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APPROVED MINUTES
South Carolina Board of Cosmetology
10:00 a.m., May 15, 2012
Synergy Business Park
Kingstree Building, Conference Room 108
110 Centerview Drive, Columbia, SC 29210

Video of this meeting can be viewed at the state's public website: www.llr.state.sc.us/POL/Cosmetology, On the Board's home page click "Board Information" and follow the link to the video.

These minutes are a record of the motions/ official actions taken by the Board, and a brief summary of the meeting. A transcript of this meeting providing more detail will be available on the Board's website – www.llr.state.sc.us/pol

Meeting Called to Order

Public notice of this meeting was properly posted at the S. C. Board of Cosmetology office, Synergy Business Park, Kingstree Building, and provided to all requesting persons, organizations, and news media in compliance with Section 30-4-80 of the South Carolina Freedom of Information Act.

Pledge of Allegiance

Rules of the Meeting Read by the Chairman

Introduction of Board Members and All Other Persons Attending

Chairperson Melanie C. Thompson called the regular meeting of the Board of Cosmetology to order. Other Board members present for the meeting included, Vice Chairperson, Katherine T. Webb, Cynthia T. Rodgers, Selena M. Brown, Stephanie Nye and Janice Curtis.

Staff Members Participating in the Meeting

Sara McCartha, Advice Counsel, Byron Ray, Administrator. Bridget Jenkins, Matteah Taylor, Shirley Wider, Roz Bailey-Glover, Administrative Staff, Cecelia P. Englert, Court Reporter.

All Other Persons Attending:

Steven M. Williams, Brandi S. Walker, Allie M. Bragg, Doan Vu Thuy Dao, Henxins Quang Nguyen, Kelsey Hough, Danielle Lawson, Karen Stacks, Bernice Settles, Thu Thao Thi Nguyen, Angie Schuler, Courtney G. Freeman, Beatriz Hernandez, Chesley Phillips, Steven Dawson, Allie Bragg, Colleen Large, Timika Craines, Danh Vu, Trang Dao.

Approval of Excused Absences: None absent.

Approval of Agenda

MOTION:

Ms. Webb made a motion to approve the agenda with deviations deemed necessary. Ms. Brown seconded the motion, which was carried unanimously.

Old Business

Application Review (Presence Not Required of Applicant)

Phoebe Nguyen—Concerns Pertaining to Her Proof of Tenth Grade Education and Proof of Completion of 1500 hours of Cosmetology School. Ms. Nguyen previously submitted an endorsement application along with the National Interstate Council (NIC) examinations. Ms. Nguyen was missing proof of 10th grade education so she took the Compass / ATB examinations showing that she achieved a 10th grade level of education.

57 **MOTION:**

58 Ms. Rodgers made a motion to go into Executive Session. Ms. Webb seconded the motion, which was
59 carried unanimously.
60

61 **Board members returned from executive session where no motions were made and no votes were taken.**
62

63 **MOTION:**

64 Ms. Webb made a motion to resume public session. Ms. Rodgers seconded the motion, which was carried
65 unanimously.
66

67
68 **MOTION:**

69 Ms. Curtis made a motion to deny the application based on concerns with the tests results. Ms. Rodgers
70 seconded the motion. Ms. Brown and Ms. Nye were opposed to the motion. The motion was carried.
71

72 **New Business**
73

74 **Approval of Licenses with Background Reports**
75

76 Steven M. Williams

77 Steven M. Williams appeared before the Board to answer questions about his background check and to seek
78 approval of his application by examination. Mr. Williams stated that his legal troubles from 2006-2007 stemmed
79 from a family dispute regarding a stolen vehicle. He served six (6) months in juvenile detention under the YOA
80 program. Mr. Williams explained to the Board members that he has matured and realized he made reckless decisions
81 as a teenager. Mr. Williams stated that he enjoyed cosmetology, passed both examinations and has a job lined up if
82 the license is approved.
83

84 **MOTION:**

85 Ms. Curtis made a motion to approve the license. Ms. Brown seconded the motion, which was carried
86 unanimously.
87

88 Brandi S. Walker

89 Brandi S. Walker appeared before the Board to answer questions about her background check and to seek approval
90 of her examination application. Ms. Walker brought her husband, Mr. Terry Bryson to speak on her behalf. Ms.
91 Walker testified that she wrote bad checks to support her children and did not know how to balance her check book.
92 Ms. Walker stated that she has been learning how to manager her budget and checking account. She served seven
93 (7) months in jail from July 2010-December 6, 2010. Ms. Walker stated that she passed her examinations and is
94 working now.
95

96 **MOTION:**

97 Ms. Brown made a motion to approve the license with a two (2) year probationary period, and a SLED report
98 due to the Board, each year, at her expense. Ms. Rodgers seconded the motion, which was carried unanimously.
99

100
101 Allie M. Bragg

102 Allie M. Bragg appeared before the Board to answer questions about her background check and to seek approval of
103 her examination application. Ms. Bragg testified that she did not stop for the police and almost ran over an officer.
104 A search of her vehicle uncovered drugs, alcohol and a gun. In addition, Ms. Bragg stated she was driving without a
105 license. Ms. Bragg stated she spent sixty-four days in jail as she could not afford the bail. Her probation ends on
106 June 21, 2012. Ms. Bragg stated that the experience changed her life.
107

108 **MOTION:**

109 Ms. Brown made a motion to approve the license with a one (1) year probationary period, and a SLED report
110 due to the Board, at the end of the year, at her expense. Ms. Webb seconded the motion, which was carried
111 unanimously.
112

113 The Board called for a ten (10) minute break.
114
115

116 **Approval of License Through Endorsement**
117

118 Doan Vu Thuy Dao

119 Doan Vu Thuy Dao appeared before the Board to answer questions regarding the endorsement application from the
120 State of Georgia. Board Administrator, Mr. Ray, provided the Board with background information stating that on
121 April 11, 2012 he interviewed Ms. Dao about her application. Ms. Dao was asked if she ever had a license in SC
122 and she stated, no. However, staff was able to locate personal information in LLR's database on Ms. Dao. Ms. Dao
123 testified she currently lives in SC and has a current Georgia license. Ms. Dao stated she attended Georgia Beauty
124 School from September 2010 to July 2011 and gained 1500 hours of class training. Ms. Dao received her license in
125 GA in March, 2012 because she took the NIC examination theory exam three (3) times and the practical
126 examination (1) time. Ms. Dao moved to SC in 2011 in Summerville. Ms. Dao submitted an endorsement
127 application to SC and received a letter to appear before the Board. Ms. Dao explained that she was living with her
128 aunt. Ms. Dao stated that when she first arrived in SC she went to the flea market with her sister where she lost her
129 purse with all of her identification and documents. Ms. Dao stated she later received a phone call from someone
130 who found her documents and her telephone, and wanted to give them back to her. They meet and she gave him an
131 award of \$100 for returning her documents.
132

133 **MOTION:**

134 Ms. Webb made a motion to go into Executive Session. Ms. Rodgers seconded the motion, which was
135 carried unanimously.
136

137 **MOTION:**

138 Ms. Webb made a motion to resume public session. Ms. Rodgers seconded the motion, which was carried
139 unanimously.
140

141 **MOTION:**

142 Ms. Curtis made a motion to approve the endorsement application. Ms. Rodgers seconded the motion which
143 was carried unanimously.
144

145 **Approval of Reinstatement**

146 Thu Thao Thi Nguyen—Nail Technician—Proof of Identification Concerns

147 Ms. Nguyen attended the Board meeting with her attorney, Mr. Jeramie Martin. Ms. Nguyen's nail technician
148 license expired March 10, 2011. Ms. Nguyen submitted a renewal application for her nail technician license on
149 January 25, 2011 and paid the \$30 fee. Board staff had questions about Ms. Nguyen's proper legal name as she
150 submitted documents under different names. Ms. Nguyen previously appeared before the Board on September 12,
151 2011 and was denied a license renewal as she was unable to prove her proper legal name to the Board. A lengthy
152 discussion ensued. Ms. Nguyen had difficulty explaining the different names. She apparently changed her name
153 each time she completed documents such as her nail technician license application, her driver's license and social
154 security card. Ms. Nguyen testified she realized her name was wrong, but she did not change it. Ms. Nguyen said
155 she did not understand how to change it, but knew it was wrong. Ms. Curtis had other concerns regarding staff notes
156 in the state database history regarding Ms. Nguyen's application. Ms. Curtis stated that according to the history
157 notes, Ms. Nguyen did not complete her cosmetology license application, but that the SC application was completed
158 for her for a \$150.00 fee, at the World Beauty School. In addition, Ms. Nguyen had certain days that she was in
159 school that did not add up to the total number of class hours she reported to the SC Board. Ms. Nguyen protested
160 stated that she completed the SC application herself. Ms. Nguyen testified she attended Saigon College in
161 Greensboro, NC and could not remember or explain her affiliation with World Beauty School. Ms. Nguyen stated
162 she went to school in NC but did not obtain a license in NC. Mr. Martin was unaware of the recorded problems Ms.
163 Nguyen was having with the Board. Mr. Martin stated he advised Ms. Nguyen to make the name corrections before
164 coming to the Board meeting and did not know why Ms. Nguyen did not heed his advice. Mr. Martin stated the
165 owner of the nail salon, Ivy Nails, is a client of his and asked Mr. Martin to assist Ms. Nguyen with her licensing
166 problems. Mr. Martin asked the Board if it would consider allowing Ms. Nguyen to practice while she was in the
167 process of making the proper name changes. Ms. Nguyen testified she works part-time on the weekends in a nail
168 shop because she can't work full time until she gets her license straight.

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MOTION:

Ms. Rodgers made a motion to go into Executive Session. Ms. Curtis seconded the motion, which was carried unanimously.

MOTION:

Ms. Webb made a motion to resume public session. Ms. Rodgers seconded the motion, which was carried unanimously.

MOTION:

Ms. Webb made a motion to deny the renewal application due to unsatisfactory proof of qualifications to resume practice. Ms. Rodgers seconded the motion which was carried unanimously.

Chairperson, Ms. Thompson let Ms. Nguyen know that she would receive an order from the Board by mail.

Ms. Webb stated to Ms. Nguyen that she is not allowed to work on weekends. Ms. Nguyen acknowledged the comments. Mr. Martin stated he explained to Ms. Nguyen that she is not supposed to work on the weekends without a license. Mr. Martin stated to the Board that he had no knowledge of Ms. Nguyen’s problems. The Board acknowledged the comment.

Approval of License

Henxins Quang Nguyen—Proof of Identification and Nail Technician Education Concerns.

Ms. Nguyen appeared before the Board and testified that he attended Visions Academy of Hair Dressing June 5, 2010 and graduated from Airport High School in 2011. Mr. Nguyen testified that his parents wanted him to get experience and training in nail technology to help them in their shop, so they sent him to Connecticut to a family friend to attend school. Mr. Nguyen stated he attended classes five (5) days per week, Monday through Friday. There were no Saturday classes. While in Connecticut, he received his learners permit on 6/10/2010. Mr. Nguyen testified school started in Connecticut on 6/5/2010 on a Saturday and completed classed on 8/17/2010 on a Tuesday. Documents from the school in Connecticut indicated he received 300 hours and completed classes at the same time he was supposed to be in South Carolina.

MOTION:

Ms. Webb made a motion to deny the license. Ms. Rodgers seconded the motion, which was carried unanimously.

Chairperson, Ms. Thompson let Mr. Nguyen know that he would receive an order from the Board by mail.

Kelsey Hough—Nail Technician Education Concerns

Kelsey Hough appeared before the Board to answer question regarding the nail technician school she attended. Ms. Hough testified she attended the Crystal’s Beauty Academy from July-September 2011 and that she completed 400 hours of education. The school was open from Monday through Friday, 9:00 a.m. – 5:00 p.m. Ms. Hough testified she graduated high school in December of 2009. From March 2010 – September 2011 she lived in Virginia. From July 2011 through September 2011 she attended school. Ms. Hough testified she moved back to SC in December of 2011. Ms. Hough testified that she did not take her examinations in Virginia nor was she licensed there. She passed the nail technician examinations in SC with her Virginia education credentials. The Board informed Ms. Hough that the Virginia Board of Cosmetology verified that the school she attended was only licensed and authorized to instruct a 1,500 hour cosmetology program and not a nail technician program. The Virginia Board will not validate the nail technician program she took at Crystal’s Beauty Academy nor will the Virginia Board approve the hours she took. Chairperson, Ms. Thompson recommended to Ms. Hough that she contact the Virginia Board to obtain a Virginia license for nail technology and after receiving a license in Virginia, she can endorse her license into South Carolina.

MOTION:

Ms. Rodgers made a motion to deny the application for a nail technician license. Ms. Curtis seconded the motion, which was carried unanimously.

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Approval to Teach Methods of Teaching

Danielle Lawson

Danielle Lawson appeared before the Board to request permission to become a Methods of Teaching Instructor. This is her second appearance before the Board to request permission to teach the Methods course. Chairperson, Ms. Thompson pointed out to Ms. Lawson that the requirements state that she must have a master degree in education or have expertise in a board approved related field which the Board has established to be “teaching others how to teach”. The expertise does not include time spent in a classroom instructing students how to become cosmetologist. Ms. Lawson submitted documents to the Board regarding her qualifications. Ms. Lawson stated she has taught the student training program, and the instructors training program with Empire Education Group, for seven months, which is a teacher’s training program. Classroom management and she completed 45 hours of the methods of teaching course. Ms. Lawson stated she taught cosmetology classes for ten (10) years, preparing lesson plans etc. Chairperson, Ms. Thompson stated that the experience presented does not show expertise in teaching others how to teach. Over the past ten (10) years, Ms. Lawson stated she has taken approximately three (3) students through the 750 hour instructor training program. Chairperson, Ms. Thompson stated that Ms. Lawson has expertise in teaching others to become cosmetologist, but did not feel that teaching three students constituted expertise in teaching others how to teach. Ms. Lawson was very upset and disagreed with the Chairperson’s opinion.

MOTION:

Ms. Rodgers made a motion to deny the request to teach the Methods of Teaching course. Ms. Webb seconded the motion, which was carried unanimously.

Approval of Changes for Continuing Education Classes

Karen Stacks—The Beauty Industry Group (BIG)

Karen Stacks appeared before the Board to have two (2) changes considered by the Board. Ms. Stacks requested a location change and to schedule another class. There is a class scheduled in Spartanburg at Summit Point. Ms. Stacks stated that she had to change the location on May 21, 2012 to the Marriott at 299 N. Church Street as there was a mix-up in the dates so the facility is no longer available for the May 21, 2012 session. Ms. Stacks requested that she add another instructor class for Sunday, May 20th, 2012, same, already approved class. Ms. Stacks thought she had the instructor until she rechecked the schedule. The 45 day guideline was met based on the original email submitted to the Board.

MOTION:

Ms. Nye made a motion to approve the two changes, a location change and an addition of an instructor. Ms. Rodgers seconded the motion, which was carried unanimously.

5 Minute Break.

Bernice Settles—Progressive Association of Cosmetology

Bernice Settles submitted a letter to the Board on March 23, 2012 requesting approval to change the lesson plan scheduled for May 21, 2012, Hands-On Haircutting to Texture Fusion (texture-color, style). Everything else remains the same as scheduled and previously approved by the Board. Ms. Settles sent a second email to the Board requested a cancellation to the May 21, 2012 class and reschedule the class to June 25, 2012 as the instructor had a scheduling conflict. Ms. Settles has already contacted the few registrants who were scheduled for the May 21, 2012 class.

MOTION:

Ms. Webb made a motion to approve the two changes, one change with a date and one with the lesson plan. Ms. Curtis seconded the motion, which was carried unanimously.

280 **Approval for CEU Change & Approval for Credit for Attendees at the CEA Convention**
281 **Angie Shuler, Association for Cosmetology Excellence, Inc. (ACE)**

282 Angie Schuler appeared before the Board to obtain approval to add an instructor, Laura Michelle Richardson, to the
283 ACE Association's continuing education instructor roster.

284
285 **MOTION:**

286 Ms. Webb made a motion to approve the licensed instructor, Ms. Laura Michelle Richardson for the ACE
287 Association CEU classes. Ms. Nye seconded the motion, which was carried unanimously.

288
289 In addition, Ms. Shuler appeared to discuss obtaining credit hours for attendees at the CEA Convention for 2012
290 being held in Orlando, Florida. Ms. Shuler explained the convention was a yearly program and this is not a program
291 change. Anyone taking courses at the convention must sign in to the classes and can receive the twelve (12) hours
292 as continuing education hours. Ms. Shuler is reviewing the curriculum and removed all product driven classes.
293 Approximately 800 instructors will attend the convention, but not cosmetologists. Ms. Shuler makes contact with all
294 attendees from SC.

295
296 **MOTION:**

297 Ms. Brown made a motion to approve the CEA Convention for 2012 being held in Orlando, Florida for
298 continuing education hours. Ms. Rodgers seconded the motion, which was carried unanimously.

299
300 **Approval of New School**
301 **Courtney G. Freeman - Southeastern Esthetics Institute**

302 Ms. Courtney G. Freeman appeared before the Board for the approval of Southeastern Esthetics Institute in Sumter,
303 SC. Ms. Freeman stated that she will be the owner and instructor, but she is waiting to obtain her license. The Board
304 reviewed the school application. A copy of the bond was on file. Chairperson, Ms. Thompson called Ms. Freeman's
305 attention to the last paragraph of the Enrollment Contract and stated that the paragraph must be explicitly clear that
306 no matter what the student does, withdrawal, transfer, etc., that as long as they have paid for the hours completed the
307 hours must be released to the student. Ms. Freeman agreed to make the change. Chairperson, Ms. Thompson
308 pointed out that the refund policy and notice of cancellation required a change to item number 7 as it did not appear
309 fair if Ms. Freeman decided to cancel a course that the students not be refunded payment for their books, kits and
310 application fee. Ms. Freeman agreed to make the change. Last paragraph check the wording for "reasonable fair"
311 correct to "reasonable and fair". Ms. Freeman must define reasonable and fair.

312
313 Chairperson, Ms. Thompson wants, item number 4, referring to "unofficial withdrawn" clearly defined. Mr. Steve
314 Dawson explained that schools covered under Title IV funding, anytime a student does not come to school for 14
315 days, 14 days is considered an "unofficial withdrawal". Chairperson, Ms. Thompson asked Ms. Shirley Wider to
316 clarify if applications are accepted without licensed instructors listed. Ms. Wider recalled that the Board previously
317 agreed that applications must include currently licensed instructors by the final inspection, because sometimes, it
318 takes the school six months to get ready for students, and they may not have hired the instructors yet. However, at
319 the final inspection the school must have an instructor listed on the application for approval.

320
321 Chairperson, Ms. Thompson stated that she vaguely remembered that one of the instructors had to be listed on the
322 application. If a school that exceeds 20 students, they need more than one instructor and at the time of inspection
323 must have all of the instructors listed. The curriculum was missing from the application packet. Ms. Freeman stated
324 that she included the curriculum, but would be happy to submit another. Chairperson, Ms. Thompson referred Ms.
325 Freeman to Board regulations section 35-10 (3) (a) (b) (c) to review what a school contract must contain. Ms.
326 Freeman was advised to make corrections to the contract and curriculum. Ms. Freeman stated that she also manages
327 a medical spa in Sumter, SC. She would like to place the school in 1500 square feet of their building. There will be
328 separate entrances. Wall will be installed for proper separation. The spa and the school would just be sharing a
329 building, not the same space. The inspection will cover the initial inspection and provide her with any changes
330 required then at the final inspection, a board member attends the final inspection. Ms. Freeman must resubmit an
331 entire package where she has revised the contract, add a curriculum, identify a licensed instructor for the July 9,
332 2012 Board meeting.

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335

336 **MOTION:**

337 Ms. Webb made a motion to deny the application until a revised application with all changes can be
338 submitted for review at the July 9, 2012 meeting. Ms. Rodgers seconded the motion, which was carried
339 unanimously.

340
341 Mr. Ray provided the Board with a department organization chart showing some of the job duties of staff members.
342

343 **Approval of Revised School Contract**

344 **Beatriz Hernandez - Institute of Nail Artistry**

345 Ms. Hernandez appeared before the Board regarding her school application submitted for The Institute of Nail
346 Artistry, LLC. The School was approved at the November 2011 meeting. Ms. Hernandez stated that she is operating
347 the school alone without a staff. Chairperson Ms. Thompson let Ms. Hernandez know that there were multiple
348 changes to her contract since the November 2011 approval so early in the schools operation. It was clarified that a
349 licensed cosmetologist is not a licensed instructor requesting changes due to doctor's appointments does not
350 constitute an emergency where the instructor cannot be present to teach a class. The school owner must have
351 properly licensed individuals to teach classes. Ms. Hernandez explained that she wants to close the school on
352 Friday's because right now the school is open from Monday to Friday, 10:00 a.m. – 9:00 p.m. which does not leave
353 her any time for her personal business, let alone the school office business and operations. A discussion ensued.
354 Chairperson, Ms. Thompson explained to Ms. Hernandez that she can use a license cosmetologist for an emergency
355 only to fill in. It was further explained that Ms. Hernandez can require additions to the existing kits, but she can't
356 remove anything from the kit without the Board's prior approval. The changes submitted today are her final
357 changes. The changes would be, the school operating days will change to Monday through Thursday, 10:00 a.m. to
358 3:00 p.m. for day classes and Monday through Thursday, 4:00 p.m. – 9:00 p.m. for evening classes. See page two
359 (2) on the contract. Every student must receive a new contract if approved by the Board.
360

361 Ms. Hernandez asked if students can do manicures on the public and be paid. Chairperson, Ms. Thompson stated
362 that the question is in a gray area. However, if the school is hosting an event, like a free charity event and the
363 students are not receiving credit from the school for participating in the event, and the students are not being paid for
364 their services, it may be okay. Also, the attendees at the program must be informed that students are working on
365 them and not licensees. Chairperson, Ms. Thompson advised Mr. Hernandez to avoid hosting such an event because
366 there are too many gray areas to consider. The school can have a field trip where the instructor is present and
367 responsible for validating that the student has gone to a spa and learned a technique where they can receive credit for
368 the field trip. Further discussion ensued.
369

370 **MOTION:**

371 Ms. Rodgers made a motion to approve the changes presented for the school operation time, Monday
372 through Thursday, 10:00 a.m. -3:00 p.m. for day classes and Monday-Thursday, 4:00 p.m. – 9:00 p.m. for evening
373 classes. Ms. Curtis seconded the motion, which was carried unanimously.
374

375 **MOTION:**

376 Ms. Rodgers made a motion to approve the changes presented for the school student kits. Ms. Brown
377 seconded the motion, which was carried unanimously.
378

379 **Discussion**

380 **What's the difference between Methods of Teaching and 750 Hours of Instructor Training programs?**

381
382 Chairperson, Thompson clarified, the Methods of Teaching course is a 45 hours course required to obtain your
383 instructor license. If you are a licensed cosmetologist for two (2) years or longer, you must take the 45 hours of
384 methods of teaching course before you can sit for the exam. If you're a cosmetologist for fewer than two (2) years
385 you must take 750 hours of an instructor training program before you can sit for the examination to become an
386 instructor. The methods of teaching course is not cosmetology specific course. It's a 45 hour course in the methods
387 of teaching instructors how to teach.
388

389 Coleen Large, clarified that the experience must be two (2) years of working experience not just holding your
390 license for two years.
391

392 **Public Comments – There were none.**

393

394 Chairperson, Ms. Thompson announced to the Board to anticipate that the July meeting will be two days until
395 determined otherwise by the Chairperson. The length of the Board meetings will be determined by the size of the
396 packet of information received.

397

398 There will be hearings on June 18, 2012 and the next one will be on July 27, 2012 here in Columbia at 12:00 noon.

399 These dates were set to catch up on the backlogged cases.

400

401 On Saturday June 2, 2012 from 11:00 a.m. – 3:00 p.m., Professional Credential Services will conduct their annual
402 school overview to explain the examination process to the schools. Again, Board staff and members are encouraged
403 to attend.

404

405 On June 3rd and 4th, 2012 Professional Credential Services will conduct its annual Examiner Training. This program
406 is held yearly so that the examiners can be recertified for NIC practical examination. The training session will be
407 held at the Double Tree Hotel, from 9:00 a.m. – 5:00 p.m. on both days regarding the testing process. Board staff
408 and members are encouraged to attend at least one of the training dates to familiarize you selves.

409

410 **Adjournment**

411

412 **MOTION:**

413 Ms. Brown made a motion to adjourn. Ms. Curtis seconded the motion, which was carried unanimously.

414

415 **The next meeting of the S.C. Board of Cosmetology is scheduled for July 9, 2012.**

416