

SOUTH DAKOTA COSMETOLOGY COMMISSION
Minutes
January 12-13, 2009

The regular meeting of the Cosmetology Commission was called to order by Vice-President Nora Slykhuis on Monday, January 12, 2009 at 4:32 p.m. in the Cosmetology office, Pierre, South Dakota.

Roll call was taken by Secretary/Treasurer Lois Porch, with the following members present: Pat Clark, Ila Davis, Lois Porch, and Nora Slykhuis. Absent: Jackie Dahlquist. Staff present: Susan Monge, Executive Director.

Minutes

A MOTION WAS MADE by Pat Clark, seconded by Ila Davis, to accept the minutes of November 17, 2008. The motion passed.

Treasurer's Report

Lois Porch reported that as of 12/31/2008 the available budget was \$104,718.43, and the cash center balance was \$74,007.49.

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

Executive Director's Report

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

Though the Commission understands the need to cut out-of-state travel due to the economic crisis, the Commission felt very strongly that we request permission for Dahlquist to attend the NIC national conference in September 2009. Dahlquist will be up for election as NIC president, and she needs to be present. This position is important since it will give us strong representation regarding the national testing that we use at our State Boards.

The October 19-20 testing dates were changed to October 5-7. The testing date on September 1 will be moved to October. The Instructor's seminar will be dropped for 2009, and the instructors directed to complete the required continuing education through an online course.

Disciplinary Actions

Monge explained that we had been contacted by a person who had a felony record, but wanted to attend beauty school. Under SDCL 36-15-56(9) the commission has the right to deny a license due to a felony. The facts of the case and a letter by the person were reviewed.

A MOTION WAS MADE by Lois Porch, seconded by Ila Davis, to approve a student license. The motion passed.

Case E-2008. Monge explained that Case E-2008 has been investigated, and the investigating committee is recommending that the case be dismissed due to insufficient evidence that the person is practicing hair services for payment.

A MOTION WAS MADE by Lois Porch, seconded by Ila Davis, to dismiss Case E-2008. A voice vote was taken: Clark-yes, Dahlquist-absent, Davis-yes, Porch, yes, Slykhuis, abstain since she was part of the Investigating Committee. The motion passed by a majority.

Case F-2008. Monge explained that Case F-2008 has been investigated, and the investigating committee is recommending that the case be dismissed since the complaint has been corrected through education by the director and inspector.

A MOTION WAS MADE by Ila Davis, seconded by Pat Clark, to dismiss Case F-2008. A voice vote was taken: Clark-yes, Dahlquist-absent, Davis-yes, Porch, yes, Slykhuis, abstain since she was part of the Investigating Committee. The motion passed by a majority.

Committee Reports

There were no committee reports. There are no plans for the committees to meet in the future.

Old Business

Proposed Law Changes for Schools and Branch

Our proposed law changes have been submitted as HB1056.

Proposed State Laws Testing and SMT

Monge reported that she has been in contact with NIC and Schroder Measurement Technologies (SMT). SMT stated that there was no cost for the first twenty-five state law questions. There would be a cost for twenty-five or more questions. SMT did not have a cost total at this time.

Monge asked if the Commission would consider only twenty-five questions for the test or wanted fifty questions as is currently required.

After a discussion the Commission decided to identify the twenty-five most important questions on the test and see if those questions would suffice for the state laws test. This would be discussed at the next meeting.

Proposed Mileage Cut-Back

This was moved from Other Business on the agenda. In a directive from the Governor, all departments and boards needed to design a plan to cut-back at least 10% of their travel due to the economic crisis that the state currently faces. The proposed cut-backs needed to be submitted to the Department of Labor by January 9th. Monge and Dahlquist drafted the report that was submitted. The report was emailed to the Commission for review.

The Commission reviewed the report. It was stated that we do have the fees to pay our travel so that we may complete State Board testing and salon inspections, but we will cut 10% from our travel. It is difficult to identify an exact numbers of miles to be cut.

Adjournment until Tuesday, January 13, 2009

A MOTION WAS MADE by Ila Davis, seconded by Lois Porch, to adjourn the meeting until 8:00 a.m. on Tuesday, January 13, 2009. The motion passed.

Called to Order

Vice-President Slykhuis called the meeting to order at 8:00 a.m. on Tuesday, January 13, 2009.

Desaree & Company School of Beauty - New School Application

Dahlquist and Slykhuis did an onsite review in December. They requested that Desaree Crouch, the school owner, submit a revision of the curriculum plan and also a projects sheet for the clinic floor. Both Dahlquist and Slykhuis had concerns over the plan and sheet so Dahlquist discussed the matter at length with Crouch. Another revision was submitted just before the Monday meeting. Dahlquist and Slykhuis reviewed the plan and sheet, but felt it was still incomplete and incorrect so could not recommend the application be approved at the meeting.

The Commission studied and discussed the proposed plan and sheet, but still had numerous questions and felt the curriculum was incomplete, confusing, too much was being taught at the beginning, and poorly organized. They felt that Crouch needed to find someone that would advise her on curriculum planning. Crouch was not present at the meeting.

Monge was directed to email Crouch and request that she meet with either Slykhuis or Dahlquist to review the concerns of the commission regarding her curriculum plan so that it encompasses the 2100 education hours in the eleven curriculum areas that are set out by the South Dakota laws and rules.

A MOTION WAS MADE by Loris Porch, seconded by Ila Davis, to place the school application on hold and request that Crouch address the commission's concerns regarding the curriculum plan and practical and clinic floor project sheets. The motion passed.

New Business

Stewart Branch School Closing

Monge informed that Commission that this would be discussed at the March meeting.

NIC Esthetic Practical Examination Changes

NIC has updated and changed the esthetics practical examination. The changes are: cleaning and steaming together in a section; crock pots no longer required; candidates required to bring wet rolled towels and a thermos of hot water; and the upper lip waxing section an optional hot wax area. The Commission needs to decide if they wish to test on the optional upper lip hot waxing.

A MOTION WAS MADE by Lois Porch, seconded by Ila Davis, to not test the upper lip hot waxing section. The motion passed.

State Laws – Reader Statement and Security Statement

The reader statement was changed by one word and then approved. The security statement was approved.

Protection Class Presentation 2009

Monge stated that the Protection Class would not be presented in any areas due to the mileage cutback. The Protection Class has been posted on our website at cosmetology.sd.us. Licensees would be directed to the website to review the class online.

Proposed 2009 Rules Update

Monge stated that she was working on the draft revision of the rules. The revised rules for schools would be done first if the proposed legislation passes. Revised rules for safety and sanitation would be done

EXECUTIVE DIRECTOR'S REPORT – January 12, 2009 - ATTACHMENT #1

1. The January agenda with various attachments was posted on the website. Interested parties were emailed that they could access meeting information from our website. Meeting information would no longer be mailed out.
2. The additional testing date for esthetics and nails was held on Thursday, December 18, 2008.
3. The inspections for 2008 were completed on December 19, 2008. Enclosed is a report that shows the number of salons inspected. The hand-printed number is the number of salons on their list as of January 2008. The inspections start after Monday, January 26, 2009. The inspectors will meet on that Monday.
4. I am still doing research on accepting credit and debit cards.
5. Our space contract will be up for renewal in 2009. Are there any changes the Commission wants to the space?
6. The survey regarding continuing education is now being sent out with the 2009 renewals. We have received a few surveys back.
7. Governor Rounds has frozen all executive branch out-of-state travel.
8. Monge has been appointed to the NIC Board Administrators education committee for the September 2009 conference.
9. I am requesting a change in State Board testing dates from November 9-10 to November 16-17. The turn-around time from the October to November State boards is too short, and the extra week is needed for staff to process the various paperwork.