

SOUTH DAKOTA COSMETOLOGY COMMISSION MEETING MINUTES

November 16, 2010

1. Call Meeting to Order

The regular meeting of the Cosmetology Commission was called to order by President Nora Slykhuis on Tuesday, November 16, 2010 at 8:05 a.m. in the Cosmetology Commission Office, Pierre, South Dakota.

2. Roll Call

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

3. Minutes of October 18, 2010 Regular Meeting & October 29, 2010 Special Meeting

IT WAS MOVED BY KORY MCKAY, SECONDED BY ILA DAVIS, TO AMEND THE MINUTES OF THE OCTOBER 18, 2010 MEETING TO ACCURATELY REFLECT THE FINAL ORDER OF THE COMMISSION IN THE MATTER OF COLORFUL NAILS. THE MOTION PREVAILED ON A VOICE VOTE WITH LOIS PORCH & PAT CLARK ABSTAINING.

IT WAS MOVED BY PAT CLARK, SECONDED BY LOIS PORCH, TO APPROVE THE MINUTES OF THE OCTOBER 18, 2010 MEETING AS AMENDED ABOVE. THE MOTION PREVAILED ON A VOICE VOTE.

IT WAS MOVED BY ILA DAVIS, SECONDED BY PAT CLARK, TO APPROVE THE MINUTES OF THE OCTOBER 29, 2010 SPECIAL COMMISSION MEETING. THE MOTION PREVAILED ON A VOICE VOTE.

4. Treasurer's Report

Secretary-Treasurer Pat Clark reported that as of October 31, 2010 the available budget was \$152,615.66, and the cash center balance was \$157,364.08.

IT WAS MOVED BY ILA DAVIS, SECONDED BY KORY MCKAY, 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:

Request to Increase Office Secretary Hours – We have been informed by the Department of Labor that we will not be able to have a .3 increase in FTE at this point in time. However, we can adjust our inspectors' hours to increase the office secretarial hours from 28 hours per week to 40 hours per week. The consensus of the Commission was to make this change effective in January, 2011.

Office Computers & Backup System – The new computers have been installed in the office, but the staff has not yet had any formal training on the updated software. Additionally, our office computer files have been moved to a State server, causing some delay time in processing licenses and other office work.

6. Disciplinary Actions

The Commission was informed that we need to schedule a disciplinary hearing for December. The consensus was to schedule the hearing for 1:00 p.m., December 6, 2010, in Pierre. If that date is not available, the second option would be December 13, 2010 at the same time/location.

The Commission office received an application for a new salon license permit from a salon with a pending violations hearing. The new application shows the salon now being owned by a corporation, with the previous owner listed as the registered agent. IT WAS MOVED BY PAT CLARK, SECONDED BY ILA DAVIS, TO DENY ISSUANCE OF THIS SALON PERMIT, PENDING THE OUTCOME OF THE VIOLATIONS HEARING. THE MOTION PREVAILED ON A VOICE VOTE WITH LOIS PORCH ABSTAINING.

7. OLD BUSINESS

7.a. Action Items from November 14, 2010 Long-Range Planning Meeting

Student Timesheets – During the November 14, 2010 Long-Range Planning meeting, the Commission had discussed student monthly timesheets and agreed that we should request that the schools send in the student education hours on a CD or by electronic means on a monthly basis. The schools would still need to maintain monthly paper timesheets, but they would be submitted when the student graduates or drops, together with the Student Education Record.

IT WAS MOVED BY ILA DAVIS, SECONDED BY KORY MCKAY, TO HAVE THE SCHOOLS SUBMIT MONTHLY STUDENT EDUCATION HOURS ON A CD OR BY ELECTRONIC MEANS AND THEN SUBMIT THE PAPER TIMESHEETS WHEN THE STUDENT GRADUATES OR DROPS, TOGETHER WITH THE STUDENT EDUCATION RECORD. THE MOTION PREVAILED ON A VOICE VOTE.

Continuing Education – The Commission had discussed continuing education during the Long-Range Planning Meeting. As a follow-up to that discussion, IT WAS MOVED BY LOIS PORCH, SECONDED BY ILA DAVIS, THAT PURSUANT TO THE RESULTS OF THE SURVEY COMPLETED DURING 2009, TO NOT PURSUE IMPLEMENTING CONTINUING EDUCATION AT THIS TIME. THE MOTION PREVAILED ON A VOICE VOTE. The Commission requested that this be reported in the 2011 Newsletter to licensees.

Violations - At a future meeting, the Commission will consider a policy to be developed by the Violations Committee regarding violations.

7.b. Recap of October 29, 2010 School Visits

The Commission set a schedule for future school visits. The schools in the western part of the state will be visited by the Commission in 2011 and the eastern South Dakota schools will be visited in 2012. Regular inspections will be conducted by the inspectors.

7.c. Stewart School Request for Approval of Instructor Continuing Education

Stewart School submitted a new request for approval of instructor continuing education. Following review of the new request, IT WAS MOVED BY KORY MCKAY, SECONDED BY PAT CLARK, TO DENY STEWART SCHOOL'S NEW INSTRUCTOR CONTINUING EDUCATION REQUEST, BECAUSE IT DOESN'T MEET THE CRITERIA FOR INSTRUCTOR TRAINING FOR CLASSROOM EDUCATION. THE MOTION PREVALED ON A VOICE VOTE.

The Commission requested that a letter be sent to the schools advising them that the instructor continuing education they propose needs to teach the instructors how to better teach students, not how to perform new cosmetology services.

8. NEW BUSINESS

8.a. Cosmetology student request to transfer out-of-state nail technician education hours to South Dakota cosmetology school hours

The Commission reviewed a request from a student who previously attended an out-of-state school for nail technician, but now has transferred to a South Dakota school pursuing a cosmetologist license. The student would like to transfer nail technology hours to her cosmetology hours in South Dakota.

IT WAS MOVED BY LOIS PORCH, SECONDED BY KORY MCKAY, TO DENY THE STUDENT'S REQUEST TO TRANSFER OUT-OF-STATE NAIL TECHNOLOGY HOURS TO HER SOUTH DAKOTA COSMETOLOGY HOURS. THE MOTION PREVAILED ON A VOICE VOTE.

8.b. 2011 Newsletter

The 2011 newsletter is currently being drafted and will be sent to Commission members prior to being printed. It was noted that the newsletter does not require Commission approval.

8.c. U.S. Department of Labor Apprenticeships

Executive Director Kate Boyd recently met with John Bolger, South Dakota State Director, U.S. Department of Labor, Office of Apprenticeships regarding USDOL apprenticeships. Information was mailed to the Commission for their review. Mr. Bolger has requested to meet with the Commission at an upcoming meeting. The Commission will place this item on its January or March meeting agenda, depending on the availability of time.

8.d. NCEA Update

The Commission reviewed correspondence from NCEA regarding esthetics issues. No action was taken.

9. Other Business – N/A

10. Upcoming Meeting Dates

The Commission was reminded of the following upcoming testing and meeting dates:

December 6, 2010 – Violations Hearing (Tentative date set during the meeting)

January 10-12, 2011 – State Board Exams & Commission Meeting

Adjournment

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

The meeting adjourned at 9:30 A.m.

Respectfully submitted by:

Kate Boyd, Recording Secretary

and _____
Pat Clark, Secretary-Treasurer

Attachment 1

Executive Director's Report - November 16, 2010

REQUEST TO INCREASE OFFICE SECRETARY HOURS

At the October 18, 2010 meeting, the Commission approved submitting a request to the Department of Labor to increase our office secretarial position from 28 to 40 hours per week. I have learned that we currently have 3 FTE (full-time equivalency = 2,080 hours) and we cannot exceed 3 FTE. My position as Executive Director is 1 FTE, Holly's secretarial position is currently .7 FTE, and the 5 inspectors share 1.3 FTE. The only way to increase Holly's hours would be to reduce the inspectors by .3 FTE. The current breakdown of inspector and secretarial hours is shown below:

Office Secretary = 1,456 hours per year
(28 hours per week x 52 weeks)

5 Inspectors = 2,704 hours per year total for all 5 inspectors
(10.4 average hours per week per inspector x 52 weeks).

Note that the inspectors do not work all 52 weeks in the year. They only work about 1-2 weeks in December and then maybe one week in January. For illustration purposes, this is shown as a weekly average spread over all 52 weeks in the year.

In order to increase Holly's hours to 40 per week, we would need to decrease the annual total inspectors hours to 2080, or an average 8 hours per week. That would mean that the inspectors would have difficulty completing annual inspections for the salons in their areas.

OFFICE COMPUTERS & BACKUP SYSTEM

Our new desk computers have been installed, with new software. This is currently presenting some challenges for us, as we have not yet received training on the new software. Additionally, we have been moved to a State server instead of having a server in our office, and the conversion is not yet complete. This has resulted in some delay time in processing licenses and other office work.