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**VIRTUAL/TELECONFERENCE  
COSMETOLOGY EXAMINING BOARD  
Virtual, 4822 Madison Yards Way, Madison  
Contact: Will Johnson (608) 266-2112  
January 22, 2024**

*The following agenda describes the issues that the Board plans to consider at the meeting. At the time of the meeting, items may be removed from the agenda. Please consult the meeting minutes for a record of the actions of the Board.*

**AGENDA**

**9:30 AM**

**OPEN SESSION – CALL TO ORDER – ROLL CALL**

- A. Adoption of Agenda (1-4)**
- B. Approval of Minutes of August 28, 2023 (5-8)**
- C. Introductions, Announcements and Recognition**
  - 1) Introduction: Alexis Watkins, Private School Representative (Succeeds: Georgianna Halverson)
- D. Reminders: Conflicts of Interest, Scheduling Concerns**
- E. Administrative Matters – Discussion and Consideration**
  - 1) Department, Staff, and Board Updates
  - 2) 2024 Meeting Dates **(9)**
  - 3) Annual Policy Review **(10-12)**
  - 4) Elections, Appointment of Liaisons and Alternates, Delegation of Authorities **(13-29)**
  - 5) Board Members – Term Expiration Dates
    - a. Beckett, Dutch W.V. – 7/1/2027
    - b. Blake, Melissa K. – 7/1/2024
    - c. Cwojdzinski, Kayla M. – 7/1/2024
    - d. Hoepfner, Ann M. – 7/1/2027
    - e. Jackson, Megan A. – 7/1/2027
    - f. McIntosh, Dana – 7/1/2027
    - g. Watkins, Alexis – 7/1/2027
- F. Legislative and Policy Matters – Discussion and Consideration**
- G. Administrative Rule Matters – Discussion and Consideration (30-38)**
  - 1) Drafting Proposals: Cos 1, 2, 5, and 6, Relating to Scope of Practice and Education **(31-37)**
  - 2) Pending and Possible Rulemaking Project **(38)**

**H. National Interstate Council of State Boards of Cosmetology (NIC) Annual Conference Report**

**I. Board Composition - Discussion and Consideration (39)**

**J. Gainful Employment Rule - Discussion and Consideration (40)**

**K. Deliberation on Items Added After Preparation of Agenda**

- 1) Introductions, Announcements and Recognition
- 2) Election of Officers, Appointment of Liaison(s), Delegation of Authorities
- 3) Administrative Matters
- 4) Education and Examination Matters
- 5) Credentialing Matters
- 6) Practice Matters
- 7) Legislative and Policy Matters
- 8) Administrative Rule Matters
- 9) Liaison Reports
- 10) Public Health Emergencies
- 11) Board Liaison Training and Appointment of Mentors
- 12) Informational Items
- 13) Division of Legal Services and Compliance (DLSC) Matters
- 14) Presentations of Petitions for Summary Suspension
- 15) Petitions for Designation of Hearing Examiner
- 16) Presentation of Stipulations, Final Decisions and Orders
- 17) Presentation of Stipulations and Interim Orders
- 18) Presentation of Proposed Final Decision and Orders
- 19) Presentation of Interim Orders
- 20) Petitions for Re-Hearing
- 21) Petitions for Assessments
- 22) Petitions to Vacate Orders
- 23) Requests for Disciplinary Proceeding Presentations
- 24) Motions
- 25) Petitions
- 26) Appearances from Requests Received or Renewed
- 27) Speaking Engagement(s), Travel, or Public Relation Request(s)

**L. Public Comments**

**CONVENE TO CLOSED SESSION to deliberate on cases following hearing (s. 19.85(1)(a), Stats.); to consider licensure or certification of individuals (s. 19.85(1)(b), Stats.); to consider closing disciplinary investigations with administrative warnings (ss. 19.85 (1)(b), and 440.205, Stats.); to consider individual histories or disciplinary data (s. 19.85 (1)(f), Stats.); and to confer with legal counsel (s. 19.85(1)(g), Stats.).**

**M. Deliberation on Division of Legal Services and Compliance (DLSC) Matters**

- 1) **Proposed Stipulations, Final Decisions and Orders**
  - a) 20 BAC 008 & 22 BAC 007 – Zacoia Green (41-48)
  - b) 22 BAC 029 – Gloria Casper (49-54)
- 2) **Administrative Warning**
  - a) 22 BAC 029 – T.S.B.I.I.J. (55-56)

- 3) **Case Closings**
  - a) 21 BAC 002 – GNS LN **(57-60)**
  - b) 22 BAC 029 – M.U. **(61-68)**
  - c) 22 BAC 053 – T.L. **(69-74)**
- 4) **Monitoring (75-88)**
  - a) Katrina Kendhammer – Requesting Full Licensure **(77-88)**
- 5) **Proposed Citations for Administrative Forfeiture**
  - a) 20 BAC 045 – Duy Hoang, Legend Nails Spa **(89-98)**
  - b) 22 BAC 001 – Binh Nguyen, Four Seasons Nails **(99-108)**
  - c) 22 BAC 005 – Raymond Hendroff, Nail Care **(109-112)**
  - d) 22 BAC 024 – Thuy Nguyen, I Nails & Spa **(113-120)**
  - e) 22 BAC 033 – Thao Tran, Cute Nails & Spa / Thao TP Tran **(121-134)**
  - f) 22 BAC 053 – Fresh Nails & Spa, Jonathan Vu, Chue Yang, Jay Le, Jay Le **(135-150)**
  - g) 23 BAC 015 – Hoang Nguyen, Top Nails **(151-157)**
  - h) 23 BAC 035 – Anna Judkins, Lake Country Salon **(158-161)**
  - i) 23 BAC 040 – Hayley Deiter (99566-82 & 3079-86), Hayleys Beautique **(162-163)**
  - j) 23 BAC 049 – Mary Furlong, Mary’s Affordable Cuts **(164-168)**
  - k) 23 BAC 076 – Nail Luv of Racine LLC **(169-173)**

**N. Deliberation on Proposed Final Decision and Orders**

- 1) Latreece A. Tolley – DHA Case Number SPS-23-0060, DLSC Case Number 23 BAC 018 **(174-182)**

**O. Deliberation of Items Added After Preparation of the Agenda**

- 1) Education and Examination Matters
- 2) Credentialing Matters
- 3) DLSC Matters
- 4) Monitoring Matters
- 5) Professional Assistance Procedure (PAP) Matters
- 6) Petitions for Summary Suspension
- 7) Petitions for Designation of Hearing Examiner
- 8) Proposed Stipulations, Final Decision(s) and Order(s)
- 9) Proposed Final Decision(s) and Order(s) of Default
- 10) Proposed Interim Orders
- 11) Administrative Warnings
- 12) Review of Administrative Warnings
- 13) Proposed Final Decisions and Orders
- 14) Orders Fixing Costs/Matters Related to Costs
- 15) Case Closings
- 16) Board Liaison Training
- 17) Petitions for Assessments and Evaluations
- 18) Petitions to Vacate Orders
- 19) Remedial Education Cases
- 20) Motions
- 21) Petitions for Re-hearings
- 22) Appearances from Requests Received or Renewed

**P. Consulting with Legal Counsel**

**RECONVENE TO OPEN SESSION IMMEDIATELY FOLLOWING CLOSED SESSION**

Q. Vote on Items Considered or Deliberated Upon in Closed Session, if Voting is Appropriate

R. Open Session Items Noticed Above Not Completed in the Initial Open Session

**ADJOURNMENT**

**NEXT MEETING: MARCH 25, 2024**

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MEETINGS AND HEARINGS ARE OPEN TO THE PUBLIC, AND MAY BE CANCELLED WITHOUT NOTICE.

Times listed for meeting items are approximate and depend on the length of discussion and voting. All meetings are held virtually unless otherwise indicated. In-person meetings are typically conducted at 4822 Madison Yards Way, Madison, Wisconsin, unless an alternative location is listed on the meeting notice. In order to confirm a meeting or to request a complete copy of the board's agenda, please visit the Department website at <https://dsps.wi.gov>. The board may also consider materials or items filed after the transmission of this notice. Times listed for the commencement of disciplinary hearings may be changed by the examiner for the convenience of the parties. Requests for interpreters for the hard of hearing, or other accommodations, are considered upon request by contacting the Affirmative Action Officer, or reach the Meeting Staff by calling 608-267-7213.

**VIRTUAL/TELECONFERENCE  
COSMETOLOGY EXAMINING BOARD  
MEETING MINUTES  
AUGUST 28, 2023**

**PRESENT:** Dutch Beckett, Melissa Blake, Ann Hoepfner, Megan Jackson, Dana McIntosh

**EXCUSED:** Kayla Cwojdzinski

**STAFF:** Will Johnson, Executive Director; Joseph Ricker, Legal Counsel; Dana Denny, Administrative Rule Coordinator; Dialah Azam, Bureau Assistant; and other Department staff.

**CALL TO ORDER**

Megan Jackson, Chairperson, called the meeting to order at 9:46 a.m. A quorum was confirmed with five (5) members present.

**ADOPTION OF AGENDA**

**MOTION:** Ann Hoepfner moved, seconded by Dutch Beckett, to adopt the Agenda as published. Motion carried unanimously.

**APPROVAL OF MINUTES OF JUNE 12, 2023**

**MOTION:** Ann Hoepfner moved, seconded by Dutch Beckett, to approve the Minutes of June 12, 2023 as published. Motion carried unanimously.

**INTRODUCTIONS, ANNOUNCEMENTS AND RECOGNITION**

**Recognition: Georgianna Halverson, Private School Rep Member (Resigned: 7/1/2023)**

**MOTION:** Ann Hoepfner moved, seconded by Dutch Beckett, to recognize and thank Georgianna Halverson for their years of dedicated service to the Board and State of Wisconsin. Motion carried unanimously.

**Recognition: Kristin Lee, Cosmetologist/Aesthetician Member (Replaced: 7/1/2023)**

**MOTION:** Ann Hoepfner moved, seconded by Melissa Blake, to recognize and thank Kristin Lee for their years of dedicated service to the Board and State of Wisconsin. Motion carried unanimously.

**Recognition: Daisy Quintal, Cosmetologist/Aesthetician Member (Resigned: 5/30/2023)**

**MOTION:** Ann Hoepfner moved, seconded by Melissa Blake, to recognize and thank Daisy Quintal for their years of dedicated service to the Board and State of Wisconsin. Motion carried unanimously.

**Appointment of Liaisons and Alternates**

<b>LIAISON APPOINTMENTS</b>	
<b>Credentialing Liaisons</b>	Kayla Cwojdzinski <i>Alternate: Dutch Beckett</i>
<b>Monitoring Liaison</b>	Dutch Beckett, Megan Jackson <i>Alternate: Dana McIntosh</i>
<b>Professional Assistance Procedure (PAP) Liaison</b>	<i>Alternate: Kayla Cwojdzinski</i>
<b>Education and Examinations Liaison</b>	Megan Jackson <i>Alternate: Melissa Blake</i>
<b>Legislative Liaison</b>	Ann Hoepner <i>Alternate: Megan Jackson</i>
<b>Newsletter Liaison</b>	Megan Jackson <i>Alternate: Melissa Blake</i>
<b>Travel Authorization Liaison</b>	Dutch Beckett <i>Alternate: Melissa Blake</i>
<b>Screening Panel</b>	Melissa Blake, Ann Hoepner, Kayla Cwojdzinski <i>Alternate: Megan Jackson</i>

### **ADMINISTRATIVE RULE MATTERS**

**Adoption Order: Cos 2, 3, 5 and 8, Relating to Scope of Practice, Mobile Establishments and Distance Learning**

**MOTION:** Ann Hoepner moved, seconded by Megan Jackson, to approve the Adoption Order for Clearinghouse Rule 22-085, relating to Scope of practice, mobile establishments, and distance learning. Motion carried unanimously.

### **CLOSED SESSION**

**MOTION:** Ann Hoepner moved, seconded by Dana McIntosh, to convene to closed session to deliberate on cases following hearing (s. 19.85(1)(a), Stats.); to consider licensure or certification of individuals (s. 19.85(1)(b), Stats.); to consider closing disciplinary investigation with administrative warning (ss. 19.85(1)(b), Stats. and 440.205, Stats.); to consider individual histories or disciplinary data (s. 19.85(1)(f), Stats.); and, to confer with legal counsel (s. 19.85(1)(g), Stats.). Megan Jackson, Chairperson, read the language of the

motion. The vote of each member was ascertained by voice vote. Roll Call Vote: Dutch Beckett-yes; Melissa Blake-yes; Ann Hoepfner-yes; Megan Jackson-yes; and Dana McIntosh-yes. Motion carried unanimously.

The Board convened into Closed Session at 10:43 a.m.

### **DELIBERATION ON DIVISION OF LEGAL SERVICES AND COMPLIANCE (DLSC) MATTERS**

#### **Case Closings**

- MOTION:** Ann Hoepfner moved, seconded by Dutch Beckett, to close the following DLSC Cases for the reasons outlined below:
1. 20 BAC 086 – S.Y. & T.N.S. – Insufficient Evidence & Prosecutorial Discretion (P5)
  2. 21 BAC 031 – B.N.S. – Lack of Jurisdiction (L3)
  3. 21 BAC 005 – A.T. & S.N.A.T. – Prosecutorial Discretion (P2)
  4. 21 BAC 057 – N.L. – Prosecutorial Discretion (P5)
  5. 21 BAC 062 – A.R. – Prosecutorial Discretion (P2)
  6. 22 BAC 039 – L.R.S. – Prosecutorial Discretion (P5)
- Motion carried unanimously.

#### **Monitoring**

##### ***Katrina Kendhammer – Requesting Modification of Monitoring Order***

- MOTION:** Ann Hoepfner moved, seconded by Megan Jackson, to grant the request of Katrina Kendhammer for termination of AODA treatment. Motion carried unanimously.

### **DELIBERATION ON MATTERS RELATING TO COSTS/ORDERS FIXING COSTS**

#### **Tamir L. Williams – DHA Case Number SPS-22-0036/DLSC Case Number 21 BAC 036**

- MOTION:** Ann Hoepfner moved, seconded by Dutch Beckett, to adopt the Order Fixing Costs in the matter of disciplinary proceedings against Tamir L. Williams, Respondent – DHA Case Number SPS-22-0036/DLSC Case Number 21 BAC 036. Motion carried unanimously.

### **RECONVENE TO OPEN SESSION**

- MOTION:** Ann Hoepfner moved, seconded by Melissa Blake, to reconvene into open session. Motion carried unanimously.

The Board reconvened into Open Session at 11:06 a.m.

### **VOTING ON ITEMS CONSIDERED OR DELIBERATED ON IN CLOSED SESSION**

- MOTION:** Ann Hoepfner moved, seconded by Dana McIntosh, to affirm all motions made and votes taken in Closed Session. Motion carried unanimously.

*(Be advised that any recusals or abstentions reflected in the closed session motions stand for the purposes of the affirmation vote.)*

## **ADJOURNMENT**

**MOTION:** Ann Hoepner moved, seconded by Dana McIntosh, to adjourn the meeting.  
Motion carried unanimously.

The meeting adjourned at 11:07 a.m.

DRAFT



**COSMETOLOGY EXAMINING BOARD**  
**2024 Meeting Dates**

<b>Meeting Date</b>		<b><i>Start time</i></b>	<b>Agenda item deadline</b>
Monday, January 22, 2024	Virtual	<i>9:30 AM</i>	<b>1/9/2024</b>
Monday, March 25, 2024	Virtual	<i>9:30 AM</i>	<b>3/13/2024</b>
Monday, June 10, 2024	Virtual	<i>9:30 AM</i>	<b>5/29/2024</b>
Monday, August 26, 2024	Virtual	<i>9:30 AM</i>	<b>8/14/2024</b>
Monday, October 28, 2024	Virtual	<i>9:30 AM</i>	<b>10/16/2024</b>

**State of Wisconsin  
Department of Safety & Professional Services**

**AGENDA REQUEST FORM**

1) Name and title of person submitting the request: Brenda Taylor, Board Services Supervisor		2) Date when request submitted: 12/14/2023	
3) Name of Board, Committee, Council, Sections: All Boards			
4) Meeting Date: First Meeting of 2024	5) Attachments: <input checked="" type="checkbox"/> Yes	6) How should the item be titled on the agenda page? Annual Policy Review	
7) Place Item in: <input checked="" type="checkbox"/> Open Session	8) Is an appearance before the Board being scheduled? <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if applicable: N/A	
10) Describe the issue and action that should be addressed: <a href="https://dsps.boards.wisconsin.gov/">Board SharePoint Site: https://dsps.boards.wisconsin.gov/</a>			
<p><b>Please be advised of the following Policy Items:</b></p> <ol style="list-style-type: none"> <li>1. <b>In-Person Meeting Policy:</b> Depending on the frequency of Board meetings, a Board may be allowed a certain number of in-person meetings. <ul style="list-style-type: none"> <li>• 4-5 Meetings per year = 1 in-person opportunity</li> <li>• 6-8 Meetings per year = 2 in-person opportunities</li> <li>• 12 Meetings per year = 4 in-person opportunities</li> </ul> </li> <li>2. <b>Attendance/Quorum:</b> Thank you for your service and commitment to meeting attendance. If you cannot attend a meeting or have scheduling conflicts impacting your attendance, please let us know as soon as possible. Timely notification is appreciated as a quorum is required for Boards, Sections, and Councils to meet pursuant to Open Meetings Law.</li> <li>3. <b>Walking Quorum:</b> Board/Section/Council members must not collectively discuss the body's business outside a properly noticed meeting. Should several members of a body do so, the members could be violating the open meetings law.</li> <li>4. <b>Mandatory Training:</b> All Board Members must complete Public Records and Ethics Training, annually. <a href="#">Register to set up an account</a> in the Cornerstone LearnCenter online portal or <a href="#">Log in</a> to an existing account.</li> <li>5. <b>Agenda Deadlines:</b> Please communicate agenda topics to your Executive Director before the agenda submission deadline at 12:00 pm, 8 business days prior to a meeting. (Attachment: Timeline of a Meeting)</li> <li>6. <b>Per Diem and Reimbursement Claims:</b> Please submit all Per Diem and Reimbursement claims to DSPTS within 30 days of the close of each month in which expenses are incurred. (Attachment: Per Diem Example)</li> <li>7. <b>Lodging Accommodations/Hotel Cancellation Policy:</b> Lodging accommodations are available to eligible members. Standard eligibility: the member must leave home before 6:00 am to attend a meeting by the scheduled start time. <ol style="list-style-type: none"> <li>a. If a member cannot attend a meeting it is their responsibility to cancel their reservation within the applicable cancellation timeframe.</li> <li>b. If a meeting is changed to occur remotely, is canceled, or rescheduled, DSPTS staff will cancel or modify reservations as appropriate.</li> </ol> </li> <li>8. <b>Inclement Weather Policy:</b> In the event of inclement weather, the DSPTS may change a meeting from an in-person venue to hosted as virtual/teleconference only.</li> </ol>			
11)		<b>Authorization</b>	
<i>Brenda Taylor</i>		<i>12/14/2023</i>	
<p><b>Directions for including supporting documents:</b></p> <ol style="list-style-type: none"> <li>1. This form should be saved with any other documents submitted to the <a href="#">Agenda Items</a> folders.</li> <li>2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director</li> </ol>			

## Timeline of a Meeting

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**8 business days prior to the meeting:** All agenda materials are due to the Department by 12:00 pm, 8 business days prior to the meeting date.

**7 business days prior to the meeting:** The draft agenda page is due to the Executive Director. The Executive Director transmits to the Chair for review and approval.

**5 business days prior to the meeting:** The approved agenda is returned to the Board Administration Specialist for agenda packet production and compilation.

**4 business days prior to the meeting:** Agenda packets are posted on the DSPS Board SharePoint site and on the Department website.

### Agenda Item Examples:

- Approval of the Agenda and previous meeting Minutes
- Open Session Items
  - Public Hearings (relating to Administrative Rules)
  - Administrative Matters
  - Legislation and Policy Matters
  - Administrative Rules Matters
  - Credentialing Matters
  - Education and Exam Issues
  - Public Agenda Requests
  - Current Issues Affecting the Profession
  - Public Comments
- Closed Session items
  - Deliberations on Proposed Disciplinary Actions
    - Stipulations
    - Administrative Warnings
    - Case Closings
    - Monitoring Matters
    - Professional Assistance Procedure (PAP) Issues
  - Proposed Final Decisions and Orders
  - Orders Fixing Costs/Matters Relating to Costs
  - Credentialing Matters
  - Education and Exam Issues

**Thursday of the Week Prior to the Meeting:** Agendas are published for public notice on the Public Notices and Meeting Minutes website: [publicmeetings.wi.gov](http://publicmeetings.wi.gov).

**1 business day after the Meeting:** "Action" lists are distributed by staff detailing board actions on closed session business.

**5 business days after the Meeting:** "To Do" lists are distributed to staff to ensure that board decisions are acted on and/or implemented within the appropriate divisions in the Department. Minutes approved by the board are published on the the Public Notices and Meeting Minutes website: [publicmeetings.wi.gov](http://publicmeetings.wi.gov).

# Department of Safety and Professional Services

## PER DIEM REPORT

**INSTRUCTIONS:** Claimant records board-related activities by entering the date of an activity, the duration of time spent in that activity, the relevant purpose code (see purpose code descriptions below), where the activity is conducted, and the type of activity performed. Only one (1) \$25.00 per diem payment can be issued on any given calendar day.

**Purpose Codes:**

- A. Official meetings including video/teleconference calls** (automatic day of per diem): i.e., board, committee, board training or screening panels; **Hearings**, i.e., Senate Confirmation, legislative, disciplinary or informal settlement conferences; **Examinations and Test Development Sessions**, i.e., test administration, test review or analysis events, national testing events, tour of test facilities, etc.)
- B. Other** (One (1) per diem will be issued for every five (5) hours spent in category B, per calendar month): i.e., review of disciplinary cases, consultation on cases, review of meeting materials, board liaison work e.g., contacts regarding Monitoring, Professional Assistance Procedure, Credentialing, Education and Examinations

NAME OF EXAMINING BOARD OR COUNCIL <b>EXAMPLE EXAMINING BOARD</b>			BOARD OR COUNCIL MEMBER'S NAME <b>MARY SUNSHINE</b>	
Activity Date MM/DD/YY	Duration of Activity Hours/Minutes	Purpose Code A or B	Where Performed City/Location (Home, Work, DSPS)	Activity Describe Activity Performed (see purpose codes)
12/2/20	2 hrs	B	Pleasant Prairie/Home	Review of screening panel materials
12/3/20	2 hr / 30 mins	B	Pleasant Prairie/Home	Review of screening panel materials
12/10/20	1 hr	A	Pleasant Prairie/Home	Screening Panel Meeting - Teleconference
12/12/20	1 hr / 30 mins	B	Pleasant Prairie/Home	Case consultation
12/13/20	1 hr	B	Pleasant Prairie/Home	Liaison: Application Review
12/16/20	6 hrs	A	Madison/DSPS	Board Member Training
				<p><b>The 5-hour rule applies to "B" code activities. Add the 'B' codes within the calendar month and then divide by five (5) hours to calculate your per diem payment. In this case the total is seven (7) hours which equals one (1) day of per diem.</b></p> <p><b>Each 'A' code is an automatic day of per diem regardless of time spent in that activity. Ms. Sunshine is eligible for two (2) additional days of payment.</b></p> <p><b>Department staff completes the fields titled "Total Days Claimed".</b></p>
<b>CLAIMANT'S CERTIFICATION</b>			Comments:	
The undersigned certifies, in accordance with § 16.53, Wis. Stats., that this account for per diem, is just and correct; and that this claim is for service necessarily incurred in the performance of duties required by the State, as authorized by law.				
<i>Mary Sunshine</i>		1/4/2021		
Claimant's Signature	Date	Supervisor	Date	

EMPL ID: 100012345-0

To be completed by Department staff: **TOTAL DAYS CLAIMED: 3 @ \$25.00 = 75.00**

**Cosmetology Examining Board  
Officers and Liaisons as of 12/31/2023**

<b>OFFICERS</b>	
<b>Chairperson</b>	Megan Jackson
<b>Vice Chairperson</b>	Kayla Cwojdzinski
<b>Secretary</b>	Ann Hoepner

**Appointment of Liaisons and Alternates**

<b>LIAISON APPOINTMENTS</b>	
<b>Credentialing Liaisons</b>	Kayla Cwojdzinski <i>Alternate: Dutch Beckett</i>
<b>Monitoring Liaison</b>	Dutch Beckett, Megan Jackson <i>Alternate: Dana McIntosh</i>
<b>Professional Assistance Procedure (PAP) Liaison</b>	Vacant <i>Alternate: Kayla Cwojdzinski</i>
<b>Education and Examinations Liaison</b>	Megan Jackson <i>Alternate: Melissa Blake</i>
<b>Legislative Liaison</b>	Ann Hoepner <i>Alternate: Megan Jackson</i>
<b>Newsletter Liaison</b>	Megan Jackson <i>Alternate: Melissa Blake</i>
<b>Travel Authorization Liaison</b>	Dutch Beckett <i>Alternate: Melissa Blake</i>
<b>Screening Panel</b>	Ann Hoepner, Kayla Cwojdzinski, Melissa Blake <i>Alternate: Megan Jackson</i>



## State of Wisconsin

### DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

### CORRESPONDENCE / MEMORANDUM

**DATE:** January 9, 2024

**TO:** Board, Council, and Committee Members

**FROM:** Legal Counsel

**SUBJECT:** Liaison Definitions and Delegations Explanations

### Overall Purpose of Liaison Appointments

Each Board/Section (Board) has inherent authority that is established in our Wisconsin Statutes. This authority may change from Board to Board. For further information on your Board's authority review Wis. Stat. ch. 15. Generally, each Board has authority to grant credentials, discipline credential holders, and set standards for education and examinations. Additionally, Liaisons assist with the operations of the Boards purpose by weighing in on legislative matters, traveling to national conferences, or communicating with stakeholders.

The Department asks that each year the Boards make liaison appointments to assist the Board and Department to accomplish these tasks in an efficient manner. Your practical knowledge and experience, as an appointed member of a professional board, are essential in making determinations regularly. The Liaison positions below assist the Department to complete operations between Board meetings. In most cases, Liaisons can make decisions for the full Board in their designated area. These are determined through the delegation process. However, a Liaison may also decide to send the delegated issue to the full Board for consideration as appropriate. Delegations assist the Board in defining the roles and authorities of each Liaison.

### Liaison Definitions

**Credentialing Liaison:** The Credentialing Liaison is empowered by the Board to review and make determinations regarding certain applications for credentials. The Credentialing Liaison may be called on by Department staff to answer questions that pertain to qualifications for licensure, which may include whether a particular degree is suitable for the application requirements, whether an applicant's specific work experience satisfies the requirements in statute or rule for licensure, or whether an applicant's criminal or disciplinary history is substantially related to the practice of the profession in such a way that granting the applicant a credential would create a risk of harm to the public. Questions will likely be sent by Department

staff to the Credentialing Liaison via email and may include application materials. The Credentialing Liaison serves a very important role in the credentialing process.

**Monitoring Liaison:** The Monitoring Liaison is empowered by the Board to make decisions on any credential that is limited either through a disciplinary order or initial licensure. The Department Monitors will send requests from credential holders to the Monitoring Liaison. These requests vary wildly. A common request could be to remove a limitation that has been placed on a credential or to petition for full licensure. The Monitoring Liaison can review these requests and make decisions on behalf of the Board. The Board has the authority to grant decision making latitude to their liaison to any degree. The specific monitoring delegations are found in the Monitoring Document attached to the agenda. If the Monitoring Liaison has a question on a request, it is advisable for the Liaison to consult further with Department staff or bring the matter to the full Board for consideration.

**Professional Assistance Procedure (PAP) Liaison:** PAP is a voluntary program open to credential holders with substance abuse issues who wish to seek help by being held accountable through treatment and monitoring by the Department and Board. As part of PAP, the credential holder enters into an agreement with the Department to undergo testing, counseling, or other rehabilitation. The PAP Liaison's role includes responding to credential holders' requests for modifications and terminations of provisions of the agreement. Similar to the Monitoring Liaison, the Department Monitors will send requests from credential holders to the PAP Liaison for further review.

**Education and Examination Liaison:** Some Boards are required by statute or rule to approve qualifying education and examinations. The Education and Examination Liaison provides guidance to Department staff to exercise authority of the Board to approve or decline examinations and educational programs. This determination requires a level of professional expertise and should be performed by a professional member of the Board. For some Boards, the Education and Examination Liaison will also be tasked with approving continuing education programs and courses.

**Legislative Liaison:** The Legislative Liaison is permitted to act and speak on the Board's behalf regarding pending and enacted legislation or actions being considered by the legislature outside of Board meetings. The Legislative Liaison is not the Board's designated lobbyist and should exercise their delegated authority carefully.

**Travel Authorization Liaison:** The Travel Authorization Liaison is authorized to approve a Board member to travel to events and speak or act on the Board's behalf between Board meetings. The Travel Authorization Liaison is called upon to make decisions when sufficient notice was not received, and the full Board could not determine a representative to travel. The Travel Authorization Liaison is tasked with making determinations if the Board appointed representative is not able to attend or if the Board becomes authorized to send additional members. As scholarship and funding streams can be unpredictable.

**Communication Liaison:** The Communication Liaison responds on behalf of the Board when questions arise that require a response from the Board. The Communication Liaison works with

the Department to cultivate an appropriate response. The Communication Liaison can be responsible for all types of communication on behalf of the Board. However, the Board can appoint a separate **Website Liaison** to work with DSPS staff to make changes and ensure the Board webpage contains updated and accurate information. Additionally, for the Boards that are required by statute to produce a newsletter or digest. The Board can appoint a separate **Newsletter/Digest Liaison** to assemble and approve content for those communications.

**Screening Panel Members:** The duties of the Screening panel are to review incoming complaints against credential holders and determine which complaints should be opened for investigation and which complaints should be closed without further action. The complexity and amount of work in this role depends substantially on your particular Board. As a member of the Screening panel you are asked to apply your professional expertise to determine if a complaint alleges unprofessional conduct.

## **Delegations Explanations**

### **Credentialing Delegations**

*The overall purpose of credentialing delegations is to allow the credentialing process to proceed as efficiently and effectively as possible.*

#### **Delegation of Authority to Credentialing Liaison (Generic)**

MOTION EXAMPLE: to delegate authority to the Credentialing Liaison(s) to serve as a liaison between the Department and the Board and to act on behalf of the Board in regard to credentialing applications or questions presented to them, including the signing of documents related to applications.

PURPOSE: To permit one representative of the Board to assist Department staff with credentialing applications and eliminate the need for the entire Board to convene to consider credential application content or questions. Additionally, it is most efficient to have the designated liaison who has assisted with the credentialing process to be able to effectuate decisions which require a signature.

#### **Delegation of Authority to DSPS When Credentialing Criteria is Met**

MOTION EXAMPLE: to delegate credentialing authority to the Department to act upon applications that meet all credentialing statutory and regulatory requirements without Board or Board liaison review.

PURPOSE: To permit Department staff to efficiently issue credentials and eliminate the need for Board/Section/Liaison review when all credentialing legal requirements are met in an application.

#### **Delegation of Authority for Predetermination Reviews**



**MOTION EXAMPLE:** to delegate authority to the Department Attorneys to make decisions regarding predetermination applications pursuant to Wis. Stat. § 111.335(4)(f).

**PURPOSE:** In general, the Wisconsin Fair Employment Act (codified in Wis. Stat. Ch. 111) prohibits licensing agencies from discriminating against applicants because of their arrest and/or conviction record. However, there are exceptions which permit denial of a license in certain circumstances. Individuals who do not possess a license have a legal right to apply for a determination of whether they are disqualified from obtaining a license due to their conviction record. This process is called “Predetermination”. Predeterminations must be completed within 30 days. This delegation allows Department Attorneys to conduct predetermination reviews and efficiently make these legal determinations without need for Board/Section/Liaison review.

### **Delegation of Authority for Conviction Reviews**

**MOTION EXAMPLE:** to delegate authority to the Department Attorneys to review and approve applications with convictions which are not substantially related to the practice.

**PURPOSE:** As used here, “substantially related” is a legal standard that is used in the Wisconsin Fair Employment Act. The concept of what is “substantially related” is informed by case law. This delegation permits Department Attorneys to independently conduct conviction reviews and efficiently approve applications if convictions are not substantially related to the practice of the profession. Applications that contain conviction records that may be substantially related to the practice of a profession will still be submitted to the Credentialing Liaison for input.

### **Delegation to DSPS When Applicant’s History Has Been Previously Reviewed**

**MOTION EXAMPLE:** to delegate authority to Department staff to approve applications where Applicant’s prior discipline has been approved for a previous credential and there is no new discipline.

**PURPOSE:** Some Boards offer progressive levels of credentials. This delegation eliminates the need for a re-review of discipline that has already been considered and approved by the Board/Section/Liaison for a lower-level credential.

### **Delegation to DSPS When Applicant’s Conviction History Has Been Previously Reviewed**

**MOTION EXAMPLE:** to delegate authority to Department staff to approve applications where criminal background checks have been approved for a previous credential and there is no new conviction record.

**PURPOSE:** Some Boards offer progressive levels of credentials. This delegation eliminates the need for a re-review of conviction history that has already been reviewed and approved for a lower-level credential.

### **Delegation of Authority for Reciprocity Reviews**

MOTION EXAMPLE: to delegate authority to the Department Attorneys to review and approve reciprocity applications in which the out of state license requirements meet Wisconsin license requirements. (specific legal standards are referenced in the motion depending on credential/profession type).

PURPOSE: Applications via reciprocity or endorsement require comparison of Wisconsin licensing requirements to the licensing requirements of another jurisdiction. These reviews consider the legal standard for reciprocity, which varies by profession, as well as the specified legal requirements to obtain licensure in the profession. This delegation permits Department Attorneys to independently conduct reciprocity reviews and efficiently approve applications if legal standards and requirements are met for licensure. Applications for which reciprocity may not be available will still be submitted to the Credentialing Liaison for input.

### **Delegation of Authority for Military Reciprocity Reviews**

MOTION EXAMPLE: to delegate authority to the Department Attorneys to review and approve military reciprocity applications in which the individual meets the requirements of Wis. Stat. § 440.09.

PURPOSE: The law permits service members, former service members, and their spouses to be licensed if they hold licensure in other jurisdictions that qualify them to perform acts authorized by the credential they are seeking in Wisconsin. This is a shortened path to licensure that does not require meeting the specific requirements/standards for licensure/reciprocity in a profession. By law, the Department/Board must expedite the issuance of a reciprocal license via military reciprocity. This delegation permits Department Attorneys to independently conduct military reciprocity reviews and efficiently approve applications if legal standards and requirements are met for licensure. Applications for which reciprocity may not be available will still be submitted to the Credentialing Liaison for input.

### **Delegation of Authority for Application Denial Reviews**

MOTION EXAMPLE: to delegate authority to the Department's Attorney Supervisors to serve as the Board designee for purposes of reviewing and acting on requests for hearing as a result of a denial of a credential.

PURPOSE: When an application is denied, the applicant has a legal right to appeal the denial determination. Applicants must meet a specified legal standard in order to have an appeal granted. Additionally, Wisconsin law sets specific time frames for appeal decisions. This delegation permits Department Attorney Supervisors to independently review and efficiently act on requests for hearing as a result of a denial of a credential.

### **Delegation to Department Attorneys to Approve Duplicate Legal Issue**

MOTION EXAMPLE: to delegate authority to Department Attorneys to approve a legal matter in connection with a renewal application when that same/similar matter was already addressed

by the Board and there are no new legal issues for that credential holder. Motion carried unanimously.

PURPOSE: The intent of this delegation is to be able to approve prior discipline by the Board for the renewal applicant. This delegation eliminates the need for a re-review of discipline that has already been considered and approved by the Board/Section/Liaison.

### **Monitoring Delegations**

*The overall purpose of monitoring delegations is to be able to enforce the Boards orders and limited licenses as efficiently and effectively as possible. Monitoring delegations have two categories: delegations to the monitoring liaison and delegations to the Department Monitor.*

### **Delegation of Authority to Department Monitor**

MOTION EXAMPLE: to delegate authority to the Department Monitor

- a. to grant full reinstatement of licensure if education is the only limitation and credential holder has submitted the required proof of course completion.
- b. to suspend the credential if the credential holder has not completed Board ordered education, paid costs, paid forfeitures, within the time specified by the Board Order.
- c. to lift a suspension when compliance with education and costs provisions have been met.

PURPOSE: These delegations allow for the Department Monitor to automatically act on requests when certain criteria are met or not met without needing to burden the Board Monitoring Liaison. The Board can set their own criteria for what actions they would like to be handled by the Department, the Monitoring Liaison and the full Board.

### **Delegation of Authority to Monitoring Liaison**

MOTION EXAMPLE: to delegate authority to the Monitoring Liaison to approve or deny all requests received by the credential holder.

PURPOSE: These delegations allow the Board to set criteria for what decisions can be made by the Board member(s) serving as the Monitoring Liaison and what matters should be decided by the full Board. The Board has the authority to set specific criteria or to permit the liaison to make all determinations at their discretion.

### ***Education and Exam Delegations***

MOTION EXAMPLE: to delegate authority to the Education and Examination Liaison(s) to address all issues related to continuing education and examinations. Motion carried unanimously. (Differs by Board)

PURPOSE: Some Boards are responsible for approving qualifying educational programs or continuing education courses. A delegation is executed in order for a Board member to make

these determinations on behalf of the Boards and with assistance of the Department. Additionally, some Boards review examinations and individual scores to qualify for a credential.

## **Miscellaneous Delegations**

### ***Document Signature***

MOTION EXAMPLE: to delegate authority to the Chairperson (or in absence of the Chairperson, the highest-ranking officer or longest serving board member in that succession) to sign documents on behalf of the Board in order to carry out its duties. Motion carried unanimously.

MOTION EXAMPLE: in order to carry out duties of the Board, the Chairperson (or in absence of the Chairperson, the highest-ranking officer or longest serving board member in that succession) has the ability to delegate signature authority for purposes of facilitating the completion of assignments during or between meetings. The members of the Board hereby delegate to the Executive Director, Board Counsel or DPD Division Administrator, the authority to sign on behalf of a Board member as necessary. Motion carried unanimously.

PURPOSE: In order to take the action approved at Board meetings, the Department may need to draft correspondence and/or Orders after the meetings have adjourned. These actions then need to be signed by a Board Member. This interaction usually takes place over email and a Board member can authorize the use of his/her signature that is kept on file.

### ***Urgent Matters***

MOTION EXAMPLE: in order to facilitate the completion of urgent matters between meetings, the Board delegates its authority to the Chairperson (or, in the absence of the Chairperson, the highest-ranking officer or longest serving Board member in that succession), to appoint liaisons to the Department to act in urgent matters. Motion carried unanimously.

PURPOSE: Allows for quick responses to urgent matters that may need Board approval or for which the Department requires guidance from the Board.

### ***Delegation to Chief Legal Counsel***

#### **Due to Loss of Quorum**

MOTION EXAMPLE: to delegate the review and authority to act on disciplinary cases to the Department's Chief Legal Counsel due to lack of/loss of quorum after two consecutive meetings. Motion carried unanimously.

PURPOSE: Sometimes Boards can struggle to meet quorum necessary to conduct business. This happens for a multitude of reasons but this delegation allows for the Boards to have disciplinary cases decided by Chief Legal Counsel if the Board fails to meet quorum for two consecutive meetings.

## **Stipulated Resolutions**

MOTION EXAMPLE: to delegate to the Department's Chief Legal Counsel (CLC) the authority to act on behalf of the Board concerning stipulated resolutions providing for a surrender, suspension, or revocation of a credential, where the underlying merits involve serious and dangerous behavior, and where the signed stipulation is received between Board meetings. The Board further requests that CLC only act on such matters when the best interests of the Board, Department and the Public are best served by acting upon the stipulated resolution at the time the signed stipulation is received versus waiting for the next Board meeting. Motion carried unanimously.

PURPOSE: For matters of public safety, it may be necessary to take immediate action on a stipulated agreement rather than allowing a credential holder to continue practicing unencumbered until the next scheduled meeting. This delegation allows CLC to act on behalf of the Board when there is a stipulated agreement. A stipulated agreement is an agreement to which all relevant parties have consented to the terms.

### ***Voluntary Surrenders***

MOTION: to delegate authority to the assigned case advisor to accept or refuse a request for voluntary surrender pursuant to Wis. Stat. § 440.19 for a credential holder who has a pending complaint or disciplinary matter.

MOTION: to delegate authority to the Department to accept the voluntary surrender of a credential when there is no pending complaint or disciplinary matter with the Department pursuant to Wis. Stat. § 440.19.

PURPOSE: Credential holders can ask the Boards to surrender their credentials at any time. These delegations are in place for the different situations that arise from those requests. If a credential holder is seeking to surrender their credential because they wish to leave the profession that can be processed with this delegation by the Department if they have no pending disciplinary complaints. If the credential holder wishes to surrender while they have a pending disciplinary complaint that request is reviewed by the individual Board member assigned to the case.

### ***DLSC Pre-screening***

MOTION EXAMPLE: to delegate pre-screening decision making authority to the DSPS screening attorney for opening cases where the credential holder has failed to respond to allegations contained in the complaint when requested by intake (Case will be opened on failure to respond and the merits of the complaint).

PURPOSE: Pre-Screening delegations exist so the Board can define specific parameters where the Department can review disciplinary complaints and open those cases if they meet certain criteria. Boards also have the authority to set certain criteria that would allow the Department to review and close a case if the criteria is met.

## **Roles and Authorities Delegated for Monitoring**

The Monitoring Liaison (“Liaison”) is a Board/Section designee who works with department monitors (“Monitor”) to enforce Board/Section orders as explained below.

### **Authorities Delegated to the Monitoring Liaison**

The Liaison may take the following actions on behalf of the Board/Section:

1. Grant a temporary reduction in random drug screen frequency upon Respondent’s request if he/she is unemployed and is otherwise compliant with Board/Section order. The temporary reduction will be in effect until Respondent secures employment in the profession. The Department Monitor (“Monitor”) will draft an order and sign on behalf of the Liaison.
2. Grant a stay of suspension if Respondent is eligible per the Board/Section order. The Monitor will draft an order and sign on behalf of the Liaison.
3. Remove the stay of suspension if there are repeated violations or a substantial violation of the Board/Section order. In conjunction with removal of any stay of suspension, the Liaison may prohibit Respondent from seeking reinstatement of the stay for a specified period of time. The Monitor will draft an order and sign on behalf of the Liaison.
4. Grant or deny approval when Respondent proposes continuing/disciplinary/remedial education courses, treatment providers, mentors, supervisors, change of employment, etc. unless the order specifically requires full-Board/Section approval.
5. Grant full reinstatement of licensure if Respondent has fully complied with all terms of the order without deviation. The Monitor will draft an order and obtain written authorization from the Liaison to sign on their behalf.
6. Grant or deny a request to appear before the Board/Section in closed session.
7. The Liaison may determine whether Respondent’s petition is eligible for consideration by the full Board/Section.
8. Accept Respondent’s written request to surrender credential. If accepted by the Liaison, Monitor will consult with Board Counsel to determine if a stipulation is necessary. If a stipulation is not necessary, Monitor will draft an order and sign on behalf of the Liaison. If denied by the Liaison, the request to surrender credential will go to the full Board for review. (Except PHM, MED)

9. Grant Respondent's petition for a reduction in drug screens per the standard schedule, below. If approved, Monitor will draft an order and sign on behalf of the Liaison. Orders that do not start at 49 screens will still follow the same standard schedule.
  - a. Initial: 49 screens (including 1 hair test, if required by original order)
  - b. 1st Reduction: 36 screens (plus 1 hair test, if required by original order)
  - c. 2<sup>nd</sup> Reduction: 28 screens plus 1 hair test
  - d. 3<sup>rd</sup> Reduction: 14 screens plus 1 hair test
10. (*Dentistry only*) Ability to approve or deny all requests from a respondent.
11. The Liaison may approve or deny Respondent's request to be excused from drug and alcohol testing for work, travel, etc. (Applies only to these Boards: Dietitians, Massage/Bodywork Therapy Board, DEN, PAB, CHI, MED, RAD)
12. **The Liaison may have full authority to approve or deny a request from a Respondent that otherwise would require the approval of the full Board if the request cannot be heard and voted on due to lack of/loss of quorum.**
13. **The Liaison may have full authority to terminate any treatment ONLY upon written request from Respondent and written recommendation from Respondents treater.**

#### **Authorities Delegated to the Department Monitor**

The Monitor may take the following actions on behalf of the Board/Section, draft an order and sign:

1. Grant full reinstatement of licensure if education is the sole condition of the limitation and Respondent has submitted the required proof of completion for approved courses.
2. Suspend the license if Respondent has not completed Board/Section-ordered education and/or paid costs and forfeitures within the time specified by the Board/Section order. The Monitor may remove the suspension and issue an order when proof of completion and/or payment have been received.
3. Suspend the license (or remove stay of suspension) if Respondent fails to enroll and participate in an Approved Program for drug and alcohol testing within 30 days of the order, or if Respondent ceases participation in the Approved Program without Board approval. This delegated authority only pertains to respondents who must comply with drug and/or alcohol testing requirements.
4. Grant or deny approval when Respondent proposes treatment providers [, mentors, supervisors, etc.] unless the Order specifically requires full-Board/Section or Board designee approval. (Except for MED)
5. Grant a maximum of one 90-day extension, if warranted and requested in writing by Respondent, to complete Board/Section-ordered continuing/disciplinary/remedial education.
6. Grant a maximum of one 90-day extension or payment plan for proceeding costs and/or forfeitures if warranted and requested in writing by Respondent.
7. Grant a maximum of one 90-day extension, if warranted and requested in writing by Respondent, to complete a Board/Section-ordered evaluation or exam.

## **Authorities Delegated to Board Legal Counsel**

Board Legal Counsel may take the following actions on behalf of the Board/Section:

1. Sign Monitoring orders that result from Board/Section meetings on behalf of the Board/Section Chair.
- 

Updated 03/13/2023

2022 Roles & Authorities



**COSMETOLOGY EXAMINING BOARD  
2023 DELEGATIONS OF AUTHORITIES**

***Document Signature Delegations***

**MOTION:** Ann Hoepfner moved, seconded by Kayla Cwojdzinski, to delegate authority to the Chairperson (or in absence of the Chairperson, the highest-ranking officer or longest serving board member in that succession) to sign documents on behalf of the Board in order to carry out its duties. Motion carried unanimously.

**MOTION:** Ann Hoepfner moved, seconded by Megan Jackson, in order to carry out duties of the Board, the Chairperson (or in absence of the Chairperson, the highest-ranking officer or longest serving board member in that succession) has the ability to delegate signature authority for purposes of facilitating the completion of assignments during or between meetings. The members of the Board hereby delegate to the Executive Director or DPD Division Administrator, the authority to sign on behalf of a board member as necessary. Motion carried unanimously.

***Delegated Authority for Urgent Matters***

**MOTION:** Ann Hoepfner moved, seconded by Kayla Cwojdzinski, that in order to facilitate the completion of urgent matters between meetings, the Board delegates its authority to the Chairperson (or, in the absence of the Chairperson, the highest-ranking officer or longest serving board member in that succession), to appoint liaisons to the Department to act in urgent matters. Motion carried unanimously.

***Delegation to Chief Legal Counsel Due to Loss of Quorum***

**MOTION:** Ann Hoepfner moved, seconded by Megan Jackson, to delegate the review and authority to act on disciplinary cases to the Department's Chief Legal Counsel due to lack of/loss of quorum after one meeting. Motion carried unanimously.

***Delegation to Chief Legal Counsel for Stipulated Resolutions***

**MOTION:** Ann Hoepfner moved, seconded by Kayla Cwojdzinski, to delegate to DSPPS Chief Legal Counsel the authority to act on behalf of the Board concerning stipulated resolutions providing for a surrender, suspension, or revocation of a credential, where the underlying merits involve serious and dangerous behavior, and where the signed stipulation is received between Board meetings. The Board further requests that CLC only act on such matters when the best interests of the Board, Department and the Public are best served by acting upon the stipulated resolution at the time the signed stipulation is received versus waiting for the next Board meeting. Motion carried unanimously.

## *Monitoring Delegations*

### **Delegation of Authorities for Monitoring**

**MOTION:** Ann Hoepfner moved, seconded by Kayla Cwojdzinski, to adopt the “Roles and Authorities Delegated for Monitoring” document as presented in the January 23, 2023 agenda materials on pages 32-34. Motion carried unanimously.

### **Delegation of Authorities for Legal Counsel to Sign Monitoring Orders**

**MOTION:** Ann Hoepfner moved, seconded by Kayla Cwojdzinski, to delegate to Legal Counsel the authority to sign Monitoring orders that result from Board meetings on behalf of the Board Chairperson. Motion carried unanimously.

## *Credentialing Authority Delegations*

### **Delegation of Authority to DSPS When Credentialing Criteria is Met**

**MOTION:** Ann Hoepfner moved, seconded by Daisy Quintal, to delegate credentialing authority to the Department to act upon applications that meet all credentialing statutory and regulatory requirements without Board or Board liaison review. Motion carried unanimously.

### **Delegation of Authority for Predetermination Reviews**

**MOTION:** Ann Hoepfner moved, seconded by Daisy Quintal, to delegate authority to the Department Attorneys to make decisions regarding predetermination applications pursuant to Wis. Stat. § 111.335(4)(f). Motion carried unanimously.

### **Delegation of Authority for Conviction Reviews**

**MOTION:** Megan Jackson moved, seconded by Ann Hoepfner, to delegate authority to the Department Attorneys and Paralegals to make decisions regarding applications according to Wis. Stat. § 454.06(1)(b). Motion carried unanimously.

### **Delegation to DSPS When Applicant’s Discipline History Has Been Previously Reviewed**

**MOTION:** Ann Hoepfner moved, seconded by Megan Jackson, to delegate authority to Department staff to approve applications where Applicant’s prior discipline has been approved for a previous credential and there is no new discipline. Motion carried unanimously.

**Delegation to DSPS When Applicant's Conviction History Has Been Previously Reviewed**

**MOTION:** Ann Hoepfner moved, seconded by Daisy Quintal, to delegate authority to Department staff to approve applications where criminal background checks have been approved for a previous credential and there is no new conviction record. Motion carried unanimously.

**Delegation of Authority for Reciprocity/Endorsement Reviews**

**MOTION:** Ann Hoepfner moved, seconded by Daisy Quintal, to delegate authority to the Department Attorneys to review and approve reciprocity/endorsement applications in which the out of state services are substantially the same as those in Wisconsin. Motion carried unanimously.

### **Delegation of Authority for Military Reciprocity Reviews**

**MOTION:** Ann Hoepfner moved, seconded by Kayla Cwojdzinski, to delegate authority to the Department Attorneys to review and approve military reciprocity applications in which the individual meets the requirements of Wis. Stat. § 440.09. Motion carried unanimously.

### **Delegated Authority for Application Denial Reviews**

**MOTION:** Ann Hoepfner moved, seconded by Daisy Quintal, to delegate authority to the Department's Attorney Supervisors to serve as the Board's designee for purposes of reviewing and acting on requests for hearing as a result of a denial of a credential. Motion carried unanimously.

### **Delegation to DPCP Legal Team Paralegals and Attorneys to Approve AODA/FTP Evaluators/Assessors**

**MOTION:** Ann Hoepfner moved, seconded by Daisy Quintal, to delegate authority to the DPCP Legal Team Attorneys and Paralegals to review and approve Applicant's proposed Evaluators/Assessors for AODA and FTP assessments, unless the request specifically requires full-Board or Board liaison approval. Motion carried unanimously.

### ***Voluntary Surrenders***

**MOTION:** Kayla Cwojdzinski moved, seconded by Ann Hoepfner, to delegate authority to the assigned case advisor to accept or refuse a request for voluntary surrender pursuant to Wis. Stat. § 440.19 for a credential holder who has a pending complaint or disciplinary matter. Motion carried unanimously.

**MOTION:** Ann Hoepfner moved, seconded by Daisy Quintal, to delegate authority to the Department to accept the voluntary surrender of a credential when there is no pending complaint or disciplinary matter with the Department pursuant to Wis. Stat. § 440.19. Motion carried unanimously.

### ***Education and Examination Liaison(s) Delegation***

**MOTION:** Ann Hoepfner moved, seconded by Daisy Quintal, to delegate authority to the Education and Examination Liaison(s) to address all issues related to education and examinations. Motion carried unanimously.

### ***Authorization for DSPS to Provide Board Member Contact Information to National Regulatory Related Bodies***

**MOTION:** Ann Hoepfner moved, seconded by Daisy Quintal, to authorize the Department staff to provide national regulatory related bodies with all board member contact information that the Department retains on file. Motion carried unanimously.

***Optional Renewal Notice Insert Delegation***

**MOTION:** Ann Hoepner moved, seconded by Kayla Cwojdzinski, to designate the Chairperson (or, in the absence of the Chairperson, the highest-ranking officer or longest serving board member in that succession) to provide a brief statement or link relating to board-related business within the license renewal notice at the Board's or Board designee's request. Motion carried unanimously.

***Legislative Liaison Delegation***

**MOTION:** Ann Hoepner moved, seconded by Megan Jackson, to delegate authority to the Legislative Liaisons to speak on behalf of the Board regarding legislative matters. Motion carried unanimously.

***Newsletter Liaisons Delegation***


**MOTION:** Ann Hoepner moved, seconded by Kayla Cwojdzinski, to delegate authority to the newsletter liaisons to handle all matters relating to newsletters. Motion carried unanimously.

***Travel Authorization Liaison Delegation***

**MOTION:** Ann Hoepner moved, seconded by Daisy Quintal, to delegate authority to the Travel Authorization Liaison to approve any board member travel to and/or participation in events germane to the board, and to designate representatives from the Board to speak and/or act on the Board's behalf at such events. Motion carried unanimously.

**State of Wisconsin  
Department of Safety & Professional Services**

**AGENDA REQUEST FORM**

<b>1) Name and title of person submitting the request:</b> Nilajah Hardin Administrative Rules Coordinator		<b>2) Date when request submitted:</b> 1/9/24 Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting	
<b>3) Name of Board, Committee, Council, Sections:</b> Cosmetology Examining Board			
<b>4) Meeting Date:</b> 1/22/24	<b>5) Attachments:</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<b>6) How should the item be titled on the agenda page?</b> Administrative Rule Matters – Discussion and Consideration 1. Drafting Proposals: Cos 1, 2, 5, and 6, Relating to Scope of Practice and Education 2. Pending or Possible Rulemaking Projects	
<b>7) Place Item in:</b> <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session	<b>8) Is an appearance before the Board being scheduled?</b> <i>(If yes, please complete <a href="#">Appearance Request</a> for Non-DSPS Staff)</i> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<b>9) Name of Case Advisor(s), if required:</b> N/A	
<b>10) Describe the issue and action that should be addressed:</b>  Attachments: -Scope Statement – Cos 1, 2, 5, and 6 -Wisconsin Administrative Code Ch. Cos 5 -Rule Projects Chart  Copies of current Board Rule Projects Can be Viewed Here: <a href="https://dsps.wi.gov/Pages/RulesStatutes/PendingRules.aspx">https://dsps.wi.gov/Pages/RulesStatutes/PendingRules.aspx</a>			
<b>11) Authorization</b>			
 Signature of person making this request		10/13/23 Date	
Supervisor (if required)		Date	
Executive Director signature (indicates approval to add post agenda deadline item to agenda)     Date			
<b>Directions for including supporting documents:</b> 1. This form should be attached to any documents submitted to the agenda. 2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director. 3. If necessary, provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.			

## Chapter Cos 5

### COURSES OF INSTRUCTION

Cos 5.001	Instruction.	Cos 5.02	Practitioner license syllabus.
Cos 5.01	Courses.	Cos 5.04	Aesthetician license syllabus.
Cos 5.015	Persons providing practical instruction in schools and specialty schools.	Cos 5.05	Electrologist license syllabus.
		Cos 5.06	Manicurist license syllabus.

**Note:** Chapter BC 5 was renumbered ch. Cos 5 under s. 13.92 (4) (b) 1., Stats., Register February 2013 No. 686.

**Note:** See Chapter SPS 50 for rules governing the licensing of barbers, barbering managers, and barbering establishments.

**Cos 5.001 Instruction.** An applicant for licensure as a cosmetologist, aesthetician, electrologist, or manicurist may receive instruction in a school of cosmetology licensed under s. 440.62 (3) (ar), Stats., exempted under s. 440.61, Stats., or accredited by any of the following:

- (1) National Accrediting Commission of Career Arts & Sciences (NACCAS).
- (2) Accrediting Commission of Career Schools and Colleges (ACCSC).
- (3) Council on Occupational Education (COE).
- (4) National Interstate Council of State Boards of Cosmetology (NIC).

(5) Any other accrediting agency relating to cosmetology that is recognized by the U.S. Department of Education.

**History:** CR 15-020: cr. Register July 2015 No. 715, eff. 8-1-15; CR 18-002: am. (intro.) Register April 2018 No. 748, eff. 5-1-18.

**Cos 5.01 Courses.** (1) Schools that provide instruction to students for cosmetology practitioner, or specialty schools that provide instruction to students for aesthetician, electrologist, or manicurist licenses shall develop curricula for instruction that are based on the appropriate syllabus as approved by the board in this chapter.

(2) A school or specialty school shall offer at a minimum the practical and theory hours listed for subjects in the appropriate syllabus included in this section chapter.

(3) Courses may be offered to students remotely as deemed appropriate by the school and as approved by the board.

(4) Simulated patrons, such as mannequins, may be used for practical training as deemed appropriate by the board.

**History:** Cr. Register, July, 1989, No. 403, eff. 8-1-89; renumber (1) to be Cos 5.01 under s. 13.92 (4) (b) 1., Stats., and correction made under s. 13.92 (4) (b) 6., 7., Stats., Register February 2013 No. 686; EmR1502: emerg. am., eff. 1-15-15; CR 15-020: am. Register July 2015 No. 715, eff. 8-1-15; CR 18-002: am. Register April 2018 No. 748, eff. 5-1-18; CR 22-085: r. and recr. Register October 2023 No. 814, eff. 11-1-23.

**Cos 5.015 Persons providing practical instruction in schools and specialty schools.** No person may use the title, "Wisconsin certified cosmetologist, aesthetician, electrologist, or manicurist instructor," or use any title that implies the person is a Wisconsin certified instructor, or represents the person to be a Wisconsin certified instructor under this chapter unless the person holds a current license in cosmetology, aesthetics, electrology, or manicuring and meets the requirements under s. 440.63 (3), Stats.

**History:** CR 20-025: Register July 2021 No. 787, eff. 8-1-21.

**Cos 5.02 Practitioner license syllabus.** A syllabus for the practitioner license is shown below in Figure 5.02:

FIGURE 5.02

	SUBJECTS	THEOR Y HOURS	PRACTICA L HOURS
I.	Hygiene, grooming and personal development.	10	0
II.	Bacteriology, sterilization and sanitation.	20	20
III.	Haircutting, hair tapering (clipper-cuts), razor cutting, hairstyling, curling, thermal waving, finger-waving, roller setting, pincurl placement, blow-drying, shampoos, scalp and hair treatments, conditioning, reconditioning, hair analysis, and care of hairpieces, wigs and wefts. Tools, equipment and implements (identification and usage).	140	440
IV.	Hair straightening, hair relaxing, thermal hair straightening, blow-outs, permanents, hair coloring, tinting, bleaching and chemistry. Tools, equipment and implements (identification and usage).	185	392
V.	Shaving, beard and mustache shaping, trimming, superfluous hair removal, waxing, facials, facial massages, facial makeup, eyelashes, light therapy, basic principles of electricity, and introduction to electrology. Tools,	35	60

	equipment and implements (identification and usage).		
VI.	Manicuring, including nail enhancement. Tools, equipment and implements (identification and usage).	10	25
VI I.	Anatomy and physiology of the hair, skin and nails and disorders of the hair, skin, scalp and nails.	50	0
VI I.	Product knowledge, product use and sales, preparing and consulting with customer for services.	30	0
IX.	Laws, rules, professional ethics and history of cosmetology.	18	0
X.	Individual student needs, industry trends and electives (e.g. recordkeeping, mathematics, communications, human relations, public relations, first aid, etc.) (Hours may include structured visits conducted by the school outside of the classroom at one or more cosmetology establishments.)	40	75
	<b>TOTAL HOURS:</b>	<b>538</b>	<b>1012</b>

**History:** Cr. Register, July, 1989, No. 403, eff. 8-1-89; am. Register, July, 1994, No. 463, eff. 8-1-94; am., Register, May, 1999, No. 521, eff. 6-1-99; am. Register, September, 2000, No. 537, eff. 10-1-00; CR 05-118: am. Register November 2006 No. 611, eff. 12-1-06; correction in Figure 5.02 made under s. 13.92 (4) (b) 6., 7., Stats., Register February 2013 No. 686; EmR1502: emerg. r. and recr., eff. 1-15-15; CR 15-020: r. and recr. Figure 5.02 Register July 2015 No. 715, eff. 8-1-15.

**Cos 5.04 Aestheticians license syllabus.** A syllabus for the aestheticians license is shown below in Figure 5.04:

FIGURE 5.04

	SUBJECTS	THEORY HOURS	PRACTICAL HOURS
I.	Introduction Law and Code, Bookkeeping, Business Management, History, and Ethics	26	
II.	Safety, Sanitation and Sterilization	30	20
III.	Anatomy and Physiology	30	
IV.	Chemistry, Treatments and Process	24	
V.	Treatment-Product and Techniques	32	96

VI.	Electricity, Machines and Equipment	10	35
VII.	Make-up and Color Analysis	12	20
VIII.	Individual Student Needs and Electives (Hours may include structured visits conducted by the school outside of the classroom at one or more cosmetology or aesthetics establishments.)	65	50
	<b>TOTAL HOURS:</b>	<b>229</b>	<b>221</b>

**History:** Cr. Register, July, 1989, No. 403, eff. 8-1-89; am. Register, September, 2000, No. 537, eff. 10-1-00; correction in Figure 5.04 made under s. 13.92 (4) (b) 6., 7., Stats., Register February 2013 No. 686.

**Cos 5.05 Electrologist license syllabus.** A syllabus for the electrologist license is shown below in Figure 5.05:

FIGURE 5.05

	SUBJECTS	THEORY HOURS	PRACTICAL HOURS
I.	Introduction Law and Code, Bookkeeping, Business Management, History and Ethics	30	
II.	Basic Principles of Electricity and Equipment Usage	20	20
III.	Anatomy, Physiology and Microbiology	20	
IV.	Safety, Sanitation and Sterilization	30	20
V.	Modalities of Electrology	20	50
VI.	Electrology Techniques and Variables	20	50
VII.	Clinical Practice: Consultation, Evaluation, Complications, Contraindications, Positioning and Draping, Lighting and Optics, and Epilatic Techniques	40	60
VIII.	Individual Student Needs and Electives (Hours may include structured visits conducted by the school outside of the classroom at one or more electrology establishments.)	30	40
	<b>TOTAL HOURS:</b>	<b>210</b>	<b>240</b>

**History:** Cr. Register, July, 1989, No. 403, eff. 8-1-89; am. Register, September, 2000, No. 537, eff. 10-1-00.



Cos 5.06 **Manicurist license syllabus.** A syllabus for the manicurist license is shown below in Figure 5.06:

FIGURE 5.06

	SUBJECTS	THEORY HOURS	PRACTICAL HOURS
I.	Introduction		
	Law and Codes, Bookkeeping, Business Management, History and Ethics	36	
II.	Safety, Sanitation, Sterilization, First Aid and Bacteriology	10	25
III.	Nails and Skin Disorders	24	10
IV.	Anatomy and Physiology	18	8
V.	Manicuring and Pedicuring, including nail enhancement	24	112
VI.	Introduction to Advertising	12	
VII.	Individual Student Needs and Electives (Hours may include structured visits conducted by the school outside of the classroom at one or more cosmetology or manicuring establishments.)	7	14
	<b>TOTAL HOURS:</b>	<b>131</b>	<b>169</b>

**History:** Cr. Register, July, 1989, No. 403, eff. 8-1-89; am. Register, July, 1994, No. 463, eff. 8-1-94; am. Register, September, 2000, No. 537, eff. 10-1-00; CR 05-118: am. Register November 2006 No. 611, eff. 12-1-06; correction in Figure 5.06 made under s. 13.92 (4) (b) 6., 7., Stats., Register February 2013 No. 686.

# STATEMENT OF SCOPE

## COSMETOLOGY EXAMINING BOARD

**Rule No.:** Chapters Cos 1, 2, 5, and 6

**Relating to:** Scope of Practice and Education

**Rule Type:** Permanent

**1. Finding/nature of emergency (Emergency Rule only):**

N/A

**2. Detailed description of the objective of the proposed rule:**

The objective of the proposed rule is for the Board to review the requirements relating to education in Wisconsin Administrative Code Chapters Cos 1, 2, 5 and 6 and conduct a comprehensive review on courses of instruction.

**3. Description of the existing policies relevant to the rule, new policies proposed to be included in the rule, and an analysis of policy alternatives:**

Wisconsin Administrative Code Chapters Cos 1, 2, 5 and 6 cover requirements for professional and personal conduct, courses of instruction, and apprenticeship procedures and standards, respectively. The Board has identified the need for a comprehensive evaluation of these rules to ensure that they are clear, consistent with current professional and academic practices and standards, and that they comply with applicable Wisconsin statutes.

The alternative to making these updates is that license and education requirements will continue to be inconsistently interpreted by those currently within and interested in entering the profession.

**4. Detailed explanation of statutory authority for the rule (including the statutory citation and language):**

Section 15.08 (5) (b), Stats., states that “[each examining board] [s]hall promulgate rules for its own guidance and for the guidance of the trade or profession to which it pertains and define and enforce professional conduct and unethical practices not inconsistent with the law relating to the particular trade or profession.

Section 227.11 (2) (a), Stats., states that an agency, “may promulgate rules interpreting the provisions of any statute enforced or administered by the agency, if the agency considers it necessary to effectuate the purpose of the statute, but a rule is not valid if the rule exceeds the bounds of correct interpretation.”

Section 440.62 (5) (b) 1., Stats., states that “[t]he cosmetology examining board shall promulgate rules prescribing the subjects required to be included in courses of instruction at schools of cosmetology and specialty schools and establishing minimum standards for courses of instruction and instructional materials and equipment at schools of cosmetology and specialty schools.”

Section 454.075, Stats., states that “[t]he examining board shall identify by rule the accrediting agencies it approves to accredit schools for the purpose of satisfying educational requirements for an initial license or a license renewal under this subchapter.

**5. Estimate of amount of time that state employees will spend developing the rule and of other resources necessary to develop the rule:**

80 hours

**6. List with description of all entities that may be affected by the proposed rule:**

Wisconsin licensed cosmetologists and aestheticians, sponsors and providers of initial and continuing education related to credentials issued by the Cosmetology Examining Board, and those looking to enter those professions.

**7. Summary and preliminary comparison with any existing or proposed federal regulation that is intended to address the activities to be regulated by the proposed rule:**

None.

**8. Anticipated economic impact of implementing the rule (note if the rule is likely to have a significant economic impact on small businesses):**

None to minimal. The rule is not likely to have a significant economic impact on small businesses.

**Contact Person:** Dana Denny, Administrative Rule Coordinator, [DSAdminRules@wisconsin.gov](mailto:DSAdminRules@wisconsin.gov), (608) 287-3748.

Approved for publication:

Approved for implementation:

  
\_\_\_\_\_  
Authorized Signature

  
\_\_\_\_\_  
Authorized Signature

12/12/2022  
\_\_\_\_\_  
Date Submitted

3/16/2023  
\_\_\_\_\_  
Date Submitted

**From:** [Megan Jackson](#)  
**To:** [Hardin, Nilajah - DSPS](#)  
**Cc:** [Johnson, William H - DSPS](#)  
**Subject:** Re: Rule Project Update: Cos 1,2,5 and 6  
**Date:** Wednesday, January 10, 2024 11:16:26 AM

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Hi Nilajah,  
 Sorry for the late reply please find the proposed changes below for 5.04. We will work on the manicurists and cosmetology after the meeting. Please let me know if there are any further questions or concerns.

Thanks,  
 Megan

Cos 5.04 Aestheticians license syllabus. A syllabus for the aestheticians license is shown below in Figure 5.04: FIGURE 5.04 SUBJECTS THEORY HOURS PRACTICAL HOURS

Subject	Current Theory	Proposed	Current Practical	Proposed	Notes
I. Introduction Law and Code, Bookkeeping, Business Management, History, and Ethics	26	60	N/A	N/A	Add 36 hours for a total of 60  Must include tax reporting
II. Safety, Sanitation and Sterilization	30	N/A	20	N/A	
III. Anatomy and Physiology	30	N/A	N/A	N/A	
IV. Chemistry, Treatments and Process	24	56	N/A	96	Merge Into one topic
V. Treatment-Product and Techniques	32		96		

VI. Electricity, Machines and Equipment	10	20	35	N/A	Add 10 theory hours for a total of 20
VII. Make-up and Color Analysis	12	20	20	35	Add 8 hours of theory for a total of 20  Add 15 hours of practical for a total of 35
VIII. Individual Student Needs and Electives (Hours may include structured visits conducted by the school outside of the classroom at one or more cosmetology or aesthetics establish)	65	18	50	30	Decrease theory by 47 hours for a total of 18  Increase practical hours by 5 hours for a total for 226  Electives must include Dermaplaning Lash and Brow Chemical Services
<b>Total</b>	229	234 (+5)	221	216 (-5)	<b>450</b>

**Cosmetology Examining Board  
Rule Projects (updated 1/9/24)**

<b>Clearinghouse Rule Number</b>	<b>Scope #</b>	<b>Scope Expiration</b>	<b>Code Chapter Affected</b>	<b>Relating clause/ Summary</b>	<b>Current Stage</b>	<b>Next Step</b>
Not Assigned Yet	008-23	7/23/2025	Cos 1, 2, 5 and 6	<b>Education and Clarification of courses of instruction</b> /The objective of the proposed rule is for the Board to review the requirements relating to education in Wisconsin Administrative Code Chapters Cos 1, 2, 5 and 6 and conduct a comprehensive review on courses of instruction.	Rule drafting.	Board Review and Approval of Preliminary Rule Draft.

**State of Wisconsin  
Department of Safety & Professional Services**

**AGENDA REQUEST FORM**

1) Name and Title of Person Submitting the Request:  <b>Will Johnson, Executive Director</b>		2) Date When Request Submitted: <b>1/8/2024</b>  Items will be considered late if submitted after 4:30 p.m. and less than: <ul style="list-style-type: none"> <li>▪ 10 work days before the meeting for Medical Board</li> <li>▪ 14 work days before the meeting for all others</li> </ul>	
3) Name of Board, Committee, Council, Sections:  <b>Cosmetology Examining Board</b>			
4) Meeting Date:  <b>01/22/2024</b>	5) Attachments: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	6) How should the item be titled on the agenda page? <b>Discussion and consideration of proposal regarding board composition.</b>	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session <input type="checkbox"/> Both	8) Is an appearance before the Board being scheduled?  <input type="checkbox"/> Yes ( <a href="#">Fill out Board Appearance Request</a> ) <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if required: <b>N/A</b>	
10) Describe the issue and action that should be addressed:			
11) <b>Authorization</b>			
<i>Will Johnson</i>		<i>01/08/2024</i>	
Signature of person making this request		Date	
Supervisor (if required)		Date	
Executive Director signature (indicates approval to add post agenda deadline item to agenda)		Date	
<b>Directions for including supporting documents:</b> 1. This form should be attached to any documents submitted to the agenda. 2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director. 3. If necessary, Provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.			

**State of Wisconsin  
Department of Safety & Professional Services**

**AGENDA REQUEST FORM**

1) Name and Title of Person Submitting the Request:  <b>Will Johnson, on behalf of Chair Jackson</b>		2) Date When Request Submitted: <b>01/09/2024</b>  Items will be considered late if submitted after 4:30 p.m. and less than: <ul style="list-style-type: none"> <li>▪ 10 work days before the meeting for Medical Board</li> <li>▪ 14 work days before the meeting for all others</li> </ul>	
3) Name of Board, Committee, Council, Sections:  <b>Cosmetology Examining Board</b>			
4) Meeting Date:  <b>01/22/2024</b>	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? <b>Gainful Employment Rule - Discussion and Consideration</b>	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session <input type="checkbox"/> Both	8) Is an appearance before the Board being scheduled?  <input type="checkbox"/> Yes ( <a href="#">Fill out Board Appearance Request</a> ) <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if required: <b>N/A</b>	
10) Describe the issue and action that should be addressed:  <b>Reference Materials:</b> <ul style="list-style-type: none"> <li>• <a href="#">Press Release – Department of Education Gainful Employment Rule:</a> <a href="https://www.ed.gov/news/press-releases/department-education-releases-proposed-rules-accountability-certificate-and-profit-programs-and-transparency-unaffordable-student-debt">https://www.ed.gov/news/press-releases/department-education-releases-proposed-rules-accountability-certificate-and-profit-programs-and-transparency-unaffordable-student-debt</a></li> <li>• <a href="#">AACs and Gainful Employment:</a> <a href="https://www.highereddive.com/news/education-department-sued-over-gainful-employment-rule/703689/?utm_source=Sailthru&amp;utm_medium=email&amp;utm_campaign=Issue:%202024-01-05%20Higher%20Ed%20Dive%20%5Bissue:57865%5D&amp;utm_term=Higher%20Ed%20Dive">https://www.highereddive.com/news/education-department-sued-over-gainful-employment-rule/703689/?utm_source=Sailthru&amp;utm_medium=email&amp;utm_campaign=Issue:%202024-01-05%20Higher%20Ed%20Dive%20%5Bissue:57865%5D&amp;utm_term=Higher%20Ed%20Dive</a></li> <li>• <a href="#">Department of Education Proposed Rules</a> - <a href="https://www.govinfo.gov/content/pkg/FR-2023-05-19/pdf/2023-09647.pdf">https://www.govinfo.gov/content/pkg/FR-2023-05-19/pdf/2023-09647.pdf</a></li> </ul>			
11) <span style="float: right;">Authorization</span>  <div style="display: flex; justify-content: space-between;"> <span><i>Will Johnson</i></span> <span><i>01/09/2024</i></span> </div> <hr/> <div style="display: flex; justify-content: space-between;"> <span>Signature of person making this request</span> <span>Date</span> </div> <hr/> <div style="display: flex; justify-content: space-between;"> <span>Supervisor (if required)</span> <span>Date</span> </div> <hr/> <div style="display: flex; justify-content: space-between;"> <span>Executive Director signature (indicates approval to add post agenda deadline item to agenda)</span> <span>Date</span> </div>			
Directions for including supporting documents: 1. This form should be attached to any documents submitted to the agenda. 2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director. 3. If necessary, Provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.			