

SOUTH DAKOTA COSMETOLOGY COMMISSION MEETING MINUTES

July 14, 2010

1. Call Meeting to Order

The regular meeting of the Cosmetology Commission was called to order by Vice President Nora Slykhuis on Wednesday, July 14, 2010 at 8:00 a.m. in the Cosmetology Commission Office, Pierre, South Dakota.

2. Roll Call & Welcome New Commission Member

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

3. Minutes of May 3, 2010 Regular Meeting and June 28-29, 2010 Special Meeting

IT WAS MOVED BY PAT CLARK, SECONDED BY KORY MCKAY, TO APPROVE THE MINUTES OF THE MAY 3, 2010 MEETING AS PRESENTED. THE MOTION PREVAILED ON A VOICE VOTE.

IT WAS MOVED BY ILA DAVIS, SECONDED BY PAT CLARK, TO APPROVE THE MINUTES OF THE JUNE 28-29, 2010 SPECIAL MEETING AS PRESENTED. THE MOTION PREVAILED ON A VOICE VOTE.

4. Treasurer's Report

Lois Porch reported that as of June 20, 2010 the available budget was \$8,031.08, and the cash center balance was \$133,666.98.

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

5. Executive Director's Report

The Executive Director's written report is incorporated as Attachment 1. The report included an update on two new inspectors for the western and central areas of the State. The report also included information on two e-mail requests, and the response given, regarding alternative salons in South Dakota.

6. Disciplinary Actions –

It was noted that we have a violations hearing scheduled for 1:00 p.m., September 15, at the Kneip Building in Pierre. Pat Clark stated that she will be traveling out of the country at that time, so will be unable to attend.

7. OLD BUSINESS

7.a. Apprenticeship Discontinuing

The Commission was reminded that they had approved an apprenticeship that began March 15, 2010 in Spearfish at Just Be Cuts Salon, with Tammie Wood as the apprentice salon owner and senior instructor and Brooke Kahl as the apprentice. Apprenticeships are initially approved for a

three-month probationary period. At the end of the probationary period, the Commission takes action to reaffirm the continuation of the apprenticeship, or to end the apprenticeship.

Brooke and Tamra Kahl of Spearfish, South Dakota, were present and asked to address the Commission on this issue. Brooke stated that she is extremely interested in continuing her cosmetology apprenticeship and requested that the Commission allow the apprentice salon license to be transferred to a new salon location, since effective July 1, 2010 Tammie Wood has sold her salon located at 118 E. Hudson Street, Spearfish. Ms. Wood will maintain her salon located at 1020 10th Street, Spearfish.

Discussion followed in which it was noted that Ms. Wood has indicated to the Commission's Executive Director that she will not be working full-time at her salon on 10th Street, due to some health issues. Commission Vice President Nora Slykhuis also pointed out that (1) Ms. Wood would need to apply for a new apprentice salon license, including paying the license fee; and (2) Ms. Wood would need to complete the 12-hours of instructor continuing education and renew her senior instructor license by July 24, 2010. Ms. Wood has indicated that she does not plan to apply for a new apprentice salon license or complete the continuing education required to renew her senior instructor license.

IT WAS MOVED BY ILA DAVIS, SECONDED BY LOIS PORCH TO FORMALLY DISCONTINUE THE APPRENTICESHIP OF BOOKE KAHL AT JUST BE CUTS APPRENTICE SALON, LOCATED AT 118 E. HUDSON STREET IN SPEARFISH, SOUTH DAKOTA. THE MOTION PREVAILED UNANIMOUSLY ON A VOICE VOTE.

7.b. Recap of School Visits

A brief discussion was held about the special Commission meetings held at Lake Area Technical Institute, Black Hills Beauty College-Sioux Falls, and Stewart School June 28 & 29, 2010. The Commission will hold a special meeting at Black Hills Beauty College-Rapid City, Headlines Academy, and Desaree & Company School of Beauty on October 29, 2010. It was suggested and agreed that the office secretary Holly Love should attend the October 29 meeting so that she can meet school officials.

8. NEW BUSINESS

8.a. State Laws Exam – Including With NIC Theory Exam

Commission members and office staff each reviewed the South Dakota Laws & Rules exam to independently identify the 25 questions that each individual felt were the most important to maintain for our State Board laws test. This was done for the purpose of moving toward including our State Laws/Rules exam with the NIC theory exam during State Board exams. The results will be presented to the Commission at the September meeting.

8.b. Black Hills Beauty College-Rapid City – Request for Instructor Continuing Education Class Approval

The Commission reviewed the request from Black Hills Beauty College for approval of their instructor continuing education class proposed to be held September 26-27, 2010 in Sioux

Falls. IT WAS MOVED BY KORY MCKAY, SECONDED BY PAT CLARK, TO APPROVE THE INSTRUCTOR CONTINUING EDUCATION PLAN SUBMITTED BY BLACK HILLS BEAUTY COLLEGE, WITH THE STIPULATION THAT THE SCHOOL BY AUGUST 15, 2010 SEND THE COMMISSION OFFICE THEIR LESSON PLAN THAT SHOWS HOW THE INFORMATION THE INSTRUCTORS LEARN WILL BE TAUGHT TO THE STUDENTS, AND AT WHAT POINT IN THE CURRICULUM WILL THESE LESSONS BE TAUGHT. THE COMMISSION'S EDUCATION COMMITTEE WILL REVIEW THE REQUESTED INFORMATION AND, IF SATISFIED THAT IT MEETS THE COMMISSION'S CONTINUING EDUCATION INTENT, GIVE FINAL APPROVAL OF THE SCHOOL'S CONTINUING EDUCATION APPROVAL REQUEST. THE MOTION PREVAILED ON A VOICE VOTE.

8.c. Headlines Academy, Inc. – Application for Renewal in New Location

Headlines Academy, Inc. sent in a school license application for their new location in Rapid City. IT WAS MOVED BY LOIS PORCH, SECONDED BY ILA DAVIS, TO APPROVE THE SCHOOL APPLICATION FOR HEADLINE ACADEMY, INC. IN THEIR NEW LOCATION AT 333 OMAHA ST STE 6 & 7, RAPID CITY, SOUTH DAKOTA. THE MOTION PREVAILED ON A VOICE VOTE. It was noted that the school will be subject to an inspection prior to opening at their new location in September, 2010.

8.d. Stewart School – Application for Renewal

Stewart School's application for renewal of their school license was reviewed. IT WAS MOVED BY ILA DAVIS, SECONDED BY KORY MCKAY, TO APPROVE STEWART SCHOOL'S RENEWAL APPLICATION, INCLUDING THE FIELD TRIPS OUTLINED IN THE APPLICATION. THE MOTION PREVAILED ON A VOICE VOTE.

8.e. Chelly Halterman – Request for Approval of Senior Instructor Independent Study Plan

Chelly Halterman submitted a request for approval of an independent study plan to become licensed as a senior instructor. IT WAS MOVED BY KORY MCKAY, SECONDED BY PAT CLARK, TO APPROVE THE SENIOR INSTRUCTOR INDEPENDENT STUDY PLAN SUBMITTED BY CHELLY HALTERMAN. THE MOTION PREVAILED ON A VOICE VOTE.

8.f. Discussed Proposed Press Release Regarding Safety & Sanitation

The Commission office had received a request from a reporter from the Rapid City Journal newspaper to discuss safety and sanitation issues. IT WAS MOVED BY PAT CLARK, SECONDED BY LOIS PORCH, TO APPROVE VICE PRESIDENT NORA SLYKHUIS TO RESPOND TO THE REPORTER'S QUESTIONS. THE MOTION PREVAILED ON A VOICE VOTE.

Additionally, the Commission may consider at its September meeting authorizing a press release regarding the Commission's safety & sanitation laws and rules.

8.g. Reciprocity/Violations Question

Executive Director Kate Boyd informed the Commission that she received an application for reciprocity from an individual whose license was revoked a couple of years ago for fraudulently

obtaining a South Dakota nail technician license. This individual has received a license through reciprocity, but it was later proven that the individual did not attend nail technician school from the other state. That resulted in revocation of the individual's South Dakota nail technician license. This individual has since attended school in Minnesota, obtained a license in Minnesota, and the office has received a certification from the Minnesota Board of Cosmetology. However, the individual is still short 50 hours of education. Approval is being sought from the Commission regarding whether or not this individual will be allowed to be licensed in South Dakota, after obtaining an additional 50 hours of education from a South Dakota school and taking South Dakota State Board exams. IT WAS MOVED BY LOIS PORCH, SECONDED BY ILA DAVIS, TO ALLOW THIS INDIVIDUAL TO PURSUE GETTING LICENSED IN SOUTH DAKOTA THROUGH RECIPROCITY, AFTER OBTAINING THE ADDITIONAL 50 HOURS OF EDUCATION. THIS INDIVIDUAL WILL NEED TO COMPLY WITH ALL SOUTH DAKOTA LAWS/RULES REGARDING RECIPROCITY AND TESTING. THE MOTION PREVAILED ON A VOICE VOTE.

8.h. Election of Officers

IT WAS MOVED BY LOIS PORCH, SECONDED BY PAT CLARK, TO NOMINATE NORA SLKYHUIS AS PRESIDENT, TO CEASE NOMINATIONS, AND CAST A UNANIMOUS BALLOT FOR NORA. THE MOTION PREVAILED ON A VOICE VOTE.

IT WAS MOVED BY ILA DAVIS, SECONDED BY KORY MCKAY, TO NOMINATE LOIS PORCH AS VICE PRESIDENT, TO CEASE NOMINATIONS, AND CAST A UNANIMOUS BALLOT FOR LOIS. THE MOTION PREVAILED ON A VOICE VOTE.

IT WAS MOVED BY KORY MCKAY, SECONDED BY LOIS PORCH, TO NOMINATE PAT CLARK AS SECRETARY-TREASURER, TO CEASE NOMINATIONS, AND CAST A UNANIMOUS BALLOT FOR PAT. THE MOTION PREVAILED ON A VOICE VOTE.

President Nora Slykhuis appointed Lois Porch to the Violations Committee and Kory McKay to the Education Committee.

9. OTHER BUSINESS – N/A

10. Upcoming Meeting Dates

Several important upcoming meetings were noted and are shown below:

10.a. August 28-30, 2010, NIC Annual Conference, Seattle, WA – Commission members Nora Slykhuis and Kory McKay, together with Executive Director Kate Boyd have been approved to attend this conference. Additionally, Kate will attend the NIC Administrators Conference August 26 & 27.

10.b. September 13-14 - State Board Testing & Commission Meeting - The Commission meeting was tentatively set for Wednesday, September 15, at 9:30 a.m. It was reiterated that

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there will be a 1:00 p.m. Violations hearing. (NOTE: The Commission meeting was later set for 4:00-6:00 p.m., Tuesday, September 14, 2010.)

Adjournment

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

The meeting adjourned at 10:15 a.m.

Respectfully submitted by:

Kate Boyd, Recording Secretary

and

Pat Clark, Secretary-Treasurer

Attachment 1

Executive Director's Report - July 14, 2010

STAFF CHANGES

May 26, 2010 - Susan O'Neill, Spearfish, joined the staff as the Western Area Inspector, replacing Janie Norlin, who resigned April 23, 2010.

June 11, 2010 - Gloria Dahme, Aberdeen, joined the staff as the Central Area Inspector, replacing Debra Bierman, who resigned May 20, 2010.

A COPY OF THE UPDATED COMMISSION & STAFF CONTACT INFORMATION IS ENCLOSED WITH THE PACKETS MAILED JULY 2, 2010.

ALTERNATIVE SALONS

We have had two unusual requests for information about salons in the past month. The first request was from a man who is not a cosmetologist, but he was interested in opening a "bikini cuts" salon where the stylist would wear shorts or skirts with bikini tops. (He was discouraged from pursuing this idea.)

The second request was from an individual who wanted to sell Mobile Salons in South Dakota. Apparently the salon would travel around, similar to a bookmobile. I would foresee some problems regulating a salon that was not in a stationary location. (My response was that I would pass the request on to the Commission, but that I doubted South Dakota would allow this type of salon.)