

**CALIFORNIA STATE BOARD
OF
BARBERING AND COSMETOLOGY**

BOARD TELECONFERENCE MEETING

MINUTES OF JANUARY 24, 2022

BOARD MEMBERS PRESENT

Steve Weeks, President
Calimay Pham, Vice President
Jacquelyn Crabtree
Megan Ellis
Tonya Fairley
Reese Isbell
Derick Matos

STAFF MEMBERS PRESENT

Kristy Underwood, Executive Officer
Carrie Harris, Deputy Executive Officer
Sabina Knight, Board Legal Representative
Allison Lee, Board Project Manager
Marcene Melliza, Board Analyst

1. AGENDA ITEM #1, CALL TO ORDER/ROLL CALL/ESTABLISHMENT OF QUORUM

Steve Weeks, Board President, called the meeting to order at approximately 10:00 a.m. and confirmed the presence of a quorum.

2. AGENDA ITEM #2, BOARD PRESIDENT'S OPENING REMARKS

Mr. Weeks gave a few remarks and expressed his disappointment for not having an in-person meeting due to COVID. He hoped that the next meeting would be held in person. Mr. Weeks also reported that the Southern California DRC meeting was canceled due to COVID. Staff are working on rescheduling it.

He further stated that the Board had made huge accomplishments last year, with the highlight being SB 803 implementation. Mr. Weeks appreciated the Board members who had voted for the passing of the legislation stating that it had changed the lives of candidates for good. The legislation led to a reduction of 600 hours in required course time for students, which benefited them economically and time-wise.

Mr. Weeks also reported that Christie Tran resigned, stating that she was currently busy with her business because of COVID and the loss of personnel. Mr. Weeks thanked and appreciated her service and added that the Governor was actively reviewing other candidates for the Board. He hopes there will be a quick turnaround to get 3 or 4 new members by the next Board meeting.

Mr. Weeks reported that this would be another eventful year for the Board since they will continue implementing SB 803. He explained that standing committees will take

on more work. He stated that the Board would appoint members of the standing committees during this meeting, and the members of each Committee will then appoint their chairperson.

He also recognized the staff's efforts in the implementation of SB 803.

3. AGENDA ITEM #3, BOARD MEMBER REMARKS

No Board member remarks were made.

4. AGENDA ITEM #4, ANNUAL ELECTION OF OFFICERS

• BOARD PRESIDENT

Ms. Crabtree moved to nominate Steve Weeks for President. Ms. Pham seconded. Ms. Tonya also seconded the nomination. Mr. Weeks accepted the nomination and opened up the motion for public comment. No public comments were made. Motion carried 7 yes, 0 no, and 0 abstain, per roll call vote as follows:

The following Board Members voted "Yes": Steve Weeks, Calimay Pham, Jacquelyn Crabtree, Megan Ellis, Tonya Fairley, Reese Isbell, Derick Matos.

Mr. Weeks thanked the Board members for voting for him in as President. He stated that he is anxious to serve as this will be his last year as President. He hopes that the Board will all be able to see SB 803 through to completion.

• VICE PRESIDENT

Ms. Crabtree moved to nominate Ms. Pham as Vice President. Mr. Weeks seconded. Ms. Pham accepted the nomination. Mr. Weeks opened up the motion for public comment. No public comments were made. Motion carried 7 yes, 0 no, and 0 abstain, per roll call vote as follows:

The following Board Members voted "Yes": Steve Weeks, Calimay Pham, Jacquelyn Crabtree, Megan Ellis, Tonya Fairley, Reese Isbell, Derick Matos.

5. AGENDA ITEM #5, APPOINTMENT OF COMMITTEE MEMBERS TO STANDING COMMITTEES FOR 2022.

Mr. Weeks stated that six standing committees have not been active in the recent past. The Board's small size had enabled them to deal with the committees at the Board level. Mr. Weeks stated that the standing committees could use some depth analysis, particularly with SB 803 coming in.

The committees each needed a minimum of 2 persons. The committee members would then elect their chairperson. Board members will also be active in scheduling Committee meetings necessary for the Board's business.

- **Disciplinary Review Committee (DRC)**

Mr. Weeks stated that it would be appropriate to have as many Board members here as possible who have the commitment and time to do it.

Ms. Fairley asked if the members could choose the committees they wished to join. She also asked if one could serve more than one Committee. In response, Mr. Weeks stated that one could be a member of several committees. He also stated that the members volunteered to join the Committee they wished to serve. He further pointed out that the DRC committee meetings take time and urged the members to consider the time commitment when volunteering.

Ms. Fairley also asked where one could get additional information about the committees. Ms. Underwood explained that the Board had been able to handle the committees at the Board level in the past. Now, they would be able to get several committee members with a larger board. She stated that the committees usually hold their meetings prior to the Board meeting. If there's a topic that goes to a specific committee, that Committee would recommend the entire Board. The committees would act as small structure working environments for the entire Board.

Ms. Underwood requested all Board members to volunteer to be part of the DRC. Having many members will ensure that some stand-in for others who might not make it to the meetings.

Mr. Isbell, Ms. Crabtree, Mr. Weeks, Ms. Fairley, and Ms. Pham volunteered to be members of the DRC.

- **Education and Outreach Committee**

Ms. Fairley, Mr. Isbell, Mr. Matos, and Ms. Ellis volunteered to serve on this Committee.

- **Enforcement and Inspection Committee**

Mr. Weeks and Ms. Crabtree volunteered to serve on this Committee..

- **Legislative and Budget Committee**

Mr. Isbell, Ms. Pham, Ms. Ellis, and Mr. Matos volunteered to serve on this Committee.

- **Health and Safety Advisory Committee**

Ms. Underwood explained that this Committee is statutorily required and involves other appointees from the industry. The Committee consists of members of each licensed category as well as members from the Department of Public Health, Department of Industrial Relations, infection control personnel, and a scientist. Ms. Crabtree, Ms. Pham, and Mr. Isbell volunteered to serve on this Committee.

- **Licensing and Examination Committee**

Ms. Fairley, Mr. Weeks, Ms. Crabtree, and Mr. Matos volunteered to serve on this Committee.

Mr. Weeks thanked all the Board members for volunteering. He noted that the extra committees take up much time, but they will all be crucial in implementing SB 803.

6. AGENDA ITEM #6, DISCUSSION AND POSSIBLE APPROVAL OF THE OCTOBER 25, 2021 BOARD MEETING MINUTES

Ms. Crabtree moved to approve the minutes. Ms. Pham seconded. Motion carried 7 yes, 0 no, and 0 abstain, per roll call vote as follows:

The following Board Members voted “Yes”: Steve Weeks, Calimay Pham, Jacquelyn Crabtree, Megan Ellis, Tonya Fairley, Reese Isbell, Derick Matos.

7. EXECUTIVE OFFICER’S REPORT – By Kristy Underwood

- **Licensing Statistics**
- **Examination Statistics**
- **Disciplinary Review Committee Statistics**
- **Enforcement Statistics**
- **Budget Updates**
- **Outreach Updates**
- **Practice Status Survey Results**
- **Update of Board’s 2018-2022 Strategic Plan**
- **SB 803 (Roth) Implementation Plan**

Kristy Underwood reported that the office has lately been struggling with COVID cases and close contact. They had, therefore, decided to go back to working remotely about a week and a half ago. They hope to go back to the office in February.

Ms. Underwood reported that SB 803 would impact future Board meeting statistics. She stated that lower numbers were seen in the quarterly applications received through the holidays, which is typical for the workload. Ms. Underwood reported that changes would also be seen in the examination results as there are no longer practical exams as of January 1. There have been some implementation bumps with getting the systems to change the process. Ms. Underwood stated that they are working with the Department of Consumer Affairs and other vendors to get things to where they need to be. She explained that currently, a person who has passed a portion of the exam, whether practical or written, has a valid score for one year. This ultimately made everyone that passed the written exam in the past year eligible for licensing. Ms. Underwood stated that they were working with PSI, the computer-based testing vendor, to issue licenses for about 2,000 records. The license information had to be entered manually into the system. A team was working on this

and would hopefully get it done within the week. The people expecting a license would have one within a week or so and should be able to look it up on BreEZe, the license verification system. The next Board meeting statistics will see a huge change due to the more than 2,000 licenses being issued.

Ms. Underwood further reported that they would be looking at new ways to report on the written exam scores in the future. The exams would still be tracked by language.

Ms. Pham asked if the written exam would be the same as before or revamped. Ms. Underwood stated that the written exam is currently the same exam it's always been.

Ms. Underwood reported that the licensee population was still around 615,000.

There was also no change in the Disciplinary Review statistics because there were very few hearings. The hearings had been canceled due to the risk of COVID, and the Board was also not receiving many appeals.

Ms. Underwood reported that the enforcement statistics were standard. Mr. Weeks inquired about the inspectors in the field and how they were doing regarding COVID. Ms. Underwood stated that the inspectors were doing well. Several new inspectors had been brought on, but there were still about 5 or 6 vacancies. She added that the inspection program was probably the least impacted. She explained that the inspectors are well trained and ensure that they wear protective gear when going into establishments. The inspectors also cover some of the vacant territories, so there were no backlogs in any directeds.

Mr. Weeks also asked if some of the closed practical exams offices staff had been reabsorbed into other roles. Ms. Underwood stated that not many were absorbed since many of the positions in the exam sites were specialty positions. As such, many employees were furloughed. A few of the maintained staff are now helping in the licensing unit. There were also a few retirements, so those positions will be transferred to Sacramento as vacant so they can be filled.

Mr. Isbell wondered why the number of citations was high even though the complaints and the inspections were down. Ms. Underwood explained that when inspectors do routine inspections, it creates a citation. The Board is a citation and fine-based enforcement board that relies on the citation and fine program instead of sending citations to the Attorney General. After reviewing a citation from an inspector, the Cite and Fine unit in Sacramento determines if the citation should be issued. The citation numbers are always high because when inspectors go out to a specific establishment, they also inspect other establishments in the area, thus generating numerous citations.

Ms. Pham stated that even though in-person DRCs were canceled, some virtual ones were done last year. She asked if the virtual DRCs could continue in the future, whereby people could come on camera and give testimony. Ms. Underwood stated

that the virtual options had been considered. She pointed out that with virtual DRC, it is challenging to get many ready with the technology. She explained that written testimonies are encouraged so that a appellant does not have to appear in person. Ms. Underwood further explained that for the virtual reinstatement hearings, much work is usually done with the petitioners. For DRC, we do not have the capabilities to work with each appellant individually. Ms. Underwood further explained that when a licensee appeals a citation, the citation becomes frozen. It doesn't prevent them from working or from renewing their license. Ms. Underwood stated that there would be no negative impact on the licensee. This is an area that has always had backlogs, and Ms. Underwood hopes that the hearings would be held soon to get rid of the workload.

On the budget update, Ms. Underwood reported that the budget is stable but will have many changes this year. The following things happened which impacted the budget, and the extent of the impact is yet to be determined;

- The Governor issued licensing renewal fee waivers, so no revenue was received for renewals.
- The Board received a payback from the general fund.
- The Fairfield exam site lease was canceled SB 803.
- The lease on the Glendale exam site has not been canceled yet, and the building is currently for sale. The Board staff are working with the building owner to try and get out of the lease.
- Implementation of SB 803 has caused BreEZe costs
- PSP, which will come in a couple of months, will increase incoming revenue as well as the workload.
- The practical exam contract was canceled
- The Board will purchase new vehicles this year
- The Board is translating the updated Rules and Regulations book

Ms. Underwood reported that they met with the budget office the previous Friday, and although there are no current budget concerns, the budget report will have changes in the coming year. All of the expenses listed above had been built into the budget, therefore, the budget is secure, but it will continue to fluctuate.

Mr. Weeks noted that the fiscal year budget 21-22 was as projected. He, however, pointed out that for the months in reserve, 2021 had 36 months in reserve. This went down to 17 then 7.2, with another probability of less than 6% in the next year. He inquired the reason for the diminishment in the months in reserve. In response, Ms. Underwood stated that it's because of what happened with the renewal fees and their payback. She stated that the reserve should never be at 35.9, but the 7.2 and 5.9 months in reserve were standard. She further stated that the numbers increased since the budgeting was done out of the Board's control. Ms. Underwood stated that the standard figures are where the budget changes will even out.

Mr. Weeks asked what other Boards maintained as their months in reserve. Ms. Underwood stated that this Board was one of the lucky ones in the Department. She

pointed out that from her 25-year experience in DCA, she had learned that some boards did not have months in reserve and so they had to watch their budgets closely. However, the Board had been stable for many years.

Mr. Weeks asked what the Department wanted to see as the average month in reserve. Ms. Underwood stated that some Boards have it in their statute that they cannot have more than a three-month reserve. This Board does not have anything in statute, and having 35 months in reserve was not practical. However, Ms. Underwood pointed out that the Board will need to review its fees this year due to the elimination of the practical exam.

In response to Ms. Fairley, Ms. Underwood explained that PSP stands for Personal Service Permit that the Board will be implementing. A licensee can apply for a personal service permit to go along with their other licenses to allow them to do personal services outside of a licensed establishment. PSP has limited services compared to those carried out in a licensed establishment. Ms. Underwood further stated that PSP has been in the works for about four years. The Board has been working on it, and the regulations have already been implemented. Only the IT systems had to be finalized, and this is expected to be complete by March or April. Ms. Underwood explained that to get a PSP, one had to do a fingerprint background check with the Department of Justice since they would be going into people's homes.

Ms. Crabtree inquired about the fee being charged for licensing. Ms. Underwood stated that the fees vary with the type of license. A manicurist pays around \$35 to \$50, and the exam fee is about \$75. In total, the fee is about \$120 to \$125 for an initial application. Ms. Underwood stated a statute stating that the Board will only charge what it costs them to process applications. These are the fees that will be reviewed. Ms. Crabtree opined that that was not much money, but she would support whatever the Board decided.

Mr. Weeks asked if the costs were high or low when compared to other Boards in the industry. Ms. Underwood stated that the fees are lower due to the high population that brings the cost down. Other states do not have a huge volume, so processing the applications costs them more.

Regarding outreach updates, Ms. Underwood reported that she gave updates at some events virtually and mentioned events that are tentatively scheduled for the future. She is scheduled to attend another meeting with the Council for State Governments regarding the project for compact licensing. In this project, the Board will have the option to enter a compact so that anyone licensed in California can work in another state that is part of the compact with the same license. The meeting will be held in Washington, D.C. in March.

On SB 803 implementation plan, Ms. Underwood reported that staff had made a lot of progress in implementing the legislation. Since the Board members increased, the Governor's office is working on getting the new members. She reported that the new

hairstylist license will take some time to implement since several things have to be done first – such as, an occupational analysis and exam development. Ms. Underwood stated that they had entered into a contract with the Department of Consumer Affairs to handle the workload. It will take a minimum of 18 months to get the license implemented. Ms. Fairley asked if industry experts were helping with the implementations or it was just DCA. Ms. Underwood stated that the implementers are all industry professionals. They are the coordinators and know the business of conducting occupational analysis. DCA has an office of professional examination services.

Ms. Underwood further reported that the esthetician scope was updated. An industry bulletin was posted on the website to provide information. Estheticians can now provide dermaplaning. Lash and brow tinting are still unavailable because the FDA has not approved a product. The only way to make lash and brow tinting happen in California is by changing the regulations. The Health and Safety Committee will review the regulations at the next meeting proposed for March.

Ms. Underwood reported that reciprocity has changed from the previous 3 out of the last 5 years of licensure requirement. Now, an individual can get a license in California with a valid license from another state. This has already been implemented with only a few technical IT pieces to be taken care of.

The pre-apprentice training required by the Board will take some time to implement because a curriculum must be developed and web-based. These services will be contracted out with the help of DCA. They will look for a vendor who will develop a system that will ensure that no one skips the training. The goal is to have this completed within the next 12 months. The apprentice program will continue running as usual until the Board implements the changes. Ms. Fairley asked if the pre-apprentice training program would have a test site in Sacramento or everything would be done online. Ms. Underwood stated that the aim is to be 100% online.

Ms. Underwood reported that the Board no longer accepts pre-apps. Most of the pre-apps that were in the system have been processed. A few applicants still need proof of training documents submitted to the Board. These are slowly getting cleaned up within the database.

Movers have been removing equipment from the two facilities for the last two weeks. The removal of the practical exam facility and the staffing has been taken care of. There is a new process where an applicant will apply and get scheduled only for the written exam. This is the most complicated IT aspect, but the result will be smooth. When the system is up and running, the applications will be processed quickly, and the student will get notification from PSI. The student will then be able to go online and schedule their exams at the request of whichever location they would like to attend. The students will also be able to call PSI directly and schedule exams. Mr. Matos asked how many test sites are currently active in California. Ms. Underwood stated that at least 15 are active. She further stated that there is a future

possibility of the testing going entirely online instead of having some on-site. Processes to monitor the virtual testing will also have to be implemented. The mobile unit has been implemented. It consisted of updating how applications are processed.

Regarding the school curriculum, as of January 13, 159 schools have submitted applications to the Board for a new course. 146 applications have been approved and 13 were still pending. As of the morning of January 24, the approved applications had gone up to 155. Some schools opted to maintain their hours. Others have reduced to 1000 hours or 1200 hours. SB 803 allowed a minimum of 1000 hours, but schools could offer more. Other schools have come up with a 1500-hour program. California State Board has always had 1600 hours, but most of the schools that have been approved have gone to 1000 hours for barbering and 1000 hours for cosmetology. Mr. Weeks proposed that the Board make a statement on the website listing all the approved schools and stating that hours may vary by school and that one should check with individual schools to inform people that the hours are not standard. Ms. Crabtree wondered how many people would enroll in schools doing 1600 hours, considering others are doing 1000 hours. Ms. Underwood stated that we may never know since the Board does not oversee enrollments. This is something that should be revisited in the newly formed committees. Ms. Underwood stated that the Board had started receiving applications from students that claimed to have completed 1000 hours. She reached out to some of these schools to confirm their claims. She said that it was possible for a student to dis-enroll from the 1600 hours program and re-enroll in a 1000-hour program. The hours are also transferable if they are like for like.

Ms. Underwood also stated that they are working on a process that will reduce the potential for fraud. They've also been cleaning up the SB 803 language and will get input from the schools on preventing fraud. Changes will also need to be made to the proof of training document. Ms. Underwood stated that many students enrolled in 1600 hours were asking if they qualify for an exam if they have completed 1000 hours. This is not the case as the student must complete the program before taking an exam. Both the Board and the Bureau approve the new programs to ensure that the courses are legitimate. Ms. Underwood confirmed that very few schools allowed their students to drop out and then re-enroll for the 1000 hours. She also confirmed that a student's previous hours could apply in case of a re-enrollment.

Mr. Weeks asked if any schools required a minimum enrollment period to complete their program. Ms. Underwood was not aware of any such cases.

Mr. Matos asked if there was any baseline for curriculums or the schools could submit for different curricula. He stated that previously, there was a standard that they all had to reach with the reduction in hours. Ms. Underwood stated that there is a curriculum set in statute now instead of being in regulation. The schools need to have a standard curriculum. Ms. Underwood stated that when reviewing the curriculum for a school, they look at the minimum 1000 hours and ensure that it

covers the content in the statute set by SB 803. The content is the same, but a school can have more. Mr. Matos also asked if the school will be required to notate that or it is the Board that does that. Ms. Underwood stated that a school must disclose to a student that the law requires 1000 hours, but the course requires 1600 hours. This falls under the Bureau of private/post-secondary, not the Board.

Ms. Crabtree noted that the hours being shifted do not include as many technical requirements within the 1000 hours. Ms. Underwood stated that most schools had used the breakdown in the statute. However, this breakdown does not go up to 1000 hours, so most schools transferred other skills to their curriculum.

Ms. Underwood reported that the extern program language needed some clean-up. The changes in SB 803 for the externs only mentioned cosmetologists, but it should also include barbers. This might get into a bill this year for the clean-up.

The practice status survey needed to be updated. This has been completed.

SB 803 required the fine schedule to be reviewed to determine what direct impact on consumer safety each of the Board's fines has. This will be taken up with the Health and Safety Committee. Once the entire Board approves any recommendations from the Committee, regulations will be put in place. This is a long process that might take about two years. The fine schedule review could also take some time to be implemented.

Mr. Matos cited some language in the extern program proposal that a student was only required to complete 25% of the required minimum hours and then spent the rest of the time in the shops or salons. Ms. Underwood clarified that that was incorrect as the student only must spend 25% of the required minimum hours in the shops and salons.

Ms. Underwood reported that the SB 803 information page is on the website with the Q&A section. The bill is also on the page, plus the new laws and regulations. The Board members appreciated the staff for completing 70% of the implementation of SB 803 in such a short time.

Mr. Isbell requested updates on the process of new Board members' spaces that are currently available and the timing. He was worried about future quorums. Ms. Underwood stated that she was working with Deputy Director Carrie Holmes to get new Board members and was hopeful that there'll be at least two new members by the next meeting. She stated that the three industry seats available are for an esthetician, an electrologist, and a manicurist. Public members attending the meeting were urged to go to the Governor's website and submit applications.

Mr. Weeks opened up for public comment. Wendy Cochran from California Aesthetic Alliance thanked Ms. Underwood for attending Ventura's California Aesthetic Alliance compliance event. She stated that the date for the event is

Sunday, February 27, not 26. She also thanked the Board for helping the Alliance expand its scope of practice. She added that they were planning an education in dermaplaning and its safety, lash lift and brow laminations, and safety in all those services.

8. AGENDA ITEM #8, STATUS UPDATES REGARDING RULE MAKING PROPOSALS – By Kristy Underwood

- a) Apprenticeship**
- b) Externs**
- c) Disciplinary Guidelines**
- d) Disciplinary Review Committee**

Ms. Underwood stated that two regulation packages are on hold because they needed some legislative clean-up; the Extern regulation package and the Disciplinary Review Committee.

The statutory change needed for Disciplinary Review Committee was missed in SB 803. It will need clean up language to allow the Board to pay the members of the Committee.

The Apprenticeship and Disciplinary Guidelines packages are currently under internal review. Ms. Underwood reported that they are working with Consumer Affairs Regulation unit to get through the regulations. No action was needed on the packages as it was just an update.

9. AGENDA ITEM #9, RULEMAKING: SB 803 CLEAN-UP

Proposed language for the clean-up of SB 803 was presented to the Board. No action was needed on this package. The following was proposed;

- The word 'hairstylist' will be added in various sections.
- Clarify the proof of training requirements.
- Remove sections that no longer apply, such as the pre-application process.
- Clean up and update forms.

All the above will come back to the Board at the next meeting. A final regulation package will be presented to be voted on.

Ms. Pham proposed having all the licensing categories listed as the definition of goods standing. She cited Section 7395.1 and noted that it only listed apprenticeship. Others like electrologists should also be added.

Mr. Weeks noted that a paragraph in Section 12 Item C had been struck out. Mr. Weeks felt that that paragraph should be left in since it ensures the schools give some advice to people entering the profession for the first time. Ms. Underwood explained that the language was not set in statute and thus did not need a standalone recommendation in regulation. The possibility of including a recommendation in the language will be considered.

**10. AGENDA ITEM #10, RULEMAKING: TRANSFER OF CREDIT OR TRAINING-
Kristy Underwood.**

The statute states that “like for like” can be transferred. The Board looked at the transfer of credit in the past and had recommended that the regulation be removed entirely because the statute stated that the same things could be transferred from one course to another. The Department’s legal unit felt that the statute should be clarified further in regulation. The prior language had been struck out, and the current one made it clear for each license type.

The Board’s approval would immediately start the regulatory process. After approval, it would have to go for internal reviews and then public comment. Any comments and changes would then be brought back to the Board to be voted on again.

Ms. Fairley asked if this is based on the new 1000-hour requirements. She also inquired about the process of determining the number of hours for each individual item. Ms. Underwood stated that it would depend on the school and the student. The school would have to look up information on the student and determine what they need to do.

Ms. Crabtree moved to approve the proposed regulatory text for Section 950.10, direct staff to submit the text to the Director of the Department of Consumer Affairs and the Business, Consumer Services, and Housing Agency for review and if no adverse comments are received, authorize the Executive Officer to take all steps necessary to initiate the rulemaking process, make any non-substantive changes to the package, and set the matter for a hearing if requested. If no adverse comments are received during the 45-day comment period and no hearing is requested, authorize the Executive Officer to take all steps necessary to complete the rulemaking and adopt the proposed regulations at Section 950.10 as noticed. Ms. Pham seconded.

Mr. Weeks opened up the motion for public comment. Ms. Wendy Cochran stated that the clean-up language for SB 803 should mention the body as a whole and not call out specific body parts. She also stated that the hairstylist-only licensee should not be allowed to perform facial and skin care services. Regarding crossover, Ms. Cochran argued that electrologists had been forgotten in the language. She felt that the process should be accessible for estheticians to crossover to electrology since they have been trained in similar aspects.

Motion carried 7 yes, 0 no, and 0 abstain, per roll call vote as follows:

The following Board Members voted “Yes”: Steve Weeks, Calimay Pham, Jacquelyn Crabtree, Megan Ellis, Tonya Fairley, Reese Isbell, Derick Matos.

11. AGENDA ITEM #11, COMMENTS RECEIVED REGARDING PROPOSED REGULATION: INSTRUCTIONAL MATERIAL – By Kristy Underwood

This regulation package is regarding the approval of textbooks by the National Interstate Council (NIC). NIC does not approve textbooks; therefore, this change was proposed to take that language out. The language had been clarified as the Board had previously approved. There was a 45-day comment period on these regulations and two public comments were received.

Ms. Underwood proposed rejecting the comments, providing responses to the comments as indicated on the packet materials, and completing the regulatory process.

Ms. Crabtree moved to direct staff to reject the comments, provide the responses to the comments as indicated in the meeting materials, and complete the regulatory process. Ms. Pham seconded. No public comments were made.

Motion carried 7 yes, 0 no, and 0 abstain, per roll call vote as follows:

The following Board Members voted “Yes”: Steve Weeks, Calimay Pham, Jacquelyn Crabtree, Megan Ellis, Tonya Fairley, Reese Isbell, Derick Matos.

Mr. Isbell requested that the Board look at more inclusive language in the future rather than “non-English” as it is negative.

12. AGENDA ITEM#12, PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA

Jamie Schrabek of Precision Nails urged the Board to take a more active role in the upcoming Sunset Review for the Bureau of Private Post-Secondary Education. She argued that the Board had shared oversight with most of it belonging to the Bureau. The Bureau was only authorized for another year - so this was the Board's chance to gain sole oversight if that's what the Board wants.

13. AGENDA ITEM#13, SUGGESTIONS FOR FUTURE AGENDA ITEMS

Ms. Fairley proposed having on the agenda the types of activities that the Board members can participate in outside of the Board. Mr. Weeks responded that a Board member's presence, particularly in individual school activities like an opening, could be implied as an endorsement of that school by the Board. He further stated that such occurrences could be used against the members. He recounted an incident where such had happened, and the owner of the school had made it look like the Board members were sponsoring the school.

Ms. Pham proposed reviewing the written exam pass rates for non-English takers. Look at the causes and possible solutions for these language access issues.

Mr. Isbell suggested having a session where the Board members can get to know each other better since there will be more new people.

Ms. Underwood stated that the new strategic plan would be taking place soon. No date has been set. She hoped to have new members join. The strategic plan is in its last year. There will be planning for the next five years of the Board.

14. AGENDA ITEM #14, ADJOURNMENT

There being no further business to discuss, the meeting adjourned at approximately 11:55 a.m.