

**BOARD FOR BARBERS AND COSMETOLOGY
TENTATIVE AGENDA**

Monday, July 13, 2020 – 9:00 a.m., Board Room 2, 2nd Floor
Department of Professional and Occupational Regulation, 9960 Mayland Drive
Richmond, Virginia 23233 804-367-8590

I. CALL TO ORDER

II. APPROVAL OF AGENDA

1. Board for Barbers and Cosmetology Board Meeting Tentative Agenda, July 13, 2020

III. APPROVAL OF MINUTES

2. Board for Barbers and Cosmetology Meeting Draft Minutes, March 9, 2020

IV. COMMUNICATIONS

V. PUBLIC COMMENT PERIOD *

VI. CASES

- | | | | | |
|-----|------------|-----------------------------------|---------|---------------|
| 3. | 2016-03225 | Thuy T. Bui | (Dang) | Disciplinary |
| 4. | 2016-03190 | Peter Tran | (Mayes) | Disciplinary |
| 5. | 2020-00813 | Eddie Espada dba Rock Barber Shop | (Mayes) | Consent Order |
| 6. | 2016-03010 | Khoa Nguyen Trung Le | | Consent Order |
| 7. | 2016-03025 | Thao Thanh Thi Le | | Consent Order |
| 8. | 2016-03105 | Ngoc Han Thi Lam | | Consent Order |
| 9. | 2016-03146 | Leakhana Sin Kong | | Consent Order |
| 10. | 2016-03177 | Danh Cong Nguyen | | Consent Order |
| 11. | 2016-03196 | Phung Thi Nguyen | | Consent Order |
| 12. | 2016-03255 | Long Ngoc Tran | | Consent Order |
| 13. | 2016-03268 | Gai Thi Bach | | Consent Order |
| 14. | 2016-03278 | Ma Thi Tran | | Consent Order |
| 15. | 2016-03295 | Minh Ha Thi Vo | | Consent Order |
| 16. | 2016-03411 | Sokmalis Ngov | | Consent Order |
| 17. | 2016-03413 | Sovanmlis Ok | | Consent Order |
| 18. | 2016-03418 | Tai Van Nguyen | | Consent Order |
| 19. | 2016-03421 | Hung T. Tran | | Consent Order |
| 20. | 2017-02420 | Tuyen Thi Kim Vo | | Consent Order |
| 21. | 2017-02422 | Nga My Nguyen | | Consent Order |
| 22. | 2019-02717 | Sugaring House Inc | | Consent Order |
| 23. | 2019-02797 | Belmont Barber | | Consent Order |
| 24. | 2020-00291 | Maniluxx Nails and Spa Inc. | | Consent Order |
| 25. | 2020-00481 | Yen Beauty Academy | | Consent Order |
| 26. | 2016-02936 | Adilia Carcamo | | Prima Facie |

27. 2016-02959	Anh Phuong Thi Vo	Prima Facie
28. 2016-02969	Victoria T. Vu	Prima Facie
29. 2016-02974	Huyen T. Le	Prima Facie
30. 2016-02975	Navi Kong	Prima Facie
31. 2016-02986	Bang Van Phan	Prima Facie
32. 2016-03011	Khoa Anh Nguyen	Prima Facie
33. 2016-03012	Thao T. Nguyen	Prima Facie
34. 2016-03029	Thi Nhat Van	Prima Facie
35. 2016-03068	Kim Thoa Thi Nguyen	Prima Facie
36. 2016-03080	Lam Thanh T. Nguyen	Prima Facie
37. 2016-03089	Ngoc Nguyen T. Van	Prima Facie
38. 2016-03110	Chi Tran	Prima Facie
39. 2016-03140	Le Nim Thi Dang	Prima Facie
40. 2016-03175	Dan Thanh Vu Dang	Prima Facie
41. 2016-03185	Diem Thuy Thi Vo-Cao	Prima Facie
42. 2016-03188	Noudnoi Phothi-Boupha	Prima Facie
43. 2016-03195	Phuc Huu Dao	Prima Facie
44. 2016-03217	Thu Thuy Thi Vo	Prima Facie
45. 2016-03222	Thuong Thi Le	Prima Facie
46. 2016-03238	Loan T. Tran	Prima Facie
47. 2016-03246	Loan Bui aka Thuy Loan Thi Bui	Prima Facie
48. 2016-03253	Thy T. Dang	Prima Facie
49. 2016-03262	Tung Minh Nguyen	Prima Facie
50. 2016-03267	Luan T. Vo	Prima Facie
51. 2016-03285	Tuyet K. Truong	Prima Facie
52. 2016-03286	Minh Duy Nguyen	Prima Facie
53. 2016-03325	Hau Thi Thanh Tran	Prima Facie
54. 2016-03330	Tra My Dao	Prima Facie
55. 2016-03385	Phuong Thi Thu Phan	Prima Facie
56. 2016-03393	Hong T. Nguyen	Prima Facie
57. 2016-03420	Hung V. Nguyen	Prima Facie
58. 2016-03434	Tu Thi Tran	Prima Facie
59. 2016-03445	Thuy Trang Thi Pham	Prima Facie
60. 2017-02267	Van N. Nguyen	Prima Facie
61. 2017-02290	Phuong Thanh T. Nguyen	Prima Facie
62. 2017-02423	Bach Tuyet Thi Tran	Prima Facie

63. 2019-01404	Steve Jackson Marshall	(Acosta)	Prima Facie
64. 2019-03014	Jabar Ali Taylor		Licensing
65. 2020-00791	Antonio Cortez Monroe		Licensing
66. 2020-01118	Vanessa Jean Hinton		Licensing
67. 2020-01133	Mark Evan Holt		Licensing
68. 2020-01134	MIDI EAST C.B. LLC		Licensing
69. 2020-01187	Anthony Damien Austin		Licensing
70. 2020-01203	Lorin William Hay		Licensing
71. 2020-01205	Presley T. Williams		Licensing
72. 2020-01352	Bruce Charles Caskinette		Licensing
73. 2020-01419	Reginald Shellman		Licensing
74. 2020-01510	James Edward Thornton		Licensing
75. 2020-01511	Kara Lynn Sweet		Licensing
76. 2020-01735	Sandra Mary Russo		Licensing
77. 2020-01802	Ryan Huston VanDyke		Licensing
78. 2020-01805	Reginald Stephone Tucker		Licensing
79. 2020-01845	John David Fauls, Jr.		Licensing
80. 2020-01846	Remedy Styles Corp		Licensing
81. 2020-01875	Khalil Bouzghaia		Licensing
82. 2020-01877	Don Cornelius Cypress		Licensing

VII. EXAMINATIONS

A. STATISTICS

B. REPORT ON EXAMINATIONS

VIII. REGULATORY ACTION AND BOARD GUIDANCE

A. REGULATORY REPORT

B. GUIDANCE DOCUMENT REVISION – REDUCE RESTRICTIONS FOR ONLINE INSTRUCTION

IX. NEW BUSINESS

X. ADJOURN

* 5-minute public comment, with the exception of any open disciplinary files. Persons desiring to attend the meeting and requiring special accommodations and/or interpretive services should contact the Board Office at (804) 367-8590 at least ten (10) days before the meeting so that suitable arrangements can be made for an appropriate accommodation. The Department and Board fully comply with the Americans with Disabilities Act.

NEXT MEETING DATE: September 14, 2020

**REMAINING 2020 MEETING DATE:
November 9, 2020**

BOARD FOR BARBERS AND COSMETOLOGY

DRAFT MINUTES OF MEETING

The Board for Barbers and Cosmetology met on Monday, March 9, 2020, at the Offices of the Department of Professional and Occupational Regulation, 9960 Mayland Drive, 2nd Floor, Board Room 4, Richmond, Virginia. The following board members were present:

Oanh Pham Kim Dang
Margaret B. LaPierre
Alfred O. Mayes
Anne Rogers
Lonnie Quesenberry
Matthew D. Roberts

The following board members were not present:

Gilda Acosta
Renee' H. Gilanshah
Darrin L. Hill
Josie R. Mace

DPOR staff present for all or part of the meeting included:

Mary Broz-Vaughan, Agency Director
Stephen Kirschner, Executive Director
Tamika Rodriguez, Licensing Operations Administrator
Cathy Clark, Administrative Assistant

Representative from the Office of the Attorney General was present for all or part of the meeting by telephone:

Elizabeth Peay, Assistant Attorney General

Ms. LaPierre, Chair, determined a quorum was present and called the meeting to order at 9:13 a.m.

Call to Order

The Board took the agenda under consideration. Ms. LaPierre asked for any amendments. Mr. Kirschner indicated that four cases were removed from the Tentative Agenda after it was distributed to the Board. The cases, removed, as the respondents have requested IFF Conferences, were 2016-03253, Thy T. Dang; 2016-03286, Minh Duy Nguyen; 2016-03464, Yen Van Nhuc; and 2017-07423, Bach Tuyet Thi Tran.

**Approval of
Agenda**

Upon a motion by Mr. Roberts and seconded by Mr. Quesenberry, the Board voted to adopt the amended Agenda.

The members voting 'yes' were Ms. Dang, Ms. LaPierre, Mr. Mayes, Mr. Quesenberry, Mr. Roberts, and Ms. Rogers. There were no negative votes.

The motion passed unanimously.

The Board took the minutes of the January 13, 2020 Board Meeting under consideration. Ms. LaPierre asked for any amendments. There were none.

Upon a motion by Mr. Quesenberry and seconded by Mr. Roberts, the Board voted to approve the minutes.

The members voting 'yes' were Ms. Dang, Ms. LaPierre, Mr. Mayes, Mr. Quesenberry, Mr. Roberts, and Ms. Rogers. There were no negative votes. The motion passed unanimously.

Mr. Kirschner introduced three written communications, two of which were included in the electronic agenda provided to the Board in advance, and one of which was received at a later date and provided to the Board for its review at the meeting. Mr. Kirschner then afforded the Board an opportunity to review the communications, which included (1) an email from Leandra Doucet in support of reducing cosmetologist training hours; (2) an email from Kelvin L. Rosado regarding safety and sanitation for barbers, and (3) an email from Salvatore Spano, via the Governor's Office, objecting to a reduction in training hours.

Ms. LaPierre asked if there was public comment.

David Battiston an esthetics student, addressed the Board regarding concerns about using live models for esthetician practical examinations.

Ashlyn Landrum, a cosmetology student, addressed the Board regarding below-average school standards and made recommendations for more hands-on training in salons unrelated to apprenticeships, more online instruction, and a reduction of training hours to 800 – 1000 and supplemental education obtained outside of the school program.

Lisa Hall, a licensed barber, addressed the Board regarding her concerns about moves to deregulate the industry and the reduction of training hours. She also expressed concern about unlicensed activity and the lack of barber shop inspections.

Upon a motion by Mr. Quesenberry and seconded by Mr. Roberts, the Board voted to consider and accept the six (6) Consent Order cases as a block.

The members voting 'yes' were Ms. Dang, Ms. LaPierre, Mr. Mayes, Mr. Quesenberry, Mr. Roberts, and Ms. Rogers. There were no negative votes. The motion passed unanimously.

**Approval of
Minutes for the
January 13, 2020
Meeting of the
Board for Barbers
and Cosmetology**

Communications

Public Comment

Cases

**Board Considers
and Approves
Consent Order
Cases As Block**

In the matter of **File Number 2016-02955, Anh Phung Duong**, the Board reviewed the record, which consisted of the Consent Order. Anh Phung Duong did not appear at the meeting in person, by counsel, or by any other qualified representative.

File Number 2016-02955 Anh Phung Duong

By signing the Consent Order, Anh Phung Duong acknowledges an understanding of the charges and admits to the violation of the Count as outlined in the Report of Findings and consents to the following term(s):

Count 1:	18 VAC 41-20-280.A.3 (Three Violations)	\$ 2,250.00

SUB-TOTAL (MONETARY PENALTIES)		\$ 2,250.00
BOARD COSTS		\$ 150.00
TOTAL		\$ 2,400.00

In addition, for violation of Count 1, Anh Phung Duong agrees to revocation of her Cosmetologist license, Number 1201112928.

Upon a motion by Mr. Quesenberry and seconded by Mr. Roberts, the Board voted to accept the Consent Order.

The members voting 'yes' were Ms. Dang, Ms. LaPierre, Mr. Mayes, Mr. Quesenberry, Mr. Roberts, and Ms. Rogers. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2016-03046, Bounheuang Fanekham**, the Board reviewed the record, which consisted of the Consent Order. Bounheuang Fanekham did not appear at the meeting in person, by counsel, or by any other qualified representative.

File Number 2016-03046 Bounheuang Fanekham

By signing the Consent Order, Bounheuang Fanekham acknowledges an understanding of the charges and admits to the violation of the Count as outlined in the Report of Findings and consents to the following term(s):

Count 1:	18 VAC 41-20-280.A.3 (Three Violations)	\$ 1,500.00

SUB-TOTAL (MONETARY PENALTIES)		\$ 1,500.00
BOARD COSTS		\$ 150.00
TOTAL		\$ 1,650.00

In addition, for violation of Count 1, Bounheuang Fanekham agrees to revocation of her Cosmetologist license, Number 1201113117.

Upon a motion by Mr. Quesenberry and seconded by Mr. Roberts, the Board voted to accept the Consent Order.

The members voting 'yes' were Ms. Dang, Ms. LaPierre, Mr. Mayes, Mr. Quesenberry, Mr. Roberts, and Ms. Rogers. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2016-03053, Chau Kim Ly**, the Board reviewed the record, which consisted of the Consent Order. Chau Kim Ly did not appear at the meeting in person, by counsel, or by any other qualified representative. **File Number 2016-03053 Chau Kim Ly**

By signing the Consent Order, Chau Kim Ly acknowledges an understanding of the charges and admits to the violation of the Count as outlined in the Report of Findings and consents to the following term(s):

Count 1:	18 VAC 41-20-280.A.3	\$ 2,250.00

	SUB-TOTAL (MONETARY PENALTIES)	\$ 2,250.00
	BOARD COSTS	\$ 150.00
	TOTAL	\$ 2,400.00

In addition, for violation of Count 1, Chau Kim Ly agrees to revocation of her Nail Technician license, Number 1206019336.

Upon a motion by Mr. Quesenberry and seconded by Mr. Roberts, the Board voted to accept the Consent Order.

The members voting 'yes' were Ms. Dang, Ms. LaPierre, Mr. Mayes, Mr. Quesenberry, Mr. Roberts, and Ms. Rogers. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2016-03070 Kimnai Suon**, the Board reviewed the record, which consisted of the Consent Order. Kimnai Suon did not appear at the meeting in person, by counsel, or by any other qualified representative. **File Number 2016-03070 Kimnai Suon**

By signing the Consent Order, Kimnai Suon acknowledges an understanding of the charges and admits to the violation of the Count as outlined in the Report of Findings and consents to the following term(s):

Count 1:	18 VAC 41-20-280.A.3	\$ 0.00
	(Three Violations)	
Count 2:	18 VAC 41-20-280.6	

SUB-TOTAL (MONETARY PENALTIES)	\$ 0.00
BOARD COSTS	\$ 150.00
TOTAL	\$ 150.00

In addition, for violation of Counts 1 and 2, Kimnai Suon agrees to revocation of her Cosmetologist license, Number 1201118444.

Upon a motion by Mr. Quesenberry and seconded by Mr. Roberts, the Board voted to accept the Consent Order.

The members voting 'yes' were Ms. Dang, Ms. LaPierre, Mr. Mayes, Mr. Quesenberry, Mr. Roberts, and Ms. Rogers. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2016-03151, Lien Nhuan Do**, the Board reviewed the record, which consisted of the Consent Order. Lien Nhuan Do did not appear at the meeting in person, by counsel, or by any other qualified representative.

File Number 2016-03151 Lien Nhuan Do

By signing the Consent Order, Lien Nhuan Do acknowledges an understanding of the charges and admits to the violation of the Count as outlined in the Report of Findings and consents to the following term(s):

Count 1:	18 VAC 41-20-280.A.3	\$ 2,250.00

SUB-TOTAL (MONETARY PENALTIES)		\$ 2,250.00
BOARD COSTS		\$ 150.00
TOTAL		\$ 2,400.00

In addition, for violation of Count 1, Lien Nhuan Do agrees to revocation of her Nail Technician license, Number 1206019362.

Upon a motion by Mr. Quesenberry and seconded by Mr. Roberts, the Board voted to accept the Consent Order.

The members voting 'yes' were Ms. Dang, Ms. LaPierre, Mr. Mayes, Mr. Quesenberry, Mr. Roberts, and Ms. Rogers. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2016-03237 Thuy Trang Thi Huynh**, the Board reviewed the record, which consisted of the Consent Order. Thuy Trang Thi Huynh did not appear at the meeting in person, by counsel, or by any other qualified representative.

File Number 2016-03237 Thuy Trang Thi Huynh

By signing the Consent Order, Thuy Trang Thi Huynh acknowledges an understanding of the charges and admits to the violation of the Count as outlined in the Report of Findings and consents to the following term(s):

Count 1:	18 VAC 41-20-280.A.3 (Four Violations)	\$ 2,250.00
SUB-TOTAL (MONETARY PENALTIES)		\$ 2,250.00
BOARD COSTS		\$ 150.00
TOTAL		\$ 2,400.00

In addition, for violation of Count 1, Thy Trang Thi Huynh agrees to revocation of her Cosmetologist license, Number 1201121444.

Upon a motion by Mr. Quesenberry and seconded by Mr. Roberts, the Board voted to accept the Consent Order.

The members voting 'yes' were Ms. Dang, Ms. LaPierre, Mr. Mayes, Mr. Quesenberry, Mr. Roberts, and Ms. Rogers. There were no negative votes. The motion passed unanimously.

Upon a motion by Mr. Mayes and seconded by Ms. Rogers, the Board voted to consider the twenty-two (22) remaining Prima Facie cases as a block, accept the violations, and approve the sanctions.

**Board Considers
and Approves
Remaining Prima
Facie Cases As A
Block**

The members voting 'yes' were Ms. Dang, Ms. LaPierre, Mr. Mayes, Mr. Quesenberry, Mr. Roberts, and Ms. Rogers. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2016-02934, Thanh-Thuy Thi Le**, the Board reviewed the record, which consisted of the Notice of Prima Facie Case, Report of Findings, including exhibits, and the Recommendation. Thanh-Thuy Thi Le did not appear at the meeting in person, by counsel or by any other qualified representative.

**File Number 2016-
02934 Thanh-Thuy
Thi Le**

Concerning Counts 1 and 2, upon a motion by Mr. Mayes and seconded by Ms. Rogers, the Board adopted the Report of Findings which contains the facts regarding the regulatory and/or statutory issues in this matter, and found substantial evidence that Thanh-Thuy Thi Le violated the following sections of its Regulations and imposes the listed monetary penalties:

Count 1:	18 VAC 41-20-280.A.3 (Two violations - \$2,250 each)	\$ 4,500.00
Count 2:	18 VAC 41-20-280.6	\$ 2,350.00

TOTAL \$ 6,850.00

The Board also imposes the following sanction: Revocation of Thanh-Thuy Thi Le's Cosmetologist license, 1201115409, for violation of Counts 1 and 2.

The members voting 'yes' were Ms. Dang, Ms. LaPierre, Mr. Mayes, Mr. Quesenberry, Mr. Roberts, and Ms. Rogers. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2016-02946, Andy Phan**, the Board reviewed the record, which consisted of the Notice of Prima Facie Case, Report of Findings, including exhibits, and the Recommendation. Andy Phan did not appear at the meeting in person, by counsel or by any other qualified representative.

File Number 2016-02946 Andy Phan

Concerning Counts 1 and 2, upon a motion by Mr. Mayes and seconded by Ms. Rogers, the Board adopted the Report of Findings which contains the facts regarding the regulatory and/or statutory issues in this matter, and found substantial evidence that Andy Phan violated the following sections of its Regulations and imposes the listed monetary penalties.

Count 1:	18 VAC 41-20-280.A.3 (Three violations - \$2,250 each)	\$ 6,750.00
Count 2:	18 VAC 41-20-280.6	\$ 2,350.00
TOTAL		\$ 9,100.00

The Board also imposes the following sanction: Revocation of Andy Phan's Cosmetologist license, 1201114084, for violation of Counts 1 and 2.

The members voting 'yes' were Ms. Dang, Ms. LaPierre, Mr. Mayes, Mr. Quesenberry, Mr. Roberts, and Ms. Rogers. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2016-02961, My Tien Thi Tran**, the Board reviewed the record, which consisted of the Notice of Prima Facie Case, Report of Findings, including exhibits, and the Recommendation. My Tien Thi Tran did not appear at the meeting in person, by counsel or by any other qualified representative.

File Number 2016-02961 My Tien Thi Tran

Concerning Count 1, upon a motion by Mr. Mayes and seconded by Ms. Rogers, the Board adopted the Report of Findings which contains the facts regarding the regulatory and/or statutory issues in this matter, and found substantial evidence that My Tien Thi Tran violated the following sections of

its Regulations and imposes the listed monetary penalties:

Count 1:	18 VAC 41-20-280.A.3 (Three violations - \$2,250 each)	\$ 6,750.00
TOTAL		----- \$ 6,750.00

The Board also imposes the following sanction: Revocation of My Tien Thi Tran's Cosmetologist license, 1201116442, for violation of Count 1.

The members voting 'yes' were Ms. Dang, Ms. LaPierre, Mr. Mayes, Mr. Quesenberry, Mr. Roberts, and Ms. Rogers. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2016-02965, Anh-Pham Nguyet Quach**, the Board reviewed the record, which consisted of the Notice of Prima Facie Case, Report of Findings, including exhibits, and the Recommendation. Anh-Pham Nguyet Quach did not appear at the meeting in person, by counsel or by any other qualified representative.

File Number 2016-02965 Anh-Pham Nguyet Quach

Concerning Counts 1 and 2, upon a motion by Mr. Mayes and seconded by Ms. Rogers, the Board adopted the Report of Findings which contains the facts regarding the regulatory and/or statutory issues in this matter, and found substantial evidence that Anh-Pham Nguyet Quach violated the following sections of its Regulations and imposes the listed monetary penalties:

Count 1:	18 VAC 41-20-280.A.3 (Three violations - \$2,250 each)	\$ 6,750.00
Count 2:	18 VAC 41-20-280.6	\$ 2,000.00
TOTAL		----- \$ 8,750.00

The Board also imposes the following sanction: Revocation of Anh-Pham Nguyet Quach's Cosmetologist license, 1201112410, for violation of Counts 1 and 2.

The members voting 'yes' were Ms. Dang, Ms. LaPierre, Mr. Mayes, Mr. Quesenberry, Mr. Roberts, and Ms. Rogers. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2016-02977, Ivy Ton**, the Board reviewed the record, which consisted of the Notice of Prima Facie Case, Report of Findings, including exhibits, and the Recommendation. Ivy Ton did not appear at the meeting in person, by counsel or by any other qualified

File Number 2016-02977 Ivy Ton

representative.

Concerning Count 1, upon a motion by Mr. Mayes and seconded by Ms. Rogers, the Board adopted the Report of Findings which contains the facts regarding the regulatory and/or statutory issues in this matter, and found substantial evidence that Ivy Ton violated the following sections of its Regulations and imposes the listed monetary penalties:

Count 1:	18 VAC 41-20-280.A.3	\$ 2,250.00

TOTAL		\$ 2,250.00

The Board also imposes the following sanction: Revocation of Ivy Ton's Cosmetologist license, 1201107188, for violation of Count 1.

The members voting 'yes' were Ms. Dang, Ms. LaPierre, Mr. Mayes, Mr. Quesenberry, Mr. Roberts, and Ms. Rogers. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2016-03032, Thi Mai Nguyen**, the Board reviewed the record, which consisted of the Notice of Prima Facie Case, Report of Findings, including exhibits, and the Recommendation. Thi Mai Nguyen did not appear at the meeting in person, by counsel or by any other qualified representative.

File Number 2016-03032 Thi Mai Nguyen

Concerning Counts 1 and 2, upon a motion by Mr. Mayes and seconded by Ms. Rogers, the Board adopted the Report of Findings which contains the facts regarding the regulatory and/or statutory issues in this matter, and found substantial evidence that Thi Mai Nguyen violated the following sections of its Regulations and imposes the listed monetary penalties:

Count 1:	18 VAC 41-20-280.A.3 (Three violations - \$2,250 each)	\$ 6,750.00
Count 2:	18 VAC 41-20-280.6	\$ 2,350.00

TOTAL		\$ 9,100.00

The Board also imposes the following sanction: Revocation of Thi Mai Nguyen's Cosmetologist license, 1201109504, for violation of Counts 1 and 2.

The members voting 'yes' were Ms. Dang, Ms. LaPierre, Mr. Mayes, Mr. Quesenberry, Mr. Roberts, and Ms. Rogers. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2016-03079, Lam Thi Thao Pham**, the Board reviewed the record, which consisted of the Notice of Prima Facie Case, Report of Findings, including exhibits, and the Recommendation. Lam Thi Thao Pham did not appear at the meeting in person, by counsel or by any other qualified representative.

File Number 2016-03079 Lam Thi Thao Pham

Concerning Count 1, upon a motion by Mr. Mayes and seconded by Ms. Rogers, the Board adopted the Report of Findings which contains the facts regarding the regulatory and/or statutory issues in this matter, and found substantial evidence that Lam Thi Thao Pham violated the following sections of its Regulations and imposes the listed monetary penalties:

Count 1:	18 VAC 41-20-280.A.3 (Two violations - \$2,250 each)	\$ 4,500.00
TOTAL		\$ 4,500.00

The Board also imposes the following sanction: Revocation of Lam Thi Thao Pham's Cosmetologist license, 1201121711, for violation of Count 1.

The members voting 'yes' were Ms. Dang, Ms. LaPierre, Mr. Mayes, Mr. Quesenberry, Mr. Roberts, and Ms. Rogers. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2016-03204, Phuong Ngoc Huynh**, the Board reviewed the record, which consisted of the Notice of Prima Facie Case, Report of Findings, including exhibits, and the Recommendation. Phuong Ngoc Huynh did not appear at the meeting in person, by counsel or by any other qualified representative.

File Number 2016-03204 Phuong Ngoc Huynh

Concerning Counts 1 and 2, upon a motion by Mr. Mayes and seconded by Ms. Rogers, the Board adopted the Report of Findings which contains the facts regarding the regulatory and/or statutory issues in this matter, and found substantial evidence that Phuong Ngoc Huynh violated the following sections of its Regulations and imposes the listed monetary penalties:

Count 1:	18 VAC 41-20-280.A.3	\$ 2,250.00
Count 2:	18 VAC 41-20-280.6	\$ 2,350.00
TOTAL		\$ 4,600.00

The Board also imposes the following sanction: Revocation of Phuong Ngoc Huynh's Cosmetologist license, 1201116489, for violation of Counts 1 and 2.

The members voting 'yes' were Ms. Dang, Ms. LaPierre, Mr. Mayes, Mr. Quesenberry, Mr. Roberts, and Ms. Rogers. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2016-03221, Thuy-Huyen T. Bach**, the Board reviewed the record, which consisted of the Notice of Prima Facie Case, Report of Findings, including exhibits, and the Recommendation. Thuy-Huyen T. Bach did not appear at the meeting in person, by counsel or by any other qualified representative.

File Number 2016-03221 Thuy-Huyen T. Bach

Concerning Count 1, upon a motion by Mr. Mayes and seconded by Ms. Rogers, the Board adopted the Report of Findings which contains the facts regarding the regulatory and/or statutory issues in this matter, and found substantial evidence that Thuy-Huyen T. Bach violated the following sections of its Regulations and imposes the listed monetary penalties:

Count 1:	18 VAC 41-20-280.A.3	\$ 2,250.00

TOTAL		\$ 2,250.00

The Board also imposes the following sanction: Revocation of Thuy-Huyen T. Bach's Cosmetologist license, 1201111615, for violation of Count 1.

The members voting 'yes' were Ms. Dang, Ms. LaPierre, Mr. Mayes, Mr. Quesenberry, Mr. Roberts, and Ms. Rogers. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2016-03241, Thuy Chau Khanh Do**, the Board reviewed the record, which consisted of the Notice of Prima Facie Case, Report of Findings, including exhibits, and the Recommendation. Thuy Chau Khanh Do did not appear at the meeting in person, by counsel or by any other qualified representative.

File Number 2016-03241 Thuy Chau Khanh Do

Concerning Count 1, upon a motion by Mr. Mayes and seconded by Ms. Rogers, the Board adopted the Report of Findings which contains the facts regarding the regulatory and/or statutory issues in this matter, and found substantial evidence that Thuy Chau Khanh Do violated the following sections of its Regulations and imposes the listed monetary penalties:

Count 1:	18 VAC 41-20-280.A.3 (Three violations - \$2,250 each)	\$ 6,750.00

TOTAL		\$ 6,750.00

The Board also imposes the following sanction: Revocation of Thuy Chau Khanh Do's Cosmetologist license, 1201118623, for violation of Count 1.

The members voting 'yes' were Ms. Dang, Ms. LaPierre, Mr. Mayes, Mr. Quesenberry, Mr. Roberts, and Ms. Rogers. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2016-03244, Thuy T. Dao**, the Board reviewed the record, which consisted of the Notice of Prima Facie Case, Report of Findings, including exhibits, and the Recommendation. Thuy T. Dao did not appear at the meeting in person, by counsel or by any other qualified representative. **File Number 2016-03244 Thuy T. Dao**

Concerning Counts 1 and 2, upon a motion by Mr. Mayes and seconded by Ms. Rogers, the Board adopted the Report of Findings which contains the facts regarding the regulatory and/or statutory issues in this matter, and found substantial evidence that Thuy T. Dao violated the following sections of its Regulations and imposes the listed monetary penalties:

Count 1:	18 VAC 41-20-280.A.3 (Two violations - \$2,250 each)	\$ 4,500.00
Count 2:	18 VAC 41-20-280.5	\$ 2,350.00

TOTAL		\$ 6,850.00

The Board also imposes the following sanction: Revocation of Thuy T. Dao's Cosmetologist license, 1201121470, for violation of Counts 1 and 2.

The members voting 'yes' were Ms. Dang, Ms. LaPierre, Mr. Mayes, Mr. Quesenberry, Mr. Roberts, and Ms. Rogers. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2016-03271, Giang Tran Huong Le**, the Board reviewed the record, which consisted of the Notice of Prima Facie Case, Report of Findings, including exhibits, and the Recommendation. Giang Tran Huong Le did not appear at the meeting in person, by counsel or by any other qualified representative. **File Number 2016-03271 Giang Tran Huong Le**

Concerning Counts 1 and 2, upon a motion by Mr. Mayes and seconded by Ms. Rogers, the Board adopted the Report of Findings which contains the facts regarding the regulatory and/or statutory issues in this matter, and found substantial evidence that Giang Tran Huong Le violated the following sections of its Regulations and imposes the listed monetary penalties:

Count 1:	18 VAC 41-20-280.A.3	\$ 6,750.00
----------	----------------------	-------------

	(Three violations - \$2,250 each)	
Count 2:	18 VAC 41-20-280.6	\$ 2,350.00

TOTAL		\$ 9,100.00

The Board also imposes the following sanction: Revocation of Giang Tran Huong Le's Cosmetologist license, 1201119854, for violation of Counts 1 and 2.

The members voting 'yes' were Ms. Dang, Ms. LaPierre, Mr. Mayes, Mr. Quesenberry, Mr. Roberts, and Ms. Rogers. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2016-03308, Daniel Nguyen**, the Board reviewed the record, which consisted of the Notice of Prima Facie Case, Report of Findings, including exhibits, and the Recommendation. Daniel Nguyen did not appear at the meeting in person, by counsel or by any other qualified representative.

File Number 2016-03308 Daniel Nguyen

Concerning Counts 1 and 2, upon a motion by Mr. Mayes and seconded by Ms. Rogers, the Board adopted the Report of Findings which contains the facts regarding the regulatory and/or statutory issues in this matter, and found substantial evidence that Daniel Nguyen violated the following sections of its Regulations and imposes the listed monetary penalties:

Count 1:	18 VAC 41-20-280.A.3	\$ 6,750.00
	(Two violations - \$2,250 each)	
Count 2:	18 VAC 41-20-280.6	\$ 2,350.00

TOTAL		\$ 9,100.00

The Board also imposes the following sanction: Revocation of Daniel Nguyen's Cosmetologist license, 1201120651, for violation of Counts 1 and 2.

The members voting 'yes' were Ms. Dang, Ms. LaPierre, Mr. Mayes, Mr. Quesenberry, Mr. Roberts, and Ms. Rogers. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2016-03327, Toan Thanh Nguyen**, the Board reviewed the record, which consisted of the Notice of Prima Facie Case, Report of Findings, including exhibits, and the Recommendation. Toan Thanh Nguyen did not appear at the meeting in person, by counsel or by any other qualified representative.

File Number 2016-03327 Toan Thanh Nguyen

DRAFT AGENDA
 Materials contained in this agenda are proposed topics for discussion and are not to be construed as regulation or official Board position.

Concerning Count 1, upon a motion by Mr. Mayes and seconded by Ms. Rogers, the Board adopted the Report of Findings which contains the facts regarding the regulatory and/or statutory issues in this matter, and found substantial evidence that Toan Thanh Nguyen violated the following sections of its Regulations and imposes the listed monetary penalties:

Count 1:	18 VAC 41-20-280.A.3 (Two violations - \$2,250 each)	\$ 4,500.00
TOTAL		\$ 4,500.00

The Board also imposes the following sanction: Revocation of Toan Thanh Nguyen's Cosmetologist license, 1201119637, for violation of Count 1.

The members voting 'yes' were Ms. Dang, Ms. LaPierre, Mr. Mayes, Mr. Quesenberry, Mr. Roberts, and Ms. Rogers. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2016-03415, Sum Thi Tran**, the Board reviewed the record, which consisted of the Notice of Prima Facie Case, Report of Findings, including exhibits, and the Recommendation. Sum Thi Tran did not appear at the meeting in person, by counsel or by any other qualified representative.

File Number 2016-03415 Sum Thi Tran

Concerning Counts 1 and 2, upon a motion by Mr. Mayes and seconded by Ms. Rogers, the Board adopted the Report of Findings which contains the facts regarding the regulatory and/or statutory issues in this matter, and found substantial evidence that Sum Thi Tran violated the following sections of its Regulations and imposes the listed monetary penalties:

Count 1:	18 VAC 41-20-280.A.3 (Two violations - \$2,250 each)	\$ 4,500.00
Count 2:	18 VAC 41-20-280.6	\$ 2,000.00
TOTAL		\$ 6,500.00

The Board also imposes the following sanction: Revocation of Sum Thi Tran's Cosmetologist license, 1201114621, for violation of Counts 1 and 2.

The members voting 'yes' were Ms. Dang, Ms. LaPierre, Mr. Mayes, Mr. Quesenberry, Mr. Roberts, and Ms. Rogers. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2016-03425, Tam Minh Tran**, the Board

File Number 2016-

reviewed the record, which consisted of the Notice of Prima Facie Case, Report of Findings, including exhibits, and the Recommendation. Tam Minh Tran did not appear at the meeting in person, by counsel or by any other qualified representative.

**03425 Tam Minh
Tran**

Concerning Count 1, upon a motion by Mr. Mayes and seconded by Ms. Rogers, the Board adopted the Report of Findings which contains the facts regarding the regulatory and/or statutory issues in this matter, and found substantial evidence that Tam Minh Tran violated the following sections of its Regulations and imposes the listed monetary penalties:

Count 1:	18 VAC 41-20-280.A.3 (Three violations - \$2,250 each)	\$ 6,750.00 -----
TOTAL		\$ 6,750.00

The Board also imposes the following sanction: Revocation of Tam Minh Tran's Cosmetologist license, 1201121463, for violation of Count 1.

The members voting 'yes' were Ms. Dang, Ms. LaPiette, Mr. Mayes, Mr. Quesenberry, Mr. Roberts, and Ms. Rogers. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2016-03435, Vivian Phuong Tran**, the Board reviewed the record, which consisted of the Notice of Prima Facie Case, Report of Findings, including exhibits, and the Recommendation. Vivian Phuong Tran did not appear at the meeting in person, by counsel or by any other qualified representative.

**File Number 2016-
03435 Vivian
Phuong Tran**

Concerning Counts 1 and 2, upon a motion by Mr. Mayes and seconded by Ms. Rogers, the Board adopted the Report of Findings which contains the facts regarding the regulatory and/or statutory issues in this matter, and found substantial evidence that Vivian Phuong Tran violated the following sections of its Regulations and imposes the listed monetary penalties:

Count 1:	18 VAC 41-20-280.A.3 (Three violations - \$2,250 each)	\$ 6,750.00
Count 2:	18 VAC 41-20-280.6	\$ 2,350.00 -----
TOTAL		\$ 9,100.00

The Board also imposes the following sanction: Revocation of Vivian Phuong Tran's Cosmetologist license, 1201109281, for violation of Counts 1 and 2.

The members voting ‘yes’ were Ms. Dang, Ms. LaPierre, Mr. Mayes, Mr. Quesenberry, Mr. Roberts, and Ms. Rogers. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2016-03446, Vy Thuy Hoang**, the Board reviewed the record, which consisted of the Notice of Prima Facie Case, Report of Findings, including exhibits, and the Recommendation. Vy Thuy Hoang did not appear at the meeting in person, by counsel or by any other qualified representative.

File Number 2016-03446 Vy Thuy Hoang

Concerning Counts 1 and 2, upon a motion by Mr. Mayes and seconded by Ms. Rogers, the Board adopted the Report of Findings which contains the facts regarding the regulatory and/or statutory issues in this matter, and found substantial evidence that Vy Thuy Hoang violated the following sections of its Regulations and imposes the listed monetary penalties:

Count 1:	18 VAC 41-20-280.A.3 (Three violations - \$2,250 each)	\$ 6,750.00
Count 2:	18 VAC 41-20-280.6	\$ 2,350.00
TOTAL		----- \$ 9,100.00

The Board also imposes the following sanction: Revocation of Vy Thuy Hoang’s Cosmetologist license, 1201113060, for violation of Counts 1 and 2.

The members voting ‘yes’ were Ms. Dang, Ms. LaPierre, Mr. Mayes, Mr. Quesenberry, Mr. Roberts, and Ms. Rogers. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2017-02273, Tam Thi Nguyen**, the Board reviewed the record, which consisted of the Notice of Prima Facie Case, Report of Findings, including exhibits, and the Recommendation. Tam Thi Nguyen did not appear at the meeting in person, by counsel or by any other qualified representative.

File Number 2017-02273 Tam Thi Nguyen

Concerning Count 1, upon a motion by Mr. Mayes and seconded by Ms. Rogers, the Board adopted the Report of Findings which contains the facts regarding the regulatory and/or statutory issues in this matter, and found substantial evidence that Tam Thi Nguyen violated the following sections of its Regulations and imposes the listed monetary penalties:

Count 1:	18 VAC 41-20-280.A.3	\$ 2,250.00
TOTAL		----- \$ 2,250.00

The Board also imposes the following sanction: Revocation of Tam Thi Nguyen's Cosmetologist license, 1201106827, for violation of Count 1.

The members voting 'yes' were Ms. Dang, Ms. LaPierre, Mr. Mayes, Mr. Quesenberry, Mr. Roberts, and Ms. Rogers. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2017-02300, Sonita Chea**, the Board reviewed the record, which consisted of the Notice of Prima Facie Case, Report of Findings, including exhibits, and the Recommendation. Sonita Chea did not appear at the meeting in person, by counsel or by any other qualified representative. **File Number 2017-02300 Sonita Chea**

Concerning Counts 1 and 2, upon a motion by Mr. Mayes and seconded by Ms. Rogers, the Board adopted the Report of Findings which contains the facts regarding the regulatory and/or statutory issues in this matter, and found substantial evidence that Sonita Chea violated the following sections of its Regulations and imposes the listed monetary penalties.

Count 1:	18 VAC 41-20-280.A.3	\$ 2,250.00
Count 2:	18 VAC 41-20-280.6	\$ 2,350.00

TOTAL		\$ 4,600.00

The Board also imposes the following sanction: Revocation of Sonita Chea's Nail Technician license, 1206019371, for violation of Counts 1 and 2.

The members voting 'yes' were Ms. Dang, Ms. LaPierre, Mr. Mayes, Mr. Quesenberry, Mr. Roberts, and Ms. Rogers. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2017-02425, Tien Hong Nguyen**, the Board reviewed the record, which consisted of the Notice of Prima Facie Case, Report of Findings, including exhibits, and the Recommendation. Tien Hong Nguyen did not appear at the meeting in person, by counsel or by any other qualified representative. **File Number 2017-02425 Tien Hong Nguyen**

Concerning Counts 1 and 2, upon a motion by Mr. Mayes and seconded by Ms. Rogers, the Board adopted the Report of Findings which contains the facts regarding the regulatory and/or statutory issues in this matter, and found substantial evidence that Tien Hong Nguyen violated the following sections of its Regulations and imposes the listed monetary penalties:

Count 1:	18 VAC 41-20-280.A.3 (Two violations - \$2,250 each)	\$ 4,500.00
----------	---	-------------

Count 2:	18 VAC 41-20-280.6	\$ 2,350.00

TOTAL		\$ 6,850.00

The Board also imposes the following sanction: Revocation of Tien Hong Nguyen's Cosmetologist license, 1201110333, for violation of Counts 1 and 2.

The members voting 'yes' were Ms. Dang, Ms. LaPierre, Mr. Mayes, Mr. Quesenberry, Mr. Roberts, and Ms. Rogers. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2020-00365, Luis F. Gonzalez Diaz**, the Board reviewed the record, which consisted of the application files, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Luis F. Gonzalez Diaz did not appear at the meeting in person, by counsel or by any other qualified representative.

File Number 2020-00365 Luis F. Gonzalez Diaz

Upon a motion by Mr. Quesenberry and seconded by Mr. Roberts, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Luis F. Gonzalez Diaz license application, subject to the condition that he pay the outstanding monetary penalty for Consent Order File Number 2011-01521.

The members voting 'yes' were Ms. Dang, Ms. LaPierre, Mr. Mayes, Mr. Quesenberry, Mr. Roberts, and Ms. Rogers. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2020-01028, Russell Thomas Lucas**, the Board reviewed the record, which consisted of the application files, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Russell Thomas Lucas appeared at the meeting in person and addressed the Board.

File Number 2020-01028 Russell Thomas Lucas

Upon a motion by Mr. Quesenberry and seconded by Mr. Roberts, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and deny Russell Thomas Lucas' license renewal application.

The members voting 'yes' were Ms. Dang, Ms. LaPierre, Mr. Mayes, Mr. Quesenberry, Mr. Roberts, and Ms. Rogers. There were no negative votes. The motion passed unanimously.

EXAMINATIONS

Ms. Rodriguez presented on the 2019 exam score pass rates.

Exam Statistics

Mr. Kirschner provided the Board with a communication from the examination vendor, PSI, outlining its plans and target completion dates for addressing issues with its performance since assuming the administration of examinations on January 1, 2020. Mr. Kirschner discussed some of the difficulties arising out of the vendor transition and responded to questions. At the request of the Board, Mr. Kirschner stated that he would reach out to the licensed schools and apologize for the difficulties they and their students have experienced during the exam vendor transition.

**Report On
Examination
Vendor Transition**

**REGULATORY
ACTION AND
BOARD
GUIDANCE**

Mr. Kirschner reported to the Board on the 2020 session of the General Assembly and provided updates of bills that had been considered during the session, including the Agency's bill to create a hairstylist license and House and Senate bills to reduce training hours for barbers and cosmetologists to 1000. Mr. Kirschner informed the Board that all these bills failed to pass during this session.

Legislative Report

Mr. Kirschner reported on two fast-track regulatory actions that were under consideration. He advised the Board that action to amend the language for disinfectants in the Barbers and Cosmetology Regulations and Esthetic Regulations had taken effect on February 10, 2020. Mr. Kirschner further reported that the fast-track action to amend the regulation pertaining to the posting of apprentice licenses failed due to general public comments objecting to the change. He advised the Board that the proposed amendment will come back to the Board at the May 2020 meeting of the Board.

Regulatory Report

Mr. Kirschner advised the Board that the temporary fee reduction that was approved in 2016 and renewed in 2018 is set to expire on August 31, 2020. He provided the Board with an Analysis of Fee Structure and Financial Position prepared by the Department's Finance Section, which included a proposed fee structure which authorized another two year temporary fee reduction. Mr. Kirschner explained that the Board can approve the temporary fee reduction with a motion to initiate a regulatory action.

**Regulatory Action
– Temporary Fee
Reduction
Extension**

Upon a motion by Mr. Quesenberry and seconded by Mr. Roberts, the Board voted to initiate a regulatory action to temporarily reduce the fees per the proposal for the period of September 1, 2020 to August 31, 2022.

The members voting 'yes' were Ms. Dang, Ms. LaPierre, Mr. Mayes, Mr. Quesenberry, Mr. Roberts, and Ms. Rogers. There were no negative votes. The motion passed unanimously.

Mr. Kirschner advised the Board that the Standing Committee for Training would reconvene in conjunction with the May 2020 Board meeting to revisit the topics of tiered licensure and training hours. In addition, Mr. Kirschner stated that the Board will be asked review all existing Guidance Documents in preparation for the May 2020 meeting.

NEW BUSINESS

There being no further business to be brought before the Board, Ms. LaPierre adjourned the meeting at 10:20 a.m.

Adjourn

Margaret B. LaPierre, Board Chair

Mary Broz-Vaughan, Board Secretary

DRAFT AGENDA
Materials contained in this agenda are proposed topics for discussion
and are not to be construed as regulation or official Board position.
DRAFT AGENDA



TO: VIRGINIA BOARD FOR BARBERS AND COSMETOLOGY
FROM: STEPHEN KIRSCHNER, EXECUTIVE DIRECTOR
SUBJECT: REVISION TO ONLINE INSTRUCTION GUIDANCE DOCUMENT
DATE: JUNE 26, 2020

I. Background

Board regulations require schools to submit their curriculum to the Board for approval, and any subsequent changes to the curriculum must be approved by the Board. Board regulations also require separate classroom areas for theory and practical instruction. Pursuant to these requirements, the Board created a guidance document that outlines the types of online instruction the Board finds acceptable. Most recently revised in February of 2016, the guidance document only allows certain general topics, which are common across all professions regulated by the Board, to be taught online. For most professions, this makes up between 100 to 200 hours of their curriculum, or 5-15% of the total instruction. Some professions do not have content that is common across all professions, such as tattooing, and are not eligible for online instruction. Most licensed schools do not have approved online curriculum.

II. Issue

At the start of the COVID-19 pandemic, most schools faced having to immediately shut down because they were not Board approved to teach online instruction, or had quickly exhausted all the permitted online topics. On March 13, 2020, pursuant to authority granted in the Governor's Declaration of Emergency, DPOR's Director, Mary Broz-Vaughan issued a waiver of any Board regulation that prohibited schools from teaching theory topics via distance or online instruction. This waiver is in effect until 30 days after the State of Emergency ends. While the schools in Virginia were able to resume instruction under this waiver, the Board's guidance will take effect once the waiver expires, and schools will once again be extremely limited in their ability to conduct online instruction. Online instruction provides schools the opportunity to operate while providing their student a safer, at-home, learning experience.

III. Board Guidance

Staff would recommend that the Board consider revising its Online Instruction guidance document to allow blanket permission for all licensed schools to utilize distance or online instruction methods for theory instruction. This will give the schools the permission and tools to adapt to the ever-changing COVID-19 environment. The Board may also wish to start considering a permanent online instruction requirement for its regulations. Staff would recommend the following change to guidance:

Guidance Document: Non-Traditional Classroom Instruction

In accordance with 18 VAC 41-20-200, 18 VAC 41-40-190, 18 VAC 41-50-230, and 18 VAC 41-70-180 schools shall submit its curricula for Board approval and shall conduct classroom instruction in an area separate from the clinic area where practical instruction is conducted and services are provided.

The Board is providing the following guidance in the interpretation or implementation of the aforementioned regulations.

Schools may offer, ~~at the Board's discretion,~~ non-traditional or 'online' instruction on all theory topics in their approved curriculum, ~~provided that the school has demonstrated, in a manner and format prescribed and acceptable to the Board, that:~~

~~• Only the 'general' or 'intro' portions of the curriculum which are common across all professions (as noted below) regulated by the Board may be offered online. All other theory instruction must be obtained in a traditional brick and mortar classroom setting.~~

- ~~○ Orientation~~
- ~~○ School Policies~~
- ~~○ State laws and regulations~~
- ~~○ Health and safety~~
- ~~○ Personal hygiene~~
- ~~○ Sanitation and Sterilization~~
- ~~○ Ethics~~
- ~~○ Salon/Shop/Parlor Management~~
- ~~○ Analyzing skin or scalp conditions~~
- ~~○ Anatomy~~
- ~~○ Client Consultation~~
- ~~○ Care of equipment~~

~~• The school provides sufficient information to show it utilizes~~ should utilize technologies and practices that are effective in verifying the identity of distance-learning students who participate in class or coursework (such as a secure login and pass code) while protecting student privacy.

~~• The curriculum package submitted for Board approval is equal in content and thoroughness to that required of a traditional classroom program.~~

~~• There is a measure of competency (examination) of the information the student is taught online which shall be completed in a traditional brick and mortar classroom.~~

~~• Programs approved under this document will be referred to as "blended online" programs.~~



TO: VIRGINIA BOARD FOR BARBERS AND COSMETOLOGY
FROM: STEPHEN KIRSCHNER, EXECUTIVE DIRECTOR
SUBJECT: FINANCIAL STATEMENTS
DATE: JUNE 26, 2020

Attached you will find the most recent Statement of Financial Activity and the Supporting Statement of Year-to-Date Activity for the Board. Additionally, you will find the Agency Statement of Financial Activity.

*DRAFT AGENDA
Materials contained in this agenda are proposed topics for discussion
and are not to be construed as regulation or official Board position.
DRAFT AGENDA*

**Department of Professional and Occupational Regulation
Statement of Financial Activity**

**Board for Barbers and Cosmetology
954230**

2018-2020 Biennium

May 2020

	May 2020 Activity	Biennium-to-Date Comparison	
		July 2016 - May 2018	July 2018 - May 2020
Cash/Revenue Balance Brought Forward			6,798,122
Revenues	283,730	6,617,899	6,362,940
Cumulative Revenues			13,161,062
Cost Categories:			
Board Expenditures	18,054	293,211	348,700
Board Administration	92,947	1,991,182	2,179,147
Administration of Exams	4,966	113,480	125,177
Enforcement	66,416	1,222,037	1,461,397
Legal Services	0	36,476	45,504
Information Systems	32,929	1,329,144	1,637,601
Facilities and Support Services	27,263	538,550	634,182
Agency Administration	40,606	1,196,585	993,609
Other / Transfers	0	93,739	(57)
Total Expenses	283,182	6,814,404	7,425,260
Transfer To/(From) Cash Reserves	0	0	5,735,254
Ending Cash/Revenue Balance			548

Cash Reserve Beginning Balance	5,735,254	0	0
Change in Cash Reserve	0	0	5,735,254
Ending Cash Reserve Balance	5,735,254	0	5,735,254

Number of Regulators	
Current Month	74,368
Previous Biennium-to-Date	72,216

Department of Professional and Occupational Regulation
 Supporting Statement of Year-to-Date Activity
 Board for Barbers and Cosmetology - 954230
 Fiscal Year 2020

	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Fiscal YTD Charges	Planned Annual Charges	Current Balance	Projected Charges at 6/30	Projected Variance Favorable (Unfavorable)	
																	Amount	%
Board Expenditures	19,497	16,088	18,327	17,122	12,217	11,704	11,464	17,468	11,430	21,131	18,054	0	174,505	199,661	25,156	185,657	14,005	7.0%
Board Administration	146,943	99,052	94,646	81,802	96,697	94,581	97,436	90,680	91,022	90,149	62,947	0	1,075,955	1,370,170	294,216	1,113,960	256,210	18.7%
Administration of Exams	9,573	6,192	6,055	4,810	5,404	4,113	5,728	5,215	4,966	4,966	4,966	0	61,987	70,618	8,631	64,612	6,005	8.5%
Enforcement	98,240	67,957	68,154	58,876	64,842	68,294	65,919	67,560	66,768	65,817	66,416	0	758,842	1,017,727	258,885	784,264	233,463	22.9%
Legal Services	0	0	0	0	12,564	0	6,282	0	0	6,282	0	0	25,128	25,128	0	27,412	-2,284	-9.1%
Information Systems	41,475	61,090	59,913	94,732	65,518	29,060	103,312	27,868	24,767	71,659	32,929	0	712,324	960,257	247,933	762,551	197,706	20.6%
Facilities / Support Svcs	15,310	29,472	28,049	27,119	29,715	27,484	28,071	28,200	27,215	27,031	27,263	0	294,930	357,480	62,550	316,903	40,577	11.4%
Agency Administration	57,657	44,410	44,816	47,187	54,990	41,161	42,844	37,738	42,200	43,150	40,606	0	496,758	668,077	171,319	516,508	151,568	22.7%
Other / Transfers	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total Charges	388,695	324,261	319,901	331,646	341,947	276,399	361,057	274,729	368,369	330,185	283,182	0	3,600,430	4,669,119	1,068,689	3,771,868	897,250	19.2%

**Department of Professional and Occupational Regulation
Statement of Financial Activity**

Agency Total

2018-2020 Biennium

May 2020

	May 2020 Activity	Biennium-to-Date Comparison	
		July 2016 - May 2018	July 2016 - May 2020
Cash/Revenue Balance Brought Forward			27,183,878
Revenues	1,584,760	35,392,308	35,719,676
Cumulative Revenues			62,903,554
Cost Categories:			
Board Expenditures	144,920	3,226,523	3,610,768
Board Administration	376,894	8,140,334	8,911,924
Administration of Exams	23,400	501,804	595,783
Enforcement	570,145	12,092,341	13,064,035
Legal Services	9,498	382,757	410,470
Information Systems	136,882	5,561,165	6,863,351
Facilities and Support Services	158,430	3,370,053	3,716,149
Agency Administration	168,794	5,008,100	4,162,892
Other / Transfers	0	(1,531)	8,280
Total Expenses	1,588,964	38,281,546	41,343,653
Transfer To/(From) Cash Reserves	(169,169)	0	21,040,131
Ending Cash/Revenue Balance			519,770

Cash Reserve Beginning Balance	21,209,300	0	0
Change in Cash Reserve	(169,169)	0	21,040,131
Ending Cash Reserve Balance	21,040,131	0	21,040,131

Number of Regulators

Current Month	312,189
Previous Biennium-to-Date	307,401