

COMMONWEALTH OF MASSACHUSETTS
BOARD OF REGISTRATION OF COSMETOLOGY and BARBERING
MINUTES OF THE February 11, 2020 BOARD MEETING

TIME: 9:30a.m.

PLACE: 1000 Washington St, Room 1D, Boston, MA 02118

PRESENT: Susan Viens (Chair), Joy Talbot (Vice Chair), Amanda Donis (Secretary),
Janice Dorian, Erinn Pearson, Iris Stowe, and Catherine Tool.

Jésus Nuñez and Marian Saluto Absent.

STAFF: Richard Lawless, Executive Director
Lynn Read, Board Counsel
Lauren McShane, Chief Investigator

The Meeting was called to order at **9:35 a.m.** by Ms. Viens

Housekeeping:

Ms. Viens explained the emergency exit procedures.

Read and Accept Minutes of the January 14, 2020 Open Meeting

A MOTION was made by Ms. Talbot, seconded by Ms. Tool to approve the draft minutes of the open meeting held January 14, 2020 as written.

The Motion Passed 7-0

Executive Director Report

Mr. Lawless discussed offsite meeting spaces.

Board Counsel Report

Ms. Read reserved her remarks for other items on the Agenda.

Discussion

Chelmsford Beauty Academy Proposed Advanced Manicuring Courses

The Board reviewed several proposed advanced manicuring courses from Chelmsford Beauty Academy.

A MOTION was made by Ms. Talbot, seconded by Ms. Donis to request Chelmsford Beauty Academy submit an updated course catalog and enrollment agreement for the proposed advanced courses to the Executive Director, who will then distribute them to Board members for review.

The Motion Passed 7-0.

Draft Amendments to Policy on Apprenticeship and Student Employment

A MOTION was made by Ms. Talbot, seconded by Ms. Stowe to table discussion until next month.

The Motion Passed 7-0.

School Transfer Hours

The Board discussed the process for evaluating transferring hours between schools.

A MOTION was made by Ms. Talbot, seconded by Ms. Tool to table until next month, and for Board members to send process suggestions on school transfer hours to the Executive Director before next month's meeting.

The Motion Passed 7-0.

Eyelash Extensions

The Board discussed enforcement of licensure for practitioners performing eyelash extensions. An eyelash registration was proposed.

A MOTION was made by Ms. Talbot, seconded by Ms. Donis to draft a letter to eyelash extension businesses informing them of the Board's plans to develop an eyelash registration.

The Motion Passed 6-0, with Ms. Tool abstaining.

Written Examinations for English as a Second Language Candidates

The Board discussed examination score data for English as a Second Language Candidates. Mr. Lawless said he is coordinating with Pearson Vue for a company representative to attend a Board meeting and answer any questions Board members have on the examinations.

English as a Second Language Exam Appeal

Exam candidate FK appeared in front of the Board to appeal the results of her written exam and request a waiver of the written exam requirement. The candidate did not meet the Board's criteria to qualify for an appeal, and the Board did not grant the waiver request.

Application Abandonment Policy

The Board discussed the length of time an incomplete application should be left open before the candidate must re-apply.

A MOTION was made by Ms. Talbot seconded by Ms. Tool to allow incomplete shop applications to be open for 90 days, and for incomplete individual applications to be open for one year before the candidate must re-apply.

The Motion Passed 7-0.

Barber Reciprocity

The Board discussed handling of Out of State Barber applications from applicants who completed an apprentice program that their state considers the equivalent of their educational requirements.

A MOTION was made by Ms. Tool, seconded by Ms. Dorian, to accept licensed reciprocity candidates who have fulfilled the equivalent of their respective state's educational requirements, provided the state's educational requirements are not less than Massachusetts.

The Motion Passed 6-1.

Lecturer Applications

The Board discussed the approval of lecturers for schools. The Board determined that lectures should not function as a replacement for instructors. No formal action was taken.

Review of School Regulations - 240 CMR 4.00, 5.00, 6.00, 7.00 and 8.00

The Board discussed school regulations. Mr. Lawless and Board members discussed requirements for the number of chairs in cosmetology, aesthetics and barber schools. No action was taken.

The Board discussed requests from several vocational schools to operate an adult-education Barber program at night in the same space used for a cosmetology program during the day.

A MOTION was made by Ms. Talbot, seconded by Ms. Donis to table the discussion of sharing space for day and night programs in vocational schools until the next meeting.

The Motion Passed 7-0.

Public Comment

Amanda Mendez from Toni & Guy asked about a form to report offsite credit hours for students. Mr. Lawless reported that schools can submit the required information to the Board directly until a form is finalized.

Rubia De Azeredo from LaBluh Esthetics Institute asked about the availability of the written exam in Portuguese. Mr. Lawless reported that the exam should be available within the next month.

Executive Session CLOSED per M.G.L. c. 30A, § 21(a)(1), Individual Character Rather Than Competence

MOTION was made by Ms. Talbot, seconded by Ms. Donis, to **enter into Executive Session** for the purpose of discussing applicants' character rather than competence, and the open meeting of the Board will not resume, but the Board will meet in closed Investigative Conference to consider settlement offers [closed session pursuant to G.L.c. 112, § 65C], and then would meet in Quasi-Judicial Session to make final decisions in cases before the Board, and then meet again in closed Investigative Conference.

The Chair called for a Roll call vote:

Ms. Viens (Yes), Ms. Talbot (Yes), Ms. Donis (Yes), Ms. Dorian (Yes), Erinn Pearson (Yes), Iris Stowe (Yes), and Catherine Tool (Yes).

The Motion passed unanimously.

See separate minutes.

Cases, Investigative Conferences, Settlement Offers [Closed Session Pursuant to G.L. c. 112, § 65C]:

During the closed session, the Board voted to take the following actions:

Settlements:

2019-000686-IT-ENF	Guidance given to Prosecutor
2018-209081-IT-ENF	Guidance given to Prosecutor

Quasi-Judicial Session [CLOSED per M.G.L. c. 30A, § 18]

A MOTION was made by Ms. Talbot, seconded by Ms. Tool to go into Quasi-Judicial Session, **Closed** under G.L. C. 30A, Sec. 18.

Motion passed 7-0.

During the closed quasi-judicial session, the Board voted to take the following action:

2018-201776-FI-ENF	Board determined Final Decision and Order
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Cases, Investigative Conferences, Settlement Offers [Closed Session Pursuant to G.L.c.112. § 65C]:

A MOTION was made by Ms. Talbot, seconded by Ms. Donis, to **exit Quasi-Judicial Session and go into Investigative Conference** to consider open cases, conduct investigative conferences, and consider settlement offers [closed session pursuant to G.L.c. 112, § 65C].

The MOTION passed 7-0.

During the closed session, the Board voted to take the following actions:

Cases:

2019-001201-IT-ENF	Referred to Prosecution
2019-001225-IT-ENF	Referred to Prosecution
2019-001254-IT-ENF	Referred to Prosecution

During Investigative Conference, Ms. Pearson left the meeting at 4:00 p.m.

Motion to Adjourn made by Ms. Dorian, seconded by Ms. Talbot. Motion passed unanimously.

The meeting was adjourned at **4:42** p.m.

The above Minutes were approved at
the open meeting held on March 10, 2020



Richard Lawless, Executive Director

Documents Used During the meeting:

Agenda
Draft Minutes of January 14, 2020 Open Meeting
Proposed Advanced Courses from Chelmsford Beauty Academy
Examination data from Pearson Vue
240 CMR 4.00, 5.00 and 8.00