

# **SOUTH DAKOTA COSMETOLOGY COMMISSION MEETING MINUTES**

**May 3 & 4, 2012**

## **Call Meeting to Order - Thursday, May 3, 2012**

The regular meeting of the Cosmetology Commission was called to order by President Nora Slykhuis on Thursday, May 3, 2012 at 2:00 p.m. at Lake Area Technical Institute located at 230 11th Street NE, Watertown, South Dakota.

### **A. Roll Call**

Attendance was taken by Secretary Treasurer Pat Clark, with the following members present: Lori Berreth, Pat Clark, Kory McKay, Lois Porch, and Nora Slykhuis. Staff present: Executive Director Kate Boyd and Secretary Beth Marnell. Lori Berreth was welcomed as a newly appointed public member of the Commission, replacing Ila Davis, whose term ended on April 14, 2012.

### **B. • Tour LATI Cosmetology Classrooms & Observe Students**

The Commission toured the classroom and clinic floor of the cosmetology program at LATI.

#### **• Meet with LATI School Representatives**

Following the school tour, the Commission met with cosmetology program representatives Angela Larson and Shawn Lohr. There was discussion about the practical examination process and expectations of the Commission with regard to certain exam procedures.

### **Recess for the Day**

IT WAS MOVED BY LOIS PORCH, SECONDED BY PAT CLARK, TO RECESS THE MEETING UNTIL 9:00 AM, FRIDAY MAY 4, 2012 AND TO RECONVENE AT THAT TIME AT STEWART SCHOOL IN SIOUX FALLS. THE MOTION PREVAILED ON A VOICE VOTE. The meeting was recessed at 3:30 p.m.

### **Reconvene - Friday, May 4, 2012**

The meeting was called back to order by President Nora Slykhuis on Friday, May 4, 2012 at 9:00 a.m. at Stewart School located at 604 N West Avenue, Sioux Falls, South Dakota.

### **C. Roll Call**

Attendance was taken by Secretary Treasurer Pat Clark, with the following members present: Lori Berreth, Pat Clark, Kory McKay, Lois Porch, and Nora Slykhuis. Staff present: Executive Director Kate Boyd and Secretary Beth Marnell.

### **D. • Tour Stewart School Classrooms & Observe Students**

The Commission toured the classroom and clinic floor of the cosmetology program at Stewart School.

#### **• Meet with Stewart School Representatives**

Following the school tour, the Commission met with Stewart school representatives Angela Taylor, Penny Thompson Jean Ann Hentges, and Molly Sterk. There was discussion about the

practical examination process and expectations of the Commission with regard to certain exam procedures.

**Recess**

IT WAS MOVED BY LOIS PORCH, SECONDED BY KORY MCKAY, TO RECESS THE MEETING UNTIL 10:45 AM, AND TO RECONVENE AT BLACK HILLS BEAUTY COLLEGE-SIOUX FALLS. THE MOTION PREVAILED ON A VOICE VOTE. The meeting was recessed at 10:30 a.m.

**Reconvene - Friday, May 4, 2012**

The meeting was called back to order by President Nora Slykhuis at 10:53 a.m. at Black Hills Beauty College located at 3501 S Kelley Avenue, Sioux Falls, South Dakota.

**E. Roll Call**

Attendance was taken by Secretary Treasurer Pat Clark, with the following members present: Lori Berreth, Pat Clark, Kory McKay, Lois Porch, and Nora Slykhuis. Staff present: Executive Director Kate Boyd and Secretary Beth Marnell.

**F. • Tour Black Hills Beauty College-Sioux Falls Classrooms & Observe Students**

The Commission toured the classroom and clinic floor of the cosmetology program at Black Hills Beauty College-Sioux Falls.

**• Meet with Black Hills Beauty College-Sioux Falls Representatives**

Following the school tour, the Commission met with Black Hills Beauty College-Sioux Falls School Director Monica Engeltjes. There was discussion about the practical examination process and expectations of the Commission with regard to certain exam procedures.

**Recess**

IT WAS MOVED BY LORI BERRETH, SECONDED BY PAT CLARK, TO RECESS THE MEETING UNTIL 2:00 PM, AND TO RECONVENE AT THE OFFICE OF THE DEPARTMENT OF LABOR AND REGULATION, SIOUX FALLS. THE MOTION PREVAILED ON A VOICE VOTE. The meeting was recessed at 12:00 Noon.

**Reconvene - Friday May 4, 2012**

The meeting was called back to order by President Nora Slykhuis at 2:10 p.m. at the Department of Labor and Regulation office located at 811 E 10th Street, Sioux Falls, South Dakota.

**1. Roll Call**

Attendance was taken by Secretary Treasurer Pat Clark, with the following members present: Lori Berreth, Pat Clark, Kory McKay, Lois Porch, and Nora Slykhuis. Staff present: Executive Director Kate Boyd and Secretary Beth Marnell. Present for a portion of the meeting were Bang T Tran, Linda Tran. Department of Labor and Regulation attorney Aaron Arnold was present via telephone for the disciplinary action portion of the meeting.

## **2. Minutes of January 10, 2012 Regular Meeting and February 10, 2012 and March 8, 2012 Special Meetings**

### **January 10, 2012 Meeting**

IT WAS MOVED BY PAT CLARK, SECONDED BY KORY MCKAY, TO APPROVE THE MINUTES OF THE JANUARY 10, 2012 MEETING AS WRITTEN. THE MOTION PREVAILED ON A VOICE VOTE.

### **February 10, 2012 Meeting**

IT WAS MOVED BY LOIS PORCH, SECONDED BY PAT CLARK, TO APPROVE THE MINUTES OF THE FEBRUARY 10, 2012 MEETING AS WRITTEN. THE MOTION PREVAILED ON A VOICE VOTE.

### **March 8, 2012 Meeting**

Pat Clark pointed out a typographical error in the spelling of Lois Porch's name. IT WAS MOVED BY KORY MCKAY, SECONDED BY LOIS PORCH, TO APPROVE THE MINUTES OF THE MARCH 8, 2012 MEETING AS CORRECTED. THE MOTION PREVAILED ON A VOICE VOTE.

## **3. Treasurer's Report**

Secretary-Treasurer Pat Clark reported that as of April 30, 2012, the available budget was \$53,398.19, and the cash center balance was \$282,782.13.

IT WAS MOVED BY LOIS PORCH, SECONDED BY KORY MCKAY, TO APPROVE THE TREASURER'S REPORT AS PRESENTED. THE MOTION PREVAILED ON A VOICE VOTE.

## **4. Executive Director's Report**

The Executive Director's Report had previously been mailed to Commission members and is attached to these Minutes as Attachment 1. The report included: (1) notice of the appointment of public member of the commission Lori Berreth, effective April 15, 2012; (2) copies of the 2012 revised exam calendar, updated contact information for Commission member and staff, and updated 2012 Newsletter; (3) report that the computer programming necessary to allow on-line license renewals is expected to begin in July, 2012; (4) update that things have been going well with the administration of State Board exams in Watertown, Rapid City, and Sioux Falls; and (5) Schroeder Measurement Technologies is finalizing some technical computer information in order for us to offer computer-based testing, which will initially be done with retake exams in the Pierre office.

## **5. Disciplinary Actions**

Bang T Tran and his daughter Linda Tran joined the meeting at this time. Department of Labor and Regulation attorney Aaron Arnold joined the meeting via telephone. Mr. Tran requested that the Commission approve his reciprocity application. Mr. Tran had been found to be working without a South Dakota nail technician license at Regal Nails in Rapid City on two separate occasions in October and November, 2011. Mr. Tran acknowledged he had worked without a license, apologized for working without a license and pledged to follow South Dakota

cosmetology laws in the future. He added that he has a family to support and really needs to be able to work as a nail technician.

IT WAS MOVED BY PAT CLARK, SECONDED BY LOIS PORCH, TO GO INTO EXECUTIVE SESSION TO DELIBERATE BANG T TRAN'S RECIPROCITY APPLICATION REQUEST. THE MOTION PREVAILED ON A VOICE VOTE.

Bang Tran, Linda Tran, and staff members Kate Boyd and Beth Marnell left the meeting room during the Executive Session.

IT WAS MOVED BY KORY MCKAY, SECONDED BY LOIS PORCH, TO COME OUT OF EXECUTIVE SESSION. THE MOTION PREVAILED ON A VOICE VOTE.

Bang Tran, Linda Tran, and staff members Kate Boyd and Beth Marnell rejoined the meeting.

IT WAS MOVED BY LOIS PORCH, SECONDED BY PAT CLARK, TO DENY BANG T TRAN'S RECIPROCITY APPLICATION. THE MOTION PREVAILED ON A ROLL CALL VOTE WITH PAT CLARK, KORY MCKAY, LOIS PORCH AND NORA SLYKHUIS VOTING AYE AND LORI BERRETH VOTING NAY.

## **NEW BUSINESS**

### **6. Cosmetology School License Renewal Requests**

The Commission had previously been mailed copies of two school license renewal applications for their review prior to the meeting.

- **Black Hills Beauty College-Sioux Falls**

IT WAS MOVED BY LOIS PORCH, SECONDED BY KORY MCKAY, TO APPROVE THE SCHOOL LICENSE RENEWAL APPLICATION FROM BLACK HILLS BEAUTY COLLEGE-SIOUX FALLS. THE MOTION PREVAILED ON A VOICE VOTE.

- **Stewart School**

IT WAS MOVED BY PAT CLARK, SECONDED BY LOIS PORCH, TO APPROVE THE SCHOOL LICENSE RENEWAL APPLICATION FROM STEWART SCHOOL. THE MOTION PREVAILED ON A VOICE VOTE.

### **7. Provider Applications**

The Commission had been mailed copies of an application to be a provider of 16-hours of microdermabrasion training and an application to be a provider of 8-hours of electric file education for their review prior to the meeting. Both applicants had previously been approved as providers for the year 2011.

- **Ramona Reicherts - Microdermabrasion Provider Application**

IT WAS MOVED BY PAT CLARK, SECONDED BY KORY MCKAY, TO APPROVE THE MICRODERMABRASION 16-HOUR TRAINING PROVIDER APPLICATION FROM RAMONA REICHERTS. THE MOTION PREVAILED ON A VOICE VOTE.

● **Iowa School of Beauty - Electric File Provider Application**

IT WAS MOVED BY KORY MCKAY, SECONDED BY LORI BERRETH TO APPROVE THE ELECTRIC FILE 8-HOUR EDUCATION PROVIDER APPLICATION FROM IOWA SCHOOL OF BEAUTY. THE MOTION PREVAILED ON A VOICE VOTE.

**8. Iowa School of Beauty - Request for Approval to Send Nail Technician Education Records Directly to the South Dakota Cosmetology Commission**

Iowa School of Beauty had submitted a letter requesting that the South Dakota Cosmetology Commission accept nail technician education of 400 hours directly from the school to our Commission. The reason for the request was stated as follows: No cosmetology school in eastern South Dakota has a separate nail technician program. The only current nail technician programs in South Dakota are located in Rapid City and Sturgis. Individuals from eastern and southeastern South Dakota attend Iowa School of Beauty for their nail program and usually only want to be licensed in South Dakota. The State of Iowa only requires 325 hours of education for nail technicians and the Iowa Board of Cosmetology will only certify the number of hours their state requires.

IT WAS MOVED BY PAT CLARK, SECONDED BY KORY MCKAY, TO ADOPT A POLICY TO ACCEPT NAIL TECHNICIAN STUDENT EDUCATION RECORDS OF 400 HOURS DIRECTLY FROM IOWA SCHOOL OF BEAUTY. THE MOTION PREVAILED ON A VOICE VOTE.

**9. Tonya Beynon - Request for Approval of Independent Study Program for Senior Instructor License** - No action as the Commission needs further information from her.

**10. Stewart School - Request for Approval of Instructor 12-Hour Continuing Education Plan for 2012**

Stewart School sent in a request for approval of their proposed instructor 12-hour continuing education plan for 2012.

IT WAS MOVED BY LOIS PORCH, SECONDED BY PAT CLARK, TO APPROVE THE STEWART SCHOOL PROPOSED 12-HOUR INSTRUCTOR CONTINUING EDUCATION PLAN FOR 2012. THE MOTION PREVAILED ON A VOICE VOTE.

**11. Tham Le - Request for Commission to Accept a Portion of California Esthetics Education Hours**

Tham Le sent in a request for the Commission to accept a portion of her California esthetics education hours toward her South Dakota esthetics license. The education was earned from 10-1-06 - 4/19/07. Tham Le did not get licensed as an esthetician in California. It was noted that the Commission currently has a policy in place for students who have a lapse in their education to accept the following -- 0-3 years 100%; 3-7 years 50%; over 7 years 0%. IT WAS MOVED BY LORI BERRETH, SECONDED BY LOIS PORCH, TO FOLLOW THE POLICY FOR LAPSED STUDENTS. BASED ON THAT POLICY, THAM LE WOULD RECEIVE A MAXIMUM OF 300

HOURS OF HER CALIFORNIA ESTHETICS EDUCATION AND WOULD NEED TO COMPLETE 300 HOURS OF ESTHETICS EDUCATION AT A SOUTH DAKOTA COSMETOLOGY SCHOOL. THE MOTION PREVAILED ON A VOICE VOTE.

**12. NIC Conference-August 25-27, 2012 & Board Administrators Meeting-August 23-24, 2012**

There was discussion about attendance at the upcoming NIC Conference August 25-27, 2012 and the Board Administrators Meeting preceding the conference August 23-24, 2012. It was noted that Pat Clark and Kory McKay attended the All Region Meeting in February, 2012 and Nora Slykhuis and Lois Porch attended the 2011 NIC Conference last August. The consensus of the group was to submit out-of-state travel requests for Commission members Nora Slykhuis and Lori Berreth to attend the 2012 NIC Conference in Salt Lake City and for Executive Director Kate Boyd to attend the 2012 Conference and Board Administrators Meeting.

**13. Upcoming Meeting Dates**

The Commission was reminded about the following upcoming meeting dates:

June 9, 2012 State Board Exams - Watertown

Inspector Annual Meeting - July 14 (4:00-6:00 pm) - Commission Office in Pierre

NIC Examiner Training - July 15, 2012 (8:00 am - 5:00 pm) - Commission Office in Pierre

Cosmetology State Board Exams - July 16, 2012 (8:00 am - 4:30 pm) - Commission Office in Pierre

Commission Meeting - July 16, 2012 (4:30 pm - 7:00 pm) - Commission Office in Pierre

Esthetics & Nail Technician State Board Exams - July 17, 2012 (8:00 am - 4:30 pm) -

Commission Office in Pierre

Due to the unusually large number of esthetics candidates, it was agreed to add in a testing date for esthetics and nail technicians on Friday, June 8, 2012 in Pierre.

**Adjournment**

IT WAS MOVED BY LOIS PORCH, SECONDED BY KORY MCKAY, TO ADJOURN. THE MOTION PREVAILED ON A VOICE VOTE.

The meeting adjourned at 4:45 p.m.

Respectfully submitted by:

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Kate Boyd, Recording Secretary

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and Pat Clark, Secretary-Treasurer

## **ATTACHMENT 1**

### **Executive Director's Report - May 4, 2012**

- 1. New Commission Member** - We are pleased to welcome our newly appoint public member of the Commission, Lori Berreth. Lori's appointment became effective April 15, 2012. Lori replaces long-time Commission member Ila Davis.
  
- 2. 2012 Revised Exam Calendar, Updated Commission & Staff Contact Sheet, and Updated 2012 Newsletter** - Enclosed with the Commission packets are the following:
  - 2012 Revised Exam Calendar
  - Updated Contact Sheet for Commission Members and Staff
  - Updated 2012 Newsletter
  
- 3. On-line License Renewals** - I have been advised by Todd Kolden that computer programming will begin in July of this year. That will allow our licensees to renew their licenses on-line through the use of credit or debit cards.
  
- 4. State Board Exams Around the State** - We have held State Board exams in Watertown Feb 11, Sioux Falls March 9 & 10, Rapid City April 20 & 21, and are back in Sioux Falls for exams tomorrow. Things appear to be going well and we have had good feedback from candidates and the schools around the state.
  
- 5. Computer-Based Testing (CBT)** - Schroeder Measurement Technologies is completing some computer items that need to be in place for use to offer computer-based testing. We plan to first try this out with candidates who come to our office in Pierre for retake exams. After Beth and I become familiar and comfortable with CBT, we will report back to the Commission with the hope that we can implement CBT for the written exams at regular State Board examinations.