

Meeting Minutes
SOUTH DAKOTA COSMETOLOGY COMMISSION

In person or via Microsoft Teams
Monday, June 16, 2025 12:30 p.m. CDT

The meeting was called to order at 12:28 p.m. CDT. Sanner called the roll. A quorum was present.

Commissioners
Present: Renee Graf
Karma Sanner
Trish Bates
Jason Pettigrew

Others Present: Tyler Evins, Program Director
Jennifer Doubleddee, DLR Attorney
Angela Taylor
Danielle Bouwman
Misty Fish
TSPA Cosmetology Program
Holly Keszler
Stewart School
Anna Malcolm
Kelli Ford
Representative Tessa Schwans
Cami Bloomgren
Wendy Johnston
Zarah Wilsey

Evins requested that agenda items H & M be stricken from the meeting agenda. There were no objections.

Sanner made a motion to approve the agenda as amended. Pettigrew seconded the motion.
MOTION PASSED.

Bates made a motion to approve the June 2, 2025, meeting minutes. Sanner seconded the motion. **MOTION PASSED.**

Evins shared information about the new 'Bulletin Board' page on the website and upcoming Facebook page. These will be used to communicate licensing and operational changes to licensees. Evins discussed the fee increases that will go into effect on July 1, 2025. The Full-Time inspector position will be posted at the beginning of the fiscal year. Evins shared the office can still accept work experience credit for reciprocity applicants. Evins shared the pass/fail rate for the theory examination. The failure rate was much higher than expected.

Sanner and Bates formed an examination committee to brainstorm solutions to the high failure rate for the theory examination.

Sanner reported that the cash center balance was \$178,776.74 on June 7, 2025.

Kelli Ford shared her thoughts about barbers offering dermaplaning services. Ford was grateful to the Commission and felt the fee upcoming increases were modest and necessary.

Representative Tessa Schwans expressed her agreement with the changes the Commission is making as long as they make sense to licensees and do not complicate the licensure process. Schwans shared she is considering legislation for tiered esthetics and reciprocity requirements.

Cami Bloomgren from The Salon Professional Academy shared her concerns with receiving examination results, transcript audit reports for students, and the processing timeline for student licensure applicants with background check concerns.

Wendy Johnston, from The Salon Professional Academy, discussed the 90-day temporary license that used to be issued to instructors and how the school used the time to train new instructors.

Zarah Wilsey, from The Salon Professional Academy, asked about a grace period for initial instructor licenses that were issued three months before their birthdate.

Holly Keszler, from The Salon Professional Academy, shared her thoughts about the update to the required background checks for student licenses. Keszler inquired about what information the office looks at when considering license applications for individuals with criminal histories.

The Commission reviewed a Consent Agreement. Additional details can be found in the meeting packet. Pettigrew made a motion to accept the consent agreement. Sanner seconded the motion. **MOTION CARRIED.**

The Commission discussed the proposed academic dishonesty policy. Additional details can be found in the meeting packet. Bates made a motion to adopt the policy. Sanner seconded the motion. A roll call vote was requested by Graf. Trish Bates – Aye, Jason Pettigrew – Aye, Karma Sanner – Aye, Renee Graf – Aye. **MOTION CARRIED.**

The Commission reviewed and discussed the proposed Disciplinary Action Matrix, available in the meeting packet. Pettigrew made a motion to adopt the matrix. Sanner seconded the motion. Graf requested a roll call vote. Jason Pettigrew – Aye, Trish Bates – Aye, Renee Graf – Aye, Karma Sanner – Aye. **MOTION CARRIED.**

Sanner discussed the dermaplaning procedure and the implements used to perform dermaplaning. She shared her hopes of bringing legislation next session to create regulations for dermaplaning training.

Evins clarified the intent behind and legal requirement for limited salon and booth licenses. He shared that limited licenses only affect a business license, not an individual's personal operator license and that limited licenses are a benefit to business licensees who do not wish to offer all services under the cosmetology scope of practice.

Sanner suggested the Commission look at the required equipment for salons and booths and make updates to administrative rules as needed.

Evins discussed the 'one-time' paper license the Commission has issued since quarter four of 2023. He explained the office worked with the database developer to make the search function for the online verification tool more flexible to reduce errors and confusion.

The Commission discussed upcoming school visits.

Bates made a motion to adjourn the meeting. Pettigrew seconded the motion. **MOTION CARRIED.**

The meeting adjourned at 1:32 p.m. CDT.

DRAFT

STATE OF SOUTH DAKOTA
CASH CENTER BALANCES
AS OF: 06/30/2025AGENCY: 10 LABOR & REGULATION
BUDGET UNIT: 1033 COSMETOLOGY COMMISSION - INFO

COMPANY	CENTER	ACCOUNT	BALANCE	DR/CR	CENTER DESCRIPTION
6503	103300061806	1140000	196,346.15	DR	COSMETOLOGY COMMISSION
COMPANY/SOURCE TOTAL 6503 618			196,346.15	DR *	
COMP/BUDG UNIT TOTAL 6503 1033			196,346.15	DR **	
BUDGET UNIT TOTAL 1033			196,346.15	DR ***	

STATE OF SOUTH DAKOTA
REVENUE SUMMARY BY BUDGET UNIT
FOR PERIOD ENDING: 06/30/2025

AGENCY 10 LABOR & REGULATION
BUDGET UNIT 1033 COSMETOLOGY COMMISSION - INFO

CENTER	COMP	ACCOUNT	DESCRIPTION	CURRENT MONTH	YEAR-TO-DATE	
COMPANY NO 6503						
COMPANY NAME PROFESSIONAL & LICENSING BOARDS						
103300061806	6503	4293901	COS-OPERATOR/MANAGER	19,445.00	175,420.00	
103300061806	6503	4293969	COS-SALONS LICENSE	8,200.00	82,410.00	
103300061806	6503	4293970	COS-INSTRUCTORS LIC	280.00	3,080.00	
103300061806	6503	4293971	COS-STUDENTS/APPRENTICES	159.00	2,538.00	
103300061806	6503	4293972	COS-PERMITS	3,234.00	36,814.00	
103300061806	6503	4293973	COS-SCHOOL LICENSE	.00	1,500.00	
103300061806	6503	4293984	COS-RECIPROCITY/CERTIF	2,640.00	20,723.00	
ACCT:	4293	BUSINESS & OCCUP LICENSING (NON-GOVERNMENTAL)		33,958.00	322,485.00	*
ACCT:	42	LICENSES, PERMITS & FEES		33,958.00	322,485.00	**
103300061806	6503	4393903	COS-PENALTY'S	8,356.00	61,821.00	
ACCT:	4393	PENALTIES (NON-GOVERNMENTAL)		8,356.00	61,821.00	*
ACCT:	43	FINES, FORFEITS & PENALTIES		8,356.00	61,821.00	**
103300061806	6503	4896004	COS-EDUCATION COURSE COST	200.00	2,225.00	
103300061806	6503	4896007	COSM-NATL EXAM TEST COST	4,200.00	31,855.00	
103300061806	6503	4896020	MISCELLANEOUS INCOME	145.00	1,316.00	
ACCT:	4896			4,545.00	35,396.00	*
ACCT:	48	OTHER REVENUE		4,545.00	35,396.00	**
103300061806	6503	4920045	NONOPERATING REVENUES	.00	7,701.01	
ACCT:	4920	NONOPERATING REVENUE		.00	7,701.01	*
ACCT:	49	OTHER REVENUE		.00	7,701.01	**
CNTR:	103300061806			46,859.00	427,403.01	***
COMP:	6503			46,859.00	427,403.01	****
B UNIT:	1033			46,859.00	427,403.01	*****

STATE OF SOUTH DAKOTA
MONTHLY OBJECT/SUB-OBJECT REPORT BY BUDGET UNIT
FOR PERIOD ENDING: 06/30/2025

AGENCY 10 LABOR & REGULATION
BUDGET UNIT 1033 COSMETOLOGY COMMISSION - INFO
CENTER-5 10330 COSMETOLOGY COMMISSION

CENTER	COMP	ACCOUNT	DESCRIPTION	CURRENT MONTH	YEAR-TO-DATE	
COMPANY NO		6503				
COMPANY NAME		PROFESSIONAL & LICENSING BOARDS				
103300061806	6503	51010100	F-T EMP SAL & WAGES	6,333.69	152,315.22	
103300061806	6503	51010200	P-T/TEMP EMP SAL & WAGES	1,133.68	60,791.71	
103300061806	6503	51010300	BOARD & COMM MBRS FEES	.00	1,328.00	
ACCT: 5101		EMPLOYEE SALARIES		7,467.37	214,434.93	*
103300061806	6503	51020100	OASI-EMPLOYER'S SHARE	588.63	16,432.03	
103300061806	6503	51020200	RETIREMENT-ER SHARE	380.01	9,138.36	
103300061806	6503	51020600	HEALTH/LIFE INS.-ER SHARE	1,267.42	32,389.35	
103300061806	6503	51020800	WORKER'S COMPENSATION	12.58	362.71	
103300061806	6503	51020900	UNEMPLOYMENT COMPENSATION	1.18	33.99	
ACCT: 5102		EMPLOYEE BENEFITS		2,249.82	58,356.44	*
ACCT: 51		PERSONAL SERVICES		9,717.19	272,791.37	**
103300061806	6503	52030100	AUTO-STATE OWNED-IN STATE	811.11	10,357.51	
103300061806	6503	52030200	AUTO PRIV (IN-ST.) L/RTE	397.13	2,596.09	
103300061806	6503	52030300	AUTO-PRIV (IN-ST.) H/RTE	.00	1,419.37	
103300061806	6503	52031000	LODGING/IN-STATE	.00	859.34	
103300061806	6503	52031400	TAXABLE MEALS/IN-STATE	378.00	3,470.00	
103300061806	6503	52031500	NON-TAXABLE MEALS/IN-ST	.00	314.00	
103300061806	6503	52032600	AIR-COMM-OUT-OF-STATE	.00	702.95	
103300061806	6503	52032800	OTHER-PUBLIC-OUT-OF-STATE	.00	57.72	
103300061806	6503	52033000	LODGING/OUT-OF-STATE	.00	569.82	
103300061806	6503	52033200	INCIDENTALS-OUT-OF-STATE	.00	35.00	
103300061806	6503	52033500	NON-TAXABLE MEALS/OUT-ST	.00	112.00	
ACCT: 5203		TRAVEL		1,586.24	20,493.80	*
103300061806	6503	52040200	DUES & MEMBERSHIP FEES	130.92-	2,369.08	
103300061806	6503	52040500	COMPUTER CONSULTANT	.00	1,172.40	
103300061806	6503	52041600	WORKSHOP REGISTRATION FEE	.00	500.00	
103300061806	6503	52041800	COMPUTER SERVICES-STATE	3,613.40-	16,838.55	
103300061806	6503	52041810	BIT DEVELOPMENT COSTS	210.00	399.00	
103300061806	6503	52042000	CENTRAL SERVICES	331.46	11,473.70	
103300061806	6503	52042200	EQUIPMENT SERV & MAINT	54.15	220.46	
103300061806	6503	52042300	JANITORIAL & MAINT SERV	900.20	924.90	
103300061806	6503	52043300	COMPUTER SOFTWARE LEASE	27.76-	371.00	
103300061806	6503	52043600	ADVERTISING-NEWSPAPER	.00	131.73	
103300061806	6503	52045210	REVENUE BOND LEASE PYMTS	7,530.93	7,530.93	
103300061806	6503	52045300	TELECOMMUNICATIONS SRVCS	36.69	3,282.96	
103300061806	6503	52045500	GARBAGE & SEWER	109.49	118.91	
103300061806	6503	52045900	INS PREMIUMS & SURETY BDS	.00	1,900.10	
103300061806	6503	52047400	BANK FEES AND CHARGES	661.24	7,239.20	
103300061806	6503	52049600	OTHER CONTRACTUAL SERVICE	1,922.13	32,695.30	
ACCT: 5204		CONTRACTUAL SERVICES		7,984.21	87,168.22	*
103300061806	6503	52050200	OFFICE SUPPLIES	47.17-	2,468.82	
103300061806	6503	52053100	PRINTING-STATE	218.00	714.37	

STATE OF SOUTH DAKOTA
MONTHLY OBJECT/SUB-OBJECT REPORT BY BUDGET UNIT
FOR PERIOD ENDING: 06/30/2025

AGENCY 10 LABOR & REGULATION
BUDGET UNIT 1033 COSMETOLOGY COMMISSION - INFO
CENTER-5 10330 COSMETOLOGY COMMISSION

CENTER	COMP	ACCOUNT	DESCRIPTION	CURRENT MONTH	YEAR-TO-DATE	
103300061806	6503	52053300	SUPP. PUBLIC & REF MAT	.00	3.18	
103300061806	6503	52053500	POSTAGE	266.66	4,932.58	
ACCT: 5205		SUPPLIES & MATERIALS		437.49	8,118.95	*
103300061806	6503	52079010	COMPUTER HARDWARE	75.10-	94.90	
ACCT: 5207		CAPITAL OUTLAY		75.10-	94.90	*
103300061806	6503	5228000	OPER TRANS OUT -NON BUDGT	4,196.52	13,366.78	
ACCT: 5228		NONOP EXP/NONBGTD OP TR		4,196.52	13,366.78	*
ACCT: 52		OPERATING EXPENSES		14,129.36	129,242.65	**
COMP: 6503		PROFESSIONAL & LICENSING BOARDS		23,846.55	402,034.02	***
CENTER: 103300061806				23,846.55	402,034.02	****
B UNIT: 1033				23,846.55	402,034.02	*****

**STATE OF SOUTH DAKOTA
DEPARTMENT OF LABOR AND REGULATION
COSMETOLOGY COMMISSION**

IN THE MATTER OF Daelyn Batmale, Applicant.	CONSENT AGREEMENT APPLICATION NO. 10375
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FACTS

In consideration of the above matter, the undersigned parties consent to the following:

1. The South Dakota Department of Labor and Regulation, Cosmetology Commission (Commission) has jurisdiction over applications for cosmetology licenses pursuant to SDCL Chapter 36-15.
2. Daelyn Batmale (Applicant) applied to the Commission for a reciprocity cosmetology license on February 23, 2025.
3. Applicant holds the following licenses in the State of Oregon: Esthetician, Hair Design, and Nail Technology. Applicant has held those licenses since June 2019.
4. The Commission's program director sent Applicant a deficiency letter on April 4, 2025, advising that South Dakota did not have an equivalent hair design license to reciprocate pursuant to SDCL 36-15-19.2.
5. The Commission office received correspondence from the College of Hair Design Careers (CHDC) in Salem, Oregon on April 15, 2025, which detailed the type and amount of hours Oregon required and enclosed Applicant's final progress report, syllabi, and official transcripts.

6. Commission's program director staff responded on April 17, 2025, denying Applicant's request for a reciprocity license, outlining the basis for the denial, and advising Applicant of her right to file a written request for a contested case hearing within 20 days, or May 7, 2025.
7. Applicant submitted her written request for a contested case hearing to the Commission on April 28, 2025, and her attorney submitted additional documentation to the Commission's program director on May 7 in support of her reciprocity application.
8. On May 13, Applicant was informed through counsel that the denial of her reciprocity application was being maintained. A hearing to contest the denial was scheduled for June 13, 2025.

AGREEMENTS AND UNDERSTANDINGS

1. Applicant is aware and understands the nature of this matter.
2. Applicant acknowledges that she has been informed of various rights that she has in this matter. These rights include, but are not limited to, the right to:
 - a. be represented by a lawyer in this matter;
 - b. receive notice of any hearing in this matter;
 - c. have a contested case hearing, as defined in SDCL 1-26-1(2). A contested case hearing includes the right of the Applicant to be present at the hearing, be represented by legal counsel, introduce evidence, present testimony, call witnesses to testify, cross-examine all witnesses present, and submit argument on her own behalf; and
 - d. appeal any decision based on the contested case hearing to circuit court and the South Dakota Supreme Court, as provided by law.

3. Applicant is represented in this matter by an attorney, Ellie Bailey. Applicant has had time to consult with her attorney regarding this matter and this Consent Agreement.
4. Applicant understands that by agreeing to and signing this Consent Agreement, she waives all procedures and proceedings before the Commission that she may be entitled to under state law.
5. In lieu of contesting this matter formally, Applicant agrees to successfully complete the following items to obtain her South Dakota cosmetology license:
 - a. 144 hours of classroom study as follows:
 - i. General infection control and professional standards (ARSD 20:42:06:09(1)): 40 hours;
 - ii. Science of cosmetology, hair, skin, and nails (ARSD 20:42:06:09(2)): 85 hours;
 - iii. Chemical hair services (ARSD 20:42:06:09(4)): 11 hours; and
 - iv. Nail technology – electric nail filing (ARSD 20:42:06:09(6)): 8 hours.
 - b. Successfully take and pass the online NIC (National-Interstate Council) written theory examination for cosmetology.
 - c. Successfully take and pass the online South Dakota law and rules exam.
6. Upon Applicant providing the Commission office with satisfactory proof of her completion of all requirements of the Agreements and Understandings as set forth in paragraph 5, the Commission office shall issue Applicant an individual cosmetology license and a letter stating that she has complied with all terms and conditions of this Consent Agreement.

7. Prior to Applicant's completion of the requirements of the Agreements and Understandings as set forth in paragraph 5, no license shall be issued to Applicant by the Commission.
8. In exchange for Applicant's agreement to the provisions of this Consent Agreement, the parties agree to not proceed to a formal administrative hearing and further agree that this Consent Agreement will constitute the final agency disposition of this matter.
9. Applicant agrees that all information provided to the Commission is true and correct to the best of her knowledge, and that she has made no material omissions. Applicant understands that the Commission may vacate this agreement if new material facts are discovered after this Consent Agreement is executed by the parties.
10. Applicant consents, agrees, and acknowledges that this Consent Agreement must be submitted to the Commission for acceptance or rejection at a public meeting of the Commission. In the event the Commission rejects the Consent Agreement, Applicant waives any right to claim prejudice or to request recusal of any commission member by reason of any factual basis submitted to the Commission to resolve this matter by Consent Agreement rather than by formal proceeding.
11. Applicant acknowledges and agrees that, if approved by the Commission, this Consent Agreement, as the final Commission decision of a contested case, is a public document and is available for request pursuant to SDCL Ch. 1-27-1 *et seq.*
12. Applicant has read, understands, and agrees to this Consent Agreement and is freely and voluntarily signing it.

13. This Consent Agreement contains the entire agreement between the parties relating to the matters referenced in the Consent Agreement. Applicant is not relying on any other representations of any kind, verbal or otherwise.
14. If this Consent Agreement is approved by the Commission, a copy of the executed Consent Agreement will be served by electronic mail to the Applicant.
15. This Consent Agreement is effective on the date of the last signature of both parties affixed hereto.

Dated this ____ day of _____, 2025.

South Dakota Cosmetology Commission

Chairperson

I, Daelyn Batmale, have read and understand the terms of this Consent Agreement. I understand that I am waiving my due process rights and right to a hearing. I am voluntarily entering into this agreement.

Dated this 27 day of June, 2025.


Daelyn Batmale

South Dakota Cosmetology Commission

Examination Retake Policy

The South Dakota Cosmetology Commission adopts the following policy concerning subsequent attempts to complete a licensure examination.

Definitions:

Licensure Examination: One or more examinations required by the Cosmetology Commission (Commission) pursuant to SDCL 36-15-2.3, SDCL 36-15-17, and SDCL 36-15-17.1.

Examination Retake: A subsequent attempt to complete a licensure examination following an unsuccessful attempt to pass the examination upon:

1. Receiving a score lower than seventy-five percent; or
2. The Commission's receipt of substantiated evidence proving the candidate committed academic dishonesty while completing the examination.

Policy:

A license candidate may attempt an examination retake pursuant to the following provisions:

Examination Retake Attempt Number:	Condition:
1	Unrestricted.
2	Unrestricted.
3	Candidate must wait two weeks from previous attempt.
4	Candidate must wait two weeks from previous attempt.
5	Candidate must wait two months from previous attempt.
6	Candidate must wait two months from previous attempt.
Each subsequent attempt	Candidate must receive Commission approval by a majority vote of the Commission at a regularly scheduled meeting.

The Commission will ensure the candidate's highest examination score is recorded in the Commission's licensee database.

Authority: SDCL 36-15-11 **Related Policies:** CC2025:01

Renee Graf, President

Date

South Dakota Cosmetology Commission

Examination Eligibility Policy

The South Dakota Cosmetology Commission adopts the following policy concerning student eligibility to apply for a licensure examination.

Definitions:

Licensure Examination: One or more examinations required by the Cosmetology Commission (Commission) pursuant to SDCL 36-15-2.3, SDCL 36-15-17, and SDCL 36-15-17.1.

Student: Any person who is licensed by the Commission to receive education in a licensed school.

Policy:

A student may apply for a licensure examination if the student has completed two-thirds of the required coursework and holds a student license in good standing with the Commission. The minimum number of completed education hours for each education program is as follows:

Education Program	Minimum Hours
Cosmetology	1,000
Esthetics	400
Nail Technology	160

Authority: SDCL 36-15-11 **Related Statutes:** SDCL 36-15-1 (17) **Related Policies:** CC2025:01

Renee Graf, President

Date