

1 STATE OF ALASKA
2 DEPARTMENT OF COMMERCE, COMMUNITY AND ECONOMIC DEVELOPMENT
3 DIVISION OF CORPORATIONS, BUSINESS AND PROFESSIONAL LICENSING
4 BOARD OF BARBERS AND HAIRDRESSERS

5
6 MINUTES OF MEETING
7 July 15, 2020
8

9 By the authority of AS 08.01.070(2) and AS 08.86.030 and in compliance with the provisions of AS 44.62
10 Article 6, a scheduled meeting of the Board of Barbers and Hairdressers was held via teleconference and
11 videoconference and at State Office Bldg., 8th Floor, Conference Room B, July 15, 2020.
12

13 **Item 1. Call to Order/Roll Call**

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15 The meeting of the Board of Barbers and Hairdressers was called to order by Jennifer Lombardo, Chair at
16 9:08 a.m. Members present were:
17

18 **Item 1. Roll call**

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20 **Board Members Present, constituting a Quorum:**

21
22 Jennifer Lombardo, Industry License, Tattooist, Chairperson
23 Michelle McMullin, Nail Technician
24 Terriann Shell, Public Member
25 Z. Blake Thomas, Tattooist/Body Piercer/Permanent Cosmetic Colorist
26 Vershawn Idom (Shawn), Barber
27 Cheryl Brantley, Hairdresser
28 VACANT, Hairdresser/Esthetician
29

30 **Present from the Division of Corporations, Business and Professional Licensing were:**

31
32 Cynthia Spencer, Acting Records & Licensing Supervisor
33 Wanda Whitcomb, Licensing Examiner
34 Sher Zinn, Regulation Specialist
35

36 **Members of the Public Present:**

37
38 No public attendees
39

40 **Item 2. Review/amend agenda**

41
42 Board Chair, Jennifer Lombardo requested the board review the approved agenda and provide any
43 amendments. Hearing no requests for amendments; the agenda was approved.
44

45 **Item 3. Ethics Disclosure**

46
47 The Board reviewed the provided ethics information. There were no ethics violations report
48

49 **Item 4. July 13, 2020 Town Hall Meeting Discussing/Recap**

50
51 In the board's recap of the July 13 town hall meeting, board members discussed that the concerns
52 mentioned by public comments on quality of students who are applying for licenses that are not

53 under the board's purview as the board deals with safety and sanitation.

54

55 Blake Thomas stated that concerns were mostly about quality of licensees not the health and safety
56 issues which is under the boards purview.

57

58 Michelle McMullin also stated that the feedback from people in the industry was, "If I had to do it, they
59 need to do it." Moving forward putting the exams on the schools and the instructors to teach competent
60 students and put them out into the workforce is the end goal.

61

62 Vershawn Idom agreed and stated that the board was not talking about not having a practical exam but
63 having the practical as part of the school training.

64

65 Terriann Shell agreed with having the practical exam as part of the training process. The public needs to
66 know that the practical is not disappearing, but it would be part of the training process.

67

68 Board Chair Jennifer Lombardo agreed that the statement needs to be rephrased to reflect the board is
69 not looking to remove the practical but put the administration of the practical from the state's
70 responsibility to the trainer's or school's responsibility. The state's role is safety, sanitation and licensing
71 not quality; the schools and instructors are responsible for the training of students

72 This regulation needs to be agreed upon by the board.

73

74 The board continued to discuss the option of having a practical exam administered by the school or
75 instructor at the school or apprentice level to demonstrate student proficiency of the current curriculum
76 requirements.

77

78 Cynthia Spencer stated that when we get to this project the board will definitely need to allow for
79 grandfathering of people who have been licensed during the time that the practical was not required.

80

81 Ms. McMullin stated the best way to handle the practical exam is to add it to the training hours of the
82 school as it may be the easiest way.

83

84 Questions presented by the board concerning the practical and actual test content.

85 • How will this be worded or written to show that the practical has been completed in the school
86 hours?

87 • What is the intent of the discussion? Is it to remove the practical or to move it to the schools
88 and instructors?

89 • Will the test be a standardized test given to each student?

90 • Will the test be a test created by the school that covers the required curriculum?

91 • Should the curriculum be revamped to match a more modern and up to date needs of the
92 industry?

93 • Should the board remove the dated requirements that are not part of the modern and current
94 industry needs?

95 • Should the practical reflect the updated curriculum requirements?

96

97 The board discussed once we have the regulation change, the board can modify the hours as it will be
98 easier to change the curriculum to a more modern standard; we need to update the curriculum but
99 should not hold up the changes in the practical exam waiting for the regulation change.

100

101 The board held a brief discussion on the timeframe of the regulation changes and do the changes to the
102 practical exam need to be decided now rather than wait for regulation changes? The discussion
103 continued with the board having some type of responsibility to maintain the content of the curriculum
104 so that each school is not requiring a completely different test than other schools require.

105 Chair Lombardo stated that the board must make sure that schools and instructors are all giving the
106 same exam.

107
108 Cheryl Brantley stated schools currently give instruction and give exams to prepare students for the
109 boards; this wouldn't be a hard addition for schools to give the practical exams.

110
111 The board continued to discuss the options for incoming applicants for license who are either out-of-
112 state or out-of-country. The question arose concerning applicants coming from a state that does not
113 require practical exams. How would they be licensed? Will they be required to take and pass a practical
114 exam?

115
116 Ms. Spencer stated that the NIC list of state requirements is out of date.

117
118 Chair Lombardo stated that an up-to-date list would be nice to have.

119
120 The board continued to discuss how students straight out of apprentice training or schools, most of the
121 time, are not ready to be independent in the work environment. Most of the newly licensed people
122 need mentoring and guidance for a time before they are ready to be fully independent.

123

124 Item 5. Regulations Projects

125

126 Chair Lombardo – The board has been over stretched by the amount of work to do to see some of things
127 the board would like to see done. There are so many things the board is working on now that revamping
128 the curriculum could be a bigger project that they could work on. A lot of the programs' curriculum need
129 to be revamped. She would like to see happen a little quicker but this may not be practical.

130

131 Mr. Idom agreed he is concerned about this as well and that some of the things go hand in hand and to
132 do one without the other does not give the board the power to fulfill what they would like to do for our
133 licensees. Updating the curriculum might be a regulation; they are tied hand in hand, and if there is a
134 way to move forward with both things right now, is the train of thought we should be on.

135

136 Chair Lombardo stated that a lot of this is in regulations – the current project, revamping the curriculum,
137 adding the duty of administering the practical exam to the instructor/schools, creating a practical exam
138 is another project. This would save time in the long run and most of this is in regulations.

139

140 Ms. McMullin stated that there is one section in regulations about the boards delegating the exams to a
141 subcommittee.

142

143 Ms. Spencer responded that this is in the statutes and regulations book on page 4 - 08.13.090 subsection
144 (c): The board may by regulation establish requirements for a practical exam for licensure.

145 Ms. Spencer went on to state the Department of Law stated this does give the board discretion to
146 establish by regulation requirements for practical exam; this statute does not limit the authority to
147 design and administer the examination to the board as it does with the required written exam.

148

149 Ms. Spencer provided subsection (a) is specific to the written exam: A written examination shall be given
150 to each applicant for examination at a time and place determined by the board; this was because at the
151 time the written exam started, the board members administered the exams and had to fly to
152 Anchorage, Fairbanks and Juneau; Subsections (c) gives the board elbow room to set up practical exam
153 requirements.

154

155 Ms. Spencer continued that after consulting with Sher Zinn, we're looking at guidelines for the practical
156 exams. The board does not want to take on the responsibility for writing and maintaining the practical

157 exams. This is one of the main reason we want to get rid of this because it's taking up your time. These
158 practical exams would need to be updated monthly to keep up with industry standards and that would
159 mean the curriculum would need to be updated. Setting up guidelines would be the best way to go. Set
160 a passing score guideline but other large schools the transcripts are broken into sections with a practical
161 exam to follow. Milady or one of the other books have their sections setup. At the end of the training
162 they could do a combo, but the board does not want to get stuck maintaining the exam.

163
164 Mr. Idom stated that this would be confusing because of the number of practical required for each area;
165 there is no way to complete the number of practical operations in this manner, and this is why they are
166 spread out over the year. It is a challenge in doing this in the schools since the apprenticeships and
167 schools are almost setup like a shop.

168
169 Ms. Spencer stated that these were suggestions and the board must make the final decision. Ms.
170 Spencer stated there probably wouldn't be much support from the division for updating the curriculums
171 on a regular basis, maybe yearly but not frequently enough to keep up with national standards.

172
173 Mr. Idom stated that the monthly reports give a brief description of the requirements; if the board
174 wants to broaden or make more black and white, the board could use this as a platform.

175
176 Ms. Spencer stated staff could update the form to reflect that the practical exam was given and was
177 passed.

178
179 Chair Lombardo asked the board if they had any thoughts on how to move on to the next step and to
180 move forward?

181
182 Sher Zinn suggested that the board make a regulation that the schools or instructor must test each
183 subject listed in the curriculum, but a passing score is kind of relative and subjective; maybe it could be
184 testing for proficiency in each of the subjects. Ms. Zinn continued if you want to put the onus on the
185 instructor and school to do the exams and want to enforce it, she will get with an attorney to find the
186 best way to do this to enforce it. If you just have they must test them to proficiency you can do that
187 now, and when the board updates curriculum, the schools will be using the most updated version you
188 have. That is easiest way to do that. If the board actually puts in to regulation that they must pass with
189 a 70%, you will need to come up with criteria. What you have right now completely removes the
190 practical exam. She suggests if you want the school or instructor to test for proficiency, hold off on this
191 right now and tell us exactly what you want. I'll work with an attorney to see what is the best way to do
192 this have the onus on the school or instructor.

193
194 Ms. Brantley stated that she agreed to get the verbiage in now and that the schools would be able to do
195 this now to administer the tests.

196
197 Ms. Spencer asked the board for advice on the status of the licensees who have been licensed during
198 the months when the practical exam has not been required; will they need to take and pass the practical
199 exams?

200
201 Ms. Zinn stated she will confer with the Department of Law for this information. Will they need to be
202 tested or can they be grandfathered. Ms. Zinn suggested that we have a couple of test dates and have
203 them come in to be tested so that no one can say anything about this.

204 Mr. Idom stated students should be tested on the curriculum; the test and curriculum should be the
205 same.

206
207 Ms. Shell stated it is redundant. Students are testing on something the schools are saying they have
208 completed; schools are already stating this was covered and to take a practical exam on something
209 already covered is redundant. It would be bad form to go to the people who have already been licensed
210 and say we've changed our minds and now you have to test. This would be bad form.

211
212
213

Ms. Spencer provided there are 21 licenses issued to candidates without a practical.

214 Chair Lombardo stated this is something the board expressed concern over – removing the practical
215 exam before the regulation had gone through and asked if Ms. Zinn please check with the Department
216 of Law.

217
218 Ms. Zinn stated at the time the board was not talking about having the schools do the exam; testing for
219 proficiency would not be a problem, but testing with a passing score would be different.

220
221 Ms. Spencer stated that this had been implemented just as the COVID-19 outbreak occurred; and we
222 would have had to shut down practical exams and would be looking at how do we get these people
223 licensed so they could work without the practical anyway.

224
225 Mr. Idom stated that he is OK with the people licensed during this time and to let it go as it has already
226 been done, and we should not go back and require these people to test after being licensed. Blake
227 Thomas agreed.

228
229 Chair Lombardo asked the best way to proceed. Ms. Spencer suggested polling the board and get an
230 official tally on the record, requested that Ms. Zinn move forward with regulation project and work with
231 the Department of Law with putting the practical exams on the school and instructor to test on the
232 curriculum.

233
234 Chair Lombardo requested for a roll call vote of the board for the following actions.

235
236 **POLL OF BOARD**

237 **Roll Call Vote – Completely Remove the Practical Exam Requirement for**
238 **Licensure**

239	240	241	242	243	244	245	246	247
	NAME	YES	NO	ABSTAIN	Not in attendance			
	Cheryl Brantley	X						
	Shawn Idom		X					
	Jennifer Lombardo		X					
	Michelle McMullin		X					
	Terriann Shell	X						
	Blake Thomas	X						

248 **THE MOTION DID NOT PASS.**

249
250 **Roll Call Vote – Remove Practical from State’s Responsibility But Have Some**
251 **Sort of Practical Exam to be Determined at the Instructor or School Level**

252	253	254	255	256	257	258
	NAME	YES	NO	ABSTAIN	Not in attendance	
	Cheryl Brantley					
	Shawn Idom	X				
	Jennifer Lombardo	X				
	Michelle McMullin	X				
	Terriann Shell	X				

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Blake Thomas X

THE MOTION PASSED UNANIMOUSLY

Roll Call Vote – Practical Exam Administered by the School Should Be Scored With Percentages

NAME	YES	NO	ABSTAIN	Not in attendance
Cheryl Brantley		X		
Shawn Idom		X		
Jennifer Lombardo		X		
Michelle McMullin		X		
Terriann Shell		X		
Blake Thomas		X		

THE MOTION DID NOT PASS

Roll Call Vote – Practical Exam Administered by the School Should be Scored Based on Proficiency of Skill as Pass/Not Pass

NAME	YES	NO	ABSTAIN	Not in attendance
Cheryl Brantley	X			
Shawn Idom	X			
Jennifer Lombardo	X			
Michelle McMullin	X			
Terriann Shell	X			
Blake Thomas	X			

THE MOTION PASSED UNANIMOUSLY

Roll Call Vote – Report of Practical Exam Scores Administered by the School Will Be a Separate Report Form to the State

NAME	YES	NO	ABSTAIN	Not in attendance
Cheryl Brantley		X		
Shawn Idom		X		
Jennifer Lombardo		X		
Michelle McMullin		X		
Terriann Shell		X		
Blake Thomas		X		

THE MOTION DID NOT PASS

Terriann Shell – Moves that the board of Barbers and Hairdressers requests that Sher take the suggestion that we made for the curriculum to have the practical exam be administered by the schools and instructors and not by board, that it be a pass or fail exam, and that the exam match the most current curriculum. We want the practical exam information be placed on final paperwork showing passage of the practical exam.

Seconded by Shawn Idom

THE MOTION DID NOT PASS

310 **Roll Call Vote – Practical Exam Administered by the School Showing Pass/Not**
311 **Pass Should be Part of the Completion of Training Form Report to the State**
312

313	NAME	YES	NO	ABSTAIN	Not in attendance
314	Cheryl Brantley	X			
315	Shawn Idom	X			
316	Jennifer Lombardo	X			
317	Michelle McMullin	X			
318	Terriann Shell	X			
319	Blake Thomas	X			

320
321 **THE MOTION PASSED UNANIMOUSLY**
322

323 Chair Lombardo recapped decisions made by the board during this meeting.
324

325 Holding off on public comment for now as we are not approving the current regulation draft; once new
326 regulations are drafted it will be sent out to the board for review. At that time, the board will have
327 another short meeting to review the regulations and at that time the board will be able to modify or
328 adopt the regulations to proceed forward.
329

330 Ms. Zinn stated that once she received this she will work with an attorney to ensure that the correct
331 verbiage is used before sending this out for public comment. She'll contact Ms. Spencer and Ms.
332 Whitcomb to set up a meeting for board to review; at that time the board can make changes and send it
333 out for public comment. The board can decide if they would like an oral hearing. She would like to get
334 this to the board quickly so that it can be public noticed as soon as possible and have the public notice
335 back to the board by the next meeting in October.
336

337 Ms. Zinn suggested that in the next meeting the first day can be the oral hearing and the second day of
338 the meeting is when the board can adopt.
339

340 The board thanked Ms. Zinn for her time and assistance.
341

342 *The Board adjourned at 11:28 a.m.*
343

344 Respectfully submitted:

345 Wanda Whitcomb
346 Wanda Whitcomb, Licensing Examiner
347
348

349 Approved:

350 Jennifer Lombardo
351 Jennifer Lombardo, Chairperson
352 Board of Barbers and Hairdressers
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355 Date: 10/07/2020