

**STATE OF ALASKA
DEPARTMENT OF COMMERCE, COMMUNITY, AND ECONOMIC DEVELOPMENT
DIVISION OF CORPORATIONS, BUSINESS AND PROFESSIONAL LICENSING
BOARD OF BARBERS AND HAIRDRESSERS**

MINUTES OF MEETING

January 12, 2009

By authority of AS 08.13.040, and in compliance with AS 44.62, Article 6, a scheduled meeting of the Board of Barbers and Hairdressers was held on January 12, 2009

Agenda Item 1 Call to Order/Roll Call

The meeting was called to order at 9:00 a.m.

Members present were:

Debra Long, Hairdresser, Chairperson
Charlette Lushin, Barber
Carol Hernley, Barber
Lorenda Britten, Tattoo and PCC

Staff present were:

Colleen Wilson, Licensing Examiner
Rick Younkings, Investigator

Agenda Item 2 Review and Approve Agenda

On a motion duly made by Lushin, seconded by Hernley and carried unanimously, it was

RESOLVED that the agenda was approved

Agenda Item 3 Review and Approve Minutes of Sept 15, 2008

On a motion duly made by Massie, seconded by Sherman and carried unanimously, it was

RESOLVED to approve the minutes.

Review and Approve Minutes of Teleconference Nov 6.2008

On a motion duly made by Lushin, seconded by Hernley and carried unanimously, it was

RESOLVED to approve the minutes.

Agenda Item 4 Ethics Reporting

No Ethics problems to report.

Agenda Item 5 Investigative Report

Rick Younkings presented a consent agreement for case #0435-08-001

On a motion duly made by Lushin, seconded by Britton and carried unanimously, it was resolved to go into Executive Session per AS 44.62.310(c) (2)

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Off the record at 09:15 am
On the record at 09:20 am

On a motion duly made by Lushin, seconded by Britton and carried unanimously, it was

RESOLVED to accept the consent agreement for case #0435-08-001

Colleen explained that Instructors and schools are not staying in compliance with regulations as far as monthly reports and completion and termination forms are concerned. She sends letters out to inform them they need to send in the forms but they ignore her. She sends another letter and things still don't arrive. She would like Investigations to send a letter to them. If they don't respond a license action should happen.

Rick Younkings explained that a letter could be sent, with a reasonable time frame for them to come into compliance and if they don't a consent agreement could be sent and license action could be taken.

Debra would like a letter from the license examiner to be sent out first and then if they don't comply a letter from investigations could be sent to them.

Agenda Item 7 Milady Text Book

Debra Long explained that the New Milady Text Book has been printed and that some things that are being tested on in the practical exam have been changed. She wants the practical to be consistent. After much discussion on what could be done about this problem, it was decided that this item needed the discussion of the full board.

On a motion duly made by Lushin, seconded by Hernley and carried unanimously, it was

RESOLVED to table this item until the May 4, 2009 board meeting when a full board will be present.

Agenda Item 6 Public Comments

Kevin McKinley, owner of Body Piercing Unlimited and Rebirth Tattoo, was present for public comment and discussed that he wanted to be able to have two instructors for his apprentices and wanted to move them between his shops in Anchorage and Fairbanks. He believes that it will be better for the apprentice because they would learn from each person who was an expert in that area of Tattooing. Instructors move and that leaves the apprentice without an instructor. Some instructors refuse to sign student records. Wants to give the best education they can receive.

Lunch 11:30 pm

On the record 12:30 pm

Roll Call:

Debra Long, Hairdresser, Chairperson
Charlette Lushin, Barber
Carol Hernley, Barber
Lorenda Britten, Tattoo and PCC

Staff present was:

Colleen Wilson, Licensing Examiner

Agenda Item 10 Apprenticeships

Colleen Wilson asked the questions

How many Instructors can an apprentice have?

Is there a limit on the number of shops a trainee may work in?

Is it the intent of the board for a trainee to have only one trainer and work in one shop?

The regulations don't address these questions. They do say that an Instructor may only have 2 apprentices. She also went on to ask if a certificate of sanitary standards could be required to be submitted with the apprenticeship application to make sure the shop is in compliance and an approved shop.

Lushin asked if anyone who has a license, no matter how long they have had it, can instruct an apprentice, unlike other professions that have to have an instructor license and worked for 3 years before they can have an apprentice.

Colleen answered that tattoo artists and body piercers can start instructing the day their license is issued.

Kevin McKinley was present for this discussion and would like to be able to have 2 instructors for his apprentices. He says he was allowed to do it in the past. He doesn't think it has been a burden for the state. He would like one lead instructor and there would be others under that person. There would be assistant instructors to take over if someone got sick. He believes that the state is preventing them from opening a school.

Hernley wanted to know if hours could be sent in quarterly to protect the apprentice.

McKinley thinks it would be a good idea. They keep a log for their apprentices along with time cards. They work their apprentices no more than 10 hours a day.

Colleen explained that you could finish a tattoo apprenticeship in 38 days at 10 hours a day. There is nothing that says they can't work 7 days a week.

There was a discussion about his idea that he can't open a school. Everyone agreed that the board regulations don't specifically prevent a tattoo school from opening. It may be a post secondary regulations and it was recommended that he should ask them

about it.

Kevin wanted to know if it is in statute that an apprentice can have only one instructor for tattooing and body piercing? He has 3 shops and wants to move the apprentices around between shops.

Colleen answered that it wasn't specifically spelled out in either statute or regulation. Why couldn't Kevin move his trainers between his shops instead of moving his apprentices? He could have other people instruct his students without signing them up as an instructor for the apprentice. The trainer that was approved by the board would be ultimately responsible for what the apprentice learned and must be in the shop if the apprentice is working.

He answered that it would take money away from the person who he was moving around.

Colleen suggested that he may have to pay them to instruct other trainer's apprentices in other shops.

Lushin stated that when an apprentice is signed on that the courses are not that long. You are taking on the responsibility and the trainer is saying that he has the ability to teach that apprentice in all aspects of the curriculum. She wanted to know if Kevin was saying that his trainers were only capable of teaching one section of the curriculum, so he needed to sign up more than one trainer.

Kevin answered that all his trainers are qualified but some are better teachers than others.

Kevin wanted to know why they were so against having more than one trainer for an apprentice.

Lushin answered that she believes that it is just a back up for a trainer that might ditch.

Kevin thinks it will cause no harm and will allow them to train better. He says that he has had more than one instructor per student for the last 6 years. He wants the person who knows the subject matter the best to teach the apprentice.

Hernley says she has no problem with multiple instructors and that she can see the advantages of having the person who knows it best teach it but wouldn't it have to go through one primary instructor. There has to be someone who is ultimately responsible. She also sees the advantage of requiring monthly reports and

experience in order to train tattoo and body piercers.

Kevin doesn't think it is important for the instructor to be present when the apprentice is working.

Colleen wanted to know, how does the lead person know if the apprentice is being taught anything if they aren't there to observe it. If he has been using more than one instructor the proper paperwork has not been submitted. Each person who instructed should have turned in what they taught the apprentice. She doesn't have any apprentice files that have more than one student record filled out. Technically Kevin's shops have been training their apprentices the way a school would train, multiple instructors for each apprentice. Statute would have to be changed in order for a tattooing school to be open. The statute that allows the board to license schools doesn't list a school of tattooing, but it doesn't say that tattoo school couldn't be added.

Debra Long read the statute pertaining to apprentices in tattooing and body piercing. Under section 08.13.082 (d)(1)(A) it states "in a licensed shop in this state under a person who has a practitioners license.." This is singular language. If more than one trainer and shop were intended plural language would have been used. The board can't allow multiple shops and instructors because the statute would have to be changed. She recommended Kevin getting a school license which would also require a statute change. The school statute was created before tattooing and body piercers were required to be licensed, hence it doesn't mention tattoo schools.

There was some discussion as to whether the tattooing and permanent cosmetic coloring requirements added up to 380 hours in the regulations. The board will address this at the next board meeting.

Colleen wants to change the check list regulation to require that a current sanitary inspection, for the shop the apprenticing will be taking place in, must be submitted with the apprenticeship application. The board decided to table this until the next meeting May 4, 2009.

Rick Younkens explained the investigative report at this time. He passed out copies to all board members.

Debra Long explained that she would like to make changes requiring tattoo and body piercing trainers to have work experience

before they can take on an apprentice. This may require a statute change.

The board also discussed requiring monthly reports for tattooing and body piercing students. Right now only the Student record or final paperwork is required.

On a motion duly made by Hernley, seconded by Britton and carried unanimously, it was

RESOLVED to review the requirements for apprenticeship for Tattooing and Body Piercing at the May 4, 2009 board meeting when a full board was in attendance.

Agenda Item 8 Regulations

12AAC.09.160

Consider removing “manual facials” from the hairdressing curriculum.

On a motion duly made by Lushin, seconded by Hernley and carried unanimously, it was

RESOLVED to table any changes to 12AAC.09.160 until the May 4, 2009 meeting when a full board will be present.

12AAC02.140(a)(3)

Consider recommending that the fee for a student permit be changed to \$25.00 for one year and \$50.00 for two year license.

On a motion duly made by Lushin, seconded by Britton and carried unanimously, it was

RESOLVED to recommend to the division that the fees for a student permit be changed to \$25.00 for a one year permit and \$50.00 for a two year permit.

Agenda Item 9 Juneau Practical Exams

Colleen presented score sheets for the Juneau practical exam in Nov and Dec 2009 showing the large difference in the proctor scoring. It seems very inconsistent.

On a motion duly made by Lushin, seconded by Long and carried unanimously, it was

**RESOLVED to go into Executive Session per 44.62.310 (c)
(2)**

Off Record 2:45
Back on the record 3:05

The board wants Carol Hernley to attend the Fairbanks practical exam and be trained to be lead proctor for the Juneau practical exam. She would attend 3 training exams in Fairbanks starting with March. She would also be able to fill in as lead proctor at the Anchorage and Fairbanks exams when needed.

Agenda Item 17 Office Businesses

Travel Authorizations were signed and receipts were collected.

Agenda Item 18 Adjourn

On a motion duly made by Hernley, seconded by Lushin and carried unanimously, it was

RESOLVED that the meeting be adjourned

Adjourned at 3:40 p.m.

Respectfully Submitted:

Colleen Wilson, Licensing Examiner
Board of Barbers and Hairdressers

Approved:

Debra Long, Chair
Board of Barbers and Hairdressers

Date: _____