NEW YORK STATE DEPARTMENT OF STATE

DIVISION OF LICENSING SERVICES

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NEW YORK STATE APPEARANCE ENHANCEMENT ADVISORY COMMITTEE

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DATE: March 4, 2025 at 10:08 a.m.

VENUE: Webex

CHAIR: Jodi DeLollo, Staff

Reported by Magaly Estevez

A P P E A R A N C E S:

Board Members Attending

Erin H. Maybin

LeeAnn Shade

Dana Persico

Claudette Gyles

Excused

Anthony Fiore

Staff

Jodi DeLollo, New York State, Staff

Jack Bilello, New York State, Staff

Emily Lupe, Department of State

Shannon Maguire, Department of State

Candice Burchett, Department of State

David Mossberg, Department of State

Alison Lacey, Department of State

(The meeting commenced at 10:00 a.m.)

MS. DELOLLO: So in Albany, if we can begin with the introductions for the Board members?

MS. SHADE: Sure. LeeAnn Shade

MS. MAYBIN: Erin H. Maybin.

MS. DELOLLO: In New York, Board members, please?

MS. PERSICO: Dana Persico.

MS. GYLES: Claudette Gyles.

MS. DELOLLO: And in New York -- I'm sorry. In New York Department of State staff?

MR. BILELLO: Jack Bilello.

MS. DELOLLO: In Albany, New York State staff, I'm Jodi DeLollo, Department of State.

MS. LUPE: Emily Lupe, Department of State.

MS. MAGUIRE: Shannon McGuire, Department of State.

MS. BURCHETT: Candice Burchett, Department of State.

MS. DELOLLO: Okay. Thank you. To the court reporter, is that sufficient?

THE REPORTER: No, because I don't know no one's spelling of their last name. But if

someone can take the time at the end of the hearing and write it all down and email it to me, I will gladly appreciate it.

MS. LUPE: I'll see if Liz (ph.) can put it in the chat or email you.

THE REPORTER: Thank you so much.

MS. LUPE: She should have emailed you an agenda as well.

THE REPORTER: I did not receive that. I'm sorry.

MS. LUPE: Okay.

MS. DELOLLO: And also, sorry, online, we have two additional people that we can't see. Can you -- are there any Department of State staff on the Webex?

MR. MOSSBERG: David Mossberg, Department of State.

MS. LACEY: Alison Lacey, Department of State.

MS. DELOLLO: Thank you. Okay. So we have two new board members. Claudette Gyles. Am I saying that correctly?

MS. GYLES: Yes, Gyles.

MS. DELOLLO: Gyles. Okay. And Dana Persico. If you'd like to introduce yourselves?

Welcome.

MS. GYLES: Thank you.

MS. GYLES: My name is Claudette Gyles. I've been a cosmetologist for over 22 years. I'm also a practice -- nail. I'm also a platform artist with Design Essentials, a hair care company. I also work with a beauty school, Westchester Barber Academy, also. So that's me, in a nutshell.

MS. DELOLLO: Welcome.

MS. PERSICO: Good morning. I'm Dana Persico. I'm the founder of Long Island Nail Skin and Hair Institute. I'm in the industry over 30 years. I work on national regulation and standard for cosmetology across all disciplines, and also some regulation and advocacy here in New York State. And I'm very happy to be here and have this opportunity to provide information I have from industry as well as represent the standards and the work that this board does.

MS. DELOLLO: Thank you. Well, welcome to you as well. Okay. So Dave, if you can confirm, we have four board members in attendance, so I do not believe we have a quorum.

MR. MOSSBERG: You're correct, yep.

MS. DELOLLO: So since there's no quorum, we'll skip the agenda item -- the first agenda item, which is the approval of previous meeting summaries. We'll table that for the next meeting. And we can begin with the next items. And first up is Enforcement update from Jack Bilello.

MR. BILELLO: Thank you, Jodi. This is Jack Bilello. I'm here to report, in 2024, the Enforcement Unit's goal was to complete 3300 appearance enhancement business inspections statewide. An additional goal of the unit was to continue its focus on nail salon inspections and to determine if the nail salons were in compliance for existing ventilation requirements. Some of the results of those inspections -- of those inspections are as follows:

We exceeded our goal by completing 3,324 inspections in 2024. Of those 3,324 inspections, 317 were inspections of unlicensed businesses, which is about ten percent of the total inspections conducted. In addition, we conducted 902 inspections of nail salons, and of those 902 inspections, 356 of them found ventilation violations, which is about thirty-

nine percent of the nail salons inspected.

I also wish to note that in 2025, our goal is to conduct 2,652 inspections statewide. Just like last year's program, this year's program is very thorough and comprehensive. Our inspections started in January 2025, and the inspections will be conducted all over New York State, including Long Island, the five boroughs of New York City, Lower Hudson Valley counties, such as Westchester and Rockland, the Capital District, Central New York, Western New York, and the Southern Tier.

I also wish to note the following: The DOS continues to handle most tickets issued to shop owners through an opportunity to cure process. Specifically, shop owners are given an opportunity to cure the violations identified during the inspection, within a certain time frame. And if the violations are cured, the cases are generally closed without any penalties imposed.

Also, the DOS has, for over a year now, conducted remote inspections of some newly licensed appearance enhancement businesses. Those inspections are conducted monthly via video

conference with shop owners, using the Webex platform. And finally, I wish to note that the DOS investigators are currently investigating about 127 consumer complaints filed against appearance enhancement shops and/or operators. Thank you.

MS. DELOLLO: Thank you, Jack. Anyone have any questions for Jack? Okay. We'll move on to the processing report, Emily Lupe.

MS. LUPE: Good morning. Included in the materials you were provided, you'll find the licensing statistics for December of 2023 and December of 2024. These reports show the number of appearance enhancement licenses. They're broken down by license type. The numbers between the years are fairly consistent. A review of the data indicated that the number of licenses in 2024 is slightly lower than the same time in 2023, but the overall change is only about one percent. That concludes my processing report.

MS. DELOLLO: Any questions for Emily? Thank you, Emily. Exam and administration report, Shannon Maguire.

MS. MAGUIRE: Good morning. Included

in your packet were exam statistics for 2023 and 2024, broken down by written and practical. Overall, we're seeing less than a five percent change in every license except for natural hair, which has a higher percentage, mostly due to it being a lower number and increased schools being added in New York for that particular program. Any questions? Thank you.

MS. DELOLLO: Thank you, Shannon. Under new business, natural hair braiding curriculum update, Erin Maybin.

MS. MAYBIN: So this is a pretty robust update, so bear with me. The first update was under the scope of curriculum. And that would change hair analysis to hair and scalp properties. You would add hair loss and scalp disorders and diseases. And then -- and update to hair care products on line 6 -- hair care products and natural hair styling. And then line 7 would be hair preparations. So we just updated this (indiscernible).

The next one under professional requirements would be professional business license and professional liability insurance.

Under Subject 3, the update we added,

and beauty wellness. Subject 4, and scalp properties. So it would be hair analysis and scalp properties would be ten hours.

Hair structure and components: fine, medium, thick, and combinations; texture and configuration: curly, coily, kinky, wavy, wiry, straight; scalp and hair analysis; hair density; dry and oily scalp.

Next line, Subject 5. Hair loss was added. Seborrheic dermatitis, psoriasis, eczema; Types of alopecia: scarring and nonscarring; tinea: folliculus was added. And then we removed infections, and bacterial infections was -- were added and parasitic infections.

And line -- Subject 6. We added hair care products. On the next line, we said chemical allergic reactions of hair care products.

Subject Line 7 -- or Subject 7. Hair preparation, hair service, client consultation, beauty wellness and referrals; proper tools, instruments, and equipment instead of hair analysis; and instead of saying "client", we said hair service above. So hydration and moisture steam treatment was added. Scalp manipulations,

we added massages and dead cell removal.

Subject 8, we add a total of -- we -- I think we didn't just add them. So it's broken down differently. So history and theory of methods and techniques traditionally used, past and present. That will be two hours. Tools including but not limited to crochet needle, latch hook tool, interlocking tool, sewing blunt needle, beading pliers, and bead threader, five hours. Including but not limited to synthetic fiber, human hair fiber, and yarn fiber, five hours.

Braid extensions and hair extension removal techniques, 105 hours. So the double strands twists with or -- with and without extensions; flat twist with and without extensions; knotless feed-in braids; yarn braids; hair extension removal.

Lock theory is now twenty hours. That would be we added Nubian comb coils; interlocking and instant lock methods. Traditional weaving and styling will now be twenty hours. The afro twist hair extensions; traditional mixed texture sew in weave; crochet weave. Textured sets, twenty hours now. Twist, twist out sets; Bantu

knot sets; finger coiling; roller and flexi rod styling. Textured hair styling services, eighteen hours. Curl and coil defining textured hairstyles; enhancing natural curls: spiral technique; blow dry preparation and braid styling and natural hair; thermal curling and flat ironing natural hair; preventing heat damage using mechanical and electrical equipment.

Finishing techniques is now fifteen hours. And we took out hairstyling services tools and implements tools, blow-drying, thermal curling, excuse me. That's put in another section above as I had stated.

Then hair pieces was ten hours added now. Fundamental of wig making; blocking and measuring.

So those are the updates for the natural hair license. I also have the updates that basically brought into compliance for Bill S6528A that requires cosmetology schools to teach students how to style textured hair. And so I'll proceed with those updates.

This information was taken from the natural hair curriculum, so that way everybody knows where it came from.

The -- Subject 4, we updated hair types and textures. Hair types: fine, medium, thick. Hair textures: straight, wavy, curly, wiry, coily, and afro textures.

Subject Line 7. Shampoos, rinses, conditioners and treatments. So under that we have for all hair types and textures. For all hair types and textures, shampoo products composition and procedures, detangling and treating for coily and curly textures. Rinsing products composition of procedures, we added for all hair types and textures. Conditioning products composition procedures, for all types and textures.

Subject line -- or Subject 8. We added line curly and coily styles under contemporary and specialized hair cutting. Hair Styling, which is 245 hours, we added curly and coily styling. And if you move down under blow drying and diffusing, we added blow drying with controlled tension, diffusing curly and coily hair, flat iron and thermal iron, preventing heat damage, and silk press on natural hair.

And then for our final updates, next to client consultation, and textured hair and tint

has been added, hair loss and potential health risks associated with chemical restructuring, and then hair lightening and textured hair integrity.

So those were the updates for the Natural Hair License and Cosmetology adding texture in the curriculum.

MS. DELOLLO: Thank you. I have some comments and questions.

MS. MAYBIN: Okay. Go for it. That one's definitely on the list.

MS. DELOLLO: So the -- so and this is in the meeting -- in the e-meeting folder so everyone can take a look.

MS. MAYBIN: Yes.

MS. DELOLLO: So my understanding, and correct me if I'm wrong. So this -- for a little bit of background, the -- the Natural Hair Subcommittee was tasked with making recommendations --

MS. MAYBIN: Yes.

MS. DELOLLO: -- to the Board --

MS. MAYBIN: Yes.

MS. DELOLLO: -- to change the curriculum.

MS. MAYBIN: Yes.

MS. DELOLLO: So Dave, put you on a spot here. So if this moves forward, what is the process to implement this?

MR. MOSSBERG: So this would be considered basically a rulemaking. So assuming that the Board was in agreement or satisfied with the proposal, the Department would take it under advisement, and then we would begin a formal rulemaking process. So that would include, you know, consultation with schools to make sure that they would be in a position basically to implement it, figuring out what additional cost, if any, students would required to pay for these changes, et cetera. And then we would start with the regular rulemaking process, which includes publishing it as a notice of proposed rulemaking in the state register.

There is a mandatory public comment period and then at the conclusion of the comment period, depending on if there's, you know, suggestions from the public that we think would require changes, we could come back to the Board. Or we would be able to file a notice of adoption and then the rule would, you know, go into effect. So it follows a traditional rulemaking

process.

MS. DELOLLO: Thank you, Dave. Just a couple follow-up questions. So would the Board need to vote on moving this forward? Is that the proper way to determine if they agree, or can they make a recommendation based on the number of members at the meetings?

MR. MOSSBERG: So then technically speaking, a Board vote would not be required, because it is an advisory committee. You know, just for the purposes of clarity and ensuring that there's no, you know, dispute later on. In terms of what the Department would be proposing, ideally, we would have a quorum and a Board vote. But, you know, if that's not practical, the Department on its own, the secretary, could decide to advance the current proposal, and you know, wait to see if there are official comments submitted during the comment period to make any changes that might be desired.

MS. DELOLLO: Okay. So I -- I'm going to make a suggestion. Let me know what you guys think, any of the board members. So this is a lot to digest. So the Board has received the proposal. Maybe we put this on the agenda for

next meeting in hopes that we have a quorum and -- and then Board can. And that will give Board members that are here time to take a look and you know, think about it and make any suggestions to the committee. And we'll put it on the agenda and hopefully, we can have a vote.

Dave, does reach -- reaching out to the schools, would that include consulting with the Department of Education as well, since they oversee the schools.

MR. MOSSBERG: Yeah. We'd be able to consult with them. But also, you know, ensuring that the actual schools are, you know, in a position to understand the rule, understand what's required, you know, from them, in terms of being able to teach the students the curriculum appropriately. Whether or not, you know, the school would have to have drastic changes in terms of, like, purchasing equipment or, you know, all of the other things that would be required for a new curriculum. So generally, that process will -- we would have to engage in that process, to some degree, prior to advancing it in the state register as a rulemaking. So we should do all that stuff as well.

MS. DELOLLO: Great. Thank you. I don't have any other questions. You know, open for discussion if the Board members have anything to add or ask at this time or if you want to take some time to really look at it and think about it.

MS. MAYBIN: So just to -- just to clarify why this license has been, you know --

THE REPORTER: Who is speaking? I'm sorry.

MS. MAYBIN: I'm Erin Maybin.

THE REPORTER: Thank you.

MS. MAYBIN: This has been updated because currently in the landscape there has been a complete enhancement and growth in this industry and a need for natural hair care. And there are a lot of schools in New York State that are opening, and the curriculum that was previous was not strong enough. And so adding this is going to strengthen that license and grow and create a professional that is ready for the industry, you know, and to take it by the head and let it catapult.

Because it's been something as we see with the numbers of licensing, you know, one

license compared to the other, you know, because in New York State, traditionally, this license has not been available or accessible. But now, again, we see growth. We see testing sites are moving. We have one. Now we have three. We have schools that are growing.

So I just want, you know, the Board and everybody else on the line to understand the importance and why this curriculum was updated and how it aligns with the future professional that's in the world right now seeking it. Thank you.

MS. DELOLLO: Any other discussion on this at this time?

MS. GYLES: No, let's take a few days for review. But I do have a question though. So say the regular cosmetologist --

THE REPORTER: Who's speaking? I'm sorry.

MS. GYLES: -- they already in the business -- oh, I'm sorry. Claudette Gyles.

THE REPORTER: Thank you.

MS. GYLES: They're already in the business, and they want to take this license separately. How would we go about that? The

same way we would do it for nails? How would we go about that? Would we -- would they be allowed to take it? Would they have to take it?

MS. MAYBIN: Yes. I just wanted -- I just want clarification, because I've been hearing about it, and some people were say -- was saying, you know, you would need to take it over. But this is a separate license from your cosmetology license, correct?

MS. MAYBIN: Yep. Yes.

MS. GYLES: So even if you're a cosmetologist, you still would have to take this if you want to specialize in natural. I'm just -- just for clarification.

MS. MAYBIN: Per the law now, yes.

MS. GYLES: Okay.

MS. MAYBIN: Yes. If you want to get the license -- if you to get the -- this is Erin Maybin speaking again. If you want to give the natural hair license, you have to have that separate from cosmetology. You can be a cosmetologist and still go get it, but you still have to go through the curriculum, the testing, and the practical, per the law now. So just --

MS. GYLES: Oh, got it.

MS. MAYBIN: Yeah.

MS. PERSICO: This is Dana Persico. So our campus --

MR. MOSSBERG: Wait.

MS. DELOLLO: David?

MR. MOSSBERG: Yeah no, I just have to -- to clarify that. The licensed cosmetologist, by definition under the current law, means an individual who's allowed to provide services described in Section 400; 4, 5 and 6. And paragraph 5 includes the natural hair styling. So just as a point of clarification, like, somebody who is currently licensed as a cosmetologist could perform all of the services and, you know, procedures to a client, without having to obtain a second license.

So there's nothing to prevent them, necessarily, that I'm aware of, that would say somebody who's already had a cosmetology license, let's say, for a decade or, you know, a year -- If that individual, on their own accord, decided to apply for a natural hair styling license, that's when they would have to take, you know, potentially this new curriculum when it goes into effect. But there -- there's no requirement that

says that they would have to. There's no continuing education requirement. And the law doesn't limit the current abilities. So I just wanted to -- to clarify that.

MS. PERSICO: So this is Dana Persico. And to your point, David, I completely agree. And the nice benefit of a cosmetologist with a valid license, who now would like to transition and really specialize in natural hair styling, we have a hair styling program on our campuses 2016 approximately. The director of the school has the ability to do an assessment on the cosmetologist that is applying and determine if any of their hours could be applied, if they do decide they still want to specialize in this 300-hour license, which not -- and you're right, a lot of people don't know about it.

So there is two ways to approach it: work under your cosmetology license and possibly, potentially, just follow all of the specializations of the discipline of natural hair styling under the cosmetology license, or if you would like, to still obtain a natural hair styling license, being granted advanced standing in a program in a New York State licensed school.

So I hope that clarifies that you don't have to have it. You can -- under your clause, but if someone wants it --

MS. GYLES: They can get it.

MS. PERSICO: -- they can get a very good assistance from a school that has that program.

MS. GYLES: Thanks. I was just trying to get clarification, because there's so much -- it's -- you know, information out there, which is incorrect and mostly -- so I just wanted to get the proper --

MS. MAYBIN: Yeah.

MS. PERSICO: Great program.

MS. GYLES: Thank you.

MS. PERSICO: Thanks for the work on this. It's a great program, and it's -- it was needed, and the clarification and the areas of specialization that had been changed in curriculum are really relevant. So thanks so much to the committee who worked on this.

MS. DELOLLO: Okay, great. Thank you. Thank you. Thanks. Shampoo certification, LeeAnne Shade.

MS. SHADE: Okay. So this has been

brought up, obviously, several times before and knocked down several times before. And I think there is a little miscommunication on this. And I know back in -- was it 5/20? -- something was being done about this. And then the Times Union picked up on it, and it wasn't even correctly quoted. Because they were saying they needed 500 hours to get a shampoo license. Or that's what they were proposing, which doesn't make sense when you can do that -- a natural hair styling license in 300 hours.

So like I said, a lot of miscommunication or things about it. But what I've been contacted about several times is one, about, you know, somebody being able to just shampoo under a licensed cosmetologist, one, to help them, two, obviously, there's a shortage in the industry that makes a huge difference in stylist life. But on top of that, it also gives the ability for somebody who's thinking about going into the industry to see if they even like it before they spend 18,000 dollars to go to school.

On top of that, another thing that has brought -- been brought to my attention is, in

the special needs community, is an extremely high-functioning people that would love to do this as a living. And I have a girl that comes into my salon. She's a senior right now. She has Down Syndrome. She lies about cosmetology school, initially tried, and could not do the book work behind it. She's amazing at makeup, those sorts of things. She would love to be able to do this as a living.

And again, if it's something that we could create some sort of certification where they are working directly under a licensed stylist to do basically just shampooing. They're shampooing, and so it would be a shampoo specialist license. Scott Bendett, who's Assemblyman of District 107 -- he was actually awarded Best Buddy of the Year for that program -- actually is very willing to help with a bill to address this.

So it can address a lot of things in the industry along with -- which leads us to our second thing, of some sort of apprenticeship. And again, contacted several times about students that are in cosmetology. We have them. I know a Capital Region district -- Capital District

Region BOCES has a program. They have to do 125 hours of internships. So we're one of the schools that they come to, or one of the salons that they come to. So they come to us. They have to do 125 hours of internships to get experience outside of just the school. But all they can do is fold towels, sweep, and answer the phone, and those sorts of things. They're not allowed to touch people.

So one, either striking shampooing from the law of cosmetology with all the Gold Coast issues, or two, again, creating something where they are allowed, particularly if they're in school, working under some sort of cosmetologist, to be able to get more experience of what they get in just the schools. And you know, we all know in school, they're getting the fundamentals and how important that is. But they're not necessarily ready to go out into the field and work on clients and complete services that are in demand at this time, although a lot of them do. And unfortunately, they've learned through mistake, and that's not great for them. It's not great for the client, obviously.

Along with that, we have the problem,

and this is where a couple of people have contacted me, of, you know, they either don't have the funds to go to school, or they can't take the time off from working to go to school. Because, you know, besides having a family, and they need the money. But yet in barbering, we allow apprenticeship. Now I went to a cosmetology school. I got my cosmetology license and the 1,000 hours that were required. I then went on an apprentice for two years under a master barber to get my master barber's license.

I was able to work during that time. Obviously, I had a little more skill level, coming out of cosmetology school, to do that. But you know, when we look at the numbers, I think they say seventy-eight percent of women -- that are women in the cosmetology field, and the rest, obviously, are filled by now males. And it's the reverse when we come to barbering, where it's roughly about the same percentage of men that are barbering, but they're allowed to go -- to work and be an apprentice to get their certification, or at least even to be able to take the license after doing so for two years. And I've had a lot of people say that's

discriminatory.

Like, you know, some people are like, you know, I would love to work, be paid and learn a skill. And then have to be able to either go to a school, do the book work, and sign up to take a test, you know, practical and written, along those lines. And I just think that's something that, as a state, we really need to look at. And the discriminatory factor, because to some degree, it is. It's discouraging when you're telling a cosmetologist you've got to go to school for two hours. You've got to pay 18,000 dollars. But a barber, you could just go work under a master barber.

So I just think both of those things need to be addressed along with -- and we have two people here from comments -- the public comments today. One, as a teacher who agrees, another, who would like to also, besides the special needs community, present something in working with special needs people and being a little bit more aware of some of the challenges that they face, whether it's sensory challenges, coming into a salon, those sorts of things. But a lot of people are not even aware of that.

MS. DELOLLO: Okay. And open for discussion. So I'll open it to the Board members for discussion.

MS. SHADE: And actually, let me add one more thing.

MS. DELOLLO: Sure.

MS. SHADE: I had -- actually, I was at a board meeting for a -- BOCES, which they have to do twice a year, and that was brought up. And one of the teachers was very irate about, well, they're going to be shampooing chemicals, and they can't be doing that. Oh, that's dangerous and -- but the thing is, they're not determining when the chemical's done. They're not determining all the highlights, you know, need to be removed now. That's still under the supervision of licensed cosmetologists saying, okay, you know, this needs to -- coils needs to be taken out. You need to shampoo this person. So it's still all in direct relation.

Even on -- we do an associate's program at my salon, and that is for licensed stylists when they come out of school. They work with some of our top stylists in learning some of the advanced skills. And even with that, I'm telling

them, okay, you know, the highlight's done. I need you to pull the foils and rinse as your pulling, because there's highs and lows in there. And then, you know, make sure, you, you know, shampoo well, towel dry, then we'll decide on a toner.

This is somebody who's licensed. So I can't imagine not being that descriptive for somebody who is just under a certification or somebody who's apprenticing.

MS. DELOLLO: So LeeAnne, you bring up very good points and first and foremost, the inclusion of special needs individuals is -- it's commendable. And I think that that's something that our industry could definitely progress and grow from. My experience -- and again my experience, I have seen where stylists, unfortunately -- you speak of our ideal situation where the licensed cosmetologist is supervising, directing, and ensuring. There are times in the salon where things get very busy, and an assistant is left more independent than they should be. And so that's a point. That's the first thing that I think of.

The second thing is that -- oversight.

How do -- you know, how do we manage something like that? Does that require the state to include budget inclusion? Because now we're going to develop a certification, something new. We have to get it passed through, and you know, will this -- the state be willing to look at that? And then the third thing is that, hopefully, like our national average, our cosmetology students are not paying -- on average, in the United States, it's 8,900 dollars to go to cosmetology school, once you factor in Pell and student loans or WIOA programs.

So 18,000 dollars sounds really scary, but that's not the national average. And especially here in New York, with all of the resources, the programs, our ability to find community programs that help and support underserved minority students who are the most deserving to get funding to go to school. So I hear you, and I -- I think it's a great discussion and something, you know, for everyone to really consider.

MS. GYLES: I -- this is Claudette Gyles, by the way. I do agree with actually both of you in some ways. I actually work with Design

Essentials, and believe it or not, one of the classes I do teach is how to properly shampoo the hair. And this is the licensed stylists in different parts of the country. It's amazing. So I think it's a great idea. I just think the kinks, we could work it out later. But I really do think that's a very good idea. Because with the barbers, the apprenticeship program is really, really, really, really helpful.

So I think with cosmetology, we could create something like that, with the shampoo part of it, with stricter rules for the stylists. Say, for example, I have -- my apprentices are licensed stylists. And if you're my assistant, I am still going to teach you how to properly shampoo, how to properly use the product I'm using. I do a product knowledge for whatever product I'm going to use. If it's a color, I train my staff on how to use it. So it's the same way, I would think, the apprenticeship program should probably work. So I think it's a great idea.

MS. PERSICO: Yeah. Because with -- and I agree. I think there should be -- you know, whether it's something -- a stylist gets

another certification for -- to be an apprentice person --

MS. GYLES: Yes.

MS. PERSICO: -- or something along those lines, because I agree. There's a lot of people out there, like, okay, go do this. Where, again, in my salon, we're -- we're very specific with that in working with them, because, you know, the whole thing is about the -- the client. One, making sure they're safe, making sure they're comfortable, and making certain that they're getting the same service and quality of service working with that stylist. And I -- and I get where sometimes in some salons you might not find that. So yes, shampooing is -- it's -- as they always say it's -- it's the best part of the service, right?

MS. MAYBIN: Definitely.

MS. PERSICO: And for the professionals, so that they -- you know, if they decided if they want to engage in this lifelong career path, that they are provided the right training, and that, you know – unfortunately, there's bad actors. And you know, right away, we think about protecting students and their rights

to work in -- in a good environment and a fair environment and -- and also the, you know, the workforce. So yeah, I think it's great, too. And I think we -- we all have a lot that we can contribute to this conversation.

MS. SHADE: I know in the past, there's been some pushback by some schools in fear of people not going to school. But again, somebody -- if I was to take somebody to apprentice, I can teach them my skill, by all means, every day of the week. But teaching them some of the book work that they need, yeah, I mean, God knows -- 40 -- I just said 43 years ago that I did all that. So yeah, some of it do I still know? Obviously, yes. Some of our -- some of it's common sense. But it can be something in conjunction with the schools.

So you know, again, it's going to take a lot longer. So people will -- would rather just go to school and be done with it in a 1000 hours. There's still that option, or you know -- and barbering is a two-year apprenticeship. And you know, people say, well, they're not allowed to use chemicals. They are allowed to dye the hair and that is exactly how it's worded -- D-Y-

E. They're allowed to dye the hair. From my assumption, from what I've been told, is they're not allowed to lighten the hair, but they could deposit the hair. So they're still dealing with chemicals, and that's only a two-year program. So cosmetology could be something longer.

And again, working in conjunction with the schools as far as some, like, mini courses of things that they still need to get that cosmetologists working in the field everyday might not be able to provide. Does that make sense?

MS. DELOLLO: Yes. So I don't see why we can't explore this further. I think this would definitely need a subcommittee, you know, to hash out what this would look like. In reality, though, Dave, our practical person, what would -- this would be a statutory change, I'm assuming?

MR. MOSSBERG: Yeah. Yep. One hundred percent. So while the subcommittee, as you're suggesting, might be able to come up with, you know, guidelines or perhaps recommendations or proposals, ultimately this would not be something that the secretary would be able to

just create a rule to establish. It would have to go through the state legislature and then, ultimately, be signed into law, you know, by the governor.

MS. DELOLLO: So that would require getting us someone to sponsor the bill. What's the best way to go about that, Dave, in your opinion? Not to put you on the spot --

MS. SHADE: I do have someone.

MS. DELOLLO: You have somebody? Okay.

MS. SHADE: Yes. Scott Bendett from District 107.

MS. DELOLLO: Okay. Okay. And so --

MS. SHADE: He's very interested.

MS. DELOLLO: Okay. So I think then if the subcommittee would, you know, move to meet, talk about what this would look like. I had some initial thoughts that I can insert, myself, during a subcommittee meeting and just get it started, I suppose. And then, you know, we'll have something that can be presented to the Board. I think there's a lot to consider --

MS. GYLES: Yeah.

MS. PERSICO: -- and so I think you need Department of State staff --

MS. MAYBIN: Yes.

MS. DELOLLO: -- at these meetings as well.

MS. MAYBIN: It needs to be broken down.

MS. DELOLLO: Yeah. Yeah. It really need to --

MS. SHADE: And this I might add. I believe there are other states do have a similar model, so I'm happy to find out and share that with the committee.

MS. DELOLLO: Yeah. So we can establish a committee at this meeting. If there's Board members that are interested, let me know. Emily? Yeah. LeeAnne.

MS. BURCHETT: I believe --

MS. GYLES: Claudette Gyles.

MS. BURCHETT: -- we can only have two.

MS. DELOLLO: We can't have more than two.

MS. BURCHETT: We can only have two.

MS. DELOLLO: So LeeAnne and who else?

MS. GYLES: Claudette Gyles. Unless you wanted to go. This is Claudette.

MS. LUPE: We'll split it.

MS. GYLES: If you want.

MS. LUPE: It's interesting.

MS. GYLES: It's -- yeah. Interesting.

MS. DELOLLO: Okay. If we can have two board members, and we can -- I'll have Candy reach out for some other input, and we'll assign Department of State staff. But we'll have Candy reach out initially to get it started. And then it'll -- it'll change a little bit or grow, you know, depending on what stage we're at.

MS. SHADE: We can still do this via phone conference?

MS. LUPE: I'll pop on Webex.

MS. DELOLLO: Yes.

MS. BURCHETT: Yep.

MS. DELOLLO: Do Webex meeting. So we can get that started just to explore. And if you know of other states that are doing it, you know -- and we can do some research ourselves. I'm looking at Shannon, because I expect Shannon to be on that committee as well.

MS. MAGUIRE: Yeah, some states just don't have it. I believe some states just turned it national where they're listed --

MS. DELOLLO: Okay.

MS. MAGUIRE: -- in the cosmetology verbiage.

MS. DELOLLO: Right. Yeah. Yeah.

MS. MAGUIRE: So it eliminates that. So that's a -- that was stricken. But, again, I feel it should be more of a -- some sort of shampoo specialist certification.

MS. DELOLLO: And we did -- we did, back in 2016, that there was a subcommittee to establish this. And I see people shaking their heads. They were probably involved. And you know, I don't know specifically -- there was a set curriculum that the individuals would take in order to get their shampoo license, and -- and I don't even know if it has to be -- I don't even know if we have to explore it in hopes that they're moving further in their career. Maybe that's their career. And that's good, too.

MS. MAGUIRE: Yes.

MS. DELOLLO: You know? So we'll keep an open mind --

MS. MAGUIRE: Yeah.

MS. DELOLLO: -- and talk about it.

MS. MAGUIRE: Because again, somebody who's interested in the industry, because we all

know the statistics of people that go to school don't even take their (indiscernible).

MS. DELOLLO: Yeah.

MS. MAGUIRE: Or go to school, take their license, don't work in field, because they get there and they go in there and just didn't really like it.

MS. DELOLLO: I get it. Yeah.

MS. MAGUIRE: Where -- I actually had a staff member, came to me as a receptionist, was there six months, and was like, Oh my God, I love this, and went to school. And now she's one of my top stylists.

MS. DELOLLO: It exposes her.

MS. MAGUIRE: Yeah.

MS. DELOLLO: Yeah. Okay. Okay. So we'll get that moving. Thank you.

MS. MAGUIRE: Thank you.

MS. DELOLLO: Next item is Candy. Next tentative meeting date.

CANDY: Yep. The next tentative meeting date we have is July 1st at 10 a.m.

MS. DELOLLO: Well, I encourage all the Board members, hopefully, to make it. We need all five board members -- oh, no, five of six,

right?

CANDY: We need five of six.

MS. DELOLLO: Five of six to achieve a quorum, and then we can vote on -- we have several meeting summaries to vote on. Okay. Thank you. Dave, are you going to open public comment?

MR. MOSSBERG: I mean the -- it's not part of the statute or anything, so.

MS. DELOLLO: Okay.

MR. MOSSBERG: Sure. I mean --

MS. DELOLLO: Well, you can. Go ahead, Dave.

MR. MOSSBERG: I guess I'll start with Albany. Any members from the public in Albany that would like to provide public comment regarding the Appearance Enhancement Industry?

MS. HENDRICKS-FOGG: Sure. My name is Jennifer Hendricks-Fogg. I'm here in conjunction with LeeAnne, not to just talk about that certification program for special needs that will help open up job opportunities for those in the special needs community not being able to do that book work, so to speak, or getting their hands wet, for lack of a better term, to get into

the salon industry. But I'm also here as a special needs mom.

My son, Logan, was born with -- (indiscernible). It hits you at different times. Let me tell you. My son, Logan, was born with a brain tumor. He spent the better part of two years going through treatment. Obviously, he didn't have too -- hair for the first two years of his life. As you can see here, this -- this is a few years old -- he's eight now and has better hair than all of us in this room.

But I would like to propose a discussion to have a special needs certification for the cosmetology industry to work with these individuals. We've been blessed enough to have hairdressers come to our house to cut my son's hair, but why does not get the experience of going to a salon because someone doesn't know how to handle him? So there's a couple of people in the area that I do know, you know, announce themselves as -- as those types of people that handle it. But I feel there should be some sort of certification, in addition to, to help those folks within this population. Thank you.

MS. DELOLLO: Thank you.

MS. MYERS: I'm Sharon Myers. I am a 41-year-old or 41-year-old -- whatever. I've been doing this for 41 years, and I was a teacher for 21 years of cosmetology and now I'm a work-based learning coordinator. So I basically see a lot of the differences of how things work and where they're working. So I was with Sharon Winslow when she tried the shampoo assistant thing way back. It had been around for a long time. And it -- it was necessary then. It's necessary now. There are students who will finish a two-year program, who -- even doing 1000 hours -- who just don't want to do hair, but they want to be in the industry, and it is a great opening for them to stay in the industry.

I actually have a few students who have full licenses and are still assistants, because that's what they enjoy. They don't want to go any further. But as a work-based learning coordinator, trying to get out eighty students a year into some kind of an external learning -- the 125 hours that LeeAnne was talking about before, it's actually out-of-seat hours, right, based on the licensing rules that we have in New York State. That 125 hours allows the students

to go into salons and do nothing. Just so you know. Nothing. Like, okay, I understand the significance of working a front desk. I've owned my own salon for 20 years. I understand the significance of sweeping from being the sweeper. As a teacher, I gave all those jobs I loved and learned what the teamwork involved in running a salon.

But the -- when I and my aunt were first licensed, and probably some more of you, there was a temporary license that we were allowed to work in the salon and really learn, right, from the industry people and not from a possibly burned-out teacher, not that I was. Sorry. But -- but it is still different. Different getting them into a salon, getting them so that they're not just sitting waiting for approval, all this, you know, not nonsufficient stuff. It really needs to at least be a 700-hour temporary license so that when they do get to that point where they can do 125 out-of-seat hours, which was okayed by the licensing division, that they -- they're worthwhile hours and not just sitting around on a couch watching people with bad habits in a salon. Okay?

So I just -- I really -- have actually written to all of you that were on -- on the board a thing that was put out by NYSTCE. So I'm also on NYSTCE, which a New York State Training Teacher, Training Teacher Technical Association. Yes. And we basically started as cosmetology teachers, and now we are all teachers across the state. BOSES, by the way, for 20,000 dollars in most parts of the state that that taxpayers pay, every student has the ability to go and learn and become a whatever. Right? Whether it be a haircutter or a carpenter or whichever. But that is -- that is how much it costs the taxpayer, but the student doesn't have to pay anything. Even if they have to buy a kit, most of the school districts now pay for that, because they do want our students to succeed. And as far as --

MS. SHADE: So they're called education community programs now.

MS. MYERS: Well, it is, but with proper placement, a lot of the BOSES are working on the -- how they're going to handle it. And we're training our guidance counselors in the home district how to do that. So it really is -- there's a lot to it, but there's a lot that can

happen with that. And I'll also piggyback off --

MS. Hendricks-Fogg: Get the name right. I'm Jennifer.

MS. MYERS: Yeah. So when I was a past teacher, we had a PEACCE program, which was special needs students. But ones that -- that could actually come in. And they used to come in, and we used to teach the program. What's really nice is it shouldn't be a separate program to learn how to work with special needs students or anybody, right? It should be part of the program. It should be part of the -- and I noticed the five years that I had that opportunity, that my students befriended and built relationships and had proms for the -- for the special needs kids, and it became a whole new school. And that's what we need to get to, not special programs. But the program -- it already should already be in here --

MS. Hendricks-Fogg: Incorporated in.

MS. MYERS: Incorporated in. And the other was the natural hair styling. We're putting in the changes in hair also. I wish there were just a few more hours. I know New York, because of BOCES, is 1,000-hour program.

However, it would be wonderful if we had a little bit more time, because somebody on there said, you mean regular hair. Hair is hair. It's different. It's hair, but we should be learning how to do all hair, and that's why changing this curriculum and letting somebody take an exam from that would actually be as beneficial. Well, I'll talk to my (indiscernible), sorry. Well, I didn't want to come here really, but --

MS. SHADE: You came today.

MS. MYERS: And but there it is. I try to scoop in on one of -- one of the spots here, because I do think that what we do is vitally important. I agree, like I said, work-based learning is open even a little bit more about how to get students in. I have many, many successful students somewhere. You know, they do have every -- every realm of it, and I see the ones, too, who are successful, who are in the industry, basically because they didn't have an opportunity to go to a salon and do it for real. They got to sit there relearning bad habits. And that's what we -- we need to make it worthwhile, and we need to make it valid, and we need to keep our industry where it needs to be, at the top of the

chain.

MS. SHADE: Thank you.

MS. DELOLLO: Thank you. Anything else? That's it for Albany, Dave.

MR. MOSSBERG: Any members of the public in New York City that wish to provide public comment?

MS. ROBERTS (phonetic): Yeah, I have a couple questions.

THE REPORTER: You can come over here at my desk.

MS. LUPE: Yes. So -- so we could see you. We'll --

Ms. ROBERTS: Hi. I'm Heather Roberts. I'm an esthetician. I just have -- I was curious if there's any path forward for estheticians to be able to tint lashes and brows, or would that be a legislative change needed for that?

MR. MOSSBERG: I believe that would require a legislative chance to clarify. But -- Yeah, I -- I mean, I -- I think, you know, if you're -- can you email that, actually, to the Department? That question? And then --

MS. DELOLLO: You froze up, Dave.

MR. MOSSBERG: Oh, sorry.

MS. DELOLLO: Okay. You're back. Go ahead.

MS. BURCHETT: You're Back now.

MR. MOSSBERG: Sorry. I was looking up on the phone the statute real quick. You know, I -- I don't know, necessarily, what would be the correct method to expand the scope. Usually, the scope of practices are generally considered statutory. But you know, I -- my -- my inkling, without having an opportunity to do the research, would say that it would be a statutory matter.

MS. ROBERTS: Okay. And then I have one other question. Is there any -- is there continued talk about separating esthetics and cosmetology license? Is it -- I -- if I'm reading this curriculum correct, they only need 60 hours with skin care versus the 600 that esthetics get. But they're allowed to do literally the same things as an esthetician.

MR. MOSSBERG: I'm sorry. I didn't understand that question. But Jodi, I mean, do you understand that? Sorry.

MS. DELOLLO: No, I was going to -- I was going to suggest that any questions that she has, she can send to Candy, so candy can get them

to the appropriate people that can answer. Typically, we call public comment as public comment and not dialogue of questions and answers situation. So I think if you have any questions for the Department or the Board, it's best to go through Candy, so we can make sure that it's answered thoroughly.

MS. ROGERS: Okay. What would be like the -- is there an email?

MS. BURCHETT: So my email address is at the bottom of the public sign-in sheet that you signed.

MS. ROGERS: Okay, right here. Thank you.

MS. BURCHETT: You see my phone number?

MS. ROGERS: Yeah. Yeah, I got it. Thank you.

MS. BURCHETT: Thanks.

MS. DELOLLO: Thank you.

For the record, the question Heather has asked regarding the separation seems to be a very common request amongst the esthetician groups in New York State. And thank you for coming to the meeting.

MS. ROGERS: Thank you.

MS. DELOLLO: All right. There's no one in Buffalo, correct?

MS. BURCHETT: That's correct.

MS. DELOLLO: Okay. So the public comment period is over. So I move to adjourn the meeting. Thank you everyone.

MS. BURCHETT: Thank you.

(Time Noted 10:54 a.m.)

C E R T I F I C A T I O N

I, Mallory Thomas, certify that the foregoing transcript of proceedings was prepared using the required transcription equipment and is a true and accurate record of the proceedings.

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