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Division of Occupational Licensure
Board of Registration of Cosmetology and Barbering
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LAYLA R. D'EMILIA
COMMISSIONER, DIVISION OF
PROFESSIONAL LICENSURE

MINUTES OF THE June 10th, 2021
PUBLIC BOARD MEETING

TIME: 9:30 a.m.
PLACE: Conference Call

PRESENT: Susan Viens (Chair), Joy Talbot (Vice-Chair), Heather Cohen, Nicole Corliss, Erin Pearson, and Cate Tool.

Marian Saluto, Iris Stowe, and Jesús Nuñez were absent.

STAFF: Richard Lawless, Executive Director
Kristina Gasson, Board Counsel

The Meeting was called to order at **9:32 a.m.** by Ms. Viens. Pursuant to Governor Charles D. Baker's Executive Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, s. 20, dated March 12, 2020, all board members and staff appeared telephonically or by videoconference.

Housekeeping and Conference Call Protocol:

Ms. Viens reviewed conference call protocol with meeting attendees.

Executive Director Report

Mr. Lawless spoke about the lifting of all sector-specific COVID restrictions on May 29th, confirming that all cosmetology and barbering restrictions have been lifted, and encouraged all licensees to follow the Commonwealth's new mask guidance. He also spoke about a potential extension to continuing online board meetings, and confirmed that the Division of Professional Licensure would resume in-person services on June 15th. He also gave an update on Board staffing and confirmed that salon applications have been moved online exclusively.

Board Counsel Report:

Atty. Gasson provided an update on pending legislation that would extend the provision for remote board meetings until 2022.

Minutes of the May 13th, 2021 Public Meeting

After brief discussion, a MOTION was made by Ms. Talbot, seconded by Ms. Corliss, to accept the draft minutes of the public meeting held May 13th, 2021 as drafted.

The Chair called for a Roll call vote:

Ms. Viens (Yes), Ms. Talbot (Yes), Ms. Cohen (Yes), Ms. Corliss (Yes), Ms. Pearson (Yes), and Ms. Tool (Yes).

The Motion passed 6-0.

Discussion

Proposed Cosmetology Program Floorplan – Waltham High School

Representatives from Waltham High School were in attendance to present a proposed floorplan for the school's new cosmetology program. The school is in the process of being built.

After discussion, a MOTION was made by Ms. Cohen, seconded by Ms. Talbot, to give preliminary approval of the floorplan, after a revised version was sent to Mr. Lawless reflecting the Board's required equipment and chairs.

The Chair called for a Roll call vote:

Ms. Viens (Yes), Ms. Talbot (Yes), Ms. Cohen (Yes), Ms. Corliss (Yes), Ms. Pearson (Yes), and Ms. Tool (Yes).

The Motion passed 6-0.

Proposed Hybrid Education Program – Elizabeth Grady School of Esthetics

Ms. Tool was recused from the discussion and left the meeting.

After discussion, a MOTION was made by Ms. Corliss, seconded by Ms. Talbot, to adjust the meeting agenda to address Hybrid Education first before the Elizabeth Grady program discussion.

The Chair called for a Roll call vote:

Ms. Viens (Yes), Ms. Talbot (Yes), Ms. Cohen (Yes), Ms. Corliss (Yes), Ms. Pearson (Yes), and Ms. Tool (Recused).

The Motion passed 5-0.

Ms. Tool re-joined the meeting.

Hybrid Education

The Board discussed its current approach to hybrid education, and whether any changes were needed with the lifting of COVID restrictions and schools re-opening their physical locations.

After discussion, a MOTION was made by Ms. Corliss, seconded by Ms. Cohen, to allow schools to provide up to 50% of their programs through distance-based education, which will be revisited in September 2021, and that schools should continue to update the Board on their hybrid education plans that include qualitative and quantitative measures for distance-based education.

The Chair called for a Roll call vote:

Ms. Viens (Yes), Ms. Talbot (Yes), Ms. Cohen (Yes), Ms. Corliss (Yes), Ms. Pearson (Yes), and Ms. Tool (Yes).

The Motion passed 6-0.

Proposed Hybrid Education Program – Elizabeth Grady School of Esthetics

Ms. Tool was recused from the discussion and left the meeting.

Representatives from the Elizabeth Grady School of Esthetics were in attendance to present the school's revised hybrid education program, consisting of distance-based learning and in-person learning.

After discussion, a MOTION was made by Ms. Pearson, seconded by Ms. Talbot, to approve the proposed hybrid education program.

The Chair called for a Roll call vote:

Ms. Viens (Yes), Ms. Talbot (Yes), Ms. Cohen (Yes), Ms. Corliss (Yes), Ms. Pearson (Yes), and Ms. Tool (Recused).

The Motion passed 5-0.

Ms. Tool rejoined the meeting at 11:01 a.m.

Exam Appeal – Jonida Pashaj

The Board reviewed a cosmetology exam appeal request from Jonida Pashaj.

After discussion, a MOTION was made by Ms. Talbot, seconded by Ms. Corliss, to approve the exam appeal.

The Chair called for a Roll call vote:

Ms. Viens (Yes), Ms. Talbot (Yes), Ms. Cohen (Yes), Ms. Corliss (Yes), Ms. Pearson (Yes), and Ms. Tool (Yes).

The Motion passed 6-0.

Proposed 1500 Hour Cosmetology, 1500 Barbering, 900 Aesthetics, and 150 hour Manicuring Programs – Flavia Leal Institute

Paula Fallon from Flavia Leal Institute was in attendance to present the Board with updated documentation based on the Board's recommended edits from the May 2021 meeting. Additional edits to the curriculum, enrollment agreements, and catalogs were recommended.

After discussion, a MOTION was made by Ms. Talbot, seconded by Ms. Tool, to approve the programs, after revised versions of the documents reflecting the discussed changes were received by Mr. Lawless.

The Chair called for a Roll call vote:

Ms. Viens (Yes), Ms. Talbot (Yes), Ms. Cohen (Yes), Ms. Corliss (Yes), Ms. Pearson (Yes), and Ms. Tool (Yes).

The Motion passed 6-0.

The Board took a brief break and resumed at 11:30 a.m.

Proposed Changes to Cosmetology Curriculum Hours – Toni & Guy Academy

Mindy Mosca and Dana Bray from Toni & Guy Academy were in attendance to discuss adjusting the curriculum hours for the Cosmetology program to reflect current industry trends.

After discussion, a MOTION was made by Ms. Talbot, seconded by Ms. Tool, to table this discussion until the next meeting.

The Chair called for a Roll call vote:

Ms. Viens (Yes), Ms. Talbot (Yes), Ms. Cohen (Yes), Ms. Corliss (Yes), Ms. Pearson (Yes), and Ms. Tool (Yes).

The Motion passed 6-0.

Review of Manicuring School Regulations – 240 CMR 7.00

The Board reviewed regulations pertaining to Manicuring Schools – 240 CMR 7.00. Discussions included revising premises requirements, equipment requirements, and instructor requirements.

After discussion, a MOTION was made by Ms. Talbot, seconded by Ms. Cohen, to accept the proposed changes.

The Chair called for a Roll call vote:

Ms. Viens (Yes), Ms. Talbot (Yes), Ms. Cohen (Yes), Ms. Corliss (Yes), Ms. Pearson (Absent), and Ms. Tool (Yes).

The Motion passed 5-0.

The Board will plan to review the redlined versions of 240 CMR 2.00-7.00 reflecting proposed changes at its July 2021 meeting.

Review of Barber Regulations – 240 CMR 8.00

After discussion, a MOTION was made by Ms. Tool, seconded by Ms. Pearson, to table this discussion until the August 2021 meeting.

The Chair called for a Roll call vote:

Ms. Viens (Yes), Ms. Talbot (Yes), Ms. Cohen (Yes), Ms. Corliss (Yes), Ms. Pearson (Yes), and Ms. Tool (Yes).

The Motion passed 6-0.

Public Comment

Corinne Fastano, a cosmetology instructor, expressed interest in helping Waltham High School start their cosmetology program.

Janice Dorian from Mansfield Beauty Schools said that regulations permit schools to adjust their curriculum hours by 10%, which may be useful regarding the discussion with Toni & Guy Academy. She also asked if licensed students are permitted work in school clinics, and suggested that the Board may not want to make any further adjustments to distance-based education requirements, as it may adversely affect the current operations of schools.

Kelly Medina from Plymouth South High School's Cosmetology Program asked about exam waiting times for cosmetology graduates, and also asked if students who completed a vocational program can take brush-up training at a different school. She also asked about the accommodations process for exam candidates with special needs, and asked if shop-employed students need to notify the Board when they change salons.

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

A MOTION was made by Ms. Talbot, seconded by Ms. Tool, to adjourn the public meeting at **12:28 p.m.**, and to enter into **Executive Session** for the purposes of discussing character rather than competence; after which the Board will enter into Quasi-Judicial Session to determine the terms of a Final Decision and Order; and then to enter into Closed Investigative Conference to consider open cases, conduct investigative conferences, and consider settlement offers [closed session pursuant to G.L. c. 112, § 65C], and the Open Meeting would not resume.

The Chair called for a Roll call vote:

Ms. Viens (Yes), Ms. Talbot (Yes), Ms. Cohen (Yes), Ms. Corliss (Yes), Ms. Pearson (Yes), and Ms. Tool (Yes).

The Motion passed 6-0.

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

During the closed Quasi-Judicial Session, the Board voted to take the following action:

2021-000171-IT-ENF Determined terms of Final Decision and Order

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

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

The Chair called for a Roll call vote:

Ms. Viens (Yes), Ms. Talbot (Yes), Ms. Cohen (Yes), Ms. Corliss (Yes), Ms. Pearson (Yes), and Ms. Tool (Yes).

The Motion passed 6-0.

During the closed Investigative Conference, the Board voted to take the following actions:

Settlement Offers

2020-205809-FI-ENF Guidance Given to Prosecutor

Review of Cases

2021-201629-FI-ENF	Referred to Prosecutions
2021-000418-IT-ENF	Referred to Prosecutions
2021-000243-IT-ENF	Referred to Prosecutions
2021-000228-IT-ENF	Referred to Prosecutions
2021-000383-IT-ENF	Referred to Prosecutions
2021-000384-IT-ENF	Referred to Prosecutions
2021-000213-IT-ENF	Referred to Prosecutions
2021-000212-IT-ENF	Referred to Prosecutions
2021-000394-IT-ENF	Referred to Prosecutions
2021-000374-IT-ENF	Referred to Prosecutions
2021-201905-FI-ENF	Referred to Prosecutions

Adjournment

A MOTION was made by Ms. Talbot, seconded by Ms. Tool to adjourn.

The Chair called for a Roll call vote:

Ms. Viens (Yes), Ms. Talbot (Yes), Ms. Cohen (Yes), Ms. Corliss (Yes), Ms. Pearson (Yes), and Ms. Tool (Yes).

The Motion passed 6-0.

The meeting was adjourned at 3:18 p.m.

The above Minutes were approved at the open meeting held on July 15, 2021.



Richard Lawless, Executive Director

Documents Used During the Meeting:

Agenda

Draft Minutes of May 13, 2021 Open Meeting

Floorplan from Waltham High School

Proposed Hybrid Education Program from Elizabeth Grady School of Esthetics

Exam Appeal Documentation from Jonida Pashaj

Proposed Programs Documentation from Flavia Leal Institute

Proposed Cosmetology Curriculum Hour Changes from Toni & Guy Academy

Manicuring School Regulations, 240 CMR 7.00