



## NORTH DAKOTA STATE

### BOARD OF COSMETOLOGY

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The North Dakota State Board of Cosmetology held a special meeting on Friday, July 30<sup>th</sup>, 2021 at 10:00 a.m. via GoTo Meeting

Board Members Present:

Maureen Wanner  
Tenalee Erickson  
Rebecca Wood  
Eunice Smith

**1. Call to Order** – Meeting is called to order at 10 a.m.

**2. 1500 Hour Curriculum approval** – Rebecca looks for clarification on wording in newest edit. Annique provides explanation on what is required and what is not. Discussion on necessity to include language stating “in classroom, or clinic” in curriculum description. Tenalee makes a motion to adopt the amended draft. Rebecca seconds the motion. All voting, Eunice (y) Rebecca (y) Tenalee (y) Maureen (y.) Motion carries.

**2. Superseding motion to have Sue instead of Annique send a letter to Josef’s** – Board previously approved Annique to send a letter to Josef’s stating cosmetology curriculum hours required by ND. (43-11-16) Annique states that we need to have the letter come from the Board office on our letterhead versus from her office on her letterhead. Tenalee makes a superseding motion to have Sue send out a letter

to Josef's instead of Annique. Eunice seconds the motion. All voting, Eunice (y) Rebecca (y) Tenalee (y) Maureen (y.) Motion carries.

**3. Practical Examination Application** – Board approved change to practical examination application from a 1600 hour minimum to be completed prior to submitting application to test, down to a 1500 hour minimum to reflect the change in required hours. Todd from Josef's School of Hair Design brings forth concerns regarding the requirement to wait until 1500 hours. He feels that this may create a delay in testing even though a student has completed all hours. Board agrees that it should stay consistent with previous percentage completed requirement. Tenalee makes a superseding motion to modify the form to a 1300 hour minimum requirement, instead of 1500. Eunice seconds the motion.

**4. Printing of Law Books** – Board discusses if there is a requirement to print lawbooks or not. Annique provides information from law stating that board is not required to provide hard copies. Board website currently provides pdf's that allows anyone to print them at any time. Cost to print books is fairly high, for example, 700 books is \$1510. Rebecca and Tenalee state that they are in favor of holding off on printing. Maureen agrees.

**5. Removal of Homebound License : Informing 92 license holders. – (32-03-01-14)** – Annique provides some information on what we can and cannot state in a letter to homebound licensees. Board is not allowed to provide private legal advice and must be careful what information we provide. Board discusses need to at least notify these licensees of the law changes. Tenalee brings forth the concern regarding renewals. She would like to be sure that it is clear that the Homebound license is not renewable. Rebecca points out that they are still licensed cosmetologists and we should also be sure they understand that they are still licensed and have their right to practice. Tenalee makes a motion to have Sue send out a letter to the 92 licensees regarding the law change. Rebecca seconds the motion. All voting, Eunice (y) Rebecca (y) Tenalee (y) Maureen (y.) Motion carries.

**6. 1099 vs. W-2 Employees** – Annique gives board a briefing on macro level differences between the two. She encourages board to consider pros and cons of each. Tenalee discusses need to look at usage of personal vehicles and cell phones. Annique states that it depends on the statutes. Statutes 48-04-04 sub 3 and 4, as well as 54-06-09 relate to this topic.

**7. Approval of Job Descriptions of Executive Director, Board Administrator, and Administrative Assistant** – Maureen discusses need to get these finalized and approved. Tenalee requests confirmation regarding Eunice having reviewed these. Maureen states that she has. Tenalee raises concerns regarding qualifications and what has been established regarding these. Rebecca states a concern regarding complete finalization of these. Maureen states that we have been working on these September, but Rebecca states that we only recently have received this newest version of the descriptions. Tenalee states concerns regarding any changes that are made today are not a final draft. She states concerns that all board members need to see final draft before any approval can be made. Maureen states need to have these final today. Tenalee continues on with questions regarding job descriptions. Tenalee asks Maureen (who wrote these descriptions) where she received the knowledge for these descriptions. Maureen responds with places she has received info and who has helped to edit them to fit our needs. Board begins with line by line editing of the positions. Tenalee moves on to ask how it will be determined if they are full or part time, and if the board will provide benefits. Maureen states that it will depend on what the board needs at that time. Maureen states that if they are over 20 hours per week that the law requires the board to pay benefits. Maureen states that some applicants may not need benefits. Tenalee wants to re-word the sentence that states how benefit offerings are determined. She feels that the wording “need for benefits” seems confusing. Annique states that the way it is worded leaves it open for negotiation at time of hiring, and that it is a legal requirement to offer them depending on hours. Annique states that she is not weighing in on how it should be worded due to the nature of the document being a policy issue. Board moves on to line-by-line revision of all 3 positions. Rebecca and Tenalee discuss whether these positions will be in, or out of office. Maureen raises concern that some of the duties can be performed outside of the office, especially for the ED. Rebecca and Tenalee want to ensure full time office coverage Monday through Friday from 8 a.m. to 5 p.m. Maureen agrees that all 3 positions should be in-office. Board continues on with line-by-line revision of positions. Tenalee makes a motion that Maureen types up the final draft and presents it to the board at a special meeting in the future. Rebecca seconds the motion. All voting, Eunice (y) Rebecca (y) Tenalee (y) Maureen (y.) Motion carries.

**8. Hiring of Office Staff** – Maureen starts by stating that Miranda reached out and was interested in being on a hiring committee, Maureen then asks Eunice if she would also like to be on the committee, and states that we need to approve the committee. Tenalee raises concerns regarding an email she received on July 26<sup>th</sup> from Miranda stating she and Eunice would be working to hire someone for the office, and was questioning what matrix Tenalee would like them to use. Maureen states that the committee has to be approved. Tenalee is questioning how the formation of the committee came about. Tenalee is concerned how the conversation came about between Maureen, Eunice, and Miranda. Tenalee is concerned that a quorum was created. Maureen doesn't feel that there is a concern with the creation of a quorum because the board wasn't in a meeting. Tenalee also discusses previous discussions where the board agreed with having an outside company do the hiring for the office positions. Maureen states that the board attorney has informed us that it is not necessary to use a hiring committee if the board decides not to. Tenalee is concerned how the discussion got to the point that it's at prior to the meeting, however, Maureen again states that there was not a meeting of the three of them and therefore no issues with quorum. Rebecca states that a quorum can be created even if all three members are not together. She states that if one person has a discussion with a board member, and then the same discussion with another board member it is a quorum. Maureen states that we need to hire someone for the office, and Eunice agrees. Tenalee raises concern about feasibility for hiring a part time person and the Executive Director. Rebecca also states concern about room in our budget for these positions. Tenalee raises concern about having board members do the hiring of these positions due to the fact that Maureen is personally interested in the position and also a board member. Tenalee and Rebecca again request more information regarding the budget. Sue provides some information regarding how the budget is prepared and information regarding CD's that the board holds. Sue states that she can bring some additional budget information forward at the next meeting. Tenalee makes a motion to table the discussion of the hiring of office staff. Eunice seconds the motion. All voting, Eunice (y) Rebecca (y) Tenalee (y) Maureen (y.) Motion carries.

**8. Meeting Adjourned** – Tenalee makes a motion to adjourn the meeting. Rebecca seconds the motion. All voting, Eunice (y) Rebecca (y) Tenalee (y) Maureen (y.) Motion carries.

Meeting minutes submitted by Rebecca Wood