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Commonwealth of Massachusetts
Division of Occupational Licensure
Board of Registration of Cosmetology and Barbering
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EDWARD A. PALLESCHI
UNDERSECRETARY OF CONSUMER
AFFAIRS AND BUSINESS
REGULATION

LAYLA R. D'EMILIA
COMMISSIONER, DIVISION OF
OCCUPATIONAL LICENSURE

MINUTES OF THE March 9, 2023
PUBLIC BOARD MEETING

TIME: 9:30 a.m.

PLACE: Conference Call / Virtual Meeting

PRESENT: Joy Talbot (Chair), Cate Tool (Vice-Chair), Erinn Breedy, Heather Cohen, Nicole Corliss, Cassia Gilroy, Marian Saluto

ABSENT: Iris Stowe

STAFF: Richard Lawless, Executive Director
Kristina Gasson, Deputy General Counsel for Boards and Hearings
Jamie Dalton, Board Counsel
Andrew Bridges, Chief of Investigations
Mara Andreasen, Compliance Officer

The Meeting was called to order at **9:34 a.m.** by the Chair. All board members and staff appeared telephonically or by videoconference.

Mr. Lawless informed Board members and attendees that the public meeting was being recorded.

Housekeeping and Conference Call Protocol:

The Chair reviewed conference call and open meeting protocol with meeting attendees. Anthony Clemente from the Massachusetts Association of Cosmetology Schools indicated that he will be recording the meeting, and the Chair notified all attendees of this recording.

Executive Director Report

Mr. Lawless confirmed that the Board is in the final stages of hiring a new staff member. He also reported that PSI is developing a process for schools to access student exam reports.

Board Counsel Report:

Atty. Dalton provided an update on pending legislation that would extend remote meeting procedures for public Board meetings.



Minutes of the February 9, 2023 Public Meeting

After discussion, a MOTION was made by Ms. Tool, seconded by Ms. Cohen, to approve the public minutes of the February 9, 2023 meeting as drafted.

The Chair called for a Roll call vote:

Ms. Tool (Yes), Ms. Breedy (Yes), Ms. Cohen (Yes), Ms. Corliss (Yes), Ms. Gilroy (Yes), Ms. Saluto (Yes), and Ms. Talbot (Yes).

The Motion passed 7-0.

Minutes of the March 2, 2023 Public Meeting

After discussion, a MOTION was made by Ms. Corliss, seconded by Ms. Cohen, to approve the public minutes of the March 2, 2023 meeting as drafted.

The Chair called for a Roll call vote:

Ms. Tool (Yes), Ms. Breedy (Yes), Ms. Cohen (Yes), Ms. Corliss (Yes), Ms. Gilroy (Yes), Ms. Saluto (Yes), and Ms. Talbot (Yes).

The Motion passed 8-0.

Minutes of the March 2, 2023 Eyelash Subcommittee Public Meeting

After discussion, a MOTION was made by Ms. Cohen, seconded by Ms. Corliss, to accept the public subcommittee minutes of the March 2, 2023 meeting as drafted.

The Chair called for a Roll call vote:

Ms. Tool (Yes), Ms. Breedy (Yes), Ms. Cohen (Yes), Ms. Corliss (Yes), Ms. Gilroy (Yes), Ms. Saluto (Yes), and Ms. Talbot (Yes).

The Motion passed 8-0.

Discussion

PSI Exam Implementation

Mr. Lawless summarized the Board's review of cosmetology exam questions during the February 9th Executive Session, highlighting general feedback the Board had on the written theory and written practical cosmetology exams. He also mentioned that PSI will be hosting a town hall meeting for all schools both virtually and in person on March 13th, and encouraged all school personnel to attend.

Elena Thomas from PSI was in attendance to answer questions about the exams. Board members suggested that PSI create more guidance on the written practical exam for schools and candidates. Ms. Thomas said that the questions the Board flagged during exam review would be addressed by PSI's subject matter expert panel and that the process would not take a full year as suggested by a member of the public. Board members also objected to students having to purchase more exam prep materials in order to prepare for the exams.

Janice Dorian from Mansfield Beauty Schools requested to be recognized by the Chair, and suggested that the Board allow schools to create their own practical exam and have the Board

approve those exams instead. She expressed concerns that current students are not prepared to pass a written practical exam, although using exam guides from PSI did help her school's students.

The Board discussed more immediate changes that could be made to the exam, including lowering the minimum pass rate ("cut score"). Ms. Thomas confirmed that other states use a 70 cut score for cosmetology exams.

After discussion, a MOTION was made by Ms. Cohen, seconded by Ms. Breedy, to lower the cut scores by 5 points for all exams.

The Chair called for a Roll call vote:

Ms. Tool (No), Ms. Breedy (Yes), Ms. Cohen (Yes), Ms. Corliss (No), Ms. Gilroy (No), Ms. Saluto (No), and Ms. Talbot (Yes).

The Motion failed 4-3.

After discussion, a MOTION was made by Ms. Cohen, seconded by Ms. Saluto, to make all exam cut scores 70, and to keep the barbering exam cut score at 70.

The Chair called for a Roll call vote:

Ms. Tool (No), Ms. Breedy (Yes), Ms. Cohen (Yes), Ms. Corliss (Yes), Ms. Gilroy (Yes), Ms. Saluto (Yes), and Ms. Talbot (No).

The Motion passed 6-2.

The Board requested PSI provide data on how many candidates were scoring in the range that lowering the pass score would affect, and also requested data on pass rates for other states.

Janice Dorian asked to be recognized by the Chair, and said that the Massachusetts curriculum is different from other 1000 hour states, and noted that PSI had said before that Massachusetts would have its own SME panel.

Proposed Manicuring School – The Covering Beauty Academy

Barbara Moore from The Covering Beauty Academy was in attendance to discuss submitted documentation for her proposed manicuring school.

Board members provided suggestions and revisions to the documents presented.

After discussion, a MOTION was made by Ms. Corliss, seconded by Ms. Cohen, to request Ms. Moore incorporate the suggested revisions into the documents, and to bring the revised documents to the Board for its next meeting.

The Chair called for a Roll call vote:

Ms. Tool (Yes), Ms. Breedy (Yes), Ms. Cohen (Yes), Ms. Corliss (Yes), Ms. Gilroy (Yes), Ms. Saluto (Yes), and Ms. Talbot (Yes).

The Motion passed 8-0.

Revisions to Policy on Apprenticeship and Student Employment

The Board reviewed its Policy on Apprenticeship and Student Employment and discussed revisions, including removing references to temporary extensions of registrations when examinations were unavailable, and potentially allowing newly-enrolled students the ability to shampoo without first earning 200 hours in school.

After discussion, a MOTION was made by Ms. Tool, seconded by Ms. Cohen, to remove all references to temporary registration extensions regarding exam availability from the Policy.

The Chair called for a Roll call vote:

Ms. Tool (Yes), Ms. Breedy (Yes), Ms. Cohen (Yes), Ms. Corliss (Yes), Ms. Gilroy (Yes), Ms. Saluto (Yes), and Ms. Talbot (Yes).

The Motion passed 8-0.

Proposed Revisions to Out of State Applications with Reciprocity Instructions

The Board reviewed draft instructions for its Out of State applications that summarized reciprocity requirements as a guideline for applicants.

After discussion, a MOTION was made by Ms. Tool, seconded by Ms. Cohen, to approve the reciprocity guidance instructions for Out of State applications.

The Chair called for a Roll call vote:

Ms. Tool (Yes), Ms. Breedy (Yes), Ms. Cohen (Yes), Ms. Corliss (Yes), Ms. Gilroy (Yes), Ms. Saluto (Yes), and Ms. Talbot (Yes).

The Motion passed 8-0.

Public Comment

None

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

A MOTION was made by Ms. Cohen, seconded by Ms. Gilroy, to adjourn the public meeting at **12:15 p.m.**, and to enter into Executive Session pursuant to Massachusetts General Laws chapter 30A, Section § 21(a)(1) to discuss individuals' character rather than competence; and then to move into Closed Investigative Conference, closed session pursuant to G.L. c. 112, § 65C, to consider open cases, conduct investigative conferences, and consider settlement offers; and the Open Meeting would not resume.

The Chair called for a Roll call vote:

Ms. Tool (Yes), Ms. Breedy (Yes), Ms. Cohen (Yes), Ms. Corliss (Yes), Ms. Gilroy (Yes), Ms. Saluto (Yes), and Ms. Talbot (Yes).

The Motion passed 8-0.

Closed Investigative Conference, closed session pursuant to G.L. c. 112, § 65C

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

Settlements

2022-206012-FI-ENF	Guidance given to Prosecutor
2022-202153-FI-ENF	Guidance given to Prosecutor
2022-203987-FI-ENF	Guidance given to Prosecutor
2022-201653-FI-ENF	Guidance given to Prosecutor
2022-201663-FI-ENF	Guidance given to Prosecutor
2022-201690-FI-ENF	Guidance given to Prosecutor
2021-204015-IF-ENF	Guidance given to Prosecutor

Application Review

2021-160-HD-F-APP	Gave direction to staff
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Review of Cases

2022-203983-FI-ENF	Referred to Office of Prosecutions
2022-203100-FI-ENF	Referred to Office of Prosecutions
2022-204699-FI-ENF	Referred to Office of Prosecutions
2017-200314-FI-ENF	Dismissed
2017-200601-FI-ENF	Dismissed
2017-200848-FI-ENF	Dismissed
2018-202192-FI-ENF	Dismissed
2018-202829-FI-ENF	Dismissed
2018-203351-FI-ENF	Dismissed
2023-200363-FI-ENF	Dismissed with Advisory
2020-000611-IT-ENF	Referred to Office of Prosecutions
2022-000914-IT-ENF	Referred to Office of Prosecutions
2022-000921-IT-ENF	Referred to Office of Prosecutions
2022-000987-IT-ENF	Dismissed
2022-001007-IT-ENF	Referred to Office of Prosecutions
2022-001009-IT-ENF	Referred to Office of Prosecutions
2022-001010-IT-ENF	Dismissed with Advisory
2022-001086-IT-ENF	Referred to Office of Prosecutions
2022-001126-IT-ENF	Dismissed with Advisory
2023-000033-IT-ENF	Dismissed
2023-000035-IT-ENF	Referred to Office of Prosecutions
2023-000037-IT-ENF	Referred to Office of Prosecutions
2023-000074-IT-ENF	Dismissed
2023-000077-IT-ENF	Dismissed

Adjournment

The meeting adjourned at 4:30 p.m. due to loss of a quorum.

The above Minutes were approved at the open meeting held on April 13, 2023.



Richard Lawless, Executive Director

Documents Used During the Meeting:

Agenda

Draft Minutes of February 9, 2023 Open Meeting

Draft Minutes of March 2, 2023 Open Meeting

Draft Minutes of March 2, 2023 Open Subcommittee Meeting

PSI Exam Pass Rates

Email from Anthony Clemente on PSI Exams

Documentation from The Covering Beauty Academy

Policy on Apprenticeship and Student Employment

Draft Revisions to Out of State Application