

SOUTH DAKOTA COSMETOLOGY COMMISSION MEETING MINUTES

October 25 & 26, 2012

Call Meeting to Order - Thursday, October 25, 2012

The regular meeting of the Cosmetology Commission was called to order by Vice President Lois Porch on Thursday, October 25, 2012 at 1:00 p.m. at Desaree and Company School of Beauty located at 1117 Main Street, Suite C, Sturgis, South Dakota.

A. Roll Call

Attendance was taken by Secretary Treasurer Kory McKay, with the following members present: Lori Berreth, Pat Clark, Kory McKay, and Lois Porch. Absent: Nora Slykhuis. Staff present: Executive Director Kate Boyd and Secretary Beth Marnell. Others present included: Desaree Dargetz, Tony Dargetz, and Georgine Hendrix. Bang T Tran, Sandy Seachris, Peggy Sproat, Joy Poloncic, Tom Poloncic, and Holly Keszler.

B. • Tour Desaree & Company School of Beauty Classrooms & Observe Students

The Commission toured the classroom and clinic floor of the cosmetology program at Desaree and Company School of Beauty.

• Meet with Desaree & Company Representatives

Following the school tour, the Commission met with Desaree & Company representatives Desaree Desare Dargetz, Tony Dargetz and Georgine Hendrix. 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 3:00 PM AND RECONVENE AT THE OFFICE OF THE DEPARTMENT OF LABOR AND REGULATION, 111 NEW YORK STREET, RAPID CITY. THE MOTION PREVAILED ON A VOICE VOTE.

The meeting was called back to order by Vice President Lois Porch on Thursday, October 25, 2012 at 3:00 p.m. at the office of the Department of Labor and Regulation, 111 New York Street, Rapid City.

1. Roll Call

Attendance was taken by Secretary Treasurer Kory McKay, with the following members present: Lori Berreth, Pat Clark, Kory McKay, and Lois Porch. Absent: Nora Slykhuis. Staff present: Executive Director Kate Boyd and Secretary Beth Marnell. Also present for a portion of the meeting was Bang T Tran.

2. Minutes of the July 16, 2012 Meeting

IT WAS MOVED BY PAT CLARK, SECONDED BY LORI BERRETH, TO APPROVE THE MINUTES OF THE JULY 16, 2012 MEETING AS WRITTEN. THE MOTION PREVAILED ON A VOICE VOTE.

3. Treasurer's Report

Secretary-Treasurer Kory McKay reported that as of September 30, 2012, the available budget was \$179,453.56, and the cash center balance was \$307,146.94.

IT WAS MOVED BY LORI BERRETH, SECONDED BY PAT CLARK, 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 information on Issuing Licenses, Tinting Mustaches and Beards, Repeated Salon/Booth Failures, 2013 Newsletter, suggestion to hold a Long-Range Planning in 2013, Copies of Media Coverage of Nail Salon Press Release, and report on Computer-based Testing, Administrative Rules Hearing needs to be scheduled in November or early December, and Executive Director Health Status.

5. Disciplinary Actions - N/A

OLD BUSINESS

6. Reciprocity Application - Bang T Tran

The Commission reviewed a reciprocity application from Bang T Tran. His application was previously disapproved by the Commission due to disciplinary action that had resulted from his work as an unlicensed nail technician in 2011. Mr. Tran joined the meeting to speak on his own behalf. Following Mr. Tran's remarks, IT WAS MOVED BY LORI BERRETH, SECONDED BY PAT CLARK, TO APPROVE THE RECIPROCITY APPLICATION OF BANG T TRAN. THE MOTION PREVAILED ON A ROLL CALL VOTE WITH ALL MEMBERS VOTING AYE.

7. Report of August 24-27, 2012 NIC Conference

Commission member Lori Berreth reported on her attendance at the August 24-27, 2012 NIC Conference. She reviewed the various programs and presentations that had taken place throughout the conference. One item of special note is the fact that several states have been faced with deregulation in recent years.

NEW BUSINESS

8. Cosmetology School License Renewal Applications

Lake Area Technical Institute - The first application for a school license renewal was from Lake Area Technical Institute. Following review of the application, IT WAS MOVED BY KORY MCKAY, SECONDED BY PAT CLARK, TO APPROVE THE LAKE AREA TECHNICAL INSTITUTE SCHOOL LICENSE RENEWAL APPLICATION. THE MOTION PREVAILED ON A VOICE VOTE.

Headlines Academy, Inc. - The second application for a school license renewal was from Headlines Academy, Inc. Following review of the application, IT WAS MOVED BY PAT CLARK, SECONDED BY KORY MCKAY, TO APPROVE THE HEADLINES ACADEMY, INC. SCHOOL LICENSE RENEWAL APPLICATION. THE MOTION PREVAILED ON A VOICE VOTE.

9. Commission Policies - Reciprocity Nail Technician & Esthetician Applicant Testing

It had been the recommendation of Executive Director Kate Boyd at the July 16, 2012 meeting that the Commission reconsider its policy regarding nail technician and esthetician reciprocity applicant testing to require all applicants seeking a nail technician or esthetician license through reciprocity to take all three components of the State Board examinations, including NIC practical, NIC theory, and State Laws/Rules examinations.

Following discussion, IT WAS MOVED BY LORI BERRETH, SECONDED BY KORY MCKAY, TO REQUIRE ALL RECIPROCITY APPLICANTS SEEKING A NAIL TECHNICIAN OR ESTHETICIAN LICENSE TO TAKE ALL THREE COMPONENTS OF THE SOUTH DAKOTA STATE BOARD EXAMINATIONS, INCLUDING NIC PRACTICAL, NIC THEORY, AND STATE LAWS/RULES. THE MOTION PREVAILED ON A VOICE VOTE.

10. Upcoming Meeting Dates

November 16 & 17, 2012 State Board Examination -Sioux Falls - The Commission was reminded that the next State Board Examinations will be held November 16 & 17, 2012 in Sioux Falls. Commission members Nora Slykhuis and Kory McKay, together with Inspectors Mary Rasmussen and Noreen Johnson and Office Secretary Beth Marnell will be administering the exams.

Administrative Rules Hearing - The Commission was informed that they will be contacted in the near future to set up a meeting for an administrative rules hearing sometime in November or early December.

11. 2013 State Board Exam Schedule

The tentative 2013 State Board Exam schedule was reviewed and revised slightly. There was discussion about whether or not the Commission should visit the cosmetology schools every year. IT WAS MOVED BY PAT CLARK, SECONDED BY LORI BERRETH, TO APPROVE THE 2013 STATE BOARD EXAMINATION & COMMISSION MEETING SCHEDULE AS REVISED. THE MOTION PREVAILED ON A VOICE VOTE. The approved 2013 schedule is shown below:

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|-------------|---|-------------|
| Jan 7-9 | State Board Examinations and Commission Meeting | Pierre |
| Feb 1 | State Board Examinations | Watertown |
| Mar 8-9 | State Board Examinations | Sioux Falls |
| April 12-13 | State Board Examinations | Rapid City |
| May 2-4 | State Board Examinations, School Visits, Commission Meeting | Sioux Falls |
| May 31 | State Board Examinations | Watertown |
| July 15-17 | State Board Examinations and Commission Meeting | Pierre |
| Sept 13-14 | State Board Examinations | Sioux Falls |
| Oct 24-26 | State Board Examinations, School Visits, Commission Meeting | Rapid City |
| Nov 15-16 | State Board Examinations | Sioux Falls |

It was agreed to revisit this subject at the January, 2013 meeting since President Nora Slykhuis had been unable to attend today's meeting. At that time, the Commission will also review proposed dates/locations for a long-term planning meeting.

12. Other Business - N/A

Recess for the Day

IT WAS MOVED BY KORY MCKAY, SECONDED BY PAT CLARK, TO RECESS THE MEETING UNTIL 9:00 AM, FRIDAY OCTOBER 26, 2012 AND TO RECONVENE AT THAT TIME AT HEADLINES ACADEMY, INC. LOCATED AT 333 OMAHA ST SUITE 6 & 7, RAPID CITY, SOUTH DAKOTA. THE MOTION PREVAILED ON A VOICE VOTE. The meeting was recessed at 4:45 p.m.

Reconvene - Friday, October 26, 2012

The meeting was called back to order by Vice President on Friday, October 26, 2012 at 9:00 a.m. at Headlines Academy located at 333 Omaha St Suite 6 & &, South Dakota.

C. Roll Call

Attendance was taken by Secretary Treasurer Kory McKay, with the following members present: Lori Berreth, Pat Clark, Kory McKay, Lois Porch. Staff present: Secretary Beth Marnell. Also present were Sandy Seachris and Peggy Sproat.

D. • Tour Headlines Academy Classrooms & Observe Students

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

• Meet with Headlines Academy Representatives

Following the school tour, the Commission met with Headlines Academy representatives Sandy Seachris and Peggy Sproat. 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 10:45 AM, AND TO RECONVENE AT BLACK HILLS BEAUTY COLLEGE- RAPID CITY, LOCATED AT 623 ST. JOSEPH STREET, RAPID CITY, SOUTH DAKOTA. THE MOTION PREVAILED ON A VOICE VOTE. The meeting was recessed at 10:15 a.m.

The meeting was called back to order by Vice President Lois Porch at 10:30 a.m. at Black Hills Beauty College located at 623 St. Joseph Street, Rapid City, South Dakota.

E. Roll Call

Attendance was taken by Secretary Treasurer Kory McKay, with the following members present: Pat Clark, Kory McKay, Lois Porch. Staff present: Secretary Beth Marnell. Also present were Joy Poloncic, Tom Poloncic and Holly Keszler.

F. • Tour Black Hills Beauty College-Rapid City Classrooms & Observe Students

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

- **Meet with Black Hills Beauty College-Rapid City Representatives**

Following the school tour, the Commission met with Black Hills Beauty College-Rapid City School representatives Joy Poloncic, Tom Poloncic and Holly Keszler. There was discussion about the practical examination process and expectations of the Commission with regard to certain exam procedures.

Adjournment

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

The meeting adjourned at 11:30 a.m.

Respectfully submitted by:

Kate Boyd, Recording Secretary

and

Beth Marnell, Recording Secretary

Pat Clark, Secretary-Treasurer

ATTACHMENT 1

Executive Director's Report - October 25, 2012

1. **Issuing of Licenses - Commission Involvement**
2. **Tinting of Mustaches & Beards**
3. **Repeated Salon/Booth Inspection Failures** - Seeking input as to when disciplinary action should be pursued for a salon or booth who repeatedly fails their annual inspections.
4. **2013 Newsletter** - A copy of the 2012 annual newsletter was enclosed with the Commission meeting packets. Seeking input from Commission members as to other information that would be beneficial to include in the newsletter.
5. **Long-Range Planning** - Suggest the Commission consider holding a meeting in 2013
6. **Media Coverage of Nail Salon Press Release** - Enclosed with the Commission meeting packets were copies of news articles from the Aberdeen American News (light yellow) and the Sioux Falls Argus Leader Sunday Magazine (white). Both these newspapers also ran on-line articles on their website.
7. **Computer-based Testing** - We administered our first computer-based testing retake exam on Tuesday, October 16, 2012. The system worked well and the candidate was comfortable with this form of testing. Seeking guidance from the Commission if we can give the retake exam results to the candidate the same day the exam is taken.
8. **Administrative Rules Hearing** - We will need to schedule an Administrative Rules hearing sometime in November or early December, prior to the adoption of the proposed administrative rules. We will contact Commission members with a proposed meeting date in the near future.
9. **Health Status** - An update of my health will be given to the Commission at the October 25, 2012 meeting