

MISSION STATEMENT

To ensure the public health, welfare, and safety through education and enforcement of the cosmetology laws and rules by the regulation of salons, schools, and individuals who practice Cosmetology.

AGENDA

ARIZONA STATE BOARD OF COSMETOLOGY TELEPHONIC BOARD MEETING MINUTES

March 31, 2020 at 8:00 a.m.
1740 W Adams, Suite 4400
Phoenix AZ 85007

CALL IN INFORMATION
DIAL 1-877-820-7831
ENTER PASSWORD 991519#

Pursuant to A.R.S. § 38-431.02, notice is hereby given to the general public and to members of the Arizona State Board of Cosmetology that the Board will hold a meeting open to the public on the date and at the time indicated above. The Board may vote to go into Executive Session for the purpose of obtaining legal advice on any of the agenda item pursuant to A.R.S. § 38.431.03 (A)(3).

Board Members

Gary Begley, School Owner, Chairperson
Thomas Rough, Cosmetologist
Brandy B. Wells, Public Member
Jenna M Bentley, Public Member
Amber Cepkauskas, Cosmetologist
Vacant, Instructor
Vacant, Nail Technician

1. Call to Order

2. Roll Call of Board Member

Gary Begley
Thomas Rough
Brandy Wells - Absent
Jenna Bentley
Amber Cepkauskas

BOARD BUSINESS

The Board may vote to go into executive session to obtain legal advice pursuant to A.R.S. § 38-431.03 (A) (3)

1. Discussion, Consideration and Possible Action on Executive Order 2020-07 Proactive Measures to Protect Against COVID-19, Executive Order 2020-12 Prohibiting The Closure of Essential Services and Executive Order 2020-17 Continuity of Work

A. Executive Order 2020-07 Proactive Measures to Protect Against COVID-19

On March 11, 2020, Governor Doug Ducey issued a declaration of Public Health Emergency due to the necessity to prepare for, prevent, respond to, and mitigate the spread of COVID-19

Kim Scoplitte Executive Director stated that the agency has staff who are able to telecommute, staff that are working compressed work weeks, we are practicing social distancing and disinfecting.

B. Executive Order 2020-12 Prohibiting The Closure of Essential Services

On March 23, 2020, Governor Doug Ducey issued an Executive Order Prohibiting The Closure of Essential Services which included categories of essential Functions.

Kim Scoplitte Executive Director stated that staff has been in contact with Trista Guzman Director of Boards and Commissions, and has inquired whether the Board falls within essential services as we needed direction due to the number of calls staff have been receiving regarding this.

Trista Guzman stated that we are considered essential services under Professional and personal services (personal hygiene services.)

Kim Scoplitte Executive Director stated that staff also inquired if the schools fall within the Educational Institutions and Trista Guzman stated that they do.

3. An essential function is defined as one specifically identified as such or a function that promotes the public health, safety and welfare of the state or assists others in fulfilling such functions. The following includes categories of essential functions and shall include but not be limited to:

e. Essential Businesses and Operations: includes but is not limited to Healthcare and Public health Operations, Human Services Operation, Essential Governmental Functions and Essential Infrastructure Operations as well as the following:

xi.) Educational institutions: Educational institutions-including public and private pre-K-12 schools, colleges and universities-for purposes of facilitating distance learning, performing critical research, or performing essential functions provided that social distancing of six-feet per person is maintained to the greatest extent possible. This Executive Order is consistent with and does not amend or supersede any order by the Governor and Superintendent in effect to close schools, except that affected schools are ordered closed through April 10, 2020.

xix.) Professional and personal services: Professional services, such as legal services, accounting services, insurance services, personal hygiene services with additional sanitization precautions as recommended for businesses by the Arizona Department of Health Services and real estate services (including appraisal and title services.)

C. Executive Order 2020-17 Continuity of Work

On March 26, 2020, Governor Doug Ducey issued an Executive Order for Continuity of Work.

Kim Scoplitte Executive Director stated that staff spoke with Trista Guzman Director of Director of Boards and Commissions, to get clarification regarding 1.a. of the Executive Order.

Staff discussed with Trista Guzman that licensees can renew their personal and salon licenses online with the only requirement being is to set up an online account (with direction provided to do so).

Trista Guzman stated that the agency would not need to defer requirements to renew licenses.

Kim Scoplitte Executive Director stated that staff has had several conversations with Trista Guzman Director of Director of Boards and Commissions, to inquire what could be done to help the students out during the COVID-19 crisis.

Staff indicated to Trista Guzman that the Boards rule A.A.C. R4-10-306 (F)(G) Curricula Hours. Alternative learning hours shall not credit a student with more than 20% of the total hours required for graduation.

Trista Guzman had asked staff to review the Boards statues and rules to see if there was any statute/rule that would allow the Board the authority to make any changes regarding the 20% alternative learning hours and to let Trista Guzman know what staff finds as the Governor is working on this issue.

Kim Scoplitte Executive Director stated that staff reviewed the statutes/rules and was unable to find any statue/rule that would give the Board authority to change the 20% alternative learning hours.

Kim Scoplitte Executive Director stated that staff reported the findings back to Trista Guzman along with an email that Theresa Bunch Deputy Director had received from NACCAS National Accrediting Commission of Career Arts & Sciences, titled Temporary Distance Education Authorization during Coronavirus (COVID-19) Outbreak – March 12, 2020, indicating that NACCAS Rules of Practice and Procedure permits the use of distance education with a NACCAS-approved program (and for no more than 50% of that program) only if approved by the Board of Commissioners in accordance with NACCAS Standards.

Kim Scoplitte Executive Director stated that it was soon thereafter that the Executive Order 2020-17 was issued that suspended any rules that prevented or limited the amount of online or alternative learning hours permitted to issue or renew a license.

Theresa Bunch Deputy Director stated that she has come up with a sample provisional license is working with the agency’s data provider to get the provisional license together.

Theresa Bunch Deputy Director also stated that she is working with PCS as there is a lot of candidates that will need to test and PCS indicated when they can start to test they are going to try to exam five days a week.

MOTION by Jenna Bentley to add A.A.C. R4-10-306 (F)(G) Curricula Hours to the next Rules Committee Meeting to discuss Alternative Learning Hours. MOTION SECONDED by Thomas Rough.

Gary Begley asked if there was any further discussion, seeing none.

Roll Call:

Vote	Gary Begley	Thomas Rough	Brandy Wells	Jenna Bentley	Amber Cepkauskas
Aye	x	x		x	x
Nay					
Recused					
Abstained					
Absent			x		

MOTION CARRIED.

MOTION by Gary Begley to add Provisional Licenses to the next Rules Committee Meeting to discuss. MOTION SECONDED by Jenna Bentley.

Gary Begley asked if there was any further discussion, seeing none.

Roll Call:

Vote	Gary Begley	Thomas Rough	Brandy Wells	Jenna Bentley	Amber Cepkauskas
Aye	x	x		x	x
Nay					
Recused					
Abstained					

Absent			X		
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MOTION CARRIED.

1. A state agency or board that licenses individuals or entities as indicated herein shall:
 - a. Defer requirements to renew licenses that have an expiration date between March 1, 2020 and September 1, 2020 by six months from the expiration date, unless those requirements can be completed online.
 - c. Suspend any rules that prevent or limit the amount of online or alternative learning hours permitted to issue or renew a license.
 - e. Unless prohibited by federal law or regulation, if an examination cannot be provided via electronic or remote format, the state agency or board shall issue a provisional license to an applicant who has met all other requirements of Arizona statute and administrative code, but who is unable to take the required examination due to the current closure of private testing centers and unavailability of an electronic or remote testing option, under the following conditions:
 - i. The applicant must meet all other requirements under Arizona law;
 - ii. A provisional license is valid for six months from the date of issuance;
 - iii. A provisional license will be suspended 20 days after the in-person testing centers reopen, or the examinations otherwise become available, including in an electronic or remote format, unless the applicant passes the required examinations prior to license suspension;
 - iv. The provisional license is no longer provisional and becomes a regular license pursuant to Arizona law and administrative code upon successful passage of the required examinations.
 2. Any fees required to be collected by the state agency or board may be waived at the state agency or board's discretion.
2. Discussion, Consideration and Possible Action on Cosmetology, Hairstyling, Aesthetic and Nail Technology Schools Issues Due to the COVID-19.

A.A.C. R4-10-306 Curricula Hours

(F) Alternative learning hours are hours that a school may authorize to enable a student to pursue knowledge of cosmetology in an alternative format or location other than a salon. A school shall not credit a student with more than 20% of the total hours required for graduation, earned during enrollment at the school, as alternative learning hours.

(G) A school that provides alternative format or location in subsection (F) shall include details of the format and location in the school policy and procedures in the school catalog.

3. Discussion, Consideration and Possible Action on Executive Order 2020-17 Continuity of Work

A. Board waiver of fees

Kim Scoplitte Executive Director stated that we cannot interpret the Governors Executive Order and we will need direction regarding this.

Board Members discussed the waiver of fees and the following motion was made.

MOTION by Jenna Bentley to temporarily suspend the renewal fees for personal and salon licenses from April 1, 2020 thru September 30, 2020. MOTION SECONDED by Thomas Rough.

Gary Begley asked if there was any further discussion, seeing none.

Roll Call:

Vote	Gary Begley	Thomas Rough	Brandy Wells	Jenna Bentley	Amber Cepkauskas
Aye	x	x		x	x
Nay					
Recused					
Abstained					
Absent			x		

MOTION CARRIED.

ADJOURNMENT

MOTION by Gary Begley to adjourn the meeting at 8:32 a.m. MOTION SECONDED by Jenna Bentley.

Roll Call:

Vote	Mr. Begley	Mr. Rough	Ms. Wells	Ms. Bentley	Ms. Cepkauskas
Aye	x	x		x	x
Nay					
Recused					
Abstained					
Absent			x		

MOTION CARRIED.

ARIZONA STATE BOARD OF COSMETOLOGY
MARCH 31, 2020, BOARD MEETING

In accordance with Title III of the Americans with Disabilities Act, the Cosmetology Board does not discriminate on the basis of disabilities in its programs, services or activities. Individuals who need reasonable accommodation to participate or who need information in an alternative format may contact Mimi Ahmetovic the ADA Coordinator at (480) 825-7002.