

FOR REPRESENTATIVE CONSIDERATION OF HOUSE BILL 2314 SECTION 1

Summary

Currently in Oregon there are two models of education to graduate students in the fields of hair design, barbering, esthetics and nail technology.

- (a) Minimum Hourly Training - This model requires students to meet specific hourly minimums to become trained and licensed. Average cost \$12,000 - \$25,000.
- (b) Proficiency Based Training - This model requires written standards approved by the commission to test and educate individuals with prior cosmetology experience to more quickly move into the workforce. Average cost \$2000.

After completing either of these programs all individuals are held to the same State testing standards before receiving licensing and moving into the workforce.

House Bill 2314

Under current law both Hourly and Proficiency models are protected and regulated by the following language: (See Exhibit A) By removing the specific language under current law you remove the protection and regulation and leave room for vague and arbitrary decision making. We do understand the need for greater flexibility for the State agencies to make adjustments without coming back to legislation for each minor adjustment. We have proposed language in Exhibit A to allow for flexibility while still protecting Hourly and Proficiency models. Proficiency based schools have a history of being misunderstood and have felt threatened in the past of being delegitimized. There are many examples where Proficiency based schools have been misunderstood and left vulnerable. (See Exhibit B)

Why Proficiency based schools?

Currently in Oregon there are thousands of unlicensed laborers working under the table in beauty salons across the State. Over 70% of the workforce in this industry are often coming from other countries or moving across state lines. Although they are unlicensed they are not necessarily unskilled. Proficiency based education models provide individuals with a fast track into the workforce without requiring redundant hourly minimums. The goal that we have in common and my passion and life work is to get skilled, licensed laborers out into the workforce. (See Exhibit C and attached letters from Representative Barbara Smith Warner)

Questions

Before making these changes I hope the following questions are considered:

- What are we trying to accomplish by removing already clear and specific language?
- What is the problem we are trying to address by removing this language?
- Can we accomplish the same objective by adjusting (a) in the Proposed Changes in Exhibit A?

Thank you for your consideration,

Mytien Huynh Kent | Owner/Operator Portland Beauty School
503-515-7994
mytien@portlandbeautyschool.com

EXHIBIT A

CURRENT LAW

(3) Shall require the schools to teach, and require for graduation from the school, courses that meet the following minimum standards:

(a)(A) A minimum hourly training requirement for:

- (i) Hair design, 1,450 hours;
- (ii) Barbering, 1,100 hours;
- (iii) Esthetics, 250 hours; and
- (iv) Nail technology, 350 hours; and

(B) In addition to the programs listed in this subsection, a student is also required to successfully complete the following requirements once:

- (i) Safety and sanitation, 150 hours; and
- (ii) Career development, 100 hours.

(b) A student proficiency-based training requirement for hair design, barbering, esthetics or nail technology, if the school has developed written requirements for graduation that are approved by the commission.]

PROPOSED HOUSE BILL 2314

(3) Shall require the schools to teach, and require for graduation from the school, courses that meet minimum standards **set by the commission by rule.**

FOR YOUR CONSIDERATION

(3) Shall require the schools to teach, and require for graduation from the school, courses that meet the following minimum standards:

(a) A minimum hourly training **set by the commission by rule.**

(b) A student proficiency-based training requirement for hair design, barbering, esthetics or nail technology, if the school has developed written requirements for graduation that are approved by the commission.

EXHIBIT B

Notes from HECC & Health Licensing Agency Advisory Committee Meeting – December 10, 2014

Attendees:

Juan Baez-Aravelo, Director of HECC and Staff
Holly Mercer, Director of Health Licensing and Staff
Advisory Committee Members
Cosmetology School Owners

Meeting Notes relating to cosmetology schools:

This was the first meeting that HECC & the Oregon Health Licensing announced that they were working together with schools. Holly Mercer, Director of HLO passed around a student's transcript questioning the validity of her training. She emphasized many times that it would be impossible for any school to grant a student graduation hours for the hair design program for only 8 clock hours. (Hair design clock hour program 1450). Both state agencies were thoroughly convinced that our school was doing something completely fraudulent. Holly Mercer used this example to point to why she had halted all testing for students two weeks prior. Any graduate coming from a Proficiency Based Training without additional grades, progress reports, clock hour print out, etc. was being turned away for licensure testing.

Why was the Health Licensing Agency requesting for this type of information when it wasn't in their jurisdiction? Why were they turning graduates away for testing when they had all the required documents?

When it was time for the public to speak, I shared that I was very happy that specific student transcript was brought to everyone's attention. I had her file with me. I shared that this specific graduate is a prime example of the type of individuals our school helps get into the workforce immediately. She had prior training from Utah in which her license lapsed and when she needed her transcript to test in Oregon, the school that she attended her training was out of business. The state licensing authority in Utah did not keep records of her transcript. Our Proficiency Based Program was able to give her a vigorous 8-hour Practical exam and 6-hour written exams and she passed with flying colors. She was able to test for licensure within weeks.

After hearing my story, both state agencies realized that they over-simplified the case without consulting with our school instead of assuming that we had done something fraudulent.

EXHIBIT C

Examples of Individuals that went through our Proficiency Based Training Program:

1. An individual that completed her education in Utah for her complete clock hours but let her license lapse. When she wanted to renew her license, the school she attended was no longer in business. The Utah Licensing Authority did not keep records of her education. She still had her expired license. Our school gave her a vigorous eight hour Practical Exam and six additional hours of written exams. She passed everything with flying colors. She immediately went to the Oregon Health Licensing Agency, passed her two state exams and received licensure the same day. With our Proficiency Based Program, this individual (also like many others) was able to get licensed and into the workforce within a few weeks without having to pay \$12,000-25,000 to start school from the beginning. (Referenced in Exhibit B)
2. Eight Individuals approximately a few months ago were fined for working in a salon without a license. The very same day, they enrolled in our Proficiency Based Program, took their eight hour Practical Exam and six hour written exams. These individuals were trained in Mexico and had their clock hour certificates of completion. Now they will be ready to take their exams at the Oregon Health Licensing Agency and soon be licensed to work and become tax payers.
3. Many individuals come from other countries or states with years of work experience in salons. Their experience and skill level far exceeds what our State's require for training in a traditional clock hour school. The Proficiency Based Training allows many individuals to accomplish their goals of getting into the work force immediately.

All of these individuals are required to take the following exams administered by our school and at the Oregon Health Licensing Agency: Oregon Law & Safety Sanitation Exam in addition to their Hair, Nails, or Esthetics Exams.

BARBARA SMITH WARNER
STATE REPRESENTATIVE
DISTRICT 45



HOUSE OF REPRESENTATIVES

February 5, 2015

The Honorable John Kitzhaber, MD
900 Court St NE
Salem, OR 97310

Dear Governor Kitzhaber:

I am writing to urge the nomination of Mytien Kent to the Oregon Board of Cosmetology. I believe that Mytien's years of experience and connections to the Vietnamese community would both serve the board well.

Ms. Kent's family has owned Portland Beauty School for 18 years. Its current location on Northeast 82nd makes it both central to Portland's Vietnamese community, and convenient to public transit. Portland Beauty School is one of only five competency-based beauty schools in the state, and it plays an important role in helping Oregon immigrants with prior cosmetology experience quickly become certified and move into meaningful work. The school is also the only one in Oregon with bilingual instructors.

Cosmetology licensing plays a big role in Oregon's renewed emphasis on career and technical education, and in the "middle 40" with career certification of our 40-40-20 education goal. We need broader representation on our state boards from emerging communities, and Mytien's knowledge and perspective will be an extremely valuable one. I ask that you give every consideration to her nomination.

Sincerely,

A handwritten signature in blue ink that reads "Barbara Smith Warner". The signature is fluid and cursive, with the first name being the most prominent.

Representative Barbara Smith Warner
House District 45