

MS State Board of Cosmetology
Special Call Board Meeting
For the Purpose of Revision of Rules and Regulations
March 30, 2014
9:00 a.m.

Minutes

Board Members Present:

Teresa Whitman, President
Leisa McElreath, Vice President
Shelley Harsin, Secretary
Waylon Garrett, Member
Dorothy Ennis, Member

Board Staff (Absent):

Cynthia Johnson, Executive Director

Legal Counsel:

Bill Rosamond, MS State Office of the Attorney General

Call To Order

The special call board meeting was called to order by Whitman at 9:10 a.m. for the purpose of Revision of Rules and Regulations. Roll call was conducted by Harsin.

Rule 5.2(A) – Preliminary/Initial

Rule 5.2(A)(1) – Any person proposing to own or operate a school must make an appointment to discuss with the Board.

Rule 5.2(B) – An application for a licensee to operate a school must be submitted for approval on an application form provided by the Board. The application accompanied by evidence, statements or documents are filed with the Board.

Rule 5.2(B)(1) – Prospective owners for proprietary schools provide a completed submitted form provided by the Board office. The following information must be provided with this application:

- (a) Application fee
- (g) Optional request for a preliminary on-site by 2 agents of the Board, atleast must be a board member.

(A fee of \$100 will apply.)

Rule 5.2(B)(2) – An incomplete application will not be processed and the applicant will be notified by the board office with the cause for non-processing.

Rule 5.2(C) – Optional Preliminary On-Site visit

Upon request of optional preliminary on-site visit, with receipt of required fee, the following will apply: (1) The on-site visit will be performed by the Board, one of which must be a board member for the purpose of determining

- (a) Suitability:
 - (1) Proposed location
 - (2) Proposed floor space
 - (3) Proposed equipment and material

Initial inspection will be submitted to the Board for approval at its next regular meeting. Notified in 30 days.

A motion was made at 10:30 a.m. by McElreath to recess, seconded by Harsin. Motion carried.

A motion was made at 10:50 a.m. by McElreath to resume, seconded by Harsin. Motion carried.

Rule 5.2(D) – Initial Inspection and Approval of Proposed School

Rule 5.2(D)(1) – An initial inspection shall be made by two (2) agents of the Board, one of which must be a board member.

- (a) Suitability of:
 - (1) Location
 - (2) Rooms, floorspace ...
 - (3) Equipment and material set up and operational
- (b) Satisfactory evidence of proper provisions for duly licensed instructors and properly qualified manager/supervisor.

Rule 5.2(D)(2) – The findings of initial inspection will be submitted to the Board for its approval at its next regular meeting. The applicant will be notified within thirty (30) days.

Rule 5.2(E) – Final inspection and approval of proposed school.

- (a) Suitability of:
 - (4) Location
 - (5) Rooms, floorspace ...
 - (6) Equipment and material set up and operational
- (b) Satisfactory evidence of proper provisions for duly licensed instructors and properly qualified manager/supervisor.
- (c) All requirements as indicated in the application have been strictly adhered to by owners of the proposed school.
- (d) School has meet code requirements is evidenced by inspection report.

- (e) If the Board determines that the applicant is knowledgeable regarding requirements for licensure and operation of school of Cosmetology, Manicuring or Esthetics the Board may waive the initial inspection and proceed to the final inspection.

Rule 5.2(E)(5) – strike “conducting” add “operating”; Application fee shall be forfeited.

Rule 5.2(F) – Miscellaneous

Rule 5.2(F)(1) – “no change”

Rule 5.2(F)(2) – last sentence should read. “This person must hold an active license or permit at the time of application for school approval.

Rule 5.2(F)(3) – capitalize “B” in board

A motion was made at 12:15 p.m. by Ennis to recess for lunch until 1:30 p.m., seconded by Harsin. Motion carried.

A motion was made at 1:46 p.m. by McElreath to resume, seconded by Harsin. Motion carried.

Rule 5.3(B) – insert “esthetics and manicuring” after cosmetology

Rule 5.4(A)(1) – closed cabinets or containers

Rule 5.4(A)(4) - ; and

Rule 5.4(B)(1) – add (n) cabinet for client records

Rule 5.4(C) (1)(h) – paraffin wax

Rule 5.4(C)(1)(p) – client records

Rule 5.4(D) – Schools of Manicuring

Rule 5.4(D)(1)(d) – implements and products

Rule 5.4(D)(1)(i) – basins

Rule 5.4(D)(1)(k) – Electric files – when average daily exceeds six (6), additional nail files must be added at the ratio of 1 per 2 students in average daily attendance.

Rule 5.6(B)(3) – Hours of operation for clinic floor must be posted.

Rule 5.7 – A sixty (60) day grace period until new license is issued.

Rule 5.7(A) – prior to the sale of transfer - add “of the ownership of the school, the school owner must notify the Board at least thirty (30) days in advance.

Rule 5.7(B) – Addition of Partners

Rule 5.7(B)(1) – School owners who intend the addition of a partner must notify the Board at least 30 days in advance.

Rule 5.7(C)(2) – insert “esthetics or manicuring” after cosmetology

Rule 5.7(C)(3)(c) – regular or special call meeting

Rule 5.7(C)(3)(d) – insert “esthetics or manicuring” after cosmetology

Rule 5.7(C)(4)(c) – within thirty (30) days

Rule 5.7(D) – Change of Trade Name

A school will not change name without having first filed a change of trade name form and pay the processing fee. If change of trade name is made at the time of renew as processing fee will be waived. Processing fee \$50.00. New owner must provide the buy/sale agreement.

Rule 5.7(E) – Renovation

Must also undergo initial and final inspection and approval. Refer to Rule 5.2.

Rule 5.8(A)(3) shall be Rule 5.8(A)(4)

Insert new Rule 5.8(A)(3) – during operation hours an instructor must be in classroom.

Rule 5.9(F) – strike “or senior student”

Rule 5.9(H) – strike “this” add “the”

Rule 5.10(A)(6) – strike “area” add “discipline”

Rule 5.10(B)(1) – insert as new #1 – “Instructor/Student Instructor License”

Rule 5.11 – Strike “B”

Rule 5.12(B) – student/student instructor; end sentence at enrolled.

Rule 5.14(A) – capitalize “B” in board in all places

Rule 5.14(B)(2)(b) – strike “credit” add “clock”

Rule 5.15(B) – Strike “a report which certifies any financial obligation of the student to the school, along with proof of that financial obligation.

Rule 5.15(C) – vacation or break, (insert) “man-made disasters”

Rule 5.16(A)(1)(d) – Strike “Results of such test” add “An official GED transcript”

Rule 5.16(B)(1)(c) – Student Instructor duplicate license posted at school

Rule 5.17(A)(1) – shampoo cape, all purpose

Tint brush and applicator bottle and bowl

Rule 5.17(A)(3)(b) – strike “s” from Law; strike “Book”

Rule 5.18 Curriculum

Rule 5.18(A)(3) – Unassigned 70 hours – theory or skill

- (a) Board approved event with instructor/student instructor in attendance.
- (b) Career Days – with vendor signature of attendance (4 hours max. allowed)
- (c) Job Interviews (up to 4) – 1 hour granted per interview
- (d) Field Trips – nursing homes, salons
- (e) Community service – providing cosmetology related services.
- (f) In school competitions and fundraisers.
- (g) Any other activity must be Board approved.

Rule 5.18(D)(3)(a) – web-based online

Rule 5.18(D)(3)(b) – Twelve (12) hours must be acquired in one of the following:

- (1) Communication
- (2) Business Law
- (3) English
- (4) Psychology
- (5) Sociology
- (6) Mathematics
- (7) Computer
- (8) Safety and First Aid
- (9) Any other Methodology course approved by the Board.

Rule 5.18(D)(3)(c) – strike all

Rule 5.19(A) – Add “Accelerated hours shall not be accepted.”

Rule 5.19(B) – Strike

Rule 5.19(C) shall be (B)

Rule 5.19(D) shall be (C)

New Rule 5.19(C) Application for Approval

Rule 5.19(C)(4) – strike “service in armed forces during period of war” add “military deployment.”

Rule 5.20 Transfer Students

Stand alone paragraph – strike “are” add “may be”

Rule 5.20(B) – strike all

Rule 5.22 Working upon Patron

Rule 5.22(A) – Strike “he/she completed” add “completion of”

Rule 5.24 Licensing Examination Pass/Fail Ratio

Rule 5.24(A) – strike “average grades”

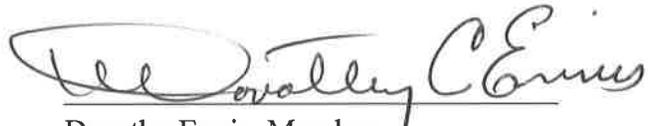
Board meeting was recessed until 9:00 a.m., March 31, 2014.

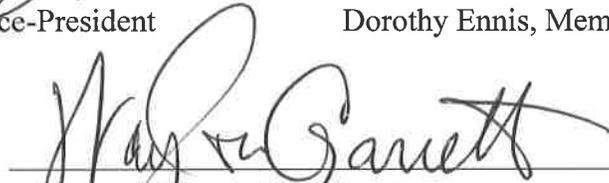
Approved this the 28th day of July, 2014.


Leisa McElreath, President


Shelley Harsin, Secretary


Teresa Whitman, Vice-President


Dorothy Ennis, Member


Waylon Garrett, Member