

Minnesota Board of Cosmetology
May 28, 2020 Special Board Meeting Minutes
10:03 AM to 10:41 AM
WebEx Conference Call

Present at Meeting:

Rhonda Besel, Chair
Chelsey Anderson, Vice Chair
Jodi Friendshuh, Member
Marcie Smith-Fields, Member
Donna Dungy, Member

Gina Fast, Executive Director
Jill Freudenwald, Chief of Staff
Alex Herbert, School Liaison
Leahkim Gannett, School Liaison
Missy Riste, Licensing Team Lead

Tami Thein, Executive Assistant

I. Call to Order

- Meeting called to order at 10:03 AM by Rhonda Besel

II. Approval of Proposed Agenda

- **Motion** by Chelsey Anderson: Approve proposed agenda with flexibility
- **Seconded** by Donna Dungy.
- **Decision:** On a vote of 5 ayes and 0 nays, **Motion Carried.**
 - *Ayes:* Rhonda Besel, Chelsey Anderson, Donna Dungy, Jodi Friendshuh, Marcie Smith-Fields,
 - *Nays:* None

III. Meeting Type and Method

Rhonda Besel noted:

Today's Board meeting is a special meeting, pursuant to Minnesota Statute 13D.04, Subd. 2. Because of the COVID-19 Pandemic, the meeting is being held via a Webex conference call, pursuant to Minnesota Statutes, Section 13D.021. Section 13D.021, Subd. 1 permits public bodies to hold meetings via telephone or other electronic means if the conditions of this section are met. Section 13D.021, Subd. 3 permits a public body to determine that an in-person meeting is "not practical or prudent because of a health pandemic or an emergency declared under Chapter 12." At this time, the governor has declared an emergency under Minnesota Statutes Chapter 12.

Requirements for holding a meeting via telephone or other electronic means include:

1. All participating members can hear one another;
2. Members of the public at the physical meeting location can hear all discussion "unless attendance at the regular meeting location is not feasible due to the health pandemic";
3. At least one member of the public body is present at the meeting location, "unless unfeasible due to the health pandemic"; and
4. All votes are taken by roll call.

To the extent practical, public bodies should allow the public to monitor the meeting remotely, pursuant to Section 13D.021, Subd. 3.

IV. New Business: Board Action

Online Theory Instruction

- At the March 27, 2020 Board meeting, the Board approved all cosmetology schools to temporarily move any scheduled theory instruction online until June 1, 2020. Relevant Statute: 155A.30 Subd. 11 (b) Instruction Requirements.
- **Motion** by Marcie Smith-Fields: Until January 1, 2021, or until the next routinely scheduled Board meeting thereafter, the Board will approve all cosmetology schools to temporarily move any scheduled theory instruction online. Schools that pursue this option must report to the Board:
 - A written explanation of all changes
 - The name of the program/courses impacted by the changes
 - The mode of instruction and the textbooks and resources to be used
 - The date the change in instruction will take effect for current training programs
 - The anticipated start date for each new training program that will begin under the online theory model

Instruction must follow the training topics within the school's previously approved curricula and schedule and must relate to the student's scheduled training. Changes and relevant information must be reported to the Board office prior to implementation. This process change remains effective from March 15, 2020 until January 1, 2021, but this timeframe is subject to change based on any external State or Federal orders, and at the Board's discretion.

- **Seconded** by Donna Dungy.
- **Decision:** On a vote of 5 ayes and 0 nays, **Motion Carried.**
 - *Ayes:* Rhonda Besel, Chelsey Anderson, Jodi Friendshuh, Marcie Smith-Fields, Donna Dungy
 - *Nays:* None

Live Models vs Mannequins: Clinical Service Exercises ("Quotas"), Practical Skills Test

1. Clinical Service Exercises

- The protocols within the October 2016 Clinical Service Exercise Bulletin and Practical Skills Test Guides require the use of live models and do not align with current social distancing and safety guidelines set by State and Federal entities, such as the Minnesota Department of Health (MDH) and the Centers for Disease Control and Prevention (CDC). At the March 27, 2020 Board meeting, the Board approved services performed on a mannequin to qualify as a Clinical Service Exercise ("quota") and prohibited services from being performed on a live model until relevant State restrictions and established social distancing guidelines are lifted.
- **Motion by** Marcie Smith-Fields: Until January 1, 2021, or until the next routinely scheduled Board meeting thereafter, Clinical Service Exercises ("quotas") that can reasonably and effectively be performed on mannequins may be performed on mannequins. Clinical Service Exercises must not be performed on live models if relevant State restrictions and established social distancing guidelines prohibit it. Practice-based instruction, including Clinical Service Exercises ("quotas"), must occur within the licensed school building.
- **Seconded** by Donna Dungy.

- **Decision:** On a vote of 5 ayes and 0 nays, **Motion Carried.**
 - *Ayes:* Rhonda Besel, Chelsey Anderson, Jodi Friendshuh, Marcie Smith-Fields, Donna Dungy
 - *Nays:* None

2. Practical Skills Test

- The current Practical Skills Test Guides require most service sections to be performed on a live model, which may conflict with social distancing and safety guidelines set by State and Federal entities. At the March 27, 2020 Board meeting, the Board imposed a temporary amendment to the Practical Skills Test Guide to permit the use of mannequins. Social distancing guidelines have continued to evolve since the Board meeting and are expected to evolve for the foreseeable future.
- **Motion** by Marcie Smith-Fields: Until January 1, 2021, or until the next routinely scheduled Board meeting thereafter, all service sections of the Practical Skills Test that can reasonably and effectively be performed on mannequins may be performed on mannequins. The Practical Skills Test must not be performed on live models if relevant State restrictions and established social distancing guidelines prohibit it. Practice-based instruction, including the Practical Skills Test, must occur within the licensed school building.
- **Seconded** by Donna Dungy.
- **Decision:** On a vote of 5 ayes and 0 nays, the waiver was granted.
 - *Ayes:* Rhonda Besel, Chelsey Anderson, Jodi Friendshuh, Marcie Smith-Fields, Donna Dungy
 - *Nays:* None

V: Adjournment

- Meeting was adjourned at 10:41 AM by Rhonda Besel.