949.88	174,695.33	(111,475.77)	35.3

STATE OF SOUTH DAKOTA CASH CENTER BALANCES AS OF: 12/31/2017

AGENCY: 10 LÁBOR & REGULÁTION BUDGET UNIT: 1033 COSMETOLOGY COMMISSION

COMPANY CENTER ACCOUNT
6503 103300061806 1140000
COMPANY/SOURCE TOTAL 6503 618

BUDGET UNIT TOTAL 1033

COMP/BUDG UNIT TOTAL 6503 1033

TE BALANCE DR/CR 180,789.52 DR

180,789.52 DR **
180,789.52 DR **
180,789.52 DR **

DR/CR CENTER DESCRIPTION

COSMETOLOGY COMMISSION

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STATE OF SOUTH DAKOTA REVENUE SUMMARY BY BUDGET UNIT FOR PERIOD ENDING: 12/31/2017

* * * * * *	140,493.35	22,275.00			: 1033	B UNIT:
* * *	140,493.35	22,275.00			6503	COMP:
* *	140,493.35	22,275.00		103300061806	103300	CNTR:
*	2,909.35	.00	EVENUE	OTHER REVENUE	49	ACCT:
*	2,909.35	.00	NONOPERATING REVENUE	NONOPERA	4920	ACCT:
	2,909.35	.00	NONOPERATING REVENUES	6503 4920045		103300061806
*	11,639.00	1,560.00	EVENUE	OTHER REVENUE	48	ACCT:
*	11,639.00	1,560.00			4896	ACCT:
	419.00	200.00 •	MISCELLANEOUS INCOME	6503 4896020		103300061806
	9,900.00	1,160.00 •	COSM-NATI EXAM TEST COST	6503 4896007		103300061806
	1,320.00	200.00 •	COS-EDUCATION COURSE COST	6503 4896004		103300061806
*	23,115.00	11,410.00	FINES, FORFEITS & PENALTIES	FINES, F	43	ACCT:
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	900.00	.00	COS-SCHOOL LICENSE	6503 4293973		103300061806
	12,558.00	1,992.00 •	COS-PERMITS	6503 4293972		103300061806
	1,282.00	198.00•	COS-STUDENTS/APPRENTICES	6503 4293971		103300061806
	775.00	155.00 •	COS-INSTRUCTORS LIC	6503 4293970		103300061806
	26,740.00	3,310.00 •	COS-SALONS LICENSE	6503 4293969		103300061806
	56,155.00	米3,090.00	COS-OPERATOR/MANAGER	6503 4293901		103300061806
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			LABOR & REGULATION COSMETOLOGY COMMISSION		10 1033	ACENCY

AGENCY 10 BUD UNIT 1033

LABOR & REGULATION COSMETOLOGY COMMISSION

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AGENCY 10 BUDGET UNIT 1033 CENTER-5 10330

LABOR & REGULATION COSMETOLOGY COMMISSION

STATE OF SOUTH DAKOTA MONTHLY EXPENDITURE REPORT FOR PERIOD ENDING: 12/31/2017

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OPER TRANS OUT -NON BUDGT NONOP EXP/NONBGTD OP TR OPERATING EXPENSES 30 30	OBJSUB: 5205350 POSTAGE OBJECT: 5205 SUPPLIES & MATERIALS 103300061806 5228000 T108-033 12/22/2017 103300061806 5228000 T108-054 12/13/2017 12/13/2017	OBJSUB: 5205310 PRINTING-STATE 103300061806 52053500 CGEX171205 12/06/2017 406503	OBJSUB: 5205020 OFFICE SUPPLIES 6503 103300061806 52053100 CD811037 12/13/2017 91	OBJSUB: 5204960 OTHER CONTRACTUAL SERVICE 3,197.4 OBJECT: 5204 CONTRACTUAL SERVICES 7,324.0 103300061806 52050200 IN1827439 12/06/2017 02229857 INNOVATIVE 12550348 120.5 103300061806 52050200 IN1838157 01/01/2018 02232358 INNOVATIVE 12550348 133.0	CENTER ACCOUNT NUMBER DATE OR PAYMENT # NAME NUMBER GROUP AMOUNT	AGENCY 10 LABOR & REGULATION BUDGET UNIT 1033 COSMETOLOGY COMMISSION CENTER-5 10330 COSMETOLOGY COMMISSION	
0000000	1.40 DR * 71.67 DR * 76.02 DR **	1.40 DR *	253.64 DR 1 916.63 DR	97.47 DR * 24.08 DR ** 20.59 DR 33.05 DR	DR/		

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STATE OF SOUTH DAKOTA MONTHLY OBJECT/SUB-OBJECT REPORT BY BUDGET UNIT FOR PERIOD ENDING: 12/31/2017

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OFFICE SUPPLIES OFFICE SUPPLIES OFFICE SUPPLIES PRINTING-STATE POSTAGE HEATING & COOKING FUELS PROC CARD FURCH-APPROVED	WORKSHOP REGISTRATION FEE COMPUTER SERVICES-STATE BIT DEVELOPMENT COSTS COMPUTER SERVICES-PRIVATE CENTRAL SERVICES JANITORIAL & MAINT SERV RENTS-PRIVATE OWNED PROP- TELECOMMUNICATIONS SRVCS ELECTRICITY GARBAGE & SEWER OTHER CONTRACTUAL SERVICE	AUTO-STATE OWNED-IN STATE AUTO-PRIV (IN-ST.) H/RTE LODGING/IN-STATE TAXABLE MEALS/IN-STATE NON-TAXABLE MEALS/IN-ST AUTO-PRIV. (OUT-STATE) L/R AUTO-PRIV. (OUT-STATE) H/R AUTO-PRIV. (OUT-OF-STATE LODGING/OUT-OF-STATE INCIDENTALS-OUT-OF-STATE NON-TAXABLE MEALS/OUT-ST		OASI-EMPLOYER'S SHARE RETIREMENT-ER SHARE HEALTH/LIFE INSER SHARE WORKER'S COMPENSATION UNEMPLOYMENT COMPENSATION	F-T EMP SAL & WAGES P-T/TEMP EMP SAL & WAGES BOARD & COMM MBRS FEES	NG BOARDS	DESCRIPTION	JATION COMMISSION COMMISSION
7,324.08 .00 .00 916.63 1.40 .00	1,263.86 153.00 .00 .00 .00 .00 2,152.22 5.88 1,041.75 .00 8.62 3,197.47	1,063.86 .00 .00 134.00 .00 .00 .00	3,891.78 18,190.27	14,298.49 1,076.44 547.35 2,237.52 24.09 6.38	7,864.50 6,313.99 120.00		CURRENT MONTH	
33,538.14 709.40 290.52 2,568.14 2,923.21 50.85 483.60	23,290.86 4,799.08 2,051.25 131.10 3,294.18 5,094.18 6,250.50 1,369.11 638.42 9,824.92	11,695.74 2,286.55 1,612.00 1,612.00 1,03.04 2,430.88 2,623.86 306.00 478.00	23,724.41 110,840.61	87,116.20 6,619.02 3,365.36 13,560.63 141.8 37.53	48,172.68 35,223.52 3,720.00		YEAR-TO-DATE	

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STATE OF SOUTH DAKOTA
MONTHLY OBJECT/SUB-OBJECT REPORT BY BUDGET UNIT
FOR PERIOD ENDING: 12/31/2017

CENTER: 10330 B UNIT: 1033	COMP:	ACCT:	ACCT: 10330006:	CENTER	AGENCY BUDGET UNIT CENTER-5
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306	6503 PROFESSIONAL & LICENSING BOARDS	NONOP EXP/NONBGID OF TR OPERATING EXPENSES	SUPPLIES & MATERIALS 5228000	ACCOUNT	LABOR & RECULATION COSMETOLOGY COMMISSION COSMETOLOGY COMMISSION
	G BOARDS	OP TR	ALS OPER TRANS OUT -NON BUDGT	DESCRIPTION	MISSION MISSION
)CT	CURR	
30,252.93 30,252.93	30,252.93	2,303.05 12,062.66	1,171.67 2,303.05	CURRENT MONTH	
180,148.47 180,148.47	180,148.47	5,453.14 69,307.86	7,025.72 5,453.14	Year-to-date	
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ANY 6503-I TOT	OTALS	SUBTOTALS	EMPLOYEE SALARIES EMPLOYEE BENEFITS TRAVEL CONTRACTUAL SVCS SUPPLIES & MATRLS	I PROFESSIONAL &	COMPANY:	TOTALS	EMPLOYEE SALARIES EMPLOYEE BENEFITS TRAVEL CONTRACTUAL SVCS SUPPLIES & MATRIS	OBJECT OF EXPENDITURE	TED:	316,243.00 316,243.00	316,243.00	ORIGINAL APPROPRIATION	NAME COSMETOLOGY CO	1033	
316,243.00	124,274.00	191,969.00	142,785.00 49,184.00 40,074.00 73,719.00 10,481.00	LICENSING BOARDS		316,243.00	142,785.00 49,184.00 40,074.00 73,719.00 10,481.00	AMOUNT BUDGETED		0.00	0.00	APPROPRIATION TRANSFERS	COMMISSION		
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32, 248. 85	32,248.85	0.00	0.00 0.00 0.00 0.00 0.00 0.00			32,248.85	0.00 0.00 0.00 32,248.85 0.00	ENCUMBRANCES YEAR-TO-DATE		32,248.85 32,248.85	32,248.85	YEAR-TO-DATE ENCUMBRANCES		YEAR REMAINING: 58.4%	ABLE FUNDS
29,571.95	9,389.16	20,182.79	16,015.30 4,167.49 4,142.55 4,474.27 772.34			29,571.95	16,015.30 4,167.49 4,142.55 4,474.27 772.34	MONTHLY YEAR-		146,745.45 146,745.45	146,745.45	YEAR-TO-DATE EXPENDITURES			ATHINOW
146,745.45	54,095.11	92,650.34	72,817.71 19,832.63 22,027.00 26,214.06 5,854.05			146,745.45	72,817.71 19,832.63 22,027.00 26,214.06 5,854.05	URES EAR-TO-DATE		5 137,248.70 5 137,248.70	137,248.	AVAILABLE APPROPRIATIONS			
137,248.70. William 143.4 The state of the	37,930.04	99,318.66 🔆 51.7	69,967.29 49.0 29,351.37 59.7 18,047.00 45.0 15,256.09 20.7 4,626.95 44.1	a mangalan palatin an	September 11.	137, 248. 7.0 403. 43. 4	69, 967. 29	BUDGET	Control of the contro	70 - Addition 6	70 18	BA:	e de la companya de l	DATE 12/02/2017	PAGE 1,449

STATE OF SOUTH DAKOTA CASH CENTER BALANCES AS OF: 11/30/2017

AGENCY: 10 LABOR & REGULATION EUDGET UNIT: 1033 COSMETOLOGY COMMISSION

COMPANY 6503 103300061806 1140000 CENTER ACCOUNT

COMPANY/SOURCE TOTAL 6503 618 COMP/BUDG UNIT TOTAL 6503 1033

BUDGET UNIT TOTAL 1033

> BALANCE 188,739.78 DR ** 188,739.78 DR * 188,739.78 DR DR/CR

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STATE OF SOUTH DAKOTA REVENUE SUMMARY BY BUDGET UNIT FOR PERIOD ENDING: 11/30/2017

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103300061806 103300061806 103300061806 103300061806 103300061806 103300061806 103300061806 103300061806 103300061806 CENTER ACENCY 10 BUDGET UNIT 1033 103300061806 103300061806 103300061806 B UNIT: 1033 CNTR: ACCT: COMB: ACCT: ACCT: ACCT: ACCT: ACCT: ACCT: ACCT: COMPANY NAME 4 4920 4896 48 4393 4293 6503 49 42 103300061806 6503 6503 6503 6503 6503 6503 6503 6503 6503 6503 6503 6503 COMP PROFESSIONAL & LICENSING BOARDS LABOR & REGULATION COSMETOLOGY COMMISSION OTHER REVENUE NONOPERATING REVENUE 4920045 OTHER REVENUE 4896020 4896007 4896004 FINES, FORFEITS & PENALTIES 4393903 LICENSES, BUSINESS & OCCUP LICENSING (NON-GOVERNMENTAL) 4293984 4293973 4293972 4293971 4293970 4293969 4293901 PENALTIES (NON-GOVERNMENTAL) ACCOUNT PERMITS & FEES COSM-NATE EXAM TEST COST COS-STUDENTS/APPRENTICES NONOPERATING REVENUES MISCELLANEOUS INCOME COS-RECIPROCITY/CERTIF COS-SCHOOL LICENSE COS-INSTRUCTORS LIC COS-SALONS LICENSE DESCRIPTION COS-EDUCATION COURSE COST COS-PENALTY'S COS-PERMITS COS-OPERATOR/MANAGER CURRENT MONTH 22,313.00 22,313.00 16,713.00 22,313.00 16,713.00 2,370.00 2,370.00 2,320.00 3,230.00 3,230.00 3,230.00 2,070.00 4,475.00 • 9,515.00· 180.00 300.00 95.00 50.00 78.00 • . 00 .00 . 00 . 00 YEAR-TO-DATE 118,218.35 118,218.35 118,218.35 10,079.00 11,705.00 11,705.00 11,705.00 93,525.00 93,525.00 10,566.00 23,430.00 10,079.00 53,065.00 2,909.35 2,909.35 1,120.00 2,909.35 8,740.00 3,860.00 1,084.00 219.00 900.00 620.00 **** *** * *

AGENCY 10 BUD UNIT 1033

LABOR & REGULATION COSMETOLOGY COMMISSION

STATE OF SOUTH DAKOTA MONTHLY REVENUE AND JOURNAL VOUCHER REPORT FOR PERIOD ENDING: 11/30/2017

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STATE OF SOUTH DAKOTA MONTHLY REVENUE AND JOURNAL VOUCHER REPORT FOR PERIOD ENDING: 11/30/2017

TOTAL COMPANY——NET CHANGE		6503 103300061806 82044900 6503 103300061806 82049600 6503 103300061806 82041900	TOTAL ACCOUNT GROUP NET CHANGE	6503 103300061806 52041800 6503 103300061806 52030100 6503 103300061806 52042000 6503 103300061806 52042000 6503 103300061806 52042000 6503 103300061806 52053500 6503 103300061806 52045300 6503 103300061806 52045300	TOTAL ACCOUNT GROUP	6503 10330061806 4896007 6503 103300061806 4896007 6503 103300061806 4896007 6503 103300061806 4896007 6503 103300061806 4896007 6503 103300061806 4896007 6503 103300061806 4896007 6503 103300061806 4896007 6503 103300061806 4896007 6503 103300061806 4896007 6503 103300061806 4896007 6503 103300061806 4896007	COMP CENTER ACCOUNT	BAIE02MJ 12/02/2017 AGENCY 10 LABOR & REGULATION BUD UNIT 1033 COSMETOLOGY COMMISS
		REALES/COSMRNT17 18SC100002 962 18SC100003 260		CD810041 DP810099 MP809054 MP809054 MP809054 MP809054 MP810052 PL809052 PL809052 PL809052 PL809052		C108CC022 C108CC023 C108CC023 C108CC024 C108CC024 C108CC025 R626RC0916 R626RC0916 R626RC0917 R626RC0927 R626RC0927	DOCUMENT ID	MONTHLY RE FOR
		11/28/2017 309289 11/08/2017 18SC100002 11/08/2017 18SC100003		11/17/2017 11/17/2017 11/08/2017 11/08/2017 11/08/2017 11/17/2017 11/17/2017 11/10/2017		11/03/2017 309773 11/10/2017 310276 11/10/2017 310276 11/17/2017 310940 11/17/2017 310940 11/28/2017 311388 11/10/2017 R6RC0916 11/10/2017 R6RC0916 11/10/2017 R6RC0916 11/10/2017 R6RC0927 11/24/2017 R6RC0927 11/24/2017 R6RC0927	POST APPROVAL, DATE VENDOR, OR PO	E OF SOUTH DAKOTA AND JOURNAL VOUCHER D ENDING: 11/30/2017
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23,224.15 CR **	3,172.35 CR *	1,041.75 CR 1,320.00 CR 810.60 CR	2,261.20 DR *	104.73 DR 417.75 DR 81.19 DR 81.19 DR 81.19 CR 616.64 DR 507.85 DR 155.34 DR 377.70 DR	2,370.00 CR *	160.00 CR 50.00 CR 360.00 CR 1,440.00 CR 2200.00 CR 240.00 CR 40.00 DR 40.00 DR 40.00 DR 40.00 DR 40.00 DR 40.00 DR	AMOUNT CR	PAGE
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	OBJSUB: 5203010 AUTO-STATE OWNED-IN STATE 6503 103300061806 52030300 CGEX171103	OBJSUB: 5102090 UNEMPLOYMENT COMPENSATION OBJECT: 5102 EMPLOYEE BENEFITS GROUP: 51 PERSONAL SERVICES 6503 103300061806 52030100 MP809054	OBJSUB: 5102080 WORKER'S COMPENSATION 6503 103300061806 51020900 CGEX171026 6503 103300061806 51020900 CGEX171114	OBJSUB: 5102060 HEALTH/LIFE INSER SHARE 6503 103300061806 51020800 CGEX171026 6503 103300061806 51020800 CGEX171114	OBJSUB: 5102020 RETIREMENT-ER SHARE 6503 103300061806 51020600 CGEX171026 6503 103300061806 51020600 CGEX171114	OBJSUB: 5102010 OASI-EMPLOYER'S SHARE 6503 103300061806 51020200 CGEX171026 6503 103300061806 51020200 CGEX171114	103300061806 51020100 103300061806 51020100 103300061806 51020100	OBJSUB: 5101030 BOARD & COMM MERS FEES OBJECT: 5101 EMPLOYEE SALARIES 6503 103300061806 51020100 CGEX17103 6503 103300061806 51020100 CGEX171103 6503 103300061806 51020100 CGEX171103 6503 103300061806 51020100 CGEX171103	OBJSUB: 5101020 P-T/TEMP EMP SAL & WAGES 6503 103300061806 51010300 CGEX171026 6503 103300061806 51010300 CGEX171114	OBJSUB: 5101010 F-T EMP SAL & WAGES 6503 103300061806 51010200 CGEX171026 6503 103300061806 51010200 CGEX171114	6503 103300061806 51010100	COMPANY NAME PROFESSIONAL & LICENSING BOARDS	COMP CENTER ACCOUNT DOCUMENT	ACENCY 10 LABOR & REGULATION BUDGET UNIT 1033 COSMETOLOGY COMMISSION CENTER-5 10330 COSMETOLOGY COMMISSION	BA0205A5 12/02/2017 STATE MONTHLY FOR PERIOD	
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・ The Market Market American	81.19 DR *	6.96 DR * 4,167.49 DR ** 20,182.79 DR *** 81.19 DR	26.33 made: * 26.33 made: * 3.70 made: * 3.26 made: DR	2,299.13;4,5DR * 13.93;4,5DR 12.40;4,5DR	610.66 table # 1,165.27 table # 1,165.27 table DR # 1,133.86 table DR	1,224.41.43DR * 306.75.43DR 303.91.43DR	573.68 and by 4.50 and by 4.50 and by 4.21 and by 8.2.52 and by 8.2.52 and by 9.2.52 a	600.00DR * 16,015.30DR ** 627.73DR ** 627.73DR 2.52DR 2.52DR 2.52DR 1.69DR	6,735.90.DR * 180.00.DR 420.00.DR	8,679.40 DR * 3,874.00 DR 2,861.90 DR	4,311.23.44DR 4,368.17.465DR	To the state of th	AMOUNT THE BOTTO	Control of the contro	PAGE	The state of the s

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STATE OF SOUTH DAKOTA MONTHLY EXPENDITURE REPORT FOR PERIOD ENDING: 11/30/2017

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STATE OF SOUTH DAKOTA MONTHLY OBJECT/SUB-OBJECT REPORT BY BUDGET UNIT FOR PERIOD ENDING: 11/30/2017

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SOUTH DAKOTA COSMETOLOGY COMMISSION EXECUTIVE DIRECTOR'S REPORT

February 9, 2018

- 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

520 West 10^{th} Street, Sioux Falls, SD 57104 • p (605) 332-8500 • f (605) 335-8585 • lamfersmaas.com

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

Lampors + Man, LLP

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.

Stewart School License Renewal - Agenda Item K-1
roffice use only: License number: For office use only: Date processed: Date expires: Cosmetology Commission 500 E Capitol Ave SOUTH DAKOTA COSMETOLOGY COMMISSION Pierre SD 57501 SCHOOL LICENSE RENEWAL FORM 605/773-6193 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 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: **YES** □NO Cosmetology Number of clock hours 2100 Nail Technology XYES NO Number of clock hours 400 Esthetics X YES NO Number of clock hours 600 Are the courses in clock or credit hours? CLOCK 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 Eshtetics: 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. Owner Name Owner Residence Address/City/State/Zip Telephone Number Matthew Fiegen 18518 Raylyn Rd. Durango, Iowa 52039 563-588-2379 ext. 308 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 faction thereof. IF THIS LIST CHANGES, THE SCHOOL NEEDS TO SUBMIT

School Renewal Form 12/2013

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 Owner or School Director Signed:

7_Dated: 18/18

Dated:

Notary

Subscribed and sworn to before me this

SEAL

My Commission expires:

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.

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.

Attachment 4

Instructors:

Name	Instructor License	Cosmetology License	Expiration Date
Lyndsey Braunesriether	IC-09333-2018	CO-07746-2018	4/25/2018
Karma Crane	IC-07967-2018	CO-06471-2018	8/23/2018
Caitlin Hoogland	IC-09910-2019	CO-08460-2019	1/6/2019
Madaline Knutson	IC-09595-2019	CO-09591-2019	12/31/2019
Angi Marso	IC-07968-2018	CO-05937-2018	7/17/2018
Arielle Miller	IC-13404-2018	CO-11782-2018	12/03/2018
Angela Taylor	IC-07167-2019	CO-04735-2019	2/15/2019
Katie VanBallegooyen	IC-11551-2018	CO-09161-2018	8/29/2018
Samantha Kastengren	JC-13771-2018	CO-10626-2018	07/08/2018

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.

 $\begin{array}{lll} \mbox{Monday} & 8:30 \mbox{ am} - 4:00 \mbox{ pm} \\ \mbox{Uuesday} & 8:00 \mbox{ am} - 8:00 \mbox{ pm} \\ \mbox{Wednesday} & 8:00 \mbox{ am} - 4:30 \mbox{ pm} \\ \mbox{Thursday} & 8:00 \mbox{ am} - 8:00 \mbox{ pm} \\ \mbox{Friday} & 8:00 \mbox{ am} - 4:30 \mbox{ pm} \\ \mbox{Saturday} & 9:00 \mbox{ am} - 3:00 \mbox{ pm} \end{array}$

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 4^{th} 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.

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 7^{th} , 2018 or Minneapolis, MN October 29^{th} May 7^{th} , 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.

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.

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/

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.

Dermaplane Procedure/ Administrative Rule

Agenda Item L. 1

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. Dermaplaning 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.

Dermaplaning 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 dermaplaning 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

Please note bolded words are current administrative rule. Plain text are Ms. Landsman's comments

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. 20:42:04:04.02. Microdermabrasion machine requirements.

Stewart School would like to discuss midrodermabrasion 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.