

NIC Bulletin

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2012

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Official Newsletter of the National-Interstate Council of State Boards of Cosmetology, Inc.

www.nictesting.org

Conference Plans Completed



Now that the plans have all been finalized and put in place for the NIC Annual Conference, August 24 - 27, 2012 at the beautiful city of Salt Lake, UT, the Utah Cosmetology and Barber Board members are ready to welcome everyone to their lovely state.

The members of the Education Committee combined their ideas together to help bring the key of communication to the delegates for an outstanding three days of a great program. The Committee has also worked closely with the Administrators to create an equal balance of great education for everyone.

All members will find the selected topics very valuable. The important topics the Education Committee will present are:

“De-regulation-Where is it Coming From and What Do We Do?”; “Empowering the Profession...Setting Standards, Unifying the Professionals”; “Inspections, Investigations and Good Litigation Tactics”; “Government Regulations”; “Legislative Challenges Facing our Industry” by a panel of industry leaders; “Developing Standards for Body Arts Facilities and Practitioners”; and “Is Social Media Key to Communication?” Keynote speaker for the Conference will be Geno Stampora who will talk on “Communication is Key.” His direction on how to use simple but key fundamental principles will be very valuable to the delegates. Also a Documentary on the Life and Times of Leo Passage will be presented.

The Utah Cosmetology and Barber Board has undertaken a great deal of time to

assure everyone all the comforts and conveniences during the Conference. The evening social activities are planned with a lot of festivity and fellowship. This includes a bus trip to Park City to see the quaint shops and the sophisticated dining scenes that are available. The city offers so much that is available for tourists to see and do.

For more information contact Debra Norton at (501) 227-8262 or email at dnorton@nictesting.org.

Board Administrators To Meet

State Board Administrators will be meeting during the Annual NIC Conference in Salt Lake City, UT, on October 24, 2012.

Some of the topics for the meeting will include the outcome of an administrator's survey by round table discussion on “Reciprocity vs. Endorsement”; “Testing Updates” by NIC/SMT; “Industry Updates” by King Research, PSI, PCS, Milady, CLiC and NCEA; round table discussion on “Role of an Administrator vs. Board Member”; and “New Laws and Rules, Disciplinary Complaints Process”; “Verification of School Hours” and “Agendas.”

For more information please contact Debra Norton at debranorton@sbc-global.net.

The National Examination Committee

by Mary Manna, NEC Exam Coordinator

The National Examination Committee is composed of the following members:

Rosanne Kinley, Chair, Kay Kendrick, Jackie Dahlquist, Larry Walthers, Betty Leake and Steve Colarusso.

The following is a highlight of some of the NEC's accomplishments during this past year:

The NEC workshops are held during the year to write items for the NIC Item Bank that includes pre test questions that will be evaluated by garnering necessary statistics that result in the items being dropped or included in test forms if approved.

Workshops are held on a monthly basis to review and approve of new theory

continued on page 5

NIC 2011-2012

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Message From the President



Well it's that time again when I get to share my opinions, vent my frustrations about the things I want to change in our profession and try to inspire everyone to unite in bringing all of our states together in equality of hours and education. Thus giving our professionals the ability to be more mobile and create a stronger industry.

If we want to be respected as professionals, we have to first present a strong unity of professionals. Look at the laws for nursing and realtors. We can learn a lot from them.

It is also a sad time because this will be my last message as your President. In August you will elect a new board of directors. So I want to take this time to encourage you to ask questions about the people running for office, take the time to talk to them and people who have worked with them. This is your opportunity to build a board of officers who will work for the betterment of us all and those to come after us. This opportunity should be taken very seriously. It is not a personality or friendship contest. Let's make wise choices.

Now to get off that soap box, if you will indulge a little longer, I would like to say that it has been such an honor to serve as your President for the last two years. It is so hard to believe the time has passed so quickly. I am so proud of the things we have accomplished and I hope as I move into the position of past president, I can continue to help your incoming board continue to grow and improve.

Thank you for your trust in me and I hope you still feel like it was well placed. I can honestly say that every decision I made was done so with each and every one of you in mind.

I will always be available to you so please just call anytime.

I hope to see you all in Utah.

Most sincerely

Kay Kendrick
President

www.nictesting.org

State Happenings

One of 2012's biggest movies, The Hunger Games, was filmed near Rock Hill, SC, a suburb of Charlotte and near the campus location of Ken Schuler's School of Cosmetology.

The students in the school got a chance to participate in the movie by coloring and preparing hundreds of wigs that ranged from pastel to striking shades including neon pink. The wigs were worn by the hundreds of extras and were

prepared on a fast-paced timetable by the students.

The manufacturers of the coloring products used in the movie, Jocico, was instrumental in getting the school and the production company together. Mr. Schuler said this was a once-in-a-lifetime experience and opportunity for the students. The school is hoping that a sequel of the Hunger Games that is being planned for shooting will be at the same location in the next year and that the school will again be able to participate.



Editorial

by Lois Wiskur

Are We Really Good Thinkers When Making Decisions?

During the years when I served as an officer in NIC it was always known that “rational or critical thinking” was not part of the Board’s process in having discussions. It often reminded me, ever so often, that it was true especially when in a discussion or voting was being held.

I remember sitting in committee meetings and being frustrated whenever objective ideas were presented either by another officer or in a written report and was totally ignored when it didn’t fit into the minds of the board or the listeners in the room. “If it ain’t broke, don’t fix it,” was an often repeated phrase, even when new changes were needed.

Today we all know, it is too easy not to think, but only to rely on just what we have heard or read without questioning or even investigating the source of the matter. Has anyone really ever stopped to think about how we actually think about thinking? Seriously, how do we come about forming our ideas and opinions that we really start to believe? Where do we really get our so-called information from?

These are some of the questions that we maybe need to discuss or think about. I know it can be a very difficult thing to try and define what “critical or rational thinking” really means. Are we really worthy of being so judgmental from our own sources of ideas?

One of the problems is that we know it can really take a lot of work to think. We would

rather make it much easier on ourselves to resort to a safer place in our minds or just listen to the views given by the commentator on the radio, boob tube (TV), or internet. In this age of modern technology information comes to us from every direction and this makes it so hard to know what to really believe, with all of this “wishy washy” it’s often easier to just form opinions early on, based on the ideas and sources or old traditions without the true facts. Seriously, how do we form our ideas or opinions? How do we actually investigate the facts that we believe?

With the NIC Conference coming up there always seems to be some political rhetoric involving the committees and the election of the new NIC officers. Lots of comments are often heard in conversations about needing new ideas and wanting to be a part of the process of promoting these new ideas, by being able to run for an elective office or heading up a committee. By becoming a part, they hope to find out the real truth of NIC and its purpose, not just what people talk about, or something they’ve read, gotten in an e-mail or heard from someone with no actual basis.

The process of thinking will play a very important part at this Conference. If one is willing to run for an elective office because they feel that their presence could make a difference, they need to get their facts together. Make sure the facts/ideas don’t become convoluted by the time it gets to the 10th person. Being willing to serve on

the NIC Board is a serious commitment. The same goes to everyone who signs up for a committee.

There is more to being a chairperson of a standing committee. Knowing from my experience of attending 39 Conferences (yes, true fact) everyone wants their name to be selected for a committee position. Fulfilling the duties of the committee is a very serious commitment. Having been on two committees for the Conference and haven’t heard a thing from either chairperson, I made the effort to contact one of the committee chairs, hearing nothing in return (the committee functioned without my ideas.) Was critical/rational thinking overlooked?

Remember when taking on a task for NIC, you need to become committed 100% when you want to express your ideas, to find the sources that are being objective, the facts that need to be checked and being non-partisan won’t be easy. But the extra work will be worth the search. Maybe if we start doing critical/rational thinking at home it will rub off on NIC and help make it a better organization.

This reminded me of the promises we make wanting to be an active member and then finding yourself too busy to keep the promises. This verse applies to some members wanting to do something exceptionally good but then keep putting off doing something that could be done quickly, waiting for that big inspiration to hit.

Be the Best of Whatever You Are

If you can’t be a pine
on the top of the hill,
Be a scrub in the valley—but be
The best little scrub
at the side of the rill;
Be a bush if you can’t be a tree.
We can’t all be captains,
we’ve got to be crew
There’s something for all of us here;
There’s big work to do,
and there’s lesser to do
And the task we must do is the near.
If you can’t be a highway,
then just be a trail
If you can’t be a sun, be a star;
It isn’t by size that you win
or you fail—
Be the best of whatever you are.
I don’t mind being a little bush—
or even a twig—how about you?

Tip Tax Credit Legislation in Congress

Beauty professionals from across the U.S. are joining forces to reach out to members of Congress to shed light on the importance of the Small Business Tax Equalization and Compliance Act, commonly known as the PICA Tip Tax Credit, for the professional salon industry.

If passed by Congress, the Tip Tax Credit legislation would provide beauty industry employers a dollar-for-dollar credit on PICA taxes paid on employee tip income.

Every salon/spa professional, including practitioners and salon/spa owners, are required by federal law to report tips as part of their income. Compliant beauty professionals not only report tip income but also pay the required FICA (social security and Medicare) taxes on those tips.

This legislation has been at the top of the Professional Beauty Association's (PBA) political agenda for several years and many advances have been made. The Bill was introduced in both the House and Senate this Congress.

A Question of Fairness... This Credit is Nothing New

The professional beauty industry is the second highest tipped industry in the U.S., just behind the restaurant industry. Unfairly, Congress has segmented the restaurant industry by allowing them since 1993 to claim a dollar-for-dollar FICA Tip Tax Credit on employee tip income. Salon and spa owners pay on average

\$11,000 in taxes per year on employee tip income, income that the owner doesn't benefit from.

So, the question you should be asking yourself: Why not the professional salon/spa industry? Why has this unfair tax gap remained in existence for 14 years? It all comes down to two issues, a lack of participation and a viable tax reform package.

The professional beauty industry's involvement has only recently begun to gain momentum. More and more beauty professionals have begun to see the bigger

picture: tax compliance, risk of IRS audits, legitimizing salaries, income honesty, tip reporting, federal student loan funding. Bureau of Labor and Statistics income reporting. Every professional is impacted.

This issue creates a trickle-up effect; everyone is affected, from students, stylists and salon owners to the smallest distributor to the largest manufacturer.

Compliance... Not Just Your Responsibility, To Your Benefit

Compliance is not an option. It is a responsibility under federal law. Every working professional is required to report their full income, including tips, whether they are a business owner, employee, or licensed contractor.

Failing to correctly report full income:

- Undervalues Bureau of Labor and Statistics reporting on the average cosmetology salary, which in turn lowers available federal loans for cosmetology students
- Reduces the potential to receive personal loans for large items, such as vehicle, home, and small business loans
- Under-reporting opens the door to IRS audits that could lead to legal action and thousands of dollars in IRS fines and legal fees
- Devalues the legitimacy of the beauty industry as a whole

However, truthful income reporting leads to both personal and professional success.

Timing is Everything

With economic recovery following the worst recession our country has seen in nearly 100 years at the top of most politicians' minds, the current political landscape offers several opportunities, as well as setbacks, to getting the FICA Tip Tax Credit legislation passed.

The average salon owner pays \$11,000 of FICA taxes per year on employee tips. Restaurants are allowed a dollar-for-dollar tax credit on tips; salons are not. Join our action campaign at probeauty.org/fica

SEND YOUR MESSAGE
**LOUD
CLEAR
+ QUICK**

The current Congress is looking for measures to cut spending, balance the budget, and is focused on overall tax reform. The ongoing fiscal discussion between the current partisan, polarized government is creating challenges and road blocks for any legislation to move forward.

To get the attention this issue deserves/ it is imperative that industry professionals get involved and tell decision makers what this credit can do for the industry and for small businesses across the nation.

Not getting involved means handing over a check every year to the federal government for taxes on money that the employer or business owner did not earn, does not profit from and cannot use to grow their business.

A Comprehensive Tax Reform Package in Congress

While PBA has been working with Congress to introduce and build support for legislation to extend the FICA tip tax credit to the salon industry, the 112th

Congress has been a very different playing field for other industries who are working to defend what they already have in the tax law.

When the new Congress began in January 2011, Senate Finance Committee

Chairman Max Baucus (D-MT) and House Ways and Means Committee Chairman

Dave Camp (R-MI) announced their tax-writing committees would begin work to reform the tax code to make American businesses more competitive, encourage job creation, and put our country back on the path of economic stability.

The ever-growing federal deficit has continued to loom over these efforts as various commissions, and a "super committee" even attempted to address the government's need for revenue and the very few options that exist to raise revenue, decrease spending and reform entitlements. The 45(B) tax credit is considered a tax expenditure.

The tax-writing committees have been laying the groundwork for tax reform by holding numerous hearings on different parts of the code. This desire to do tax reform, along with the lack of revenue to pay for new provisions, has effectively stalled any movement on tax bills this year and last.

Congress must do something. The question just becomes what that something will look like and when; a fundamental tax reform or an extension of current rates? PBA's goal is to be ready and well positioned with key members of Congress who will work with us to move the 45(B) tax credit extension when the tax code is truly opened up for reform.

Next steps... How to Get Involved

It is every professional's responsibility to lift the industry, increase legitimacy/ and educate colleagues about the importance of compliance and advocating for tax fairness for the industry.

Be involved in shaping the future of the industry. Here are just a few ways to get active:

- Join the PBA Grassroots Movement, sign on to PBA's letter to Congress at <http://www.probeauty.org/fica>
- Write your own letter to your state's Congress person
- Share the importance of tax fairness with your colleagues

Myra Y. Irizarry is the Director of Government Affairs and Industry Relations for the Professional Beauty Association (PBA), a national membership organization representing beauty product manufacturers and distributors, salon/spa owners, and licensed beauty professionals. Myra is responsible for research, legislative analysis, advocacy campaigns, and local, state, and federal government affairs efforts.



NIC expresses its sincere sympathy

to the family of Corrine Passage of Pivot Point International, Inc., who passed away May 11, 2012. Donations may be made to Skin Steel, P.O. Box 162, Glenview, IL 60028.

Newsletter Contest



The Annual NIC Lois Wiskur Newsletter Contest will be held at the Annual Conference in Salt Lake City, UT.

The two categories are Multi-Page and Single Page state newsletters that states issued this past year to its members.

The newsletters will be judged on criteria used including: layout and design of pages, articles relevant to the industry, effectiveness of headlines and graphics, clarity and correctness.

Awards will be given for first, second and third place winners in each category.

For information contact Lois Wiskur, Editor, at (605) 224-1661.

Don't forget to bring your newsletter with you!

NATIONAL EXAMINATION COMMITTEE....

CONTINUED FROM PAGE 1

test forms, and to add pre test items that are not included in a candidate's score but are tracked and reviewed before being added to the NIC item bank for all disciplines of the NIC theory exams.

A Job Analysis was concluded on the NIC Instructor examinations and a new exam was released as of April 1, 2012.

A Focus group was held on the Barber Styling examinations and is in process with a new exam to be released within the next Fiscal year.

A Job Analysis has begun on the Esthetic Examination and is in process and will continue through 2013.

The NEC conducts necessary workshops to reference new Textbook publications from all of the Industry Textbook Companies. The companies included are Milady, Pivot Point and CLiC as needed.

The NEC maintains a library of all industry Textbooks that are used by Subject Matter Experts in the examination development process and the referencing.

Barber Pole Challenged Cosmetologist

A long spat between barbers and cosmetologists still continues today in most states on whether a beauty salon could legally display the spinning red-white-and-blue pole in front of their salon, passing themselves as barbers without a single licensed barber on site.

An article put out by the Associated Press in March told how three states were in the process of legislating to reserve the rights that only licensed barbers could display the swirling pole at barber shops. At this time, Charles Kirkpatrick, AR, Executive Director of the National Association of Barber Boards of America, had not received any information on whether the legislation passed or not. The states that were legislating were Minnesota, Michigan and North Carolina.

Mr. Kirkpatrick stated that “the barber pole is the oldest sign display in communities today besides the cross.” The symbolism of the pole dates back to a time when barbers performed teeth extractions, which signifies blood for the color red on the pole. The white stands for the bandages used and the blue represents the veins.

Cosmetologists keep on arguing that a hair cut is a hair cut and that the barbers are trying to hang on to the vestiges that makes them so special. Most states cite the only difference between the two are that barbers can do shaves and cosmetologists aren’t allowed to do them.

Mr. Kirkpatrick stated that before the Vietnam War there were about 390,000 licensed barbers (due to the military cut.) The amount of licensed barbers fell to about 190,000 when the war was over and the hair got longer. Then the movie “Top Gun” came out with Tom Cruise wearing a short military cut and then we became engaged in

the Gulf War. This created the real short cuts and increased the number of licensed barbers to about 290,000. This total number has kept on growing with more people going to barber school. A few states offer cross over licensing where a cosmetologist may transfer some of their cosmetology hours to attend barber school. This allows them to have a dual license.

In my state I was told that I could not display my beauty pole, which looked much like a barber pole. After much discussion, and no red-white-and-blue color, I was allowed to keep my pole out by my door, where it still hangs today after 24 years.

I don’t see any difference in gender of clients or hair cuts, the only thing that separates the barber from the cosmetologist is their symbol – the red-white-and-blue pole.

Mr. Kirkpatrick quoted “Old barbers don’t die, they just clip away.”



Milady Has New Esthetics Textbooks

sic esthetics training. This new edition builds upon Milady’s strong tradition of providing students and instructors with the best beauty and wellness education tools for their future. Focusing on introductory topics, including history and opportunities in skin care, anatomy and physiology, and infection control and disorders, it lays the groundwork for the future professional to build their knowledge. The reader can then explore the practical skills of a skin care professional, introducing them to the treatment environment, basic facial treatments, hair removal, and the technology likely to be performed in the salon or spa setting.

Milady Standard Esthetics: Advanced, 2nd Edition – *Milady Standard Esthetics: Advanced, 2nd Edition* is an essential tool for students enrolled in advanced esthetics programs. This new edition demonstrates Milady’s commitment to providing the most current, cutting-edge educational resources to esthetic students and professionals anxious to expand

and perfect their skills in one of the fastest growing industries of the day.

Milady Standard Makeup – For decades, Milady has been known as the premier source for beauty and wellness education.. *Milady Standard Makeup*. *Milady Standard Makeup* is a full-color text, packed with more than 800 photos and illustrations, covering everything from anatomy and physiology to color theory, product types and tools. Step-by-step procedures lead the reader through various looks including bridal, prom, and high-fashion applications. Readers will also learn how to create natural looks and deal with particular skin types such as mature and acne-prone skin.

www.milady.cengage.com/academic

Erica Conley-Komoroske
Associate Marketing Manager
Milady | Cengage Learning

Milady has produced the following new editions of esthetics work books.

Milady Standard Esthetics, 11th Edition – *Milady Standard Esthetics Fundamentals, 11th edition*, is the essential source for ba-

2012 ANNUAL CONFERENCE

Little America Hotel • Salt Lake City, Utah

"Communication is Key"

FRIDAY – AUGUST 24, 2012

1:00 p.m. – 4:00 p.m.

CONFERENCE REGISTRATION – setup outside Arizona Room

5:00 p.m. – 6:00 p.m.

NEW MEMBER ORIENTATION – Wyoming Room

6:30 p.m. – 8:00 p.m.

WELCOME RECEPTION – *Sponsored by Barbicide* – Ballroom A

SATURDAY – AUGUST 25, 2012

9:00 a.m. – 10:15 a.m.

BREAKFAST – Sponsored by Super Cuts – Ballroom A

Opening Ceremonies

10:30 a.m. – 11:00 a.m.

GENERAL SESSION/Call to order – Ballroom B

Roll Call of states

Presentation & Approval of conference rules

Approval of Conference Agenda

Approval of 2011 Conference Minutes

Committee Appointment: Nominating

Presentation of Election Procedures

President's Report

Introduction of Education Chair

11:00 a.m. – 12:30 p.m.

"Communication is Key" Geno Stampora, Keynote Speaker

Sponsored by CLiC International

12:45 p.m. – 2:00 p.m.

Lunch – Sponsored by DL Roope Administrations – Ballroom A

2:15 p.m. – 3:00 p.m.

General Session – Ballroom B

"Empowering the Profession...Setting Standards, Unifying the Professions?" – Leslie Roste, RN, Sponsored by Barbicide/King Research

3:00 p.m. – 3:45 p.m.

"Deregulation – Where is it coming from & What do we do?"

– Candace Daly, CJD & Associates

3:45 p.m. – 4:00 p.m. – Break

4:00 p.m. – 5:15 p.m.

"The Documentary on the Life & Times of Leo Passage"

SUNDAY – AUGUST 26, 2012

8:00 a.m. – 9:15 a.m.

BREAKFAST – Sponsored by Milady – Ballroom A

9:30 a.m. – 10:30 a.m.

GENERAL SESSION/Call to Order – Ballroom B

Roll call of states

"Inspections, Investigations & Good Litigation Tactics" – Tina M. Crow Halcomb, L.L.C.

10:30 a.m. – 11:15 a.m.

"Government Relations" Myra Y. Irizarry, PBA Government Affairs Director

11:15 a.m. – 11:30 a.m. – Break

11:30 a.m. – 12:15 p.m.

"Legislative Challenges Facing Our Industry" – Rosanne Kinley, NEC Chair, Facilitator

Panelists will address Deregulation, FICA Tip Tax, Mobility of License/Standardization and Streamlining State Boards

12:30 p.m. – 1:45 p.m.

Lunch – Sponsored by Pivot Point – Ballroom A

Nominating Committee Report

2:00 p.m. – 2:30 p.m.

General Session– Ballroom B

"Developing Standards for Body Arts Facilities and Practitioners" – Charles Householder, Jr. (KS)

2:30 p.m. – 3:30 p.m.

"Regulating Schools" - Susan Colard, Administrator, WA DOL Business & Professions Div./Prof. Licensing Support Services

4:45 p.m.

Load buses. Park City, Utah – (Transportation Sponsored by PCS); load buses at 9:00 p.m. – return to Hotel.

MONDAY – AUGUST 27, 2012

8:00 a.m. – 9:00 a.m.

Breakfast – Sponsored by Your New School – Ballroom A (Representing OPI, Aloxxi & GuestVision)

9:15 a.m. – 10:30 a.m.

GENERAL SESSION/Call to order – Ballroom B

Roll Call

"Is Social Media Key to Communication?" Kevin L. Kirk, Ed.D. Sponsored by PCS

10:30 a.m. – 10:45 a.m. – Break

10:45 a.m. – 12:00 p.m.

Election of Officers

Committee Reports: ByLaws, Honorary Membership, Conference Sites

12:00 p.m. – 12:30 p.m.

Unfinished Business

New Business

Resolution

RECESS

2:00 p.m. – 3:30 p.m.

NEC Meeting

Arizona Room

Executive Board Meeting

Arizona Room

6:30 p.m.

Banquet followed by Installation of Officers (Dinner served at 7:00 p.m.) Ballroom A

9:00 p.m.

Adjourn



Bulletin

Published five times a year, the NIC Bulletin is the official newsletter of the National Interstate Council of State Boards of Cosmetology, Inc., 7622 Briarwood Circle, Little Rock, AR 72205.

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Conference Helpful Hints

The Conference serves as the annual meeting of the membership to conduct business such as election of officers, adoption of bylaws and policies, when warranted, and address any other business items on the agenda.

Each year NIC has many new members as well as older members who may have attended many Conferences and will be attending the Conference in Salt Lake City. With the Conference approaching soon, the delegates will get to act on different items of business by the process of voting. Here are a few helpful hints that could be of help to the members.

- When voting for an NIC officer, check to see if the candidate that you are voting for is qualified and will be able to fulfill their duties and responsibilities by attending all Board meetings.
- Make sure the candidate is knowledgeable about the organization, its policies and current issues. If possible get to know the candidate.
- Anyone wishing to run for an elective office, be

sure that you can participate and be supportive as an officer. If you can't fulfill the duties, refrain from running.

- When signing up for a committee, be sure to check out the functions and duties of the committee and what you'll be responsible for as a member.
- When signing up to chair a committee, make sure you can assume the responsibilities of the committee as chairperson and be able to work 100% with the members of that committee.
- When voting for any by-law changes, be sure to review the changes that your Board receives prior to the Conference so you will be able to speak knowledgeable during discussions when they are presented to the delegates.

Before the Conference, take a moment to review the NIC bylaws, procedures and policies which may be downloaded from the website at www.nicesting.org. Knowing your organization better and its members will make it a more successful Conference by being prepared when you attend.

The articles provided are for informational purposes only and are not a position or endorsement of NIC. All articles written by the Editor unless otherwise noted.

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