

# **SOUTH DAKOTA COSMETOLOGY COMMISSION MEETING MINUTES**

**July 14, 2015**

## **Call Meeting to Order**

A meeting of the Cosmetology Commission was called to order by President Tammy Ugofsky on Tuesday, July 14, 2015 at 2:55 pm at the Cosmetology Commission office, 111 E Capitol Avenue, Pierre, South Dakota.

## **Roll Call**

Attendance was taken by Secretary-Treasurer Laurie Brandner, with the following members present: Laurie Brandner, Lori Berreth, Lori Little, Crystal Carlson, and Tammy Ugofsky. Staff present: Attorney Aaron Arnold, Executive Director Kate Boyd. Others present: Fallon Helm.

## **2. Minutes of March 16 & May 8, 2015 Meeting**

IT WAS MOVED BY LORI BERRETH, SECONDED BY CRYSTAL CARLSON, TO APPROVE THE MINUTES OF THE MACH 16 AND MAY 8, 2015 MEETING. THE MOTION PREVAILED ON A VOICE VOTE.

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

Secretary-Treasurer Laurie Brandner reported that as of June 30, 2015, the available budget was -\$18,004.74 and the cash center balance was \$310,754.98.

IT WAS MOVED BY CRYSTAL CARLSON, SECONDED BY LORI LITTLE, TO APPROVE THE TREASURER'S REPORT AS PRESENTED. THE MOTION PREVAILED ON A VOICE VOTE.

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

Executive Director Kate Boyd reported on a variety of subjects. The written report is attached to these Minutes.

## **5. Disciplinary Actions - N/A**

## **6. Commission Review of Licensure Applications**

**a. Terry DuBray (Requesting student license - currently under parole for a felony conviction)** - The Commission reviewed the Student License application, criminal background check, and documents in support of Terry DuBray who would like to attend cosmetology school. IT WAS MOVED BY LORI LITTLE, SECONDED BY LORI BERRETH, TO APPROVE THE STUDENT LICNSE APPLICATION OF TERRY DUBRAY. THE MOTION PREVAILED ON A VOICE VOTE.

**b. Ngoclan Thi Nguyen (Requesting reinstatement of her revoked nail technician license)** - The Commission reviewed correspondence from Ngoclan Thi Nguyen requesting reinstatement of her revoked nail technician license. It was noted that the law regarding reinstatement of a suspended or revoked license states, "By majority vote, the commission may reinstate or reissue a suspended or revoked license upon: (1) Written application establishing compliance with existing licensing requirements; or (2) Testimony by witnesses. The Commission directed the

staff to send an application for reinstatement to Ngoclan Thi Nguyen and request that she submit the application and invite her to attend a future Commission meeting to speak on her own behalf and to bring witnesses if she chooses to do so.

**c. Hong Thi Anh Khong (Questionable work experience affidavit received by Commission office)**

**d. Thuy Duyen Thi Ho (Questionable work experience affidavit received by Commission office)**

**e. Cuu Van Nguyen (Questionable work experience affidavit received by Commission office)**

Executive Director Kate Boyd informed the Commission about Work Experience Affidavits received for Hong Thi Anh Khong, Thuy Duyen Thi Ho, and Cuu Van Nguyen. The work experience was for salons in Florida, with same notary seal, the handwriting was the same and three forms were all mailed from Sioux Falls with the same postmark. Due to the suspicious nature and similarity of the forms, the staff phoned the listed salons and spoke to the owner or manager. In all three cases the owner/manager denied knowing the individual and stated they did not sign the work experience affidavit. In light of the issues with the work experience affidavits for the above three individuals, the applications were being referred to the Commission for a decision.

IT WAS MOVED BY LORI BERRETH, SECONDED BY CRYSTAL CARLSON, TO DENY THE RECIPROCITY APPLICATIONS OF HONG THI ANH KHONG, THUY DUYEN THI HO, AND CUU VAN NGUYEN. THE MOTION PREVAILED ON A VOICE VOTE.

## **7. School Approval Requests**

The Commission reviewed several applications from schools and education providers and took the following action:

### **a. School License Renewal Application - Headlines Academy - Rapid City**

IT WAS MOVED BY LORI LITTLE, SECONDED BY LORI BERRETH TO APPROVE THE SCHOOL LICENSE RENEWAL APPLICATION OF HEADLINES ACADEMY, RAPID CITY. THE MOTION PREVAILED ON A VOICE VOTE.

### **b. Electric File Provider Application - Iowa School of Beauty - Sioux City**

IT WAS MOVED BY LAURIE BRANDNER, SECONDED BY CRYSTAL CARLSON, TO APPROVE THE ELECTRIC FILE PROVIDER APPLICATION OF IOWA SCHOOL OF BEAUTY, SIOUX CITY. THE MOTION PREVAILED ON A VOICE VOTE.

**c. AACS - Request for Approval as a Provider of Instructor Continuing Education**

IT WAS MOVED BY CRYSTAL CARLSON, SECONDED BY LAURIE BRANDNER TO APPROVE AACS AS A COMMISSION PRE-APPROVED PROVIDER OF INSTRUCTOR CONTINUING EDUCATION. THE MOTION PREVAILED ON A VOICE VOTE.

**8. Other Business**

**Commission Committee Appointments**

President Tammy Ugofsky appointed Laurie Brander to the Violations Committee and Crystal Carlson to the Education Committee.

**Administrative Rules**

It was noted that in the near future we will begin drafting administrative rules changes to (1) remove ACT scores as proof of high school graduation, (2) require graduation from cosmetology school, together with the required clock hours in order to apply for State Board exams/licensure, and, (3) deal with records retention. If Commission members have any other administrative rules they would like to update, please let the staff know.

**9. Upcoming Meeting Dates**

The Commission was reminded of the upcoming NIC State Board Administrators Meeting August 27-28 and NIC Conference August 28-31, 2015 in Missoula, Montana. Executive Director Kate Boyd and Attorney Aaron Arnold will attend both meetings and will be joined at the Conference by Commission members Tammy Ugofsky, Laurie Brandner, and Crystal Carlson.

**Adjournment**

THERE BEING NO FURTHER BUSINESS, IT WAS MOVED BY LORI LITTLE, SECONDED BY LORI BERRETH TO ADJOURN. THE MOTION PREVAILED ON A VOICE VOTE.

The meeting adjourned at 4:35 pm.

Respectfully submitted,

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Kate Boyd, Recording Secretary

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Laurie Brandner, Secretary-Treasurer

## **Executive Director's Report**

**July 14, 2015**

**1. Part-time Secretarial Position**

We have been given approval to hire a part-time secretary. The regular hours for this position will be 8-5 on Monday and 9-1 Tuesday-Friday, with some flexibility to adjust hours to cover the office if Beth and I both need to be out of the office to administer exams. We are currently in the interview process and hope to have this complete within the week.

**2. New Schools**

We have received inquiries from two separate individuals about opening cosmetology schools.

**3. Rater Reliability Report**

NIC has revised the Rater Reliability Report. A guide to interpreting the reports is enclosed for Commission members

**4. South Dakota Board of Barber Examiners**

I attended the March 30, 2015 meeting of the South Dakota Board of Barber Examiners to discuss ways in which our Commission and their Board can work more closely together.