



Board of Barbers & Hairdressers Meeting

Alaska Division of Corporations, Business and Professional Licensing July 10, 2025 at 10:00 AM AKDT to July 10, 2025 at 12:00 PM AKDT

Zoom Details: <https://us02web.zoom.us/j/84392885495>

Meeting ID: ID: 843 9288 5495

Call In: 1-253-205-0468

TENTATIVE MEETING AGENDA

Working Groups May Occur

Agenda:

- 1. 10:00 a.m. July 10, 2025 Call to Order/Roll Call**
- 2. 10:10 a.m. Review/Amend Agenda**
- 3. 10:15 a.m. Ethics Disclosure**
- 4. 10:25 a.m. Strategic Planning and Prioritization Processes. Topics will include but not be limited to the following:**
 - Body Art Courtesy License(s) for Alaska Shops
 - Tiered Esthetician License
 - Update Fine Schedule/Matrix
 - Update 12-Hour and Manicurist with Advanced Endorsement Licenses
 - Update Current Statutes and Regulations
- 5. 12:00 p.m. Adjourn**

III. Executive Branch Ethics

Service on a state board or commission is a public trust and members are expected to conduct the public's business in a way that preserves the integrity of the governmental process and avoids conflicts of interest. The Ethics Act (AS 39.52) doesn't forbid public officers from having opinions, interests, or professional pursuits outside of their service on boards or commissions, but it does require that members disclose certain matters so a determination can be made about whether they constitute a conflict of interest.

Compliance with the Executive Branch Ethics Act

All board and commission members and staff should be familiar with the procedures outlined below. The Act covers a board, commission, authority, or board of directors of a public or quasi-public corporation, established by statute in the executive branch of state government. Additional information is available from the Alaska Department of Law at <http://law.alaska.gov/doclibrary/ethics.html>. Much of the information in this section of the manual is taken directly from this site.

Misuse of Official Position (AS 39.52.120)

Members of boards or commissions may not use their positions for personal gain or to give an unwarranted benefit or treatment to any person. For example, members may not:

- use their official positions to secure employment or contracts;
- accept compensation from anyone other than the State for performing official duties;
- use State time, equipment, property or facilities for their own personal or financial benefit or for partisan political purposes;
- take or withhold official action on a matter in which they or an immediate family member have a personal or financial interest;
- coerce subordinates for his/her personal or financial benefit, or
- attempt to influence the outcome of an administrative hearing by privately contacting the hearing officer.



Alice knew that a proposal that was before the board would harm Alice's business partner. Instead of publicly disclosing the matter and requesting recusal, Alice engaged in discussions about the proposal and voted on the proposal.



Jack serves on a board that regulates parts of the building construction industry. Wearing a nametag that identifies him as a member of the industry board, Jack goes to a contractors' trade show and sets up a booth for his consulting business, called "Building a Future in Alaska."

Improper Gifts (AS 39.52.130)

A board or commission member may not solicit or accept a gift if it could reasonably be inferred that the gift is intended to influence the member's action or judgment. "Gifts" include money, items of value, services, loans, travel, entertainment, hospitality, and employment. The division has interpreted this guidance narrowly to ensure transparency in awareness and reporting.

Travel includes any expense paid directly to the board member in conjunction with a trip connected to the member's position on the board. This type of trip must be approved through the division and all reimbursements made through the CBPL Travel Desk to avoid violating the state's rules regarding travel.

(See section on travel.) All gifts from registered lobbyists are presumed to be improper unless the giver is an immediate family member of the person receiving the gift. This restriction on gifts does not apply to lawful campaign contributions.

A gift worth more than \$150 to a board or commission member or the member's family must be reported within 30 days if:

- the board member can take official action that can affect the giver, or
- the gift is given to the board member because he or she is on a state board or commission.

The receipt of a gift worth less than \$150 may be prohibited if it could reasonably be inferred that the gift is intended to influence the board member's action or judgment. Receipt of such a gift should be disclosed.

Any gift received from another government, regardless of value, must be reported; the board or commission member will be advised as to the disposition of this gift.

A form for reporting gifts is available at law.alaska.gov/doclibrary/ethics.html or from the board or commission staff.

☹️ The commission is reviewing Roy's proposal for an expansion of his business. Roy invites all the board members out to dinner at an expensive restaurant. He says it will be okay since he isn't excluding any of the members.

😊 Sam buys a holiday gift every year for Jody. Jody was recently appointed to a board, but Sam has no business that is up before the board.

☹️ Margie is a board member and decides to take a last-minute trip to a national conference for state board members in her industry. She is directly reimbursed by the national association for her meals, airfare, and rental car.

Improper Use or Disclosure of Information (AS 39.52.140)

No former or current member of a board or commission may use or disclose any information acquired through official duties if that use or disclosure could result in a financial or personal benefit to the board member (or a family member) unless that information has already been disseminated to the public.

😊 Sheila has been on the licensing board for several years. She feels she has learned a great deal of general information about how to launch a successful business venture. So, she sets up her own company helping small businesses get started and does well. She is careful not to assist in completing license applications that will be evaluated by the board on which she serves.

☹️ Gordon is a tattoo artist and the reviewing board member for an investigation of serious potential violations of health and safety issues by a licensed shop owner. Before the board votes on the matter, he tells several people who are thinking of getting a tattoo there about the confidential matter and encourages them to come to his shop instead.


Improper Influence in State Grants, Contracts, Leases or Loans (AS 39.52.150)


A board member who can affect the award or administration of a State grant, contract, lease, or loan may not apply for, or have an interest in that State grant, contract, lease, or loan. This prohibition also applies to the board member's immediate family.

A board member (or a family member) may apply for or be a party to a *competitively solicited* State grant, contract or lease, if the board member does not serve in the same administrative unit awarding or administering the grant, contract, or lease *and* so long as the board member does not take official action in the award or administration of the grant, contract, or lease.

A board member (or a family member) may apply for and receive a State loan that is generally available to the public and has fixed eligibility standards, so long as the board member does not take (or withhold) official action affecting the award or administration of the loan.


Board members must report to the board chair any personal or financial interest (or that of a family member) in a State grant, contract, lease or loan that is awarded or administered by the agency the board member serves. A form for this purpose is available at law.alaska.gov/doclibrary/ethics.html or from the board or commission staff.

 John sits on a board that awards state grants. John hasn't seen his daughter for nearly ten years, but he figures that it doesn't matter when her grant application comes up before the board; he votes on the grant to his daughter, without disclosing the relationship to the board. (While voting for the grant looks worse than voting against the grant, the Ethics Act prohibits deliberating or voting on the issue regardless of what position the board member takes.)

 The board wants to contract out for an analysis of the board's decisions over the last ten years. Kim bids on the contract since she has been on the board for ten years and feels she could do a good job.

Improper Representation (AS 39.52.160)

A non-salaried board or commission member may represent, advise, or assist in matters in which the member has an interest that is regulated by the member's own board or commission, if the member acts in accordance with AS 39.52.220 by disclosing the involvement in writing and on the public record, and refrains from all participation and voting on the matter. This section does not allow a board member to engage in any conduct that would violate a different section of the Ethics Act. So, the member must disclose the fact of the member's involvement in the regulated matter and abide by the board or commission's finding as to the existence of a conflict of interest.

 Delores has always coordinated continuing education opportunities for the physicians in her practice. After Delores is appointed to the State Medical Board, she discloses this role to the board and continues to coordinate these classes in her capacity as a private individual, not a board member.

Restriction on Employment after Leaving State Service (AS 39.52.180)

For two years after leaving a board, a former board member may not work on any matter on which the former member had personally and substantially participated while on the board. This prohibition applies to cases, proceedings, applications, contracts, and similar matters.

Former members of the governing boards of public corporations and former members of boards and commissions that have regulation-adoption authority, except those covered by the centralized licensing provisions of AS 08.01, may not lobby for pay for one year.

This section does not prohibit a State agency from contracting directly with a former board member. With the approval of the Attorney General, the board chair may waive this prohibition if a determination is made that the public interest is not jeopardized.

☹️ The board has arranged for an extensive study of the effects of the department's programs. Andy, a board member, did most of the liaison work with the contractor selected by the board, including some negotiations about the scope of the study. Andy quits the board and goes to work for the contractor, working on the study of the effects of the department's programs.

😊 Andy takes the job, but he specifies that he will have to work on another project.

☹️ Patrice, a licensed health care provider who is about to leave board service after eight years, is asked by a non-profit organization to work as their government relations director, which will require her to register as a lobbyist. She starts work for the organization in this capacity one week after her term on the board ends.

😊 Patrice accepts a clinical position with the non-profit organization instead.

Aiding a Violation Prohibited (AS 39.52.190)

Aiding another public officer to violate this chapter is prohibited.

Agency Policies (AS 39.52.920)

Subject to the Attorney General's review, a board may adopt additional written policies further limiting personal or financial interests of board members.

Disclosure Procedures (AS 39.52.220-250)

All board and commission members and staff should be familiar with the Executive Branch Ethics Act procedures outlined below.

Who Is My Designated Ethics Supervisor (DES)?

Every board or commission subject to the Ethics Act has several ethics supervisors designated by statute. The Act covers a board, commission, authority, or board of directors of a public or quasi-public corporation, established by statute in the executive branch of state government.

- The chair serves as DES for board or commission members.
- The chair serves as DES for the executive director. This does not apply to professional licensing boards and commissions, whose staff are employees for the Department, not the board.
- The Department of Commerce, Community, and Economic Development has assigned a Special Assistant to serve as DES for staff.
- The governor is the DES for a chair. The governor has delegated the DES responsibility to the Director of Administrative Services in the Office of Governor.

What Do I Have to Disclose?

The Ethics Act requires members of boards and commissions to disclose:

- Any matter that is a potential conflict of interest with actions that the member may take when serving on the board or commission.
- Any circumstance that may result in a violation of the Ethics Act.
- Any personal or financial interest (or that of an immediate family member) in a state grant, contract, lease, or loan that is awarded or administered by the member's board or commission.
- The receipt of certain gifts.

The staff of a board or commission, as state employees, must also disclose:

- Compensated outside employment or services.
- Volunteer service, if any compensation, including travel and meals, is paid or there is a potential conflict with state duties.

For more information regarding the types of matters that may result in violations of the Ethics Act, board or commission members should refer to the guide, *"Ethics Information for Members of Boards and Commissions."* Staff should refer to the guide, *Ethics Information for Public Employees."*

Both guides and disclosure forms may be found on the Department of Law's ethics website:

<http://law.alaska.gov/doclibrary/ethics.html>.

How Do I Avoid Violations of the Ethics Act?

- When in doubt, disclose and seek advice from division staff or the department Boards and Regulations Advisor.
- Make timely disclosures.
- Follow required procedures.
- Provide all information necessary to a correct evaluation of the matter. You may supplement the disclosure form with other written explanation as necessary. Your signature on a disclosure certifies that, to the best of your knowledge, the statements made are true, correct and complete. False statements are punishable.
- Follow the advice of your DES.

What Are The Disclosure Procedures for Board and Commission Members?

The procedural requirements for disclosures by members are set out in AS 39.52.220 and 9 AAC 52.120.

One goal of these provisions is to help members avoid violations of the Ethics Act. The procedures provide the opportunity for members to seek review of matters in advance of taking action to ensure that actions taken will be consistent with the Act.

Procedures for Declaring Actual or Potential Conflicts

Members must declare potential conflicts and other matters that may violate the Ethics Act in writing to the chair. Public disclosure may take the place of a written disclosure if the meeting is recorded, a tape or transcript of the meeting is preserved, and there is a method for identifying the declaration in the record.

- Notice of Violation or Request for Determination forms should be filed with the Designated Ethics Supervisor (the board chair) as soon as known.
- If a determination on whether a conflict exists on a matter pending before the board, it is ideal for the conflict to be submitted to the chair with enough time for the determination to be made—usually several weeks.
- If the matter is before the board before a determination has been made, the member must

refrain from voting, deliberations or other participation on it. In most, but not all, situations, refraining from participation ensures that a violation of the Ethics Act does not occur. Abstention does not cure a conflict with respect to a significant direct personal or financial interest in a state grant, contract, lease, or loan because the Ethics Act prohibition applies whether or not the public officer actually takes official action.

- If a member is uncertain whether participation would result in a violation of the Act, the member should disclose the circumstances and seek a determination from the chair before the meeting.

Confidential disclosure in advance of public meeting. Potential conflicts may be partially addressed in advance of a board or commission's public meeting.

- A member identifying a conflict or potential conflict may submit a Notice of Potential Violation to the chair, as DES, in advance of the public meeting.
- This written disclosure is considered confidential. No one may discuss or disclose this information.
- The chair may contact staff to seek advice from the Attorney General. Staff and the AAG will walk the chair through the process.
- The chair makes a written determination, also confidential, whether the disclosed matter represents a conflict that will result in a violation of the Ethics Act if the member participates in official action addressing the matter. The chair must give a copy of the written determination to the disclosing member. There is a determination form available on the Department of Law's ethics web page. The ethics supervisor may also write a separate memorandum.
- If the chair determines that the member would violate the Ethics Act by taking official action, the chair directs the member to refrain from participating in the matter that is the subject of the disclosure.
- A general oral report of the notice of potential violation and the determination that the member must refrain from participating is put on the record at a public meeting. In this manner, a member's detailed personal and financial information may be protected from public disclosure.

Determinations at the public meeting. When a potential conflict is declared by a member for the public record, the following procedure must be followed:

- The member must declare she or he has a potential conflict regarding a matter before the board.
- The chair states his or her determination regarding whether the member may participate. This ruling must be consistent with Attorney General advice and statute/regulation.
- Any member may then object to the chair's determination.
- If an objection is made, the members present, excluding the member who made the disclosure, vote on the matter.
- Exception: A chair's determination that is made consistent with advice provided by the Attorney General may not be overruled.
- If the chair, or the members by majority vote, determines that a violation will exist if the disclosing member continues to participate, the member must refrain from voting, deliberating, or participating in the matter. When a matter of particular sensitivity is raised and the ramifications of continuing without an advisory opinion from the Attorney General may affect the validity of the board or commission's action, the members should consider tabling the matter so that an opinion may be obtained.

If the chair identifies a potential conflict of his or her own, the same procedures are followed. If

possible, the chair should forward a confidential written notice of potential violation through staff to the Office of the Governor for a determination in advance of the board or commission meeting. If the declaration is first made at the public meeting during which the matter will be addressed, the members present, except for the chair, vote on the matter. If a majority determines that a violation of the Ethics Act will occur if the chair continues to participate, the chair shall refrain from voting, deliberating, or participating in the matter. A written disclosure or copy of the public record regarding the oral disclosure should be forwarded by staff to the Office of the Governor for review by the chair's Designated Ethics Supervisor (DES).

Procedures for Other Member Disclosures

A member's interest in a state grant, contract, lease or loan and receipt of gifts are disclosed by filling out the appropriate disclosure form and submitting the form to the DES for approval. The disclosure forms are found on the Department of Law's ethics website: law.alaska.gov/doclibrary/ethics.html.

How Are Third Party Reports of Potential Violations or Complaints Handled?

Any person may report a potential violation of the Ethics Act by a board or commission member or its staff to the appropriate DES or file a complaint alleging actual violations with the Attorney General.

- Notices of potential violations and complaints must be submitted in writing and under oath.
- Notices of potential violations are investigated by the appropriate DES who makes a written determination whether a violation may exist. The DES provides a copy of the notice to the employee or board/commission member who is the subject of the notice and may seek input from the employee or board/commission member, his or her supervisor and others. The DES may seek advice from the Attorney General.
- A copy of the DES' written determination is provided to the subject employee or board/commission member and the complaining party. The DES submits a copy of both the notice and the determination to the Attorney General for review as part of the DES' quarterly report. If feasible, the DES shall reassign duties to cure a potential violation or direct divestiture or removal by the employee or board/commission member of the personal or financial interests giving rise to the potential violation.
- Complaints are addressed by the Attorney General under separate procedures outlined in the Ethics Act.
- These matters are confidential unless the subject waives confidentiality or the matter results in a public accusation.

What Are the Procedures for Quarterly Reports?

Generally, Designated Ethics Supervisors must submit copies of notices of potential violations received and the corresponding determinations to the Attorney General for review by the state ethics attorney as part of the quarterly report required by the Ethics Act. In this division, staff compile any disclosures received during a meeting or outside of a meeting via the chair, then forward them on a quarterly basis to the Division Director, who send them to the department DES.

If the state ethics attorney disagrees with a reported determination, the attorney will advise the DES of that finding. If the ethics attorney finds that there was a violation, the member who committed the violation is not liable if he or she fully disclosed all relevant facts reasonably necessary to the ethics supervisor's or commission's determination and acted consistent with the determination.

How Does A DES or Board or Commission Get Ethics Advice?

A DES or board or commission may make a written request to the Attorney General for an opinion regarding the application of the Ethics Act. In practice, the Attorney General, through the state ethics attorney, also provides advice by phone or e-mail to designated ethics supervisors, especially when time constraints prevent the preparation of timely written opinions.

- A request for advice and the advisory opinion are confidential.
- The ethics attorney endeavors to provide prompt assistance, although that may not always be possible.
- The DES must make his or her determination addressing the potential violation based on the opinion provided.

Complaints, Hearings, and Enforcement (AS 39.52.310-370, AS 32.52.410-460)

Any person may file a complaint with the Attorney General about the conduct of a current or former board member. Complaints must be written and signed under oath. The Attorney General may also initiate complaints from information provided by a board. A copy of the complaint will be sent to the board member who is the subject of the complaint and to the Personnel Board.

All complaints are reviewed by the Attorney General. If the Attorney General determines that the complaint does not warrant investigation, the complainant and the board member will be notified of the dismissal.

The Attorney General may refer a complaint to the board member's chair for resolution. After investigation, the Attorney General may dismiss a complaint for lack of probable cause to believe a violation occurred. The complainant and board member will be promptly notified of this decision.

Alternatively, if probable cause exists, the Attorney General may initiate a formal proceeding by serving the board or commission member with an accusation alleging a violation of the Ethics Act. An accusation may result in a hearing.

When the Personnel Board determines a board member has violated the Ethics Act, the member must refrain from voting, deliberating, or participating in the matter. The Personnel Board may order restitution and may recommend that the board member be removed from the board or commission. If a recommendation of removal is made, the appointing authority will immediately remove the member. If the Personnel Board finds that a former board member violated the Ethics Act, the Personnel Board will issue a public statement about the case and will ask the Attorney General to pursue appropriate additional legal remedies.

Conflict of Interest and Ex Parte Communication

Conflicts outside of the Executive Branch Ethics Act may arise due to improper communication with a stakeholder. "Improper communication" can be any communication with an interested party where the communication is about something on which the board has authority to act, and which comes outside of a publicly-noticed meeting. A familiar example is the contact that a member of a jury could have with people or even news stories that could bias their opinion unfairly. Sometimes it is impossible for juries in high-profile cases to avoid hearing information that is inadmissible in court, so they are sequestered in hotel rooms with no television or public contact.

Board and commission members are not likely to be treated to such extremes, but they must take care not to discuss matters with others or among each other outside of appropriate meeting channels.

Ex-Parte Contact

The foundation of due process is that each side in a dispute has the opportunity to be heard. If one side has the opportunity to make an argument, the other side must have the opportunity to respond. It is sometimes tempting for an applicant, licensee, or attorney to attempt to circumvent the usual application decisionmaking procedures, to seek information on a pending application, to discuss a pending disciplinary action, or to seek to influence an individual's decision by directly contacting one of the board members. Such communications are called "ex parte" communications.

Ex parte communications are improper. The result of such a communication is that the board member so contacted may be unable to discuss, participate in, or vote on the application or disciplinary action.

The risk to the applicant or licensee who attempts such communication is that a board member who might have been favorably disposed to their license application or disciplinary case may not be able to participate in the decision or vote.

Ex parte communication must be disclosed. Should any individual attempt to contact you to discuss a license application or disciplinary case, please refer them to a staff member (licensing examiner, investigator, or executive administrator) for response.

Should you experience an ex parte communication, alert the chair about the contact in writing before the meeting and on the record at the beginning of the meeting so he or she can determine whether it is appropriate that you be recused from the discussion, deliberation, and vote. As the DES for the board, the chair is required to declare any conflict on the record.

If you are unsure about the nature and extent of the contact, please contact the board's staff for guidance.

Conflict Due to Market Interest

Another interesting conflict of interest issue that is gaining awareness is that of the potential for disproportionate influence of "active market participants" on boards. An active market participant is defined as someone who is currently engaged in the profession that the board regulates—or, licensees.

By nature, all licensed members of a board have an inherent market interest. However, determining whether a conflict exists goes a little deeper. Questions board members may ask to evaluate whether there is a possibility of running afoul of AS 39.52.120 (Misuse of Official Position):

- Does the matter involve an individual or business that is a direct competitor?
- Will ruling on this matter have a meaningful or measurable financial outcome for me, my family, or my business?
- Is there a *perception* that either of these answers are "yes"?
- A licensee wishes to utilize a new, cutting-edge health care technology and is seeking the

board's "thumbs up" in approving it for practice in Alaska. A member of the board is an investor in this technology and is considering utilizing it in his practice. The board member discloses this financial interest and asks to be recused from deliberation and vote. The chair recuses him, and he does not participate.

Market conflicts can extend to entire boards, as well. A 2015 United States Supreme Court decision ([*North Carolina Board of Dental Examiners v. Federal Trade Commission*](#)) resulted in a ruling that stripped the board of its immunity when addressing what might have seemed like a routine matter: The board violated the Sherman Act when it directed staff to send cease-and-desist letters to unlicensed teeth whiteners. Under North Carolina law, the teeth whitening companies posed a direct financial threat to dentists. By instructing them to close, they deprived the businesses of due process—as well as an income. The board did not work through their attorney or follow the standard investigative process when directing these individuals to close their businesses.

The case is complex, yet under Alaska law, the takeaway for professional licensing boards is straightforward:

- Ensure that the division's investigative standard operating procedures are followed.
- Adhere to the Administrative Procedure Act when taking action against anyone, licensed or unlicensed.
- Invite the department Boards and Regulations Advisor to assist with decisionmaking processes.
- Ask staff to invite an agency attorney to advise in policymaking that may restrict those outside the profession from engaging in business practices.
- Hold all deliberations in public view and invite the public to actively observe and comment.

Regarding matters involving ethics or potential real or perceived conflicts of interest, always ask for help well ahead of a meeting on the matter. Obtaining proper advice and following it will ensure everyone's rights are protected and that the most appropriate process is followed.

Board Members and Public Records

As officers of the state, board members are compelled to adhere to state standards of documents and information shared with them. This may mean maintaining strict confidentiality, which could require saving on an unshared computer or storing in a locked cabinet. Confidential documents should always be transmitted via OnBoard, ZendTo, or using email encryption.

All emails, documents, handwritten notes, texts, and other means of communicating state business are discoverable. Many board members set up separate email addresses to ensure their state business is separate from work accounts or their personal lives. If communication on a legal matter were to be subpoenaed, it is possible that deep entanglement could require confiscation of a personal cell phone or computer. Board members are advised to become familiar with the standards and take steps to separate accounts, documents, and other information containing state business.

Ethics Disclosure Form

CONFIDENTIAL
REQUEST FOR ETHICS DETERMINATION

TO: _____, Designated Ethics Supervisor

(Identify Your Department, Agency, Public Corporation, Board, Commission)

I request advice regarding the application of the Executive Branch Ethics Act (AS 39.52.010 - .960) to my situation. The situation involves the following:

☐ I have provided additional information in the attached document(s).

I believe the following provisions of the Ethics Act may apply to my situation:

- ☐ AS 39.52.120, Misuse of Official Position
- ☐ AS 39.52.130, Improper Gifts
- ☐ AS 39.52.140, Improper Use or Disclosure of Information
- ☐ AS 39.52.150, Improper Influence in State Grants, Contracts, Leases or Loans
- ☐ AS 39.52.160, Improper Representation
- ☐ AS 39.52.170, Outside Employment Restricted
- ☐ AS 39.52.180, Restrictions on Employment after Leaving State Service
- ☐ AS 39.52.190, Aiding a Violation Prohibited

I understand that I should refrain from taking any official action relating to this matter until I receive your advice. If the circumstances I described above may result in a violation of AS 39.52.110 - .190, I intend that this request serve as my disclosure of the matter in accordance with AS 39.52.210 or AS 39.52.220.

I certify to the best of my knowledge that my statement is true, correct, and complete. In addition to any other penalty or punishment that may apply, the submission of a false statement is punishable under AS 11.56.200 - AS 11.56.240.

(Signature)

(Date)

(Printed Name)

(Division, Board, Commission)

(Position Title)

(Location)

Designated Ethics Supervisor: Provide a copy of your written determination to the employee advising whether action is necessary under AS 39.52.210 or AS 39.52.220, and send a copy of the determination and disclosure to the attorney general with your quarterly report.

Ethics Disclosure Form

Receipt of Gift

TO: _____, Designated Ethics Supervisor, _____
(Agency, Public Corporation, Board,
Commission or Council)

This disclosure reports receipt of a gift with value in excess of \$150.00 by me or my immediate family member, as required by AS 39.52.130(b) or (f).

1. Is the gift connected to my position as a state officer, employee or member of a state board or commission?

☐ Yes ☐ No

2. Can I take or withhold official action that may affect the person or entity that gave me the gift?

☐ Yes ☐ No

(If you answer "No" to both questions, you do not need to report this gift. If the answer to either question is "Yes," or if you are not sure, you must complete this form and provide it to your designated ethics supervisor.)

The gift is _____

Identify gift giver by full name, title, and organization or relationship, if any:

Describe event or occasion when gift was received or other circumstance explaining the reason for the gift:

My estimate of its value is \$ _____ The date of receipt was _____

☐ The gift was received by a member of my family. Who? _____

If you checked "Yes" to question 2 above, explain the official action you may take that affects the giver (attach additional page, if necessary):

I certify to the best of my knowledge that my statement is true, correct, and complete. In addition to any other penalty or punishment that may apply, the submission of a false statement is punishable under AS 11.56.200 - AS 11.56.240.

(Signature)

(Date)

(Printed Name)

(Division)

(Position Title)

(Location)

Ethics Supervisor Determination: ☐ Approve ☐ Disapproved

Designated Ethics Supervisor*

(Date)

**Designated Ethics Supervisor: Provide a copy of the approval or disapproval to the employee. If action is necessary under AS 39.52.210 or AS 39.52.220, attach a determination stating the reasons and send a copy of the determination and disclosure to the attorney general with your quarterly report.*

From: [Chambers, Sara C. \(CED\)](#)
To: jpestrikoff@gmail.com
Cc: kevin20320@gmail.com; [Spencer, Cynthia R \(CED\)](#)
Subject: Board of Barbers and Hairdressers planning and prioritization processes
Date: Tuesday, December 10, 2024 3:37:17 PM
Attachments: [Strategic Planning Overview 8-31-23.docx](#)
[image003.png](#)
[image004.png](#)
[Strategic Planning Worksheet 8-31-23.docx](#)
[PRIORITIZATION MATRIX with examples.docx](#)
[PRIORITIZATION MATRIX.docx](#)
[image005.png](#)

Jessica:

Thank you so much for taking time to discuss the board's future strategic planning and activity prioritization activities. I'm thrilled that you are interested in leading this effort and that you have the skills and desire to take on this type of project.

I would envision the board setting aside an hour at the February 5th meeting to introduce these processes and walk through the worksheets (see below), as well as examples of other strategic plans adopted by Alaska licensing boards. The board should then schedule a three-hour meeting within the following month to walk through the strategic planning worksheet and develop clear vision, goals, and objectives. I can plan on leading both of these sessions, with the idea that you will take over as the point person to update them and ensure the board is following through on them. As discussed, I am happy to assist you anytime with questions, learning, and guidance at any point along the way.

I've attached the worksheets I mentioned on the phone:

1. Strategic Planning Overview: A brief, high-level overview of strategic planning for regulatory boards.
2. Strategic Planning Worksheet: After delivering the overview, this worksheet can be filled in by boards during a brainstorming session, working toward narrowing down a final, usable product.
3. Prioritization Matrices: Two worksheets, one with examples from another board in yellow, and one that is blank for your board to fill in.

I sent a meeting invitation for January 16 at 10am so we can go through these documents and look at some strategic plans other boards have adopted. Kevin is welcome to join us if interested.

Thank you again for taking this on—I look forward to working with you!

Sara Chambers
Boards and Regulations Advisor
Office of the Commissioner

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Strategic Planning General Overview

Why engage in strategic planning?

Compared to private non-profit boards of directors or corporate agencies, the purpose of a regulatory board has a limited focus. Along this narrow lane, the board shoulders considerable responsibility to *regulate a profession in the public interest*. Regulatory boards are free from many of the burdens held by other types of boards. They do not employ staff, and they do not manage a budget, so they do not have the responsibility of directly managing these resources. However, the state legislature has given them considerable power and influence over specific important areas:

1. Establishing and managing the gateway to employment in the profession in Alaska.
2. Influencing the availability of services of this profession in Alaska.
3. Supervising the practice of the profession in Alaska.
4. Setting standards of continued practice of the profession in Alaska.
5. Handling persons who do not practice the profession safely or in the public interest.

Within the lanes set by the state legislature, there is plenty of opportunity for a board to proceed in one of three directions:

1. Hold back progress by blindly maintaining the status quo,
2. Degrade the public's trust through negligence or recklessness, or
3. Improve outcomes through intentional and thoughtful decisionmaking.

A strategic planning process answers the following questions:

MISSION STATEMENT The mission is the purpose of the board.	Who are we?	What does our enabling statute say we do?
	Why are we here?	What is our functional purpose?
VISION STATEMENT The vision is how the board imagines exemplifying its mission.	Where are we headed?	What does the best version of our licensing program look like?
		What does the best version of our board look like?
		What is the vision of this board's contribution to nursing in this state?
ANALYSIS A gathering of existing facts or data to frame the board's current position and prepare it to establish goals.	Where are we now?	What are our activities?
		What are the metrics for those activities?
	How can we do better?	What are stakeholders' perceptions about us and why?
		Who are our stakeholders and how do we interact?
		What resources are needed for our activities?
		What are our strengths?
		What are our weaknesses?
		What opportunities do we have?
		What threats do we face?
		What are our activities?

INITIATIVES Initiatives are broad categories that exist within the board's vision.	What are the main outcomes that accomplish our vision?	How do we break out our vision into categories?
GOALS Goals are the measurable outcomes the board plans to accomplish during this time period.	What do we want to accomplish within those categories?	What do outcomes look like?
STRATEGIES Broad actions that support reaching the stated goal.	How will we accomplish each goal?	What types of actions should be taken?
OBJECTIVES These are the measurable steps required to reach each goal. IMPLEMENTATION DETAILS List any details that help ensure the objectives are met.	How are we using our resources?	What are the steps required to meet our goals?
	How are we being accountable to our stated outcomes?	What is the time frame for completion of each step?
		What are the specific resources needed for each step?
		Who will be involved?
KPIs, TRACKING, & EVALUATION These are methods of determining whether outcomes have been met. They should be specific and measurable.	How are we doing?	What Key Performance Indicators are relevant to our outcomes?
	How will we know when we have reached our destination?	What Key Performance Indicators are within our control?
		How will we partner with the division to construct and communicate KPIs to the board and the public?
		How will others know how we are doing?
		How often will we schedule evaluations of the entire plan?
		How will we evaluate new activities against the framework of the plan?
		How and when will we adjust elements of the plan?

Important elements in crafting a valuable strategic plan:

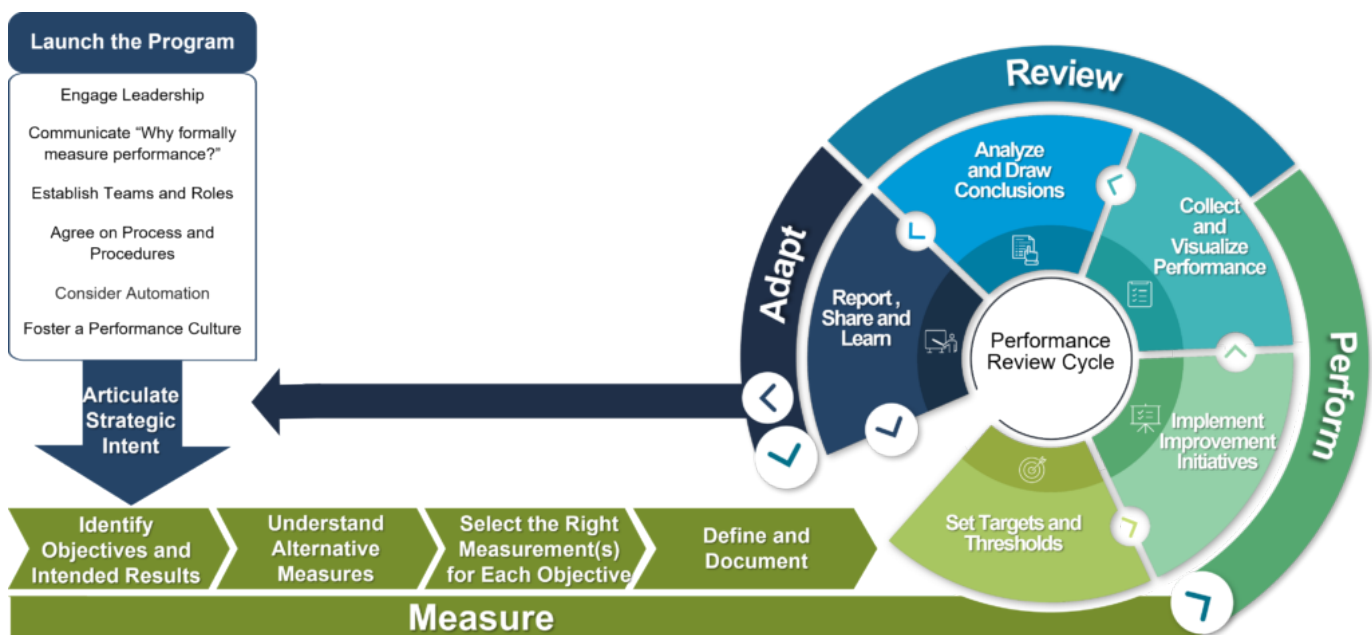
- **Create one forward-focused vision.** Lack of a common vision will lead to fractured decisionmaking and resource allocation. The vision of a regulatory board should be reasonably simple to state

since the board's mandate and authority—ostensibly, its mission—come from the legislature via statute.

- **Ensure all stakeholders participate appropriately.** All board members should schedule time to fully participate in every decisionmaking process, especially stages of strategic planning. Stakeholders involved with the board, including those who are impacted by the board's decisions, should be provided a voice in the process that is commensurate with their role. Surveys, public comment, and focus groups are examples of ways stakeholders can be invited to share their input.
- **Draw attention to cognitive biases and flaws in reasoning, then set up structures to resist these common problems in decisionmaking:**
 - *Recency effect*: Because it's recent, it's valid
 - *Occam's razor bias*: Expressing a preference for the simplest decision over a more appropriate one
 - *Inertia bias*: Tending toward the familiar
 - *Framing effect*: Making a decision based on how the information is presented rather than the information itself
 - *Anchoring bias*: Becoming attached to initial information to the exclusion of additional data or viewpoints
 - *Confirmation bias*: Seeking and using data that confirms your viewpoint
 - *Self-Serving Bias*: This is one's tendency to attribute the positive results of a decision or situation to one's own actions or decision. Likewise, it causes individuals to attribute negative consequences to factors outside of our control.
 - *Availability bias*: Utilizing only immediately available information instead of researching additional data
 - *Stereotyping*: This is the tendency to believe a unique situation is indicative of a greater tendency.
 - *Action-oriented bias*: Making decisions because you feel internal or external pressure to act
 - *Dunning Kruger effect*: When a person's lack of knowledge and skills in a certain area cause them to overestimate their own competence
 - *Sunk cost fallacy*: Tendency to continue down an unproductive path because of the existing resources already allocated to it
 - *Status quo bias*: The tendency for people to like things to stay relatively the same. The preference towards alternatives that maintain or perpetuate the current situation even when better alternatives exist.
 - *Bandwagon effect*: The tendency to do (or believe) things because many other people do (or believe) the same.
 - *Illusion of control fallacy*: The tendency for human beings to believe they can control or at least influence outcomes which they clearly cannot.
- **Establish data-driven metrics to help gauge progress**
 - Develop key performance indicators (KPIs) for the board. Work with the division to learn management's KPIs for administrative operations, license processing, and investigative systems. Determine together how often and in what format these will be communicated to each other and to the public.
 - Good KPIs:

- Provide objective evidence of progress towards achieving a desired result
- Measure what is intended to be measured to help inform better decision making
- Offer a comparison that gauges the degree of performance change over time
- Can track efficiency, effectiveness, quality, timeliness, governance, compliance, behaviors, economics, project performance, personnel performance or resource utilization
- Are balanced between leading and lagging indicators
- Consider that not everything that is important can be measured, and just because you can measure it doesn't mean you should. Heavy reliance on measurements can lead to reliance on partial truth and bias in decisionmaking.
- **Evaluate progress based on strategic goals**
 - Establish a process and timeline for all evaluation activities, including how to handle unplanned pivots.
 - Check in regularly as a board, with staff, and management. Plan additional check-ins with key stakeholders, such as industry associations, national organizations that support state licensing boards, and other important partners. Establish standards for how voices will be granted the power to influence board decisions—see [“The Man in the Arena”](#) speech by President Theodore Roosevelt. The squeaky wheel may not be worthy of all the grease.
 - Consult both the measured and anecdotal data, as well as the perception. Close gaps if practical and meaningful to do so.
 - Hold new activities and ideas against the framework of the plan to ensure you are staying on track.
 - Be prepared to pivot as you receive new data and as circumstances change.

Overview of strategic plan evaluation; Balanced Scorecard Institute



Strategic Planning Worksheet: Planning Your Plan

A thoughtful strategic plan guides the board in its decisionmaking, ensuring all activities are moving productively in an intentional direction. Strategic plans can reduce the “clutter” or “noise” at board meetings; a solid plan will help members and staff target appropriate activities, use resources efficiently, and convey purpose to stakeholders.

As you begin the strategic planning process, use this space to brainstorm your answers to the following questions. Add more space for answers as needed. In the “takeaways” column, write any notes about what you observe about your answers or the process, or list any issues/concerns. If you feel stuck, you may want to review previous strategic plans established by this board, plans created by other Alaska licensing boards, or plans created by boards that regulate your profession in other jurisdictions.

Intended time frame for this strategic plan (recommend 3-5 fiscal years):

PHASE	QUESTION	RESOURCES	ANSWERS	TAKEAWAYS
MISSION STATEMENT The mission is the purpose of the board.	Who are we?	What does our enabling statute say we do?		
	Why are we here?	What is our functional purpose?		
VISION STATEMENT The vision is how the board imagines exemplifying its mission.	Where are we headed?	What does the best version of our program look like?		
		What does the best version of our board look like?		
		What is the vision of this board’s contribution to this sector of the state?		
ANALYSIS A gathering of existing facts or data to frame the board’s current position and prepare it to establish goals.	Where are we now?	What are our activities?		
	How can we do better?	What are the metrics for those activities?		
		What are stakeholders’ perceptions about us and why?		
		Who are our stakeholders and how do we interact?		

		What resources are needed for our activities?		
		What are our strengths?		
		What are our weaknesses?		
		What opportunities do we have?		
		What threats do we face?		
		What are our activities?		
INITIATIVES Initiatives are broad categories that exist within the board's vision.	What are the main outcomes that accomplish our vision?	How do we break out our vision into categories?		
GOALS Goals are the measurable outcomes the board plans to accomplish during this time period.	What do we want to accomplish within those categories?	What do outcomes look like?		
STRATEGIES Broad actions that support reaching the stated goal.	How will we accomplish each goal?	What types of actions should be taken?		
OBJECTIVES These are the measurable steps required to reach each goal. IMPLEMENTATION DETAILS List any details that help ensure the objectives are met.	How are we using our resources?	What are the steps required to meet our goals?		
	How are we being accountable to our stated outcomes?	What is the time frame for completion of each step?		
	Are our actions adhering to the plan?	What are the specific resources needed for each step?		
		Who will be involved?		

KPIs, TRACKING, & EVALUATION These are methods of determining whether outcomes have been met. They should be specific and measurable.	How are we doing?	What Key Performance Indicators are relevant to our outcomes?		
	How will we know when we have reached our destination?	What Key Performance Indicators are within our control?		
		How will we partner with the division to construct and communicate KPIs to the board and the public?		
		How will others know how we are doing?		
		How often will we schedule evaluations of the entire plan?		
		How will we evaluate new activities against the framework of the plan?		
		How and when will we adjust elements of the plan?		

Strategic Planning Worksheet: Board “Mini” Strategic Plan

Time frame:

Department of Commerce, Community, and Economic Development Mission:

Promote a healthy economy, strong communities, and protect consumers in Alaska.

Division of Corporations, Business and Professional Licensing Mission:

Inspire public confidence through balanced regulation of competent professional & business services.

Board Mission:

Board Vision:

INITIATIVE #1.			
Goal 1.A	Strategies	Objectives	Implementation Details
Goal 1.B	Strategies	Objectives	Implementation Details

INITIATIVE #2.			
Goal 2.A	Strategies	Objectives	Implementation
Goal 2.B	Strategies	Objectives	Implementation
INITIATIVE #3.			
Goal 3.A	Strategies	Objectives	Implementation

Goal 3.B	Strategies	Objectives	Implementation

PRIORITIZATION MATRIX

Board: *Big Game Commercial Services Board*

Date Updated: *March 2023*

Part I: Types of Projects: List the various projects on the board's radar according to category. Add or edit categories or projects as needed.

	A	B	C	D	E	F
	Regulations	Applications & Fees	Exams	Committees	Enforcement	Other Initiatives
1	Adding survivorship for emergency transfers		Revise registered guide written exam content		Incorporate ethics violations into the disciplinary guidelines and precedence matrix	Guide Concession Program Inter-agency Workgroup
2	Supervision regulation clarification		Revise GMU exam content			Development of online hunt records user interface
3	Definitions of "physically present", "primarily in the field", "in or near camp"					
4	Unlawful provisions by transporters					
5	Marine Transporter Regulation					
6	Trainees					
7	Guide Use Area registration - clarification					
8	Booking Agents/Hunt Planners/Hunt Consultants					
9	Update UVC code regs for various drawings					
10						

Part II: Project Information: Enter crucial details about the projects to help prioritize the board's time, effort, and resources.

	Project	Authority?	Urgency to Reduce/Prevent Public Harm?	Urgency to Meet Licensee-Related Deadline?	Resources Required?	Priority Ranking and Rationale?
		Does the board have full control over this issue? If not, is another agency appropriate to lead?	Is this necessary to reduce or prevent harm to the public, such as landowners, wildlife, public land users, etc.	Is a renewal or exam coming up? HR/TAR deadlines? State or federal deadlines? Guiding seasons?	Which board member will take the lead? Is staff needed? Anticipated expenses? Other stakeholders necessary? Public engagement?	Looking at all the information, how should this rank on the timeline of board priorities? Urgent (U): Take immediate steps to complete Scheduled (S): Others more important; can happen as we get to it Postponed (P): Not our issue or not a "must have"
1A	Adding survivorship for emergency transfers					
2A	Supervision regulation clarification					
3A	Definitions of "physically present", "primarily in the field", "in or near camp"					
4A	Unlawful provisions by transporters					
5A	Marine Transporter Regulation					
6A	Trainees					
7A	Guide Use Area registration - clarification					
8A	Booking Agents/Hunt Planners/Hunt Consultants					
9A	Update UVC code regs for various drawings					
1B						
1C	Revise registered guide written exam content					
2C	Revise GMU exam content					
1D						
1E	Incorporate ethics violations into the disciplinary guidelines and precedence matrix					
1F	Inter-agency Guide Concession Program Workgroup					
2G	Development of online hunt records user interface					

Part III: Next Steps: Using the information in Part II, list the *urgent* (U) and *scheduled* (S) projects in order of priority. Include details that support timelines and accountability. Omit postponed projects until they rise to a higher priority and keep track of them above.

Code Assigned	Project	Target Effective Date of Project	Person Responsible for Project Success	Staff Needed to Help Complete Project	Additional Resources, Outreach, Elements	Next Step to Move Forward	Due Date for Next Step
Example:	Regulation XYZ	11-1-23	Board Member A	Board Staff, Regs Specialist, Board Advisor	Additional outreach to large private landowners and native corporations	Board Member A will draft a letter for staff to send to stakeholders and include list of recipients. Announce public forum scheduled for 5-15-23.	Letter to staff by 4-1-23 Sent by 4-5-23
U1							
U2							
U3							
S1							
S2							
S3							

Part IV: Project Tracker: Members responsible for the success of the project can use the tracker to organize steps to completion. Duplicate the tracker for every project.

Project:		Code:	Target Effective Date:		
Action needed	Details to complete the action	People involved	Additional resources, concerns		Deadline for action

PRIORITIZATION MATRIX

Board:

Date Updated:

Part I: Types of Projects: List the various projects on the board’s radar according to category. Add or edit categories or projects as needed.

	A	B	C	D	E	F
	Regulations	Applications & Fees	Exams	Committees	Enforcement	Other Initiatives
1						
2						
3						
4						
5						
6						
7						
8						
9						
10						

Part II: Project Information: Enter crucial details about the projects to help prioritize the board’s time, effort, and resources.

	Project	Authority?	Urgency to Reduce/Prevent Public Harm?	Urgency to Meet Licensee-Related Deadline?	Resources Required?	Priority Ranking and Rationale?
		Does the board have full control over this issue? If not, is another agency appropriate to lead?	Is this necessary to reduce or prevent harm to the public?	Is a renewal or exam coming up? State or federal deadlines? Industry-related seasons?	Which board member will take the lead? Is staff needed? Anticipated expenses? Other stakeholders necessary? Public engagement?	Looking at all the information, how should this rank on the timeline of board priorities? Urgent (U): Take immediate steps to complete Scheduled (S): Others more important; can happen as we get to it Postponed (P): Not our issue or not a “must have”
1A						
2A						
1B						
2B						
1C						
2C						
1D						
1E						
1F						

Part III: Next Steps: Using the information in Part II, list the *urgent* (U) and *scheduled* (S) projects in order of priority. Include details that support timelines and accountability. Omit postponed projects until they rise to a higher priority and keep track of them above.

Code Assigned	Project	Target Effective Date of Project	Person Responsible for Project Success	Staff Needed to Help Complete Project	Additional Resources, Outreach, Elements	Next Step to Move Forward	Due Date for Next Step
<i>Example:</i>	<i>Regulation XYZ</i>	<i>11-1-23</i>	<i>Board Member A</i>	<i>Board Staff, Regs Specialist, Board Advisor</i>	<i>Additional outreach to large private landowners and native corporations</i>	<i>Board Member A will draft a letter for staff to send to stakeholders and include list of recipients. Announce public forum scheduled for 5-15-23.</i>	<i>Letter to staff by 4-1-23 Sent by 4-5-23</i>
U1							
U2							
U3							

