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# OHIO STATE BOARD OF COSMETOLOGY

1929 Gateway Circle

Grove City, Ohio 43123

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- Elizabeth Murch, Ohio Salon Association **Error! Bookmark not defined.**
- Darlene Shutovich .....**Error! Bookmark not defined.**
- Tim Hornsby, Hornsby Group.....**Error! Bookmark not defined.**
- Michael Schuh .....**Error! Bookmark not defined.**
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OFFICIAL BOARD MEETING MINUTES OF NOVEMBER 8, 2016

REGULAR BUSINESS MEETING

**TRANSCRIPTION NOTE (Exhibit A):**

Anderson Reporting Service, 3242 West Henderson Road, Suite A, Columbus, OH 43220 was the transcription service for this meeting. Transcript is attached as Exhibit A.

**ATTENDANCE (Exhibit B):**

- Thomas Taneff, Chairperson
- Clara Osterhage, Vice Chairperson
- Steve Thompson
- Charles Penzone
- Luke Hanks
- Tasha Sheipline

**Staff in attendance:**

Christopher H. Logsdon, Executive Director

Lori Pearson, Deputy Director

Lori Flanery, Program Administrator 1

Charley Yaniko, Board in-house counsel

**Assistant Attorney General in attendance:**

Peter Jamison, Assistant Attorney General

Joe D'Andrea, Assistant Attorney General

**Others in Attendance:**

Angela Hodges, The Hornsby Group

Tim Hornsby, The Hornsby Group

Katt Marriott, OCCTA

Chantel Polasiak, Charles Penzone

Candace Miller, Creative Images Institute

Charles Gross, Creative Images Institute

Michelle Conwell

Shawnda Williams

Matt Wells, ODE

Angela Ramsey, WCSCC/OCCTA

Gwen Holland, Sports Clips

Valerie Koch, Salon Lofts

Michael Schuh, Michaels Salon

Grace Phillips

Pat Dinh, Ohio Cosmo

Liz Spencer, Moler Beauty Academy

Tony Fiore, Ohio Salon Association

Ebony L. Tillman, Cheveux

**Agenda item #1: CALL MEETING TO ORDER**

Mr. Taneff called the meeting to order at 1:01 p.m.

Agenda item 1a: Roll Call

Ms. Flanery took roll call and six members were present. Having noted a majority of members were present, Mr. Taneff proceeded to conduct business. Valerie Benfer was not present and was excused from the meeting. Dr. Shalini Gupta notified the Board during the meeting that she would not be able to attend.

Agenda item 1b: Pledge of Allegiance to the Flag of the United States of America

Following the roll call, Mr. Taneff asked members to stand and recite the Pledge of Allegiance to the Flag of the United States of America. Members and audience rose and recited the Pledge of Allegiance.

Agenda item 1c: Approval of Meeting Agenda (Exhibit C)

Motion #1: Ms. Osterhage moved to approve the meeting agenda for October 11, 2016. Mr. Penzone seconded the motion. Discussion: None. Roll call vote taken - carried: 6 – 0.

**Agenda item #2: APPROVAL OF PREVIOUS MEETING MINUTES (Exhibit D)**

Agenda item 2a: Approval of Previous Meeting Minutes (Exhibit D)

Motion #2: Ms. Shepline moved to approve the meeting minutes of October 11, 2016. Ms. Osterhage seconded the motion. Discussion: None. Roll call vote taken - motion carried: 6– Yes.

**Agenda item #3: OFFICER AND STAFF REPORTS (Exhibit E)**

Agenda item 3a: Chairperson's Report

Mr. Taneff had no report.

Agenda item 3b: Executive Director's Report (Exhibit E)

Mr. Logsdon filed a written report. Mr. Logsdon provided a verbal review of his report.

Mr. Logsdon reported that the Board completed its first fiscal quarter of fiscal year 2017 under budget. Mr. Logsdon stated that he anticipated the trend would continue through the second quarter. Mr. Logsdon indicated that second quarter maintenance expenses were unremarkable, but additional monitoring of expenditures will begin due to the renewal process.

Mr. Logsdon stated that he has added a new reporting item to his report concerning travel and meetings that occur between board meetings.

Next, Mr. Logsdon reported on the number of violations and warnings issued since the beginning of the Fiscal Year.

Mr. Logsdon announced that the Board has added four cubicles in the front lobby with computer access. The computers will allow licensees and license candidates to have computer access to complete their licensing transaction. Mr. Logsdon reported that the computers were available at any time during the day to assist licensees or licensee candidates. Mr. Logsdon stated staff was available to assist.

Mr. Logsdon reported that the office mailed 132,375 renewal notices. As of November 8, 2016, he stated, 7,432 persons had accessed the online portal to renew.

Discussion: Mr. Penzone inquired if 132,000 was a “big year.” Mr. Logsdon stated that the number of active licensees rise during the two years following the renewal. Just after the license renewal, the number of active licensees may be about 114,000, but over the cycle, the number of licensees will increase. After the renewal, the number of active licensees decreases based on people’s failure to renew, address change, or being in status that no longer requires an active license.

Motion #3: Mr. Penzone moved to approve the Executive Director’s Report. Mr. Thompson seconded the motion.  
Discussion: None. Roll call vote taken - motion carried: 6– Yes.

#### **Agenda item #4: COMMITTEE REPORTS**

##### Agenda item 4a: Administrative Action Committee Report (Exhibit F)

Mr. Taneff asked Mr. Logsdon to present the Administrative Review Committee (ARC) report. Mr. Logsdon reported that the ARC met on November 1, 2016. Mr. Logsdon then reviewed the ARC’s recommendation for each case listed in the ARC report.  
Discussion: None.

*\*Names and identifying information was redacted from the Administrative Review Report. For the purpose of discussion, matters were referred to only by case number and referenced by case number verbally. Identifying information based upon the correlating case number was added during the writing of the minutes where specific reference or motion is entered upon the board’s journal.*

Motion #4: Ms. Osterhage moved to confirm the Administrative Review Committee (ARC) report, as referenced hereto by attachment to the minutes of the Board. Mr. Hanks seconded the motion. Discussion: None. Roll call vote taken - motion carried: 6 – Yes.

##### Agenda item 4b: Rules Committee Report (Exhibit G)

Ms. Osterhage informed the Board that the Rules Committee met and a report was filed with the membership. Ms. Osterhage reviewed the proposed rule changes with the membership. In addition to the recommended amendments for proposed rule 4713-1-07, Ms. Osterhage stated that the Committee also considered an additional rescinding paragraph (A)(13) [**new paragraph (A)(7) in the previous rule draft**]. Ms. Osterhage stated that she believes the language contained in paragraph (A)(13) is not within the Board’s scope. Ms. Osterhage indicated that Mr. Hanks agreed. Next, Ms. Osterhage discussed proposed rule 4713-5-09. Ms. Osterhage stated that the proposed amendment would rescind and replace some language addressing legal residency. Next, Ms. Osterhage reviewed proposed rule 4713-5-11. Ms. Osterhage stated that the recommended amendment would clarify what records the Board would require to be transferred upon school closure. The amendment, she stated would also require a school to provide the student with a full copy of their file in the event of closure. Next, Ms. Osterhage reviewed proposed rule 4713-5-14, which she stated was being amended to correct a rule citation error in paragraph (C)(6). Next, Ms. Osterhage reviewed proposed rule 4713-8-01. Next, Ms. Osterhage reviewed proposed rules 4713-11-08 and 4713-11-14. Ms. Osterhage stated that current rule 4713-11-08 addresses both residential salons and mobile salons, but the new rules propose to split these issues into two separate rules. Last, Ms. Osterhage stated that proposed rescinded rule 4713-13-03 is being recommended to comply with the new provisions of ORC 4713.

Motion #5: Mr. Penzone moved to approve the 11/8/2016 Rules Committee report, as referenced hereto by attachment to the minutes of the Board. Ms. Shepline seconded the motion. Discussion: None. Roll call vote taken - motion carried: 6 – Yes.

**Agenda item #5:**

There was no agenda item #5.

**Agenda item #6: Unfinished Business**

None.

**Agenda item #7: Old Business**

None.

**Agenda item #8: NEW BUSINESS**

Agenda item 8a: Proposed Rules (Exhibit H collective)

Motion #6: Mr. Penzone moved to approve the following proposed rules:

Rule No.	Description
4713-1-07	Prohibited Acts. (Amend)
4713-5-09	Enrollment Procedure (Amend)
4713-5-11	Final Training Records (Amend)
4713-5-14	Discontinuance/Closure of Operation (Amend)
4713-8-01	General Information (Amend)
4713-11-08	Resident Salons and Mobile Home Salons (Rescind)
4713-11-08	Residential Salons (New)
4713-11-14	Mobile Home Salons (New)
4713-13-03	Necessity of Managers (Rescind)

and to file the proposed rule with the office of Common Sense Initiative after obtaining stakeholder comments, followed by JCARR pending an affirmative CSI recommendation, including refile of rules as may be necessary. Ms. Osterhage seconded the motion. Discussion: None. Roll call vote taken - motion carried: 6 – Yes.

Agenda item 8b: School Closure Update (Exhibit I)

Mr. Logsdon provided the membership with a summary of the transfer statuses for students impacted by the school closures for Regency Beauty Colleges, Carousel Beauty Colleges, and Summit Beauty College.

No action was required.

Agenda item 8c: Mail Processing Policy (Exhibit J)

Mr. Logsdon provided the Board members with a recommended change to the office policy on date stamping and processing mail. Mr. Logsdon stated the change is being recommended in response to the agency's recent biennial audit

Motion #7: Ms. Osterhage moved to approve the new mail processing policy 2-XII, attached hereto and incorporated herein by reference to the minutes of the Board Ms. Shepline seconded the motion. Discussion: None. Roll call vote taken. Motion carried: 6 – Yes.

Agenda item 8d: Proposed Revise Code Changes (Exhibit K)

Tabled.

Agenda item 8e: Hearing Officer Report and Recommendation  
None.

Agenda item 8f: Correction to Previously Approved Orders of the Board

None.

Agenda item 8g: Board Orders to Enforce Notices of Opportunity for Hearing (Items #1 - #21) – (Exhibit L collective)

Motion #8: Ms. Osterhage moved to approve Orders of the Board as listed on “COS – Issue Report NOV Business + Credential” dated 10/27/2015 to 10/27/2016 as items #1 through item #21, the Orders to be journalized and attached hereto as an exhibit entered upon the Board's journal. Mr. Hanks seconded the motion. Discussion: None. Roll call vote taken - Motion carried: 6 - Yes

The Orders of the Board shall become effective upon the date of mailing of the Orders.

SO ORDERED

The language contained therein will be incorporated by reference into the Board's journal in this case and attached as an exhibit to the minutes.

Agenda item 8h: Board Orders to Approve Settlement Agreements (Items #22- #51)  
(Exhibit M collective)

Motion #9: Mr. Penzone moved to approve the Settlement Agreement Orders of the Board as listed on “COS – Issue Report NOV Business + Credential” dated 10/27/2015 to 10/27/2016 as items #22 through item #51 and the Orders to be attached hereto as an exhibit entered upon the Board's journal as Orders of the Board. Mr. Hanks seconded the motion. Discussion: None. Roll call vote taken - Motion carried: 6 - Yes.

The Orders of the Board shall become effective upon the date of mailing of the Order.

SO ORDERED

The language contained therein will be incorporated by reference into the Board's journal in this case and attached as an exhibit to the minutes.

**Agenda item #9 EXECUTIVE SESSION**

Motion #10: Ms. Osterhage moved to enter Executive Session pursuant to R.C. 121.22(G)(1) for the purpose of considering the dismissal or discipline of a public employee or the investigation of charges against a public employee. Mr. Penzone seconded the motion. Discussion: None. Roll call vote taken.

Mr. Taneff - Yes  
Mr. Thompson - Yes  
Mr. Penzone - Yes  
Ms. Sheipline - Yes  
Mr. Hanks - Yes  
Ms. Osterhage - Yes

Motion carried.

The Board excused the public. Mr. Logsdon, Mr. Jamison, Mr. Yaniko, and Ms. Pearson were asked to remain in Executive Session with the members of the Board. The Board entered Executive Session at 1:29 PM. The Board returned to public session at 1:57 PM and made the following motion:

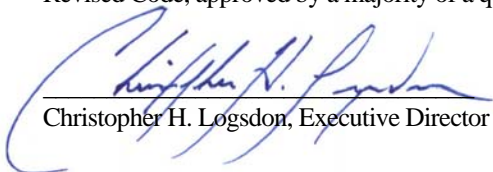
Motion #11: Ms. Osterhage moved to confirm the Executive Director's delegated duty to enforce Section 2-III of the Board's operational policies. Mr. Penzone seconded the motion. Discussion: None. Roll call vote taken - Motion carried: 6 - Yes.

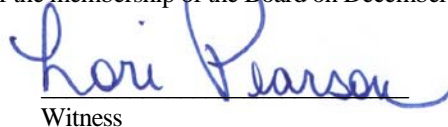
**Agenda item #10 EXECUTIVE SESSION**

Motion #12: Ms. Osterhage moved to adjourn. Mr. Thompson seconded the motion. Discussion: None. Roll call vote taken. Motion carried: 6- Yes.

The meeting adjourned at 1:58 p.m.

Executive Director's Certification: These are a true account of the proceedings in accordance with Section 121.11 of the Ohio Revised Code, approved by a majority of a quorum of the membership of the Board on December 13, 2016.

  
Christopher H. Logsdon, Executive Director

  
Witness