

**IOWA BOARD OF COSMETOLOGY ARTS & SCIENCES**

January 14, 2013

Lucas State Office Building, 5<sup>th</sup> Floor Conference Rooms 517 & 518

Des Moines, Iowa

Open Session Meeting Minutes

**Call to Order:**

The meeting was called to order by Chairperson Kimberly Page at 10:35 a.m.

**Roll Call:**

**MEMBERS PRESENT:**

Dana Atkins, Licensed Cosmetologist and Electrologist

Richard Sheriff, Licensed Cosmetologist

Kimberly Page, Licensed Cosmetologist

Richard Mosley, Licensed Cosmetologist

Don Nguyen, Public Members

Mary Clausen, Licensed Cosmetologist

Nicole Schultz, Public Member

**STAFF PRESENT:**

Susan Reynolds, Board Executive

Barb Huey, Bureau Chief

Rosemary Bonanno, Licensure Specialist

**PUBLIC PRESENT:**

Justin Latham, Faust Institute of Cosmetology

Lois Leytem, Capri College, Dubuque

Deb Erickson, Aveda Institute, West Des Moines

Cindy Hummel, La'James International College, Johnston

Chris Fiegen, Capri College, Cedar Rapids

Kent Hartwig, ICSA Lobbyist

Linda Ring, EQ School of Hair Design, Council Bluffs

Julie Mead, EQ School of Hair Design, Council Bluffs

Bonnie Renda, Cosmetology and Barbers of Iowa

## **Review Agenda:**

### **Approval of Minutes**

A motion was made by Atkins to approve the meeting minutes from October 29, 2012. A second was received from Nguyen. All ayes, opposed none, motion carried.

A motion was made by Atkins to approve the meeting minutes from December 12, 2012. A second was received from Schultz. All ayes, opposed none, motion carried.

### **Public Comment:**

Justin Latham spoke to the board about square footage requirements for schools. The Iowa Cosmetology School Association is asking that all schools eventually comply with the square footage requirements instead of continually seeking a waiver of the requirements at each renewal. Board members were instructed to acquire the square footage of each school during the inspection process.

### **Reports:**

Chair: Kimberly Page assigned school inspections. Reports are due in the board office by April 8, 2013. The rules committee is scheduled to meet February 4<sup>th</sup>, April 8<sup>th</sup>, June 3<sup>rd</sup>, August 5<sup>th</sup>, October 14<sup>th</sup> and December 2<sup>nd</sup> in 2013. The committee will convene at 9:00 a.m. with the exception of the October committee meeting which will meet following the board meeting on the 14<sup>th</sup>. Page presented a 2012 review of board activities and accomplishments.

Board Executive: PSI notified the office that a student was observed using his I-phone during the NIC written examination. The applicant will not be eligible to re-test for one year. Zoe Institute in Keokuk officially closed as of December 1, 2012. School records are in the possession of the former owner.

Bureau Chief: Barb Huey gave an overview of the financial analysis on the costs and revenues for the cosmetology board. The document will serve as the ground work in moving towards a specific analysis of how the board's revenue is spent.

Huey introduced the new licensing certificates with an embedded watermark replacing the gold seal.

Marvin Firch is developing inspection forms and checklists covering sanitation rules. The AMANDA software system was discussed and imparted many of the things that the new system will be able to do. Page asked about a self-assessment form for the profession.

A letter was sent to the legislature with recommendations for improved efficiency within the boards, commission or advisory committees under Public Health. Huey suggested that the barber board and cosmetology board could be consolidated from an efficiency standpoint. She reported that there are some states that already have combined these two boards.

**Applications:**

Thuy Thi Thanh Huynh, nail endorsement: Applicant has applied for endorsement through Nebraska. Nebraska initially granted applicant a probationary license with the provision she take and pass their jurisprudence test. Rules require an applicant must pass the national theory examination before they are eligible for licensure in Iowa.

A motion was made by Page to require Thuy Thi Thanh Huynh to take the national examination before she is approved for licensure. A second was received from Mosley. All ayes, opposed none, motion carried.

Janae Kent, cosmetology license: Applicant is serving a criminal probation period until April, 2014. Board recommends approving application and to license by a consent agreement with a probationary period to run concurrently with her criminal probation.

A motion was made by Page to approve the application for licensure with probation to run concurrently with her criminal probation until April, 2014. A second was received from Sheriff. All ayes, opposed none, motion carried.

Megan Cecil, cosmetology license. Applicant is on probation until March 2013. Board executive recommended approving the license with no consent order since the applicant will have completed her probation by the time the license is issued.

A motion was made by Atkins to approve the application for cosmetology licensure. A second was received from Page. 6 ayes, 1 abstain (Nguyen), motion carried.

Heather Risetter, cosmetology license: Applicant is on probation until September, 2013. Board recommended approving with a consent order to run concurrently with probation through September, 2013.

A motion was made by Atkins to approve the application for licensure with a consent order that includes probation to run concurrently with criminal probation until September 2013. A second was received from Schultz. All ayes, opposed none, motion carried.

**New Business:**

Update on PSI test sites. PSI reported they are working on opening a test site in the Quad Cities. More information will follow.

**Administrative Rules:**

Revision to ARC 0437C – Dana Atkins stated that 1,000 sq. ft. would be adequate and school friendly for students. School association representatives did not agree with this idea. The association had more concerns with a school that only had six students. A school with low enrollment would struggle more monetarily than with space requirements. The current square footage encompasses a library, lounge, reception, handicap accessible restrooms, etc.; to say that 1,000 sq. ft. would be adequate is a stretch. Mosley agreed with the school association. Sheriff thought the rules should be 1,500 sq. ft. and at least 15 students. Nguyen does not want to add more obstacles for a new business owner. Schultz stated that considerations need to be taken regarding who the 1,500 sq. ft. would affect. Clausen agreed with 1,500 sq. ft. There is only one school that falls short of the 1,500 sq. ft. and Nguyen felt the board was spending too much time on the issue. Page is in agreement of 1,500 sq. ft. requirement. Board consensus is 1,500 sq. ft. requirement for schools.

A public member had questions about the requirement on the minimum number of licensed instructors. Board agrees that there should be an addition regarding the two instructor minimum in the school.

A single discipline school could be approved on a conditional basis until they become accredited within a 3-year period. The board agreed they would like to discuss the issue further. Rick Mosley asked why the schools thought accreditation would ensure a student received a better education. Lois Leytem spoke to this issue and discussed the actual accreditation process. There are two existing non-accredited schools at this time.

There is a fee associated with accreditation and the process can be tedious. Page stated that the board can approve a school according to the rules, so the two schools that have chosen not to go through the accreditation process can comply with the rule by being "board approved." Leytem said schools that are accredited are held to a higher standard of education, level of graduation rate and job placement to retain accreditation.

Lois Leytem brought up the subject of out of state students who are not completing the hours required in Iowa. Midwest technical Institute (MTI) in Moline is leading students to believe they can complete the course and then become licensed in Iowa. The rules require a school must either be approved by the board or accredited. The concern is that an MTI graduate is not receiving all the hours listed on its transcript because the majority of the hours are clinical and not classroom learning.

**Board agreed on 1,500 square foot requirement for schools.**

**Accreditation will not be a requirement to be a licensed school of cosmetology.**

Board executive will prepare a pre-notice of the rule changes and send to the Iowa Cosmetology School Association for review to make sure all the concerns are addressed.

**Closed Session:**

A motion was made Page by to enter into closed session at 12:11 p.m. to discuss confidential material related to applications and complaints according to Iowa Code Chapter 21.5(1) a and d. A second was received from Atkins. Roll call taken.

Atkins - aye

Page - aye

Sheriff - aye

Don - aye

Clausen - aye

Schultz - aye

Mosley - aye

Board returned to open session at 12:43 p.m.

**Follow-up from Closed Session:**

A motion was made by Page to prepare a Stipulation & Consent Order for the following cases #11-081, #11-108, and #11-125. A second was received from Atkins. All ayes, opposed none, motion carried.

A motion was made by Page to close the following case #11-029, #11-086, #11-087, #12-014, #12-070 and #12-073. A second was received from Atkins. All ayes, opposed none, motion carried.

A motion was made by Page to prepare a Statement of Charges for the following cases #11-024, #12-005, #12-009, #12-034, and #12-010. A second was received from Sheriff. All ayes, opposed none, motion carried.

Next board meeting is April 8, 2013.

**Adjournment:**

A motion was made by Page to adjourn the meeting at 12:43 p.m. A second was received by Atkins. All ayes, opposed none, motion carried.