

**COMMONWEALTH OF MASSACHUSETTS**  
**BOARD OF REGISTRATION OF COSMETOLOGY and BARBERING**

**MINUTES OF THE December 11, 2018 Board Meeting**

**TIME:** 9:30 a.m.

**PLACE:** 1000 Washington St  
Room 1D  
Boston, MA 02118

**PRESENT:** Susan Viens (Chair), Joy Talbot (Vice Chair), Amanda Donis (Secretary), Janice Dorian, Jesús Nuñez, Iris Stowe, Marion Saluto. Erinn Pearson arrived at or around 10:10 a.m.

Catherine Tool was absent.

**STAFF:** Richard Lawless, Acting Executive Director  
Lynn Read, Board Counsel

The meeting was called to order at 9:42 a.m. by Ms. Viens (Chair).

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

A MOTION was made by Ms. Talbot, second by Ms. Tool to enter into Executive Session to discuss applicants' character rather than competence, after which the Board will move into 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. Donis (Yes); Ms. Dorian (Yes); Mr. Nuñez (Yes); Ms. Stowe (Yes); Ms. Saluto (Yes). The MOTION Passed 7-0.

See separate minutes.

**Investigative Conference – Settlements CLOSED per M.G.L. c. 112, § 65C**

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

**Settlements:**

2017-001535-IT-ENF	Guidance given to prosecutor
2017-000876-IT-ENF	Dismissed
2017-202501-FI-ENF	Guidance given to prosecutor

**Ms. Pearson arrived at or around 10:10 a.m.**

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

A MOTION was made by Ms. Talbot, seconded by Ms. Donis, to enter Quasi-Judicial Session pursuant to G.L. c. 30A §18(d) to make decisions required in adjudicatory proceedings brought before the Board.

The motion passed unanimously.

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

2016-000574-IT-ENF            Table until later in the meeting

**Resumption of Investigative Conference – Settlements CLOSED per M.G.L. c. 112, § 65C**

A MOTION was made by Ms. Dorian, seconded by Ms. Talbot, to move back into Investigative Conference to consider open cases, conduct investigative conferences, and consider settlement offers [closed session pursuant to G.L. c. 112, § 65C]. The Motion passed unanimously.

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

2017-203411-FI-ENF	Tabled until further notice
2018-000695-IT-ENF	Dismiss (Ms. Dorian recused)
2018-000587-IT-ENF	Dismiss
2018-000987-IT-ENF	Referred to prosecutions

**Open session reconvened at or around 10:30 a.m.**

A MOTION was made by Ms. Talbot, seconded by Ms. Donis to adjourn the open meeting of the Board temporarily, to convene the Salon Pathways Subcommittee, and reconvene in open meeting after the Subcommittee. The MOTION passed unanimously.

**Salon Pathways Subcommittee**

See separate Subcommittee Minutes.

**The Board Meeting resumed at or about 2:25 p.m. and Ms. Saluto left the meeting and did not return.**

**Executive Director Report and Board Counsel Report**

Due to the large agenda, no reports were given.

A MOTION was made by Ms. Talbot, seconded by Ms. Pearson, to reorganize the Agenda to consider first the items involving members of the public who were present. The Motion passed unanimously.

### **Discussion**

#### **Proposed New Aesthetics School – LaBluh**

After reviewing the proposal by LaBluh, the Board asked the school to re-submit the curriculum, separating the Advanced courses from courses in the basic Aesthetics curriculum.

#### **Request for Reinstatement**

After discussion, a MOTION was made by Ms. Dorian, seconded by Ms. Talbot, to reinstate the license of Derrick Thames after the fines are paid. The Motion passed unanimously.

### **Public Comment**

Ms. Casey of Rob Roy Academy expressed concern about the proposals being considered by the Salon Pathways Subcommittee. Robert Fortes, the Division's Deputy Commissioner for Policy and Boards, encouraged the Board to use its expertise to address pressures for change. Carolyn Madzar, Continuing Education Director for Assabet Valley Regional Technical High School, expressed support for the idea of apprenticeship and concern about attracting clients for clinics in licensed schools. Toni & Guy expressed support for apprenticeship and student employment in salons.

A MOTION was made by Ms. Dorian, seconded by Ms. Talbot, to close public comment. The Motion passed unanimously 7-0.

#### **Salon Pathways Subcommittee Recommendation**

A MOTION was made by Ms. Dorian, seconded by Ms. Talbot, to accept the recommendation of the Subcommittee to adopt the proposals for an Apprentice Program and Student Salon Employment Program for the cosmetology and barbering professions. The Motion passed unanimously 7-0.

#### **Essex North Shore Agricultural & Technical School 300 Hour Aesthetics Evening Program**

The Board asked Essex North Shore Agricultural & Technical School to submit a proposal for a 600-hour program rather than 300 hours, in light of the coming change to the curriculum from 300 hours to 600 hours in the regulations.

#### **Topics Not Reasonably Anticipated 48 Hours in Advance of Meeting**

Ms. Read explained that the Criminal Justice Act recently passed by the legislature requires the Board to identify criminal convictions that would disqualify applicants from obtaining a license. She reviewed proposed language to add to the Board's policy on criminal convictions to meet the requirements of the legislation.

A MOTION was made by Ms. Dorian, seconded by Ms. Talbot, to approve the proposed language. The Motion passed unanimously, 7-0.

**Second Quasi-Judicial Session**

A MOTION was made by Ms. Dorian, seconded by Ms. Talbot, to enter into a second Quasi-Judicial session to consider the case tabled earlier in the meeting. The Motion passed unanimously. During the Quasi-judicial session, the Board took the following actions:

2016-000574-IT-ENF Voted to issue final decision with discipline

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

A MOTION was made by Mr. Nuñez, second by Ms. Pearson to enter into a second Executive Session to discuss applicants' character rather than competence, after which the Board will move into Investigative Conference [closed session pursuant to G.L. c. 112, § 65C].

The Chair called for a Roll Call Vote:

Ms. Viens (Yes); Ms. Talbot (Yes); Ms. Donis (Yes); Ms. Dorian (Yes); Mr. Nuñez (Yes); Ms. Pearson (Yes); Ms. Stowe (Yes). The MOTION Passed 7-0.

See separate minutes.

**Second Investigative Conference CLOSED per M.G.L. c. 112, § 65C**

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

2018-000824-IT

Dismiss

**Adjourn**

A MOTION was made by Ms. Dorian, seconded by Ms. Talbot, to adjourn the meeting. The Motion passed unanimously 7-0.

The above Minutes were approved at the open meeting held on February 12, 2019



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Richard Lawless, Acting Executive Director

**Documents used during the Open Meeting**

Agenda of December 11, 2018

LaBluh Proposed Curriculum

Essex North Shore Agricultural & Technical School 300 Hour Aesthetics Evening Program

Amended Policy on Review of Applicants with Criminal History