

1 State of Alaska
2 DEPARTMENT OF COMMERCE, COMMUNITY AND ECONOMIC DEVELOPMENT DIVISION
3 OF CORPORATION, BUSINESS AND PROFESSIONAL LICENSING
4

5 ALASKA BOARD OF BARBERS AND HAIRDRESSERS
6 Minutes of the meeting on Monday, October 1st & Tuesday, October 2nd, 2018
7

8 By the authority of AA 08.01.070(2) and AS 08.86.030, and in compliance with the provisions of AS
9 44.62, Article 6, a scheduled meeting of the Alaska Board of Barbers and Hairdressers was held in
10 Anchorage Alaska, on Monday, October 1st and Tuesday, October 2nd, 2018.

11
12 **These are DRAFTED minutes prepared by the staff of the Division of Corporation, Business and**
13 **Professional Licensing. These minutes have not been reviewed or approved by the board.**

14
15 **Written meeting minutes only reflect a brief overview of the business conducted during the board**
16 **meeting. For a more detailed account, please request a copy of the meeting recording.**

17
18 The Chair brought the meeting to order at 8:47 am on Monday, October 1st, 2018

19 **Board Members Present via teleconference, constituting a Quorum:**

20 Willie Canady (Mae)

21 Michelle McMullin

22 Terriann Shell-excused until 10:10 am

23 Kevin McKinley

24 Vershawn Idom (Shawn)

25 Jennifer Lombardo-Chair

26 Sienna Larson

27
28 **Staff Members present:**

29 Dawn Hannasch- Occupational Licensing Examiner

30 Sara Chambers-Deputy Director via teleconference

31 Greg Francois-Chief Investigator

32 Amber Whaley-Sr. Investigator

33 Dawn Bundick-Investigator

34 Karina Medina-Probation Monitor

35
36 **Review the Agenda:**

37
38 The board reviewed the approved agenda.

39
40 **Ethics Disclosure:**

41
42 There were no ethics violations reported

45 **Review Meeting Minutes:**

46
47 Hearing nothing, board chair Jennifer Lombardo moved the board’s attention to the 3 drafts of meeting
48 minutes for July 9th, 2018, August 2nd, 2018, and September 5th, 2018. The board reviewed each set and
49 requested a few grammatical corrections.

50
51 **In a motion duly made by Kevin McKinley, seconded by Sienna Larson, with unanimous**
52 **consent, it was resolves to accept the drafted meeting minutes from July 9th, August 2nd, and**
53 **September 5th, 2018 as amended.**

54
55 **Division/Fiscal Update & Board Training:**

56
57 At this time, Deputy Director Sara Chambers was invited to join the meeting via teleconference. Ms.
58 Chambers explained that the FY2018 4th quarter report was not available at this time, but will be
59 forwarded by staff once it is. Board Chair, Jennifer Lombardo requested that Ms. Chambers provide
60 training for the board; a refresher for some and new information for others. Topics covered were as
61 follows:

- 62
63
 - Staff vs. Board roles
 - Ethics: transparency and accountability
 - Open Meetings Act
 - Regulation process

64
65
66
67
68 **Break 10:52 am – 11:07 am**

69
70 **Investigations:**

71
72 After a brief break, Ms. Lombardo brought the meeting back to order. The board investigator, Dawn
73 Bundick joined the meeting to present the board with the investigative report for Jun 16, 2018 through
74 September 15, 2018. She reported that the Division opened six matters, and closed five. Thirty-three
75 matters remain on-going and under active investigation or are pending litigation and/or Board action.
76 The Division conducted 37 license compliance checks.

77
78 Probation Monitor, Katrina Medina reported that all licenses that are in probation status are in
79 compliance, except 4 individuals that the board is already aware of. Each of these individual cases were
80 discussed by the board.

81
82 Chief Investigator, Greg Francois provided the board with what he believes will be needed to support
83 the requirements of inspection from Senate Bill 4. He is proposing that the Division hire 2 new
84 investigators that will be dedicated, along with Ms Bundick to take on the heavy lifting of inspecting
85 salons starting January 1st 2019. Since salons have not been inspected by DEC since 1995, the initial
86 implementation could be a substantial amount of work for the investigative team. The board
87 understood that the addition of staff and travel could result in license fees going up. Ms. Bundick will
88 meet with DEC this month to continue to research the inspection requirements and how her team will
89 be able to meet the expectations as laid out in SB4. Chief Francois explained that each inspections,
90 especially in the initial stage, will be its own complex situation. The board requested that once the

91 requirements are set, that staff send them out to all shop owners and post them on the board's
92 website. The board believes that providing this information to the public and the stake holders ahead of
93 time will increase compliance from the industry.

94

95 **Lunch Break 12:16 pm – 1:24 pm**

96

97 **Application Review:**

98

99 The board returned from their lunch break and dove into application review. Staff presented the board
100 with 3 applications that needed their review and possible approval.

101

102 **In a motion duly made by Terriann Shell, seconded by Shawn Idom with a roll call vote, it was**
103 **resolved to approve the training provided on behalf of Delany Gehrke toward his**
104 **tattooing/body piercing/permanent cosmetic coloring license application**

105

106 **Mae Canady-Yes**

107 **Michelle McMullin-Yes**

108 **Terriann Shell-Yes**

109 **Kevin McKinley-Yes**

110 **Shawn Idom-Yes**

111 **Jennifer Lombardo-Yes**

112 **Sienna Larson-Yes**

113

114 **In a motion duly made by Mae Canady, seconded by Terriann Shell with a roll call vote, it was**
115 **resolved to approve the training provided on behalf of Camille Jimenez toward her student**
116 **hairdresser license application**

117

118 **Mae Canady-Yes**

119 **Michelle McMullin-Yes**

120 **Terriann Shell-Yes**

121 **Kevin McKinley-Yes**

122 **Shawn Idom-Yes**

123 **Jennifer Lombardo-Yes**

124 **Sienna Larson-Yes**

125

126 **In a motion duly made by Terriann Shell, seconded by Kevin McKinley with a roll call vote, it**
127 **was resolved to deny the tattooing/permanent cosmetic coloring license by exam application**
128 **for Duyen Freeman, under the authority of 12 AAC 09.169(a) requirement of at least 1000**
129 **hours of training, 12 AAC 09.169(c) requirement of at least 150 practical hours of training, 12**
130 **AAC 09.169(g) requirement of no more than 25% of the theory hours of training through**
131 **distance learning, and 12 AAC 09.173(a) training must either met or exceed the requirements**
132 **in Alaska.**

133

134

135 **Mae Canady-Yes**
136 **Michelle McMullin-Yes**
137 **Terriann Shell-Yes**
138 **Kevin McKinley-Yes**
139 **Shawn Idom-Yes**
140 **Jennifer Lombardo-Yes**
141 **Sienna Larson-Yes**

142

143 **Review NIC Exams:**

144

145 At its March 2018 meeting, the board requested that staff work with the NIC to review the actual exams.
146 This would give the board the ability to make the most informed decision possible for the State of
147 Alaska. Unfortunately, the request was denied. However, board member Kevin McKinley was able to
148 review the body piercing exam in the recent past. He was able to share his opinion with the rest of the
149 board. The board was able to review the basic information in the NIC exams.

150

151 **In a motion duly made by Shawn Idom, seconded by Mae Canady with a roll call vote, it was**
152 **resolved to adopt and utilize the National Interstate Counsel of Cosmetology’s non-chemical**
153 **barbering exam starting January 1, 2019.**

154

155 **Mae Canady-Yes**
156 **Michelle McMullin-Yes**
157 **Terriann Shell-Yes**
158 **Kevin McKinley-Yes**
159 **Shawn Idom-Yes**
160 **Jennifer Lombardo-Yes**
161 **Sienna Larson-Yes**

162

163 **Break 2:54 pm – 3:00 pm**

164

165 **Continuation of the Investigative section:**

166

167 Board Chair, Jennifer Lombardo brought the meeting back onto the record after a break. The board
168 requested that, due to a time limit earlier in the morning, Chief Investigator, Greg Francois rejoin the
169 meeting at 3:00 pm to discuss the difference between an advisement letter and a closure letter. Chief
170 Francois provided the board with examples of each. He explained that an advisement letter is sent out
171 to an individual that needs to be informed that they are working outside of the law, this is a non-
172 disciplinary letter. Whereas a closure letter is used once an investigation has been completed and is
173 closed. Board member Michelle McMullin suggested that the advisement letters come with a small fine.
174 However, it was discussed and decided that this invalidates the advisement letter and changes it to an
175 action.

176

177 Board investigator Dawn Bundick also reviewed the disciplinary matrix with the board. She was able to
178 clarify for the board and staff that the matrix dated October 6th 2014 is valid, all others are not
179 outdated.

180

181 **Public Comments:**

182

183 At 3:30 pm, Ms. Lombardo opened the meeting up for public comment. There were no public members
184 on the telephone line and 1 licensee in the room.

185

186 Charles Watson: Mr. Watson is a licenses body piercer in Alaska. Mr. Watson encouraged the board to
187 hold individuals accountable for working outside of the law. He also stated that, in his opinion, the
188 board will get “blow back” from the public if fee do go up to accommodate the new inspection
189 requirements brought on by SB4.

190

191 The board thanked Mr. Watson for his comments.

192

193 Board Chair, Jennifer Lombardo recessed the meeting at 4:30 pm

194

195

State of Alaska

196

**DEPARTMENT OF COMMERCE, COMMUNITY AND ECONOMIC DEVELOPMENT DIVISION
OF CORPORATION, BUSINESS AND PROFESSIONAL LICENSING**

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199

ALASKA BOARD OF BARBERS AND HAIRDRESSERS

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Minutes of the meeting on Monday, October 1st & Tuesday, October 2nd, 2018

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203 44.62, Article 6, a scheduled meeting of the Alaska Board of Barbers and Hairdressers was held in
204 Anchorage Alaska, on Monday, October 1st and Tuesday, October 2nd, 2018.

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207 Professional Licensing. These minutes have not been reviewed or approved by the board.**

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210 meeting. For a more detailed account, please request a copy of the meeting recording.**

211

212 The Chair brought the meeting to order at 9:10 am on Tuesday, October 2nd, 2018

213 **Board Members Present via teleconference, constituting a Quorum:**

214

Willie Canady (Mae)

215

Michelle McMullin

216

Terriann Shell-excused until 10:10 am

217

Kevin McKinley

218

Vershawn Idom (Shawn)

219

Jennifer Lombardo-Chair

220

Sienna Larson

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Staff Members present:

Dawn Hannasch- Occupational Licensing Examiner
Sher Zinn-Regulation Specialist via teleconference
Amber Whaley-Sr. Investigator
Dawn Bundick-Investigator

Review the Agenda:

The board reviewed the approved agenda.

Regulation Project Review:

Hearing no concerns about the day’s agenda, Board Chair Jennifer Lombardo welcomed Regulation Specialist Sher Zinn via teleconference. Ms. Zinn provided the following information to the board for consideration regarding their current regulations project in light of SB4:

Items located that will cleanup barber and hairdresser regulations- added to current project:

1. 09.002(g) and (h). Repeal of application fee for student permit, other student permit regulations do not have the application fee. We have never charged or received application fees for student permits, only the permit fee.

The board agreed that this is the best practice

2. 09.002(w). Added checklist regulation for manicurist. This was not added back when the manicurist regulations reverted to pre 2016.

The board agreed that this is the best practice

3. 09.056(b)(2). Added 100 grade points for each of the two practical portions of the exam, which is in the other practical exam regulations. Does the board want to mirror haircutting, hair styling, and drying portion of the practical exam found under the barber exam in (a) of this section? If so, the board can use the score sheet for the barber exam and just remove the portions of the barber exam that are not used. See 09.056(a)(2)(D).

The board agreed that this is the best practice

Items for board consideration and discussion:

1. AS 08.13.160(f) A person licensed under this chapter to practice hairdressing is considered to be licensed to practice manicuring, **hair braiding**, and limited esthetics under the same license. This does not give barbers the authority to practice hair braiding. Therefore, barbers may not be able to perform hair braiding or teach hair braiding without a hair braiding license. Confirmed by Harriet Milkes 9/18/2018.

267 Ms. Zinn directed the board attention to AS 08.13.160(f) and explained that the current statute does not
268 include licensed barbers in concerns to the ability to hair braid. Kevin McKinley stated that this is
269 definitely an unintended consequence of the statute. Shawn Idom stated that starting January 1, 2019
270 all barbers will need to obtain a hair braiding license in addition to their barbering licenses. He also
271 stated that the board will purpose to Legislators that this oversight must be corrected. The board
272 requested that staff send out a mass email to all licensed barbers notifying them of this change in
273 requirements.

274

275 *2. New statutes do not allow for a student permit for a hair braiding training. AS 08.13.180,*
276 *student permits, hair braiding not added. Harriet Milkes confirmed*

277

278 **In a motion duly made by Shawn Idom, seconded by Terriann Shell with a roll call vote, it was**
279 **resolved to amend the current regulation project and add “hair braiding” to 08.131.180.**

280

281 **Motion rescinded by Shaw Idom as the board does not have the authority to change statutes**

282

283 After further review, the board came to the concluding that no changes are needed for this topic

284

285 *3. 09.107. Added non-chemical barbering and hair braiding to temporary permit.*

286

287 The board reviewed and agreed to this change

288

289 *4. 09.115. Added non-chemical barbering and hair braiding to verifications.*

290

291 The board reviewed and agreed to this change

292

293 *5. 09.095. Board needs to determine combination of coursework and work experience for nonchemical*
294 *barber, as they have for barbers and hairdressers.*

295

296 **In a motion duly made by Shawn Idom, seconded by Terriann Shell with a roll call vote, it was**
297 **resolved to add 1 year work experience, with no less than 32 hours per week at a license**
298 **barber shop, and a minimum of 1200 hours training in an school or apprenticeship program**
299 **approved by the board or by another licensing jurisdiction that meets or exceed Alaska’s**
300 **requirements to 12 AAC 09.095(c) and add at least 2 years of full time work experience at a**
301 **licensed barber or hairdresser averaging no less than 32 hours per week and a minimum of**
302 **800 hours training in an school or apprenticeship program approved by the board or by**
303 **another licensing jurisdiction that meets or exceed Alaska’s requirements to 12 AAC 09.095(d)**

304

305 **Mae Canady-Yes**

306 **Michelle McMullin-Yes**

307 **Terriann Shell-Yes**

308 **Kevin McKinley-Yes**

309 **Shawn Idom-Yes**

310 **Jennifer Lombardo-Yes**

311 **Sienna Larson-Yes**

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6. 09.097(b). Added credit for course work hours for tattoo and PCC as discussed at meeting.

The board reviewed and agreed to this change

7. 09.180. Added non-chemical barber for a student-instructor permit.

The board reviewed and agreed to this change

In a motion duly made by Terriann Shell, seconded by Sienna Larson with a roll call vote, it was resolved to amend the current regulation project and add the changes above in an effort to “cleanup” current regulation

- Mae Canady-Yes**
- Michelle McMullin-Yes**
- Terriann Shell-Yes**
- Kevin McKinley-Yes**
- Shawn Idom-Yes**
- Jennifer Lombardo-Yes**
- Sienna Larson-Yes**

Register _____, _____ 2019 PROFESSIONAL REGULATIONS
Rev. 9/19/18 Draft 1

Chapter 09. Board of Barbers and Hairdressers.

(Words in **boldface and underlined** indicate language being added; words [CAPITALIZED AND BRACKETED] indicate language being deleted. Complete new sections are not in boldface or underlined.)

12 AAC 09.002(b) is amended to read:

(b) The following checklist is established by the board for review of an application for a barber **or non-chemical barber** license by examination. A barber **or non-chemical barber** license will be issued to an applicant who

(1) submits a completed, notarized form for application under this chapter that includes

(A) the applicant’s name and address; and

(B) for each school or apprenticeship where the applicant was trained, the name and address of the school or apprenticeship, the dates of the training, and the number of hours of training completed;

(2) submits original or certified true copies of

(A) student monthly records verifying that the applicant has successfully completed **in a school approved by the board**

(i) 1,650 hours of training for a barber license, or

(ii) 1,350 hours of training for a non-chemical barber license

[IN A SCHOOL APPROVED BY THE BOARD];

(B) a certification from another state’s licensing agency, bearing the seal

of that state, that the applicant has successfully completed **in a school approved by that**

358 **state's licensing agency**
359 **(i)** 1,650 hours of training that included the minimum number of
360 Register _____, _____ 2019 PROFESSIONAL REGULATIONS
361 Rev. 9/19/18 Draft 2
362 practical operations set out in 12 AAC 09.160 [IN A SCHOOL APPROVED BY
363 THAT STATE'S LICENSING AGENCY] **for a barber license; or**
364 **(ii) 1,350 hours of training that included the minimum number**
365 **of practical operations set out in 12 AAC 09.161 for a non-chemical barber**
366 **license;**
367 (C) student monthly records verifying that the applicant has successfully
368 completed **in an apprenticeship program approved by the board**
369 **(i)** 2,000 hours of training [IN AN APPRENTICESHIP
370 PROGRAM APPROVED BY THE BOARD] **for a barber license; or**
371 **(ii) 1,600 hours of training for a non-chemical barber license;**
372 (D) a certification from another state's licensing agency, bearing the seal
373 of that state, that the applicant has successfully completed **in an apprenticeship**
374 **program approved by that state's licensing agency**
375 **(i)** 2,000 hours of training that included the minimum number of
376 practical operations set out in 12 AAC 09.160 [IN AN APPRENTICESHIP
377 PROGRAM APPROVED BY THAT STATE'S LICENSING AGENCY] **for a**
378 **barber license; or**
379 **(ii) 1,600 hours of training that included the minimum number**
380 **of practical operations set out in 12 AAC 09.161 for a non-chemical barber**
381 **license; or**
382 (E) a combination of the records required in this paragraph that verify the
383 equivalent of 2,000 apprenticeship hours or 1,650 hours of course work **for a barber**
384 Register _____, _____ 2019 PROFESSIONAL REGULATIONS
385 Rev. 9/19/18 Draft 3
386 **license, or 1,600 apprenticeship hours or 1,350 hours of course work for a nonchemical**
387 **barber license** when evaluated using the criteria in 12 AAC 09.090(c) [B];
388 (3) pays the application fee established in 12 AAC 02.140;
389 (4) pays the written and practical examination fees established in 12 AAC 02.140;
390 (5) passes the written examination described in 12 AAC 09.056;
391 (6) passes all subjects of the practical examination described in 12 AAC 09.056;
392 and
393 (7) pays the initial biennial license fee in 12 AAC 02.140.
394 12 AAC 09.002(e) is amended to read:
395 (e) The following checklist is established by the board for review of an application for a
396 barber, **non-chemical barber** or hairdresser license by waiver of examination. A barber, **nonchemical**
397 **barber** or hairdresser license will be issued to an applicant who submits
398 (1) the documents and fees required by (b)(1), (b)(3), and (b)(7) of this section;
399 (2) a verification form completed by another state's licensing agency, bearing the
400 seal of that state, showing that the applicant
401 (A) holds a current license to practice barbering, **non-chemical barbering**
402 or hairdressing in that state; and
403 (B) qualified for licensure by passing a written and practical examination;
404 (3) verification of training and work experience that meets the requirements in 12

405 AAC 09.095(a)(3), [OR] (b)(3), or (c).
406 12 AAC 09.002(g)(2) is repealed:
407 Register _____, _____ 2019 PROFESSIONAL REGULATIONS
408 Rev. 9/19/18 Draft 4
409 (2) repealed ____/____/____ [THE APPLICATION FEE ESTABLISHED IN
410 12 AAC 02.140];
411 12 AAC 09.002(h)(2) is repealed:
412 (2) repealed ____/____/____ [THE APPLICATION FEE ESTABLISHED IN
413 12 AAC 02.140];
414 12 AAC 09.002(q) is amended to read:
415 (q) The following checklist is established by the board for review of an application for a
416 license by examination to practice tattooing or [AND] permanent cosmetic coloring. A license to
417 practice tattooing or [AND] permanent cosmetic coloring will be issued to an applicant who
418 (1) submits the documents and fees required by (b)(1), (3), (4), and (7) of this
419 section;
420 (2) submits a certification, on a form provided by the department, from the
421 applicant's trainer certifying that the applicant successfully completed the training requirements
422 of AS 08.13.082(d) and either
423 **(A) 12 AAC 09.169(a) [AND (B)] - (c) or 12 AAC 09.169(e), [(D)] if**
424 **applying for a tattooing license; or**
425 **(B) 12 AAC 09.168(a) – (c) or 12 AAC 09.168(e), if applying for a**
426 **permanent cosmetic coloring license.**
427 (3) submits certified true copies of current cards issued by the American Red
428 Cross, the American Heart Association, or a similar organization approved by the board,
429 showing that the applicant successfully completed training courses in
430 Register _____, _____ 2019 PROFESSIONAL REGULATIONS
431 Rev. 9/19/18 Draft 5
432 (A) cardiopulmonary resuscitation (CPR); and
433 (B) blood borne pathogens; and
434 (4) passes the written examination described in 12 AAC 09.068.
435 12 AAC 09.002(r) is amended to read:
436 (r) The following checklist is established by the board for review of an application for a
437 license by waiver of examination to practice tattooing or [AND] permanent cosmetic coloring. A
438 license to practice tattooing or [AND] permanent cosmetic coloring will be issued to an
439 applicant who submits
440 (1) the documents and fees required by (b)(1), (3), and (7) of this section;
441 (2) a verification form completed by another state's licensing agency, bearing the
442 seal of that state, showing that the applicant
443 (A) holds a current license to practice tattooing or [AND] permanent
444 cosmetic coloring in the state; and
445 (B) qualified for licensure to practice tattooing or [AND] permanent
446 cosmetic coloring in that state by passing a written examination;
447 (3) submits certified true copies of current cards issued by the American Red
448 Cross, the American Heart Association, or a similar organization approved by the board,
449 showing that the applicant successfully completed training courses in
450 (A) cardiopulmonary resuscitation (CPR); and
451 (B) blood borne pathogens; and

452 (4) verification of training equivalent to that described in AS 08.13.082(d) and
453 **(A) 12 AAC 09.169(a) [AND (B)] - (c), if applying for a tattooing**
454 Register _____, _____ 2019 PROFESSIONAL REGULATIONS
455 Rev. 9/19/18 Draft 6
456 **license; or**
457 **(B) 12 AAC 09.168(a) – (c), if applying for a permanent cosmetic**
458 **coloring license.**
459 12 AAC 09.002(s) is amended to read:
460 (s) The following checklist is established by the board for review of an application for a
461 courtesy license to practice body piercing, [OR TO PRACTICE] tattooing, **or** [AND] permanent
462 cosmetic coloring. A courtesy license to practice body piercing, [OR TO PRACTICE] tattooing,
463 **or** [AND] permanent cosmetic coloring will be issued to an applicant who meets the
464 requirements of AS 08.01.062(a) and who, at least 30 days before the applicant plans to begin
465 practicing, submits:
466 (1) a complete, notarized application on a form provided by the department;
467 (2) the applicable fees established in 12 AAC 02.140;
468 (3) verification of practicing body piercing, [FOR A FEE, OR OF PRACTICING]
469 tattooing, **or** [AND] permanent cosmetic coloring for a fee, for at least 12 of the 24 consecutive
470 months immediately preceding the date of application; the proof must include one of the
471 following or a combination of the following:
472 (A) at least two sworn affidavits from students or employees verifying the
473 applicant's experience;
474 (B) at least one copy per month of a client release form for at least 12 of
475 the 24 consecutive months immediately preceding the date of application;
476 (4) a statement signed by the applicant's sponsor verifying that the sponsor is a
477 practitioner of body piercing, [OR PRACTITIONER OF] tattooing, **or** [AND] permanent
478 Register _____, _____ 2019 PROFESSIONAL REGULATIONS
479 Rev. 9/19/18 Draft 7
480 cosmetic coloring who holds a permanent license in this state and will sponsor the applicant; and
481 12 AAC 09.002(u) is amended to read:
482 (u) The following checklist is established by the board for review of an application for a
483 student permit for an applicant to obtain training for body piercing, [OR FOR] tattooing, **or**
484 [AND] permanent cosmetic coloring by a licensed practitioner in an apprenticeship program in a
485 licensed shop. A student permit to obtain training for body piercing, [OR FOR] tattooing, **or**
486 [AND] permanent cosmetic coloring by a licensed practitioner in a licensed shop will be issued
487 to an applicant who submits
488 12 AAC 09.002 is amended by adding a new subsection to read:
489 (v) The following checklist is established by the board for review of an application for a
490 hair braiding license. A license to practice hair braiding will be issued to an applicant who
491 submits
492 (1) the documents and fees required by (b)(1), (3), and (7) of this section; and
493 (2) verification of
494 (A) completion of instruction as required by 12 AAC 09.164 on a form
495 provided by the department; or
496 (B) a current license to practice as a hair braider in another state with
497 requirements equal to those in this state at the time of licensure, sent directly to this state
498 from the verifying state's licensing agency in accordance with 12 AAC 09.115.

499 Register _____, _____ 2019 PROFESSIONAL REGULATIONS
500 Rev. 9/19/18 Draft 8
501 12 AAC 09.002 is amended by adding a new subsection to read:
502 (w) The following checklist is established by the board for review of an application for a
503 manicurist license. A manicurist license will be issued to an applicant who submits
504 (1) the documents and fees required by (b)(1), (3), and (7) of this section; and
505 (2) verification of
506 (A) training that meets the requirements in 12 AAC 09.143; or
507 (B) a current license to practice manicuring in another state with
508 requirements equal to those in this state at the time of licensure, sent directly to this state
509 from the verifying state's licensing agency in accordance with 12 AAC 09.115. (Eff.
510 5/10/96, Register 138; am 3/19/99, Register 149; am 7/23/2000, Register 155; am 7/13/2002,
511 Register 163; am 11/27/2002, Register 164; am 12/6/2002, Register 164; am 1/14/2004, Register
512 169; am 10/14/2006, Register 180; am 12/24/2006, Register 180; am 4/21/2010, Register 194;
513 am 6/8/2016, Register 218; am 6/21/2018, Register 226; am ____/____/____, Register ____)
514 **Authority:** AS 08.01.062 AS 08.13.080 AS 08.13.100
515 AS 08.13.030 AS 08.13.082 AS 08.13.120
516 AS 08.13.070 AS 08.13.090 AS 08.13.180
517 12 AAC 09.004(a) is amended to read:
518 **12 AAC 09.004. Courtesy license.** (a) A courtesy license authorizes the licensee to
519 practice body piercing, [OR TO PRACTICE] tattooing, or [AND] permanent cosmetic coloring
520 as a guest practitioner in a shop licensed by the board. An applicant for a courtesy license to
521 practice body piercing must have a sponsor who holds a permanent license to practice body
522 Register _____, _____ 2019 PROFESSIONAL REGULATIONS
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524 piercing in this state. An applicant for a courtesy license to practice tattooing [AND
525 PERMANENT COSMETIC COLORING] must have a sponsor who holds a permanent license
526 to practice tattooing [AND PERMANENT COSMETIC COLORING] in this state. **An applicant**
527 **for a courtesy license to practice permanent cosmetic coloring must have a sponsor who**
528 **holds a permanent license to practice permanent cosmetic coloring in this state.**
529 12 AAC 09.004(b)(3) is amended to read:
530 (3) verification of practicing body piercing, [FOR A FEE, OR OF
531 PRACTICING] tattooing, or [AND] permanent cosmetic coloring for a fee, for at least 12 of the
532 24 consecutive months immediately preceding the date of application; the proof must include
533 one of the following or a combination of the following:
534 12 AAC 09.004(c) is amended to read:
535 (c) A courtesy license to practice body piercing, [OR TO PRACTICE] tattooing, or
536 [AND] permanent cosmetic coloring is valid for 30 consecutive days. A person may not be
537 issued more than one courtesy license in a calendar year.
538 (Eff. 12/6/2002, Register 164; am 09/24/2014, Register 211; am ____/____/____, Register
539 ____)
540 **Authority:** AS 08.01.062 AS 08.13.030 AS 08.13.070
541 12 AAC 09.005(a) is amended to read:
542 **12 AAC 09.005. Application for examination.** (a) A completed, notarized application
543 Register _____, _____ 2019 PROFESSIONAL REGULATIONS
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545 for examination as a barber, **non-chemical barber**, hairdresser, advanced manicurist,

546 esthetician, practitioner of body piercing, practitioner of tattooing, [AND] **practitioner of**
547 permanent cosmetic coloring, or instructor must be received by the division assigned
548 occupational licensing functions at least 30 days before the next examination date and must
549 (Eff. 11/2/81, Register 80; am 4/18/82, Register 82; am 8/12/87, Register 103; am 9/30/87,
550 Register 103; am 5/20/88, Register 106; am 10/16/88, Register 108; am 11/28/88, Register 108;
551 am 5/10/96, Register 138; am 7/23/2000, Register 155; am 11/27/2002, Register 164; am
552 12/28/2008, Register 188; am **6/8/2016** [6/8/2106], Register 218; am 6/21/2018, Register 226;
553 am ___/___/___, Register ___)

554 **Authority:** AS 08.13.030 AS 08.13.040 AS 08.13.080

555 12 AAC 09.020(c) is amended to read:

556 (c) An applicant may not make a reference orally or in writing to an examiner about any
557 school **or instructor** of barbering, **non-chemical barbering**, hairdressing, manicuring, esthetics,
558 body piercing, [OR] tattooing, **or** [AND] permanent cosmetic coloring, [INSTRUCTOR,] or
559 present licenses held until grading has been completed by the examiners.

560 (Eff. 11/2/81, Register 80; am 5/10/96, Register 138; am 7/23/2000, Register 155; am
561 11/27/2002, Register 164; am ___/___/___, Register ___)

562 **Authority:** AS 08.13.030 AS 08.13.090

563 12 AAC 09.056 is repealed and readopted to read:

564 **12 AAC 09.056. Content and grading criteria for barber and non-chemical barber**

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567 **examinations.** (a) The examination for a barber license consists of the following sections:

568 (1) A written examination entitled the *National Barber-Stylist Test*, sponsored by
569 the National Interstate Council of State Boards of Cosmetology; and

570 (2) A practical examination with a maximum grade of 100 points in each of the
571 following subjects:

572 (A) permanent waving;

573 (B) virgin tint;

574 (C) bleach touch-up and highlighting;

575 (D) haircutting, hair styling, and drying (not including finger waves, pin

576 curls, and rollers); and

577 (E) shaving.

578 (b) The examination for a non-chemical barber license consists of the following
579 sections:

580 (1) A written examination entitled the *Barber-No Chemical Test*,

581 sponsored by the National Interstate Council of State Boards of Cosmetology; and

582 (2) A practical examination with a maximum grade of 100 points in each of

583 the following subjects:

584 (A) haircutting; and

585 (B) shaving.

586 (c) Sanitation, comfort, and protection of the model are included in the grading of
587 each subject of the practical examination.

588 (d) A passing grade on the written examination is 75 percent or above.

589 (e) A passing grade on each subject of the practical examination listed in (a)(2) and

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592 (b)(2) of this section is 75 points or more.

593 (f) No foreign language interpreters are allowed in the written or practical examination
594 room. (Eff. 5/20/88, Register 106; am 10/16/88, Register 108; am 5/10/96, Register 138; am
595 3/19/99, Register 149; am ____/____/____, Register ____)

596 **Authority:** AS 08.13.030 AS 08.13.090
597 12 AAC 09.068 is amended to read:
598 **12 AAC 09.068. Body piercing, [and] tattooing, and permanent cosmetic coloring**
599 **examinations.** (a) The examination for a license to practice body piercing, [OR TO PRACTICE]
600 tattooing, or [AND] permanent cosmetic coloring is a written examination prepared and
601 administered by the board covering the subjects listed in AS 08.13.080(d)(2).
602 (Eff. 11/27/2002, Register 164; am ____/____/____, Register ____)

603 **Authority:** AS 08.13.030 AS 08.13.080 AS 08.13.090
604 12 AAC 09.068 is repealed and readopted to read:
605 **12 AAC 09.068. Body piercing, tattooing, and permanent cosmetic coloring**
606 **examinations.** (a) The written examination for a body piercing license is entitled the *Body*
607 *Piercing Test*, sponsored by the National Interstate Council of State Boards of Cosmetology.
608 (b) The written examination for a tattooing license is entitled the *Tattooing Test*,
609 Register ____, _____ 2019 PROFESSIONAL REGULATIONS
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611 sponsored by the National Interstate Council of State Boards of Cosmetology.
612 (c) The written examination for a permanent cosmetic coloring license is entitled the
613 *Micropigmentation Test*, sponsored by the National Interstate Council of State Boards of
614 Cosmetology.
615 (d) A passing grade on the written examinations in this section is 75 percent or above.
616 (e) Foreign language interpreters are not allowed in the examination room. (Eff.
617 11/27/2002, Register 164; am ____/____/____, Register ____)

618 **Authority:** AS 08.13.030 AS 08.13.080 AS 08.13.090
619 12 AAC 09.086 is repealed and readopted to read:
620 **12 AAC 09.086. Tattooing or permanent cosmetic coloring license by examination.**
621 (a) An application for a license by examination to practice tattooing must be submitted in
622 accordance with 12 AAC 09.005. The application must include verification that the applicant has
623 successfully completed at least 1,000 hours of training that meets the requirements of
624 AS 08.13.082(d) and 12 AAC 09.169(a) – (c);
625 (b) An application for a license by examination to practice permanent cosmetic coloring
626 must be submitted in accordance with 12 AAC 09.005. The application must include verification
627 that the applicant has successfully completed at least 250 hours of training that meets the
628 requirements of AS 08.13.082(d) and 12 AAC 09.168(a) – (c).
629 (c) In addition to meeting the requirements of (a) or (b) of this section, an applicant for a
630 license to practice tattooing or a license to practice permanent cosmetic coloring must provide
631 verification that the applicant has successfully completed training equivalent to that required for
632 completion of courses certified by the American Red Cross, the American Heart Association, or
633 Register ____, _____ 2019 PROFESSIONAL REGULATIONS
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635 a similar organization approved by the board, and has been issued a current card, in
636 (1) cardiopulmonary resuscitation (CPR); and
637 (2) blood borne pathogens.
638 (d) In addition to meeting the requirements of (a) or (b) of this section, an applicant for a
639 license to practice tattooing or a license to practice permanent cosmetic coloring must have

640 passed the written exam as described in 12 AAC 09.068. (Eff. 11/27/2002, Register 164; am
641 1/14/2004, Register 169; am 4/5/2018, Register 226; am ___/___/___, Register ___)
642 **Authority:** AS 08.13.030 AS 08.13.080 AS 08.13.100
643 AS 08.13.070 AS 08.13.082
644 12 AAC 09.088 is amended to read:
645 **12 AAC 09.088. Tattooing or [AND] permanent cosmetic coloring license by waiver.**
646 An applicant for a license by waiver of examination to practice tattooing or [AND] permanent
647 cosmetic coloring shall apply on a form provided by the department. The application must
648 include
649 (1) payment of the applicable fees established in 12 AAC 02.140;
650 (2) verification that the applicant
651 (A) holds a current license to practice tattooing or [AND] permanent
652 cosmetic coloring in another state; and
653 (B) is qualified for licensure to practice tattooing or [AND] permanent
654 cosmetic coloring in that state by passing a written examination;
655 (Eff. 11/27/2002, Register 164; am 4/5/2018, Register 226; am ___/___/___, Register
656 Register ____, _____ 2019 PROFESSIONAL REGULATIONS
657 Rev. 9/19/18 Draft 15
658 ___)
659 **Authority:** AS 08.13.030 AS 08.13.080 AS 08.13.100
660 AS 08.13.070 AS 08.13.082
661 12 AAC 09.090 is repealed and readopted to read:
662 12 AAC 09.090. **Barber, non-chemical barber, or hairdresser license by**
663 **examination.** (a) An application for a barber or hairdresser license by examination must be
664 submitted in accordance with 12 AAC 09.005, with verification of
665 (1) 1,650 hours of course work in a school approved by the board or another
666 licensing jurisdiction;
667 (2) 2,000 hours of training in an apprenticeship program as required by AS
668 08.13.082; or
669 (3) a combination of course work and apprenticeship approved by the board under
670 (c) of this section or approved by another licensing jurisdiction.
671 (b) An application for a non-chemical barber license by examination must be submitted
672 in accordance with 12 AAC 09.005, with verification of
673 (1) 1,350 hours of course work in a school approved by the board or another
674 licensing jurisdiction;
675 (2) 1,600 hours of training in an apprenticeship program as required by
676 AS 08.13.082 and 12 AAC 09.190; or
677 (3) a combination of course work and apprenticeship approved by the board under
678 (c) of this section or approved by another licensing jurisdiction.
679 (c) When evaluating a combination of course work and apprenticeship, the board will, in
680 Register ____, _____ 2019 PROFESSIONAL REGULATIONS
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682 its discretion, use the following criteria to determine equivalent hours of course work and
683 apprenticeship:
684 (1) one course work hour equals 1.212 of an apprenticeship hour; and
685 (2) one apprenticeship hour equals .825 of a course work hour. (Eff. 11/2/81,
686 Register 80; am 4/18/82, Register 82; am 10/21/82, Register 84; am 2/28/88, Register 105; am

687 5/20/88, Register 106; am 3/19/99, Register 149; am ____/____/____, Register ____)
688 **Authority:** AS 08.13.030 AS 08.13.080 AS 08.13.082
689 12 AAC 09.095 is repealed and readopted to read:
690 **12 AC 09.095. Barber, non-chemical barber, or hairdresser license by waiver. (a)**
691 An applicant for a barber or hairdresser license by waiver of examination shall apply on a form
692 provided by the department. The application must include
693 (1) payment of the fees established in 12 AAC 02.140;
694 (2) verification of a current license to practice barbering or hairdressing issued by
695 another state;
696 (3) verification of completed training and work experience equivalent to
697 (A) 1,650 hours of training in a school approved by the board or another
698 licensing jurisdiction;
699 (B) 2,000 hours of an apprenticeship program approved by the board or
700 by another licensing jurisdiction;
701 (C) at least one year of full-time work experience as a licensed barber or
702 hairdresser, averaging no less than 32 hours per week, and a minimum of 1,500 hours of
703 training in an approved school or an apprenticeship program approved by the board or by
704 Register ____, _____ 2019 PROFESSIONAL REGULATIONS
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706 another licensing jurisdiction; or
707 (D) at least two years of full-time work experience as a licensed barber or
708 hairdresser, averaging no less than 32 hours per week and a minimum of 1,000 hours of
709 training in an approved school or an apprenticeship program approved by the board or by
710 another licensing jurisdiction; and
711 (4) documents verifying that a state in which the applicant was licensed as a
712 barber or hairdresser required the applicant to pass a practical and written examination to qualify
713 for licensure.
714 (b) An applicant for a non-chemical barber license by waiver of examination shall apply
715 on a form provided by the department. The application must include
716 (1) payment of the fees established in 12 AAC 02.140;
717 (2) verification of a current license to practice non-chemical barbering
718 issued by another state;
719 (3) verification of completed training equivalent to
720 (A) 1,350 hours of training in a school approved by the board or
721 another licensing jurisdiction; or
722 (B) 1,600 hours of an apprenticeship program approved by the board
723 or by another licensing jurisdiction; and
724 (4) documents verifying that a state in which the applicant was licensed as a
725 non-chemical barber required the applicant to pass a practical and written examination to qualify
726 for licensure.
727 Register ____, _____ 2019 PROFESSIONAL REGULATIONS
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729 (c) An applicant unable to satisfy the requirements of (a)(3) or (b)(3) of this section due
730 to lack of equivalency may obtain the needed hours of training and experience through
731 attendance at an approved school or participation in an apprenticeship program approved by the
732 board. (Eff. 11/2/81, Register 80; am 10/21/82, Register 84; am 2/28/88, Register 105; am
733 5/20/88, Register 106; am 5/10/96, Register 138; am 3/19/99, Register 149; am

734 ____/____/____, Register ____)

735 **Authority:** AS 08.13.030 AS 08.13.082 AS 08.13.100

736 12 AAC 09 is amended by adding a new section to read:

737 **12 AAC 09.096. Hair braiding license requirements.** An applicant for a hair braiding

738 license shall apply on a form provided by the department. The application must include

739 (1) payment of the fees established in 12 AAC 02.140;

740 (2) verification of completed training required under 12 AAC 09.164 by

741 submitting either

742 (A)documentation of 35 hours of training received from

743 (i) a licensed school in this state; or

744 (ii) a licensed hairdresser, instructor of hairdressing, or hair braider

745 in this state that meets the requirements of 12 AAC 09.186; or

746 (B) verification of licensure from another state with equivalent

747 requirements in which the applicant is licensed as a hair braider. The verification must

748 include the number of hours of training the applicant completed. (Eff. ____/____/____,

749 Register ____)

750 **Authority:** AS 08.13.030 AS 08.13.080 AS 08.13.100

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753 12 AAC 09.097 is amended to read:

754 **12 AAC 09.097. Credit for hours of course work and training.** An applicant may use

755 the same hours of course work and training to qualify for a license as a barber, **a non-chemical**

756 **barber**, and a license as a hairdresser. To be acceptable, the hours of course work and training

757 must meet the requirements set out in this chapter for the applicable license.

758 12 AAC 09.097 is amended by adding a new subsection to read:

759 (b) An applicant may use the same hours of course work and training to qualify for a

760 license to practice tattooing and a license to practice permanent cosmetic coloring. To be

761 acceptable, the hours of course work and training must meet the requirements set out in this

762 chapter for the applicable license. (Eff. 3/19/99, Register 149; am ____/____/____, Register

763 ____)

764 **Authority:** AS 08.13.030 AS 08.13.080

765 12 AAC 09.107(a)(1) is amended to read:

766 (1) verification of a current license to practice barbering, **non-chemical**

767 **barbering**, hairdressing, **hair braiding**, manicuring, esthetics, body piercing, [OR] tattooing, or

768 [AND] permanent cosmetic coloring issued by another state; and

769 ...

770 (Eff. 10/21/82, Register 84; am 2/28/88, Register 105; am 7/23/2000, Register 155; am

771 11/27/2002, Register 164; am 12/28/2008, Register 188; am ____/____/____, Register ____)

772 **Authority:** AS 08.13.030 AS 08.13.070

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775 12 AAC 09.110(a)(7) is amended to read:

776 (7) documentation that within the 90 days before until the 90 days after the date

777 the application was submitted to the department, the applicant was found to be in compliance

778 with state environmental sanitation regulations in 18 AAC 23 or the health regulations of the

779 municipality as a designee of the Department of Environmental Conservation and in which the

780 shop is located; the applicant must obtain that documentation from the Department of

781 Environmental Conservation or the municipality, except that an applicant whose shop is located
782 within a shop already inspected under this paragraph may submit a copy of that inspection report
783 or designate that a copy of the report is already on file with the department; if the application is
784 for a shop where body piercing, [OR] tattooing, **or** [AND] permanent cosmetic coloring will be
785 practiced, the shop must be inspected and certified by the Department of Environmental
786 Conservation as in compliance with the state environmental sanitation regulations in 18 AAC 23.
787 12 AAC 09.110(i) is amended to read:

788 (i) A shop owner that is currently licensed by the board that intends to add to the
789 shop a tattooing, [AND] **permanent** cosmetic coloring, or body piercing procedure must meet
790 the requirements of (a)(7) of this section and AS 08.13.215 before that procedure may be
791 conducted in the shop.

792 (Eff. 11/2/81, Register 80; am 10/21/82, Register 84; am 5/20/88, Register 106; am 10/16/88,
793 Register 108; am 4/23/98, Register 146; am 3/19/99, Register 149; am 7/23/2000, Register 155;
794 am 11/27/2002, Register 164; am 12/1/2002, Register 164; am 10/14/2006, Register 180; am
795 1/17/2008, Register 185; am 12/28/2008, Register 188; am 6/8/2016, Register 218; am
796 Register _____, _____ 2019 PROFESSIONAL REGULATIONS

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798 ____/____/____, Register _____)

799 **Authority:** AS 08.13.030 AS 08.13.210 AS 08.13.215

800 AS 08.13.120

801 12 AAC 09.112(a) is amended to read:

802 (a) The board will issue a temporary shop license to a person who
803 (1) holds a current license or temporary permit in this state to practice body
804 piercing, [OR] tattooing, **or** [AND] permanent cosmetic coloring;

805 (2) intends to hold a workshop or to demonstrate techniques as part of a
806 convention or other special event that includes other practitioners of body piercing, [OR]
807 tattooing, **or** [AND] permanent cosmetic coloring; and

808 ...

809 12 AAC 09.112(f) is amended to read:

810 (f) In this section and AS 08.13.120(b), "convention or other special event" means a
811 convention, industry trade show, or similar event that includes practitioners of body piercing,
812 [OR PRACTITIONERS OF] tattooing, **or** [AND] permanent cosmetic coloring and at which the
813 license applicant intends to demonstrate to the other practitioners products or techniques related
814 to body piercing, [OR] tattooing, **or** [AND] permanent cosmetic coloring. (Eff. 12/1/2002,
815 Register 164; am ____/____/____, Register _____)

816 **Authority:** AS 08.13.030 AS 08.13.120 AS 08.13.130

817 12 AC 09.115(4) is amended to read:

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820 (4) a licensed hairdresser, esthetician, barber, **non-chemical barber**, body
821 piercing practitioner, [OR] tattooing **practitioner**, **or** [AND] permanent cosmetic coloring
822 practitioner who sponsored an apprentice and maintained the required records under 12 AAC
823 09.190; or

824 (Eff. 11/2/81, Register 80; am 10/1/93, Register 127; am 4/23/98, Register 146; am 7/23/2000,
825 Register 155; am 11/27/2002, Register 164; am 8/20/2004, Register 171; am 6/8/2016, Register
826 218; am 6/21/2018, Register 226; am ____/____/____, Register _____)

827 **Authority:** AS 08.13.030 AS 08.13.080

828 12 AAC 09.127(b)(4) is amended to read:
829 (4) the theoretical and practical training must meet the requirements of 12 AAC
830 09.143, 12 AAC 09.148, 12 AAC 09.160, **12 AAC 09.161**, [AND] 12 AAC 09.163, and
831 **12 AAC 09.164** as applicable for the type of training provided.
832 (Eff. 7/12/2007, Register 183; am 12/28/2008, Register 188; am 6/8/2016, Register 218, Register
833 226; am ___/___/___, Register ___)

834 **Authority:** AS 08.13.030 AS 08.13.110 AS 08.13.210
835 AS 08.13.070 AS 08.13.180

836 12 AAC 09.160(a)(8) is amended to read:
837 (8) beard trimming **50** [5]
838 (Eff. 11/2/81, Register 80; am 10/21/82, Register 84; am 2/28/88, register 105; am 5/20/88,
839 Register 106; am 7/23/2000, Register 155; am 4/21/2010, Register 194; am 8/10/2012, Register
840 203; am 6/8/2016, Register 218; am 4/5/2018, Register 226; am 6/21/2018, Register 226; am
841 Register ____, _____ 2019 PROFESSIONAL REGULATIONS
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843 ___/___/___, Register ___)
844 **Authority:** AS 08.13.030 AS 08.13.110

845 12 AAC 09 is amended by adding a new section to read:
846 **12 AAC 09.161. Non-chemical barbering school curriculum.** (a) a student who is
847 enrolled in a course of non-chemical barbering must complete a curriculum that consists of at
848 least 1,350 hours of theoretical and practical training. A school shall teach a minimum of 185
849 hours of theoretical instruction, including five hours in state law, consisting of provisions of
850 AS 08.13, this chapter, and the Department of Environmental Conservation regulations contained
851 in 18 AAC 23, and the following minimum number of practical operations, during the 1,350
852 hours of training:

853 **MINIMUM NUMBER**
854 **OF PRACTICAL**
855 **OPERATIONS**

- 856 (1) wet hair styling and drying, including hair analysis, shampooing, finger
857 waving, pin curling, and comb outs..... 30
- 858 (2) thermal hair styling and drying, including hair analysis, straightening, waving,
859 curling with hot combs and hot curling irons, and blower styling..... 180
- 860 (3) haircutting, including hair analysis and the use of the razor, scissors, electric
861 clippers, and thinning shears, for wet and dry cutting 400
- 862 (4) scalp and hair treatments, including hair and scalp analysis, brushing, electric
863 and manual scalp manipulation, and other hair treatments 10
- 864 (5) beard trimming 50

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867 (6) beard shaving 50

868 (b) A student is responsible for participating in the routine maintenance of the sanitary
869 conditions necessary to conduct business. However, credit may not be given for time spent
870 laundering towels, washing floors, walls, windows, or lavatories, or similar work.
871 (c) A student or apprentice who is enrolled in a school or apprenticeship program may
872 complete up to 25 percent of the required theoretical instruction hours in (a) of this section
873 through a distance education course online provided by Milady, PivotPoint, or similar
874 organization approved by the board. Verification of successful completion of this training must

875 be mailed directly to the department from the school or instructor. (Eff. ___/___/___;
876 Register ___)

877 **Authority:** AS 08.13.030 AS 08.13.080 AS 08.13.110

878 12 AAC 09 is amended by adding a new section to read:

879 **12 AAC 09.164. Hair braiding curriculum.** A student who enrolls in a course of hair
880 braiding must complete 35 hours of instruction and must include the following:

881 **SUBJECT MINIMUM NUMBER**

882 **OF HOURS**

883 (1) hair and scalp analysis 5

884 (2) diseases and disorders 5

885 (3) sanitation 5

886 (4) statutes and regulations 5

887 (5) natural hair braiding techniques 15

888 (Eff. ___/___/___; Register ___)

889 Register ____, _____ 2019 PROFESSIONAL REGULATIONS

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891 **Authority:** AS 08.13.030 AS 08.13.080 AS 08.13.110

892 12 AAC 09 is amended by adding a new section to read:

893 **12 AAC 09.168. Permanent cosmetic coloring training requirements.** (a) A student
894 who is receiving training in permanent cosmetic coloring must complete a curriculum that
895 consists of at least 250 hours of training. The training must include a minimum of 125 hours of
896 theory instruction and a minimum of 75 hours of practical operations, including the number of
897 practical operations under (c) of this section, during which the trainer must be physically present
898 in the shop.

899 (b) The 125 hours of theory instruction required under (a) of this section must include the
900 following:

901 **SUBJECT MINIMUM NUMBER**

902 **OF HOURS**

903 (1) safety, sanitation, sterilization, and aseptic 45

904 (2) anatomy and physiology 10

905 (3) skin and skin disorders 10

906 (4) aftercare techniques 30

907 (5) equipment and supplies 10

908 (6) Alaska statutes and regulations 10

909 (7) emotional and psychological considerations of the client 5

910 (8) face shape and color theory 5

911 (c) The 75 hours of practical operations required in (a) of this section must include

912 (1) 25 practical operations observed by the student including; eight lips, eight

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915 eyeliners, and eight eyebrows and may include microblading;

916 (2) 25 practical operations in which the student participated including; eight lips,
917 eight eyeliners, and eight eyebrows and may include microblading; and

918 (3) 25 practical operations performed by the student under supervision, but
919 without assistance including; eight lips, eight eyeliners, and eight eyebrows and may include
920 microblading.

921 (d) In addition to the requirements of (a) – (c) of this section, an applicant must

922 successfully complete training equivalent to that required for completion of courses certified by
923 the American Red Cross, the American Heart Association, or a similar organization approved by
924 the board, in
925 (1) cardiopulmonary resuscitation (CPR); and
926 (2) blood borne pathogens.
927 (e) An applicant for a permanent cosmetic coloring license under AS 08.13.082(d)(1)(B)
928 based on training received in another state shall submit, on a form provided by the department,
929 verification of completed training equivalent to that required under (a) – (c) of this section. The
930 applicant may establish compliance with the requirement of (b)(6) of this section by submitting
931 to the department an affidavit from the applicant that states that the applicant has studied the
932 Alaska statutes and regulations regarding permanent cosmetic coloring for at least the minimum
933 number of hours required.
934 (f) An applicant for a permanent cosmetic coloring license under (e) of this section who
935 does not have enough hours to satisfy the requirements equivalent to those of (a) – (c) of this
936 section may obtain the remaining hours of training needed in a licensed shop in this state under a
937 licensed practitioner of permanent cosmetic coloring. The applicant must obtain a student permit
938 Register _____, _____ 2019 PROFESSIONAL REGULATIONS
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940 under 12 AAC 09.180 and board approval of the proposed training program under 12 AAC
941 09.190 before the training begins.
942 (g) A student or apprentice who is enrolled in a school or apprenticeship program may
943 complete up to 25 percent of the required theory instruction hours in (b) of this section through a
944 distance education course online provided by Milady, PivotPoint, or a similar organization
945 approved by the board. Verification of successful completion of this training must be mailed
946 directly to the department from the school or instructor. (Eff. ____/____/____, Register ____)
947 **Authority:** AS 08.13.030 AS 08.13.080 AS 08.13.082
948 12 AAC 09.169(a) is amended to read:
949 **12 AAC 09.169. Tattooing [AND PERMANENT COSMETIC COLORING]**
950 **training requirements.** (a) A student who is receiving training in tattooing [AND
951 PERMANENT COSMETIC COLORING] must complete a curriculum that consists of at least
952 1,000 hours of training. The training must include a minimum of 270 hours of theory instruction
953 and a minimum of 150 hours of practical operations **and number of practical operations as**
954 **required under (c) of this section**, during which the trainer must be physically present in the
955 shop.
956 12 AAC 09.169(e) is amended to read:
957 (e) An applicant for a tattooing [AND PERMANENT COSMETIC COLORING] license
958 under AS 08.13.082(d)(1)(B) based on training received in another state shall submit, on a form
959 provided by the department, verification of completed training equivalent to that required under
960 (a) – (c) of this section. The applicant may establish compliance with the requirements of (b)(6)
961 Register _____, _____ 2019 PROFESSIONAL REGULATIONS
962 Rev. 9/19/18 Draft 28
963 of this section by submitting to the department an affidavit from the applicant that states that the
964 applicant has studied the Alaska statutes and regulations regarding tattooing [AND
965 PERMANENT COSMETIC COLORING] for at least the minimum number of hours required.
966 12 AAC 09.169(f) is amended to read:
967 (f) An applicant for a tattooing [AND PERMANENT COSMETIC COLORING] **license**
968 under (e) of this section who does not have enough hours to satisfy the requirements equivalent

969 to those of (a) – (c) of this section may obtain the remaining hours of training needed in a
970 licensed shop in this state under a licensed practitioner of tattooing [AND PERMANENT
971 COSMETIC COLORING]. The applicant must obtain a student permit under 12 AAC 09.180
972 and board approval of the proposed training program under 12 AAC 09.190 before the training
973 begins.

974 (Eff. 11/27/2002, Register 164; am 1/14/2004, Register 169; am 9/24/2014, Register 211; am
975 4/5/2018, Register 226; am ____/____/____, Register ____)

976 **Authority:** AS 08.13.030 AS 08.13.080 AS 08.13.082

977 The section heading of 12 AAC 09.173 is amended to read:

978 **12 AAC 09.173. Out-of-state training in body piercing, [AND] tattooing, and**
979 **permanent cosmetic coloring.**

980 12 AAC 09.173(b) is amended to read:

981 (b) The board will approve training in tattooing [AND PERMANENT COSMETIC
982 COLORING] received outside of this state under AS 08.13.082(d)(1)(B) if the board determines
983 Register _____, _____ 2019 PROFESSIONAL REGULATIONS
984 Rev. 9/19/18 Draft 29

985 that the training is equivalent to that described in 12 AAC 09.169(a) – (c) and provided by a
986 person knowledgeable in the applicable techniques.

987 12 AAC 09.173 is amended by adding a new subsection to read:

988 (c) The board will approve training in permanent cosmetic coloring received outside of
989 this state under AS 08.13.082(d)(1)(B) if the board determines that the training is equivalent to
990 that described in 12 AAC 09.168(a) – (c) and provided by a person knowledgeable in the
991 applicable techniques. (Eff. 11/2/81, Register 80; am 4/18/82, Register 82; am 7/23/2000,
992 Register 155; am 5/26/2004, Register 170; am 4/5/2018, Register 226; am ____/____/____,
993 Register ____)

994 **Authority:** AS 08.13.030 AS 08.13.080 AS 08.13.082

995 12 AAC 09.180(a)(3)(C) is amended to read:

996 (C) receiving training from a practitioner of tattooing, [AND]
997 permanent cosmetic coloring or body piercing.

998 12 AAC 09.180(b)(2) is amended to read:

999 (2) proof of a current license to practice as a barber, **non-chemical barber**,
1000 hairdresser, esthetician, or as a manicurist with an endorsement as an advanced manicurist.
1001 (Eff. 11/2/81, Register 80; am 2/28/88, Register 105; am 5/20/88, Register 106; am 10/1/93,
1002 Register 127; am 7/23/2000, Register 155; am 7/13/2002, Register 163; am 11/27/2002, Register
1003 164; am 10/14/2006, Register 180; am 8/10/2012, Register 203; am 6/8/2016, Register 218; am
1004 4/5/2018, Register 226; am 6/21/2018, Register 226; am ____/____/____, Register ____)
1005 Register _____, _____ 2019 PROFESSIONAL REGULATIONS

1006 Rev. 9/19/18 Draft 30

1007 **Authority:** AS 08.13.030 AS 08.13.180 AS 08.13.190

1008 The section heading of 12 AAC 09.185 is amended to read:

1009 **12 AAC 09.185. Trainees in body piercing, [OR] tattooing, or [AND] permanent**
1010 **cosmetic coloring.**

1011 12 AAC 09.185(a) is amended to read:

1012 (a) A currently licensed practitioner of body piercing, [OR] tattooing, or [AND]
1013 permanent cosmetic coloring who has held a practitioner's license in this state for at least one
1014 year before the training begins may provide training [IN BODY PIERCING OR TATTOOING
1015 AND PERMANENT COSMETIC COLORING] to no more than two trainees simultaneously in

1016 a shop licensed by the board under 12 AAC 09.110. **A licensed practitioner of**
1017 **(1) body piercing may provide training in body piercing;**
1018 **(2) tattooing may provide training in tattooing; or permanent cosmetic**
1019 **coloring if the trainer meets the requirements of 12 AAC 09.168;**
1020 **(3) permanent cosmetic coloring may provide training in permanent**
1021 **cosmetic coloring.**
1022 12 AAC 09.185(e) is amended to read:
1023 (e) A trainer must submit a report on each trainee under the trainer's supervision, on a
1024 form provided by the department, no later than the 15th day after the calendar quarter. The report
1025 must include
1026 (1) for tattooing [AND PERMANENT COSMETIC COLORING], the exact
1027 Register _____, _____ 2019 PROFESSIONAL REGULATIONS
1028 Rev. 9/19/18 Draft 31
1029 number of hours of theoretical and **exact number and type of** practical operations completed by
1030 the trainee during the previous quarter;
1031 **(2) for permanent cosmetic coloring, the exact number of hours of theoretical**
1032 **and exact number and type of practical operations completed by the trainee during the**
1033 **previous quarter;**
1034 **(3) for body piercing, the exact number of hours of theoretical and the exact**
1035 **number and type of practical operations completed by the trainee during the previous quarter.**
1036 12 AAC 09.185(g) is amended to read:
1037 (g) The trainer must submit a certificate of student training form for tattooing, [AND]
1038 permanent cosmetic coloring, or body piercing within 20 days of termination of the training,
1039 documenting the theoretical and practical operations completed by the trainee during the
1040 incomplete training period.
1041 12 AAC 09.185(h) is amended to read:
1042 (h) Upon completion of a course of training under this section, the trainee is eligible to
1043 take the appropriate examination in the license categories of tattooing, [AND] permanent
1044 cosmetic coloring, or body piercing. The trainer shall submit a certificate of student training form
1045 no later than 30 days after the completion of training, documenting the theory hours and practical
1046 operations.
1047 (Eff. 11/16/2004, Register 172; am 12/24/2006, Register 180; am 4/21/2010, Register 194; am
1048 9/24/2014, Register 211; am 4/5/2018, Register 226; am ___/___/___, Register ___)
1049 **Authority:** AS 08.13.030 AS 08.13.082
1050 Register _____, _____ 2019 PROFESSIONAL REGULATIONS
1051 Rev. 9/19/18 Draft 32
1052 12 AAC 09 is amended by adding a new section to read:
1053 **12 AAC 09.186. Trainees in hair braiding.** (a) A currently licensed hairdresser,
1054 instructor in hairdressing, or hair braider in a shop that is licensed by the board under 12 AAC
1055 09.110 may provide instruction in hair braiding in accordance with 12 AAC 09.164.
1056 (b) The trainer under (a) of this section must have held a license in this state for at least
1057 one year before the training begins. (Eff. ___/___/___, Register ___)
1058 Authority: AS 08.13.030 AS 08.13.080 AS 08.13.180
1059 12 AAC 09.190(a) is amended to read:
1060 **12 AAC 09.190. Apprentices of barbering, non-chemical barbering, hairdressing,**
1061 **and esthetics.** (a) A currently licensed barber, **non-chemical barber**, hairdresser, or esthetician
1062 instructor in a shop that is licensed by the board under 12 AAC 09.110 may sponsor an

1063 apprentice in the instruction of barbering, **non-chemical barbering**, hairdressing, or esthetics if
1064 (1) the instructor submits a completed application on a form provided by the
1065 department; the completed application must include
1066 (A) the personal identification information requested on the form;
1067 (B) a curriculum to the board and must provide for
1068 (i) verification that the shop where the training will be provided
1069 meets the requirements of 12 AAC 09.155 if the apprenticeship training is for
1070 barbering or hairdressing, **12 AAC 09.155 except for items listed under (c)(16)**
1071 **– (18) of that section if the apprenticeship training is for non-chemical**
1072 **barbering**, and 12 AAC 09.162 if the apprenticeship training is for esthetics;
1073 Register _____, _____ 2019 PROFESSIONAL REGULATIONS
1074 Rev. 9/19/18 Draft 33
1075 (ii) instruction of the minimum hours of theoretical and practical
1076 training specified in 12 AAC 09.160 if the apprenticeship training is for barbering
1077 or hairdressing, **12 AAC 09.161 if the apprenticeship training is for nonchemical**
1078 **barbering**, or 12 AAC 09.163 if the apprenticeship training is for
1079 esthetics;
1080 (iii) a period of apprenticeship that meets the requirements of AS
1081 08.13.082; and
1082 (iv) the issuance of an affidavit of completion to each apprentice
1083 successfully completing the apprenticeship; and
1084 (2) the apprentice holds a student permit issued under 12 AAC 09.180(a).
1085 12 AAC 09.190(h) is amended to read:
1086 (h) An apprentice may not perform work in a shop unless the licensed barber, **nonchemical**
1087 **barber**, hairdresser, or esthetician instructor responsible for the apprentice’s training is
1088 on the premises.
1089 12 AAC 09.19.190(i) is amended to read:
1090 (i) Upon completion of a course of instruction under this section, an apprentice is eligible
1091 to take the appropriate examination in the license category of barbering, **non-chemical**
1092 **barbering**, hairdressing, or esthetics. The instructor shall notify the board of an apprentice
1093 completing the course of instruction not later than 30 days after the completion by submitting
1094 records of apprenticeship in accordance with this section.
1095 (Eff. 10/21/82, Register 84; am 8/12/87, Register 103; am 2/28/88, Register 105; am 5/20/88,
1096 Register _____, _____ 2019 PROFESSIONAL REGULATIONS
1097 Rev. 9/19/18 Draft 34
1098 Register 106; am 10/1/93, Register 127; am 4/23/98, Register 146; am 7/23/2000, Register 155;
1099 am 7/13/2002, Register 163; am 11/16/2004, Register 172; am 10/14/2006, Register 180; am
1100 12/24/2006, Register 180; am 8/10/2012, Register 203; am 6/8/2016, Register 218; am 4/5/2018,
1101 Register 226; am 6/21/2018, Register 226; am ____/____/____, Register _____)
1102 Authority: AS 08.13.030 AS 08.13.082
1103 12 AAC 09.930(c) is amended to read:
1104 (c) In addition to the requirements of (a) and (b) of this section, an applicant for
1105 reinstatement of a license to practice body piercing, [OR TO PRACTICE] tattooing, **or** [AND]
1106 permanent cosmetic coloring must submit verification that the applicant has successfully
1107 completed training equivalent to that required for completion of courses certified by the
1108 American Red Cross, The American Heart Association, or a similar organization approved by
1109 the board, and been issued a current card, in

1110 (1) cardiopulmonary resuscitation (CPR); and
1111 (2) blood borne pathogens. (Eff. 2/28/88, Register 105; em am 5/20/88 –
1112 9/16/88, Register 106; am 5/10/96, Register 138; am 7/23/2000, Register 155; am 11/27/2002,
1113 Register 164; am ___/___/___, Register ___)

1114 **Authority:** AS 08.13.030 AS 08.13.140

1115 12 AAC 09.940(d) is amended to read:

1116 (d) The Information Regarding Potential Health Risks and Other Information Section of
1117 the *Educational Information and Aftercare Instructions* (March 2003), prepared by the board, is
1118 adopted by reference as the statement provided by the board under AS 08.13.030(b) that the
1119 Register ____, _____ 2019 PROFESSIONAL REGULATIONS
1120 Rev. 9/19/18 Draft 35

1121 owner of a shop for tattooing, [AND] permanent cosmetic coloring or for body piercing shall
1122 prominently display in the shop as required under AS 08.13.215(c)(1). (Eff. 4/9/2004, Register
1123 170; am ___/___/___, Register ___)

1124 **Authority:** AS 08.13.030 AS 08.13.215

1125 12 AAC 09.990(a)(6) is amended to read:

1126 (6) “practical instruction,” “practical operation,” or “practical training” means
1127 the demonstration of or the actual performance of barbering, hairdressing, manicuring, esthetics,
1128 body piercing, [OR] tattooing, or [AND] permanent cosmetic coloring by a student, apprentice,
1129 or practitioner;

1130 12 AAC 09.990(a)(8) is amended to read:

1131 (8) “client release form” means a client’s written consent, on a form provided by
1132 a practitioner, for the practitioner to perform the requested body piercing, [OR] tattooing, or
1133 [AND] permanent cosmetic coloring procedure;
1134 (Eff. 11/2/81, Register 80; am 10/21/82, Register 84; am 2/28/88, Register 105; am 7/23/2000,
1135 Register 155; am 11/27/2002, Register 164; am 12/6/2002, Register 164; am 7/12/2007, Register
1136 183; am 4/21/2010, Register 194; am 6/8/2016, Register 218; am 6/21/2018, Register 226; am
1137 ___/___/___, Register ___)

1138 **Authority:** AS 08.13.030 AS 08.13.220 __

1139

1140 **In a motion duly made by Mae Canady, seconded by Kevin McKinley with a roll call vote, it**
1141 **was resolved to send out the amended regulation project out for public comment to all**
1142 **licensees and interested parties.**

1143

1144 **Mae Canady-Yes**

1145 **Michelle McMullin-Yes**

1146 **Terriann Shell-Yes**

1147 **Kevin McKinley-Yes**

1148 **Shawn Idom-Yes**

1149 **Jennifer Lombardo-Yes**

1150 **Sienna Larson-Yes**

1151

1152 **Old Business:**

1153

1154 The board revisited the inspection topic. Investigator, Dawn Bundick explained that many of their
1155 questions will be answered after she attends the training with DEC on the 14th of October. Board Chair

1156 Jennifer Lombardo requested that each board member read through the current DEC inspection
1157 regulation, paying particular attention to their individual industry, and report back to the board at the
1158 January 2019 meeting.

1159

1160 Out of State Schools:

1161 Hearing nothing further, Ms. Lombardo move the board's attention onto the out of state school statutes
1162 and regulations for tattooing/body piercing/permanent cosmetic coloring: 12 AAC 09.173 and Sec
1163 08.13.082. Staff was tasked with the board to see if there is a list of accredited/approved schools with
1164 each state that staff can use when reviewing initial applications. At this time, all tattooing/body piercing
1165 and PCC applications with out of state training must go to the board for review. This can cause a delay in
1166 licensure.

1167

1168 **In a motion duly made by Kevin McKinley, seconded by Michelle McMullin with a roll call**
1169 **vote, it was resolved to accept and utilize the National Interstate Counsel of Cosmetology**
1170 **written, scientific concepts examination for body piercing.**

1171

1172 **Mae Canady-Yes**

1173 **Michelle McMullin-Yes**

1174 **Terriann Shell-Yes**

1175 **Kevin McKinley-Yes**

1176 **Shawn Idom-Yes**

1177 **Jennifer Lombardo-Yes**

1178 **Sienna Larson-Yes**

1179

1180 Tattooing/Body Piercing/Permeant Cosmetic Coloring written exam:

1181

1182 Moving onto the next agenda item, the board reviewed the draft of the written Tattooing/Body
1183 Piercing/Permeant Cosmetic Coloring exam, as presented by board chair Lombardo. It is the board
1184 intention to discuss using the NIC written body piercing exam later in the day. But until all members of
1185 the board are able to review the tattooing/PCC written exam from NIC, the board will have to continue
1186 using one that they write themselves. It was agreed that the exam needs to be updated. They removed
1187 6 of questions that were either no longer relevant or incorrect and added in 8 new questions. Spelling
1188 and grammar was also updated. All study material will continue to be available on the board's website.

1189

1190 **In a motion duly made by Sienna Larson, seconded by Terriann Shell, with unanimous consent,**
1191 **it was resolves to accept the re-drafted written exam for tattooing & Permanent Cosmetic**
1192 **Coloring dated 10/2/2018.**

1193

1194 **New Business:**

1195

1196 October 3, 2018 town hall meeting agenda

1197

1198 Having completed all old business, Ms. Lombardo moved the board onto the planning for the town hall
1199 meeting that will occur October 3, 2018. All topics from the prior meeting were thoroughly discussed
1200 again and assigned to specific board members to be presented to the public.

1201

1202 The board also made plans for their 2019 regular board meetings and town hall meetings:

1203

1204 January 29th & 30th 2019 in Juneau

1205 Town Hall January 29th 2019 6:30 pm

1206

1207 May 6th & 7th in Anchorage

1208 Town Hall May 6th 2019

1209

1210 October 7th & 8th 2019 in Fairbanks

1211 Town Hall October 8th 2019

1212

1213 **Administrative Business:**

1214

1215 Sign Wall Certificates

1216

1217 Hearing nothing further, Board Chair Lombardo stated that the board was very thankful for the service
1218 of past board member Michelle "Mitch" Black. She resigned this past summer. The board signed a
1219 certificate of appreciation that staff will send out to Ms. Black.

1220

1221 Board Chair Lombardo also signed a few other license wall certificates that staff will send out once she
1222 returns to the office.

1223

1224 Correspondence

1225

1226 The board reviewed a letter of request for an exam waiver. The board is not at liberty to waive exams as
1227 laid out in statutes and regulations. The board chair instructed staff to reach out to the individual with
1228 the board's response.

1229

1230 **In a motion duly made by Michelle McMullin, seconded by Terriann Shell with a roll call vote,**
1231 **it was resolved to grant the request to waive the exam retake, as requested by an applicant.**

1232

1233 **Michelle McMullin-No**

1234 **Terriann Shell-No**

1235 **Kevin McKinley-No**

1236 **Jennifer Lombardo-No**

1237 **Sienna Larson-No**

1238

1239 The request was denied. Board staff will notify the applicant in writing.

1240

1241 Hearing nothing further, Board Chair Jennifer Lombardo adjourned the meeting at 4:11 pm.

1242

1243 Respectfully submitted,

1244

1245

1246

1247 Dawn K Hannasch

1248 Records and Licensing Supervisor

1249

1250

1251

1252 Jennifer Lombardo

1253 Board Chair

Date

Date

DRAFT