

**STATE OF ALASKA  
DEPARTMENT OF COMMERCE, COMMUNITY, AND ECONOMIC DEVELOPMENT  
DIVISION OF CORPORATIONS, BUSINESS AND PROFESSIONAL LICENSING  
BOARD OF BARBERS AND HAIRDRESSERS**

**MINUTES OF MEETING**

**April 7, 2008**

By authority of AS 08.13.040, and in compliance with AS 44.62, Article 6, a scheduled meeting of the Board of Barbers and Hairdressers was held on April 7, 2008

**Agenda Item 1      Call to Order/Roll Call**

The meeting was called to order at 8:55 a.m.

Members present were:

Debra Long, Hairdresser, Chairperson  
Alice Massie, Hairdresser/Esthetician  
Charlette Lushin, Barber  
Carol Hernley, Barber  
Lorenda Britten, Tattoo and PCC  
Kelley Sherman, Public Member

Staff present was:

Colleen Wilson, Licensing Examiner

**Agenda Item 2      Welcome New Board Members**

Debra Long welcomed and thanked new board members for participating on the board. She also introduced new Licensing Examiner Colleen Wilson

Carol Hernley discussed reappoint procedures. Complained that she never received response back from Boards and Commissions, they seemed confused. She was removed by mistake. Thought she had reapplied. No communication. The procedures are not being followed by the new administration.

**Agenda Item 3      Review and Approve Agenda**

**On a motion duly made by Lushin, seconded by Massie and carried unanimously, it was RESOLVED that the agenda was approved**

**Agenda Item 4      Review and Approve Minutes of Sept 24, 2007**

Debra asked if there were any changes or corrections to the minutes.

Carol Hernley corrected her comment under agenda item 17, 2007 Annual Report to say "Carol Hernley requested that the fees for shop owner licenses be charged by the number of stations."

**On a motion duly made by Lushin, seconded by Hernley and carried unanimously, it was**

**RESOLVED to approve the minutes as amended.**

**Agenda Item 5      Ethics Reporting**

No Ethics problems to report.

Colleen Wilson directed new board members to the Ethics course web page, and asked them to complete the course by the next board meeting.

Being ahead of schedule, the board decided to discuss the application of Lora Jensen that had not been listed on the agenda due to it being received right before the meeting.

Colleen Wilson explained that Ms. Jensen had applied for a Hairdressing license by examination. Her last license was from the state of Montana and expired in 1987. Because she did not have a current license she has to qualify for the exam by a verification of her hours and practical operations. Ms. Jensen's school in North Dakota has been closed but the North Dakota Board sent a Verification of Student records which verified 1800 hours but because of records retention they could not break out the practical operations. Colleen went on to tell the board that she had reviewed the North Dakota regulations to try to break out the practical operations required. The break down in their regulations is not as extensive as Alaska's. Does the board want to accept the break down that was done or required Ms. Jensen to go back to school to obtain new training?

The board discussed the fact that Ms. Jensen has not been licensed since 1987 and many things have changed in 20 years. It would important for her to go back to school to qualify for the exam.

**On a motion duly made by Lushin, seconded by Massie and carried unanimously, it was**

**RESOLVED that Laura Jensen must obtain 1650 hours of training in a school or an apprenticeship program to qualify to take the written and practical exams.**

**Agenda Item 9      Regulations**

Colleen Wilson explained that applicants from out of state were applying for licenses, many of them manicurists, sending in the \$50.00 for a temporary license and a certified copy of their current license. They would then be issued a temporary license to work until their current license verification arrived so they could be issued a permanent license. Normally they would not send in the \$135.00 fee for the permanent license until it was approved. The problem is that she has at least 8 files pending were the applicant was granted a temporary license but never had a verification sent for their current license. It looks like a pattern of getting the temporary license, working until it expires and then never pursuing the permanent license. They never have any intention of living or working permanently in Alaska. This doesn't pertain only to manicurists. Any applicant from any profession could do this. It just happens that they are all manicurist files in pending. The temporary permit is not meant for temporary work. It is meant to help applicants to be able to go to work while they are waiting for their permanent license to be issued. Does the board want to require all the fees for all types of licenses to be paid up front in order to obtain a temporary permit?

**On a motion duly made by Massie, seconded by Sherman and carried unanimously, it was**

**RESOLVED to amend 12 AAC09.107 Temporary Permits to require that all licensing fees must be paid up front in order to obtain a temporary permit and to move this change on to public comment.**

**Agenda Item 6      Public Comment**

No one appeared for public comment time. The board decided to continue on with the regulation discussion during this time.

**9A: 12AAC09.002(u)(4)**

Colleen asked the board to consider repealing the requirement to provide CPR and Blood Borne Pathogens cards when obtaining a student permit, since applicant must provide them at the time of licensure, under 12 AAC 09.002 (o)(3)(A)

Lorenda disagrees; she believes that they cannot start training without doing at least the Blood Borne Pathogen course. They need to have the course finished before they ever touch a client. It is important for their own safety.

**On a motion duly made by Lushin, seconded by Britton and carried unanimously, it was**

**RESOLVED that 12 AAC 09.002 (o)(3)(A), 12 AAC 09.002 (o)(3) and 12 AAC 09.002 (q)(3) remain as they are.**

Jasmin Bautista, Investigator is present 9:40 am.

**Agenda Item 7      Investigative Report**

**Case # 0410-08-001**

On a motion duly made by Lushin, seconded by Massie and carried unanimously, it was

**RESOLVED to go into Executive Session per AS 44.62.310(c), to discuss case # 0410-08-001**

Off the record at 9:40 am

On the record at 9:50 am

**On a motion duly made by Massie, seconded by Lushin and carried unanimously, it was**

**RESOLVED to accept the Memorandum of Agreement for case #0410-08-001**

**Case #0421-07-003**

**On a motion duly made by Lushin, seconded by Massie and carried unanimously, it was**

**RESOLVED to go into Executive Session per AS 44.62.310(c), to discuss case # 0421-07-003**

Off the record 9:52 am

One the record 9:55 am

**On a motion duly made by Massie, seconded by Lushin and carried unanimously, it was**

**RESOLVED to accept the recommendation to deny the application of case #0421-07-003 based on AS 08.13.070(1)**

At this point Charlotte Lushin requested an executive session to discuss an anonymous complaint.

**On a motion duly made by Lushin, seconded by Massie and**

**carried unanimously, it was**

**RESOLVED to go into Executive Session per AS 44.62.310(c), to discuss an anonymous complaint.**

Off the record 9:50 am  
On the record 10:04 am

Jasmine told the board she will be traveling at least once a year to check shops on licensing compliance.

**Agenda Item 9B      Regulation - 12 AAC 09.005(e) Applications for Examination**

Please consider amending 12 AAC 09.005(e) to delete the language that reads “or the date the applicant last took an examination.” as an applicant has three years to complete testing under 12 AAC 09.075(g).

**On a motion duly made by Lushin, seconded by Massie and carried unanimously, it was**

**RESOLVED to amend 12AAC 09.005(e) to delete the language that reads, “or the date the applicant last took an examination” and to place a period after the word “application” and to move this change on to public comment.**

**Agenda Item 10      Billie Miller, Tattoo Applicant**

Colleen explained that Ms Miller is a tattoo applicant who cannot verify that she was licensed in the state of Nevada. She said the state doesn't license Tattoo Artists. The state of Nevada doesn't but Clark County in Nevada does. She cannot verify that she or her instructor held the required health cards issued by the Southern Nevada Health District. She directed them to an email from Clark County Department of Health stating that in order to practice tattooing in Las Vegas people must have certain training and take a health sanitation exam. Does the board accept her training in Las Vegas (which she cannot verify) to qualify her to take the exam.

**On a motion duly made by Britton, seconded by Sherman and carried unanimously, it was**

**RESOLVED that in order to qualify for the written exam, Ms. Miller must show proof that she and her instructor both held the required Health Cards issued by the Southern Nevada Health District during her training in Las Vegas.**

**Agenda Item 11      Shear Fire Academy of Hair Design**

**On a motion duly made by Massie, seconded by Lushin and carried unanimously, it was**

**RESOLVED to approve Shear Fire Academy of Hair Design pending approval by Post Secondary Education**

**Agenda Item 12      Approve/disapprove Eduwhere.com Online Bloodborne Pathogens and Infection Control for Tattooing and Body Piercing**

**On a motion duly made by Massie, seconded by Lushin and carried unanimously, it was**

**RESOLVED to approve the Eduwhere.com online course called Bloodborne Pathogens and Infection Control for Tattooing and Body Piercing,**

**Agenda Item 18      Correspondence, NCEA Certification Program**

It was decided that acceptance of this program was not necessary as it would not change the way the State of Alaska accepts license applicants from out of state. Colleen will draft a letter saying that this program is not applicable to our situation in Alaska and thank you very much for the information.

**Agenda Item 8      UAF Tanana Valley Campus Update**

Michelle Stalder, UAF Tanana Valley Campus and Kim Stryker, DEC introduced themselves.

Michelle updated the board on what has been happening at UAF.

- UAF is making sure the students are getting the right training to pass the exams.
- There are 20 students enrolled and an advisory committee has been formed with local salons.
- The program is 3 semesters long, with Jan, May, and Sept starting months.
- A waiting list has been formed and it has 25 people on it.
- The Milady curriculum is being used and all students have permits.
- 5 Salons are on board for 2<sup>nd</sup> semester job shadow and practicals. They have signed MOA with UAF. A licensed teacher will monitor what goes on at the salons.

- Are stressing sanitation in the classroom.

The board members discussed their concerns that the regulation in place does not require the college to have a DEC inspection. Practical operations are being done on Mannequins and the students are performing operations on each other. Sanitation is being ignored.

Colleen explained that the regulation doesn't require a DEC inspection because it was understood that all practical operations would be performed in a licensed shop that already had an inspected. This college program has already been licensed but if the board wanted to require future colleges to be inspected the regulation could be changed.

Kim Stryker gave her background with DEC from 1982 and explained that from the DEC perspective, salons are not a high risk to the public. Plans are reviewed instead of an in person inspection. After that complaint only inspections are performed. Complaints should be directed to DEC or the boards investigator. If a serious concern arises, a notice to stop will be issued and DEC works with the investigator to have a license withheld.

The board is concerned that in the original lesson plans, practical were not mentioned as being done in the school. Has the school changed its plans and decided to do practical operations on site?

Michelle was unsure of any change in plans and said she would have to talk to Rick Caulfield and get back to the board with the answer.

The board agreed that it would be very hard to teach theory exclusively and not perform some operations on mannequins.

Kim offered that DEC would have no problem if the school wanted to be inspection. What was important was what the students were working on, If mannequin heads were being used, the risks to the public would be nothing, but if the public were involved in these operations a review of the plans should be done because the risk to the public comes into play. She also offered that DEC could come in and talk to students about sanitation issues.

Michelle would like to put all the boards concerns in writing, email them to the board to make sure that they are all addressed, and then forward them to Rick Caulfield to put any inspection process in motion.

The board will discuss any changes to regulations pertaining to college licensure at the September meeting.

Lunch 12:00pm

On the record 1:05

Roll Call:

Debra Long, Hairdresser, Chairperson  
Alice Massie, Hairdresser/Esthetician  
Charlette Lushin, Barber  
Carol Hernley, Barber  
Lorenda Britten, Tattoo and PCC  
Kelley Sherman, Public Member

Staff present was:

Colleen Wilson, Licensing Examiner

**Agenda Item 15**      **Chair Rental Discussion**

Colleen directed the board to the examples from other states as to what they do about chair rental licenses. Cost seems to be the biggest complaint for chair renters. The cost may come down as there are so many more Shop Owner licenses being issued. Most of the people that are required to get the shop owner licenses didn't know they were supposed to. They are being caught when they try to renew their business license.

The board discussed that it is just the cost of doing business now and chair renters have their own business just like any other shop owner and should be required to have a shop owner license. There is hope that the price will change for the better. If changes need to be done to the statutes to include a special license for chair renters, then the renters themselves need to make that happen by discussing it with the legislature.

**Agenda Item 16**      **Review Goals and Objectives**

**Annual Report**

Debra will prepare the narrative for annual report.

Fiscal Year 2008 Goals and Objectives:

1. Conduct two one-day face-to-face meetings and two or three teleconferences as needed.
2. Have an operating budget so that we can accomplish our goals.
3. Representation on the National level
4. Pass/fail Statistics to the schools for the written examination.
5. Continue to be attentive to the school and apprentices responsibilities to the student, i.e. applications filed in a timely manner and record keeping.
6. Take steps to educate the legislature on the concerns of our profession



i.e. sanitation and public safety and any statute change necessary to separate the profession and to separate the tattooing and permanent cosmetic coloring licenses.

7. Work with the governor's office to fill board seats in a timely manner.
8. Continue to investigate adding independent contractors/chair rental licenses.
9. To raise the hours of training required for a manicurist license to 350 hours in a school. Do away with the Advanced Training Endorsement.

The board reviewed the legislative Recommendation for FY 2007. The following are the recommendations for TY 2008:

1. Recommend Legislature pass legislation to change the title of the Board of Barber and Hairdresser to include Manicurist and Body Artists.
2. Recommend Legislature change AS 08.13010 (a) to read "...7 members appointed by the governor." In the following make-up:
  1. One person licensed as a barber
  2. One person licensed as a tattooing and permanent cosmetic coloring
  3. One person licensed as a hairdresser
  4. One person licensed as an esthetician
  5. One person licensed as a body piercer
  6. One person licensed as a manicurist
  7. One person as the public member
3. Recommend Legislature change all applicable statutes for a manicurist license to read 350 hours of training required. Do away with the Advanced Training endorsement
4. Recommend Legislature change all applicable statutes to separate Tattooing and Permanent Cosmetic Coloring into two separate licenses.

**On a motion duly made by Lushin, seconded by Sherman and carried unanimously, it was**

**RESOLVED to approve fiscal year 2009 goals and objectives and legislative recommendations.**

**Agenda Item 13**

**Practical Exam Guidelines Haircut and Hair Style**

Debra explained that the biggest fail section of the practical is the haircut and hair style. In April new guidelines were created and approved at the

Sept meeting but they were not gone through. There are still some problems. Everyone needs to score the same statewide. She brought mannequins so the board could see what was being looked for in the hair style and haircut section. Is it a wearable style? She read through the guidelines for the hair style section while the rest of the board examined the mannequins. Thinks the hair style is an important part of the examination to tell if the student knows basic hairstyle. Should we send out the guidelines to the schools?

Debra invites Dennis Millhouse, from Trend Setters School of Beauty in Anchorage, who is observing the meeting to enter into the discussion with any questions he may have. Does he have a copy of the practical test scoring guidelines? He answers no and it would be nice to get on the same page as far as scoring the hair style portion. He explained that at one time the school received their student scores until the attorney general decided that it was an invasion of privacy. He would like to get the scores in order to help his students know what they did wrong. They discuss the hairstyle portion of the exam.

Jenny Lugiudier, instructor Trend Setters, asked if the board would be accepting any 1/3, 1/3, 1/3 sectioning during the hairstyling portion of the exam.

Massie explained that the sectioning could be different than the one on the mannequin being shown, but the hairstyle sets must look like it could be combed into a style. It has always been that way.

The board went on to discuss the haircut section of the practical test guidelines. Long explained the biggest problem in Fairbanks is the models hair is too long to get a 4 to 6 inch layered cut. The board may need to change the guidelines.

Lushin also explained that the razoring is so bad and dangerous. Some students don't know how to use a razor safely.

Long read the guidelines for scoring the haircut. She went on to say that everyone needs to score the same way. She asked for opinions about the scoring of the haircutting section. If the models with the long hair are going to be accepted, the guidelines need to be changed.

Lushin thinks the guidelines are very clear about how long the haircut is supposed to be and that the student needs to just read the instructions that are sent. Massie agrees and further explained that the length is announced at the exam itself before the student starts the haircutting section. Massie then went on to say that the board could lengthen the requirement to 8" because models can be so hard to obtain.

**On a motion duly made by Massie, seconded by Lushin and carried**

**unanimously, it was**

**RESOLVED to change the Examination Instructions for Barber, Hairdresser and Esthetician and the Practical Examination Scoring Guidelines under the section for the Hairdresser, Haircut to replace all phrases that read “4 to 6 inches” to read “up to 8” long”.**

The board decided to table the discussion on whether students can use a mannequin instead of a model to complete the hairdressing section and whether on incomplete can be given to students who’s model doesn’t show up.

**Agenda Item 14      Practical Exam Guidelines, Instructor**

Lesson outlines and Lesson plans are required in order to pass the test. If a good class is presented and the lesson outline is missing the candidate is failed.

**Agenda Item 18      Office Business**

All office business was completed

**Agenda Item 19      Adjourn**

**At 2:35 p.m. on a motion duly made by Lushin, seconded by Massie and carried unanimously, it was**

**RESOLVED that we adjourned the meeting.**

**Adjourned at 3:10 p.m.**

Respectfully Submitted:

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Colleen Wilson, Licensing Examiner  
Board of Barbers and Hairdressers

Approved:

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Debra Long, Chair  
Board of Barbers and Hairdressers

Date: \_\_\_\_\_