

MINUTES
South Carolina Board of Cosmetology
Board Meeting
9:00 a.m., January 12, 2016
Synergy Business Park
Kingtree Building
110 Centerview Drive, Conference Room 105
Columbia, South Carolina 29210

Meeting Called to Order

Public notice of this meeting was properly posted at the S. C. Board of Cosmetology office, Synergy Business Park, Kingtree 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

The board members introduced themselves. Melanie Thompson, Janice Curtis, Selena Brown, LaQuita C. Horton, Patricia Walters and Eddie Jones

Staff members present: Mary League, Advice Counsel; Sharon Wolfe, OIE; Theresa N. Richardson, Administrator; Roz Bailey-Glover, Administrative Staff; Andrew Rogers, OGC, and Gary A. Haygood, Court Reporter.

All Other Persons Attending:

Tierra Polite, Amiev Jones, Phuc Le, Thai Binh Le, Pamela Cunningham, Shanta Peppers, Van My Nguyen, Brentni Henderson, James Sah, Carrie Waddell, Phuonguyen Truong, Richard Waddell, Irene Green, Steven Dawson, Shay Savann, Heather Tass, Gloria Smith, Colleen Large, Ivy Thompson, Darlene McCrea, Ashley Rivers, Karen Stack, Joseph Cunningham, Brenda Cunningham, Ruth Buck, Chesley Phillips

Approval of Excused Absences

MOTION:

Ms. Brown made a motion to excuse the absence of Stephanie Nye. Ms. Horton seconded the motion which carried unanimously.

Approval of Agenda

MOTION:

Ms. Curtis made a motion to approve the agenda with any deviations necessary. Mr. Jones seconded the motion which carried unanimously.

Chairman's Remarks – Melanie Thompson

Ms. Thompson announced that today board member Janice Smith Curtis will be sworn in as the Mayor of Simpsonville this evening. This is a great loss for the Board. Ms. Curtis will be greatly missed. The Board brought a cake to celebrate her accomplishment. Ms. Curtis will remain in the industry. Ms. Curtis shared a few words. Stated she wanted to improve the standards of the industry and raise the bar for continuing education. Ms. Curtis stated that as a group, licensees are powerful, and she hoped that she had made a difference during her time on the Board. She urged licensees to educate themselves and utilize the educators available to them and trade shows. Ms. Thompson stated that Ms. Curtis has raised the bar and will be greatly missed.

Administrator's Remarks –Theresa Richardson, Administrator

Ms. Richardson stated that she will send the board members their Economic of Interest forms for 2015 and that the deadline is March 30, 2016. The forms can be completed on line, and the fee for late filing is \$100.

Old Business

Resolution Guidelines – See attached addendum.

MOTION:

Ms. Curtis made a motion to approve the proposed changes pending research on questions from Advice Counsel. Ms. Horton seconded the motion which carried unanimously.

Break: 10 minutes

New Business

Consideration to be Sole Provider of International Education Evaluations - Aequo

Ms. Brentni Henderson, Associate Director for Business Development and Research made her presentation to the Board. Aequo has provided credentialing services to eight boards for over a year in an effort to weed out fraudulent risk in verifying foreign credential of potential licensee. She provided the board with several handout depicting sample credentialing reports and the services Aequo provides. Aequo identifies fraudulent documents, foreign and domestic. Ms. Henderson explained that the applicant covers the \$125 cost for the certification. The board is the client and does not pay any fees. Ms. Henderson stated that Vietnam current holds the highest level for issuing fraudulent documents. Aequo verifies the foreign documents, compares seals, signatures, stamps, and research the educational institutions. Aequo will also verify biographical information provided and identify fake diplomas and diploma mills, along with non-accredited institutions and programs with on academic value across the globe.

Aequo asked the Board to choose Aequo as the sole provider for certification / credentialing. A discussion ensued. Ms. Henderson also stated that Aequo also carries liability insurance if someone is licensed in error and injures the public. There's no contract involved.

MOTION:

Ms. Curtis made a motion to only accept Aequo documentation for international evaluations. Mr. Jones seconded the motion which carried unanimously.

Consideration to be a Teaching Methods Instructor

Rita Buck – IRC 34527

Ms. Buck appeared before the Board seeking approval to be a Methods of Teaching Instructor. Ms. Buck stated that she did not have a master's degree in education as required. Ms. Buck stated she has completed Pivot Point classes and additional teachers training. Ms. Thompson stated that Ms. Buck has not shown where she has an expert level in teaching others how to teach, even though she works with instructors in the profession. Ms. Buck declared that she would be a good instructor and wanted approval since the previous school instructor retired. Ms. Curtis let Ms. Buck know that she must show she has taught other teachers to teach or have a master's degree in education in order to be approved.

MOTION:

Ms. Curtis made a motion to deny Ms. Bucks request to provide Methods of Teaching instruction to licensees. Ms. Horton seconded the motion which carried unanimously.

Tierra N. Polite (IRC 34813)

Ms. Polite appeared before the Board seeking approval to be a Methods of Teaching Instructor. Ms. Polite stated that she did not have master's degree in education as required. Ms. Polite sated that she had completed online courses with the Center for Excellence in Education. Each course is four hours for a period of four weeks. The courses were required for instructors at Miller Motte. Ms. Thompson stated that Ms. Polite would need to show she completed a program solely teaching teachers methods.

MOTION:

Ms. Curtis made a motion to deny Ms. Bucks request to provide Methods of Teaching instruction to licensees since she does not have a master's degree in education. Ms. Walters seconded the motion which carried unanimously.

Consideration for Licensure with Criminal Background Check

Ashley Rivers

Ms. Rivers appeared before the Board to answer questions regarding her background report. She explained her circumstances regarding child endangerment, credit card fraud and petty larceny. Ms. Rivers stated she went to court, received probation and paid restitution. Ms. Rivers is currently gainfully employed in a different industry. She does make-up for family friends, without a license, but does not receive payment.

MOTION:

Ms. Curtis made a motion to approve the license with one year probation. Mr. Jones seconded the motion which carried unanimously.

Irene Green

Ms. Green appeared before the Board to answer questions regarding her background report. She explained her circumstances regarding the charges and stated she made poor, reckless decisions for years, but with hard work, she turned her life around. Ms. Green is now seeking licensure approval.

MOTION:

Ms. Curtis made a motion to go into closed session to protect the privacy of the applicant. The public was asked to leave the room, but staff was asked to remain with the Board. Mr. Jones seconded the motion which carried unanimously.

The Board heard further testimony from Ms. Green.

MOTION:

Ms. Horton made a motion to approve Ms. Green for licensure with a three year probationary period. Ms. Green will provide the Board with a background report at the end of each year at her own expense. Any further charges will result in a reappearance before the Board.

MOTION:

Mr. Jones made a motion to reopen the session to the public. Ms. Curtis seconded the motion which carried unanimously.

Carrie Waddell

Ms. Waddell appeared before the Board seeing to reinstate her license with a background report.

MOTION:

Ms. Curtis made a motion to go into closed session to protect the privacy of the applicant. The public was asked to leave the room, but staff was asked to remain with the Board. Ms. Walters seconded the motion which carried unanimously.

The Board heard further testimony from Ms. Waddell.

MOTION:

Ms. Curtis made a motion to approve Ms. Waddell for licensure with a three year probationary period. Ms. Waddell will provide the Board with a background report at the end of each year at her own expense. Any further charges will result in a Board appearance. Ms. Waddell is required to complete all continuing education classes needed to reinstate her license.

MOTION:

Ms. Brown made a motion to reopen the session to the public. Ms. Horton seconded the motion which carried unanimously.

Heather Taft

Ms. Taft appeared before the Board seeking licensure approval with a background report.

MOTION:

Ms. Curtis made a motion to go into closed session to protect the privacy of the applicant. The public was asked to leave the room, but staff was asked to remain with the Board. Mr. Jones seconded the motion which carried unanimously.

The Board heard further testimony from Ms. Taft.

MOTION:

Ms. Curtis made a motion to approve Ms. Taft for licensure with a one year probationary period. Ms. Taft will provide the Board with a background report at the end of the year at her own expense. Any further charges will result in a reappearance before the Board.

MOTION:

Ms. Curtis made a motion to reopen the session to the public and to break for lunch. Everyone will return at 1:00 p.m. to resume the meeting. Ms. Horton seconded the motion which carried unanimously.

Consideration for Licensure with Previous Board Order

Thai Binh Le

Mr. Le appeared before the Board to reinstate his nail technician license with a previous Board Order on file. Mr. Le submitted a new transcript for the Board's approval. Mr. Le attended World Beauty School in the past and received a South Carolina license with a fraudulent transcript. Mr. Le went back to school in North Carolina stated he lives in Georgia but wants a South Carolina license. Mr. Le also stated that he works as a nail technician in Georgia, but does not have a license, and that he in fact works in other states without a license. Ms. League explained to Mr. Le that he has not taken the written or practical examination in North Carolina. The North Carolina transcript is deficient in the sanitation and anatomy and physiology training required by South Carolina. The number of training hours do not add up and Mr. Le did not take the required examination in North or South Carolina.

MOTION:

Ms. Horton made a motion to go into executive session for legal advice. Ms. Brown seconded the motion which carried unanimously.

MOTION:

Ms. Horton made a motion to return to public session. During executive session, no motions were made or votes taken. Mr. Jones seconded the motion which carried unanimously.

MOTION:

Mr. Jones made a motion to deny the new transcript submitted as it does not meet South Carolina's educational requirements for licensure. Ms. Horton seconded the motion which carried unanimously.

The Board recommended that Mr. Le submit an application for examination to North Carolina. Once he receives a license in North Carolina, he can submit an endorsement application back to South Carolina.

Consideration for Licensure with Transcript 24-Months or Older

Ivy R. Thompson

Ms. Thompson appeared before the Board seeking licensure with a transcript over twenty-four months old. Ms. Thompson explained that she did not take her examination timely, because she owed school fees and then the school closed in 2008. In 2015, the school owner, Ms. Hammond, provided Ms. Thompson with a transcript after she paid the fees owed. Ms. Thompson stated that she just signed the transcript and did not check the dates. The Board questioned the transcript issued over seven years after the school closed. The instructor should have informed Ms. Thompson that the training hours had already expired and she should not have been allowed to take the examinations with PCS.

MOTION:

Ms. Walters made a motion to deny the license by examination based on the twenty-four month expiration of hours. Ms. Horton seconded the motion which carried unanimously.

Phuc H Le

Mr. Le appeared before the Board seeking licensure with a transcript over twenty-four months old. Mr. Le explained that he had a California transcript and that he passed the examinations after his hours had expired. Mr. Le stated he lives in North Charleston, South Carolina.

MOTION:

Mr. Jones made a motion to deny the licensure by examination based on the twenty-four month expiration of hours. Ms. Horton seconded the motion which carried unanimously.

The Board explained to Mr. Le that he should check with California to see if he can be licensed in their state instead.

Consideration of New School or School Changes

Southeastern School of Cosmetology (New School)

Ms. Karen Stacks and Mr. Joseph Cunningham appeared before the Board seeking approval for a new school. Mr. Cunningham explained he is the CEO and President of a non-profit, private organization based in Alabama which offers cosmetology and esthetics training. He has run the schools in Alabama for twenty-two years and would like to open a school in South Carolina. The Board let Mr. Cunningham know that the hand book submitted with his application was for Alabama and was not relevant for South Carolina students. He would need to submit a student contract for South Carolina and an enrollment form for the boards review. He would need to provide a curriculum of hours for the esthetics program with a maximum of six hundred (600) hours. Ms. Thompson pointed out that students must receive a transcript for hours paid to the school, and must be made aware, in the contract, of all fees required. So far there are three instructors for now and Ms. Stacks stated she has other instructors who would be available.

MOTION:

Mr. Jones made a motion to provide a preliminary approval to the new school and the inspector will make the first visit alone. For the final inspection a board member will be present with the inspector. Ms. Walters seconded the motion which carried unanimously.

Younique Beauty College (New School)

Ms. Pamela Cunningham and Ms. Shanita Peppers appeared before the Board seeking approval for a new school. The Board reviewed the application. Ms. Thompson stated that a preliminary inspection can happen, but there will be approximately a five week span between the preliminary and the final inspection with the board member. Ms. Thompson asked Ms. Cunningham to strike the text “at discretion” in the contract or amend the text. Also correct the text to indicate that the school will release a transcript for all hours completed and paid. The school must be fair to the students, so also correct the text indicating “fair and equitable settlement”. Also correct the text stating South Carolina Barber Examiners and change it to South Carolina Cosmetology Board. Ms. Thompson pointed out that the contract cost and payment terms, must provide the students with contact options. The school must provide a minimum of two instructors and have a current bond on file with the Board. All changes must be made before the final school inspection.

MOTION:

Ms. Walters made a motion to accept the school for preliminary inspection pending the requested changes. Mr. Jones seconded the motion which carried unanimously.

Betty Stevens Cosmetology Institute (Updated Contract)

Ms. Buck appeared before the Board to update the school contract. The school moved and would like to leave the kit and book fee blank as it adjusts per student. Based on the documents reviewed by the Board, the original school contract was not submitted for comparison so the Board cannot approve what is not provided. Ms. Buck can resubmit the current contact for the Board’s review at the March, 2016 meeting.

MOTION:

Mr. Jones made a motion to defer the school contract review for Betty Stevens Cosmetology Institute for the March 2016 meeting. Ms. Horton seconded the motion which carried unanimously.

Kenneth Shuler (Location Change)

Mr. Steven Dawson appeared before the Board representing the school and it's relocation to their permanent location. The school is in the process of building a building fifty feet across the parking lot and would like for the Board to grant a preliminary approval inspection, pending the final inspection.

MOTION:

Ms. Horton made a motion to approve the preliminary inspection. Ms. Brown seconded the motion which carried unanimously.

The Board exercised the previous motion to amend the agenda and move to the election of officers ahead of the hearings.

MOTION:

Ms. Brown made a motion for a ten minute break. Ms. Horton seconded the motion which carried unanimously.

MOTION:

Ms. Brown made a motion to reconvene the meeting. Ms. Horton seconded the motion which carried unanimously.

Election of Board Officers

MOTION:

Mr. Jones made a motion to elect Ms. Melanie Thompson as Chairperson. Ms. Brown seconded the motion which carried unanimously.

MOTION:

Ms. Brown made a motion to elect Ms. LaQuita Horton as Vice Chairperson. Mr. Jones seconded the motion which carried unanimously.

Review of Hearing Officers Recommendations

Case 2012-71 – CiCi Nails Salon #87101, the respondent was not present. The recommendation in two cases of sanitation violations is a \$1,000 fine and probation for six months.

MOTION:

Ms. Walters made a motion to accept the hearing officer's recommendation. Mr. Jones seconded the motion which carried unanimously.

Case 2012-95 – Total U Hair Studio #89738, the respondent was served with proper notice but was not present. The salon is now closed. The recommendations for sanitation violations are a \$1750 fine and if the respondent wants to reinstate the license a board appearance is required.

MOTION:

Ms. Walters made a motion to accept the hearing officer's recommendation. Mr. Jones seconded the motion which carried unanimously.

Case 2013-230 and 2013-325

Regarding Nail Technician license #5070, the respondent, Phuong Dan Truong was served with proper notification and was present. For violations of unlicensed practice, the hearing officer recommended a public reprimand, a \$500 fine and Ms. Truong must take a law class within 30 days of the final order. If non-compliant, the license will be suspended. Ms. Truong stated that her friend from North Carolina helped her just that one time.

MOTION:

Ms. Brown made a motion to accept the hearing officer's recommendation. Ms. Horton seconded the motion which carried unanimously.

Case 2013-278

Regarding Nail Technician license #60592, the respondent, Srey M. Savann was served with proper notification and was present. On October 15, 2015, the respondent signed a memorandum of agreement (MOA). The hearing officer recommends the MOA, a public reprimand, a disciplinary class and a fine of \$1,000 payable within 60 days of the final order.

MOTION:

Ms. Walters made a motion to accept the hearing officer's recommendation. Ms. Horton seconded the motion which carried unanimously.

Case 2014-96

Regarding Cosmetology license #33823, the respondent Ms. Wanda Sullivan was served with proper notification, but was not present. The hearing officer recommends the case be dismissed. Ms. Sullivan has a medical condition and did not realize she checked no on the application in error.

MOTION:

Ms. Horton made a motion to accept the hearing officer's recommendation. Ms. Walters seconded the motion which carried unanimously.

Case 2015-91

Regarding Nail Technician license #60709, the respondent, Dat Tat Pham was served with proper notification, but was not present. The license was previously disciplined for unlicensed practice. It is the recommendation of the hearing officer that the nail license be revoked.

MOTION:

Ms. Horton made a motion to accept the hearing officer's recommendation to revoke license #60709. Ms. Brown seconded the motion which carried unanimously.

Discussion

For Information only: Bill H. 4574

House Bill H.4574 – Electrology Practice Act

Bill H. 4574 was introduced on December 10, 2015. The legislative liaison at LLR should take a stance on the Bill. Board members can individually contact their legislators, since the Board does not take an official stance on the legislation.

Board Member Reports

Mr. Jones stated that he conducted hearings on behalf of the Board. There were no report for the Board for Ms. Walters, Ms. Horton or Ms. Brown.

Ms. Thompson stated that it is imperative that the Board members take on assignments and program monitoring. Ms. Thompson asked Board members to contact the Administrator, Theresa Richardson with the programs they will monitor. Also let Ms. Richardson know if you cannot fulfil your monitoring assignment. Ms. Thompson will get assignments for continuing education monitoring to Board members.

Public Comments

Mr. Steven Dawson asked the Board to consider placing the resolution guidelines on the board's website for disciplinary classes. Also, Bill H. 4575 appears under the North Carolina Board of Cosmetology.

Ms. Thompson stated that on Aequo's website there's a list of fraudulent schools which should be given to PCS. As of today, and moving forward, applicants will use Aequo's credentialing services. Ms. Richardson will check PCS' website for the other three credentialing companies and remove them, and will notify PCS of the board's vote today. Do not penalize individuals from January 1, 2016 who already paid a fee to one of the other credentialing services. As of January 13, 2016, use Aequo only.

Ms. Colleen Large stated that she will add domestic violence information to her program using the information from the web site. She also added that automated voice over may not go over well with licensees taking online classes.

Ms. Chesley Phillips stated that she did not propose Bill H. 4574, and did not seek the Board's comments because she did not think it was an option. Ms. Thompson asked Ms. Phillips to consider the Board if she intended to introduce a Bill. Ms. Phillips stated that she brought in her police reports. She has six and still has to obtain the other four. Ms. Phillips also stated that she is amazed at the number of women affected by domestic violence in South Carolina. In her opinion, police are not taking reports when a wife calls. Ms. Thompson let Ms. Phillips know that her deadline to submit the missing information will be Tuesday of this week. Ms. Phillips acknowledged the deadline and stated she was on her way to USC with the missing reports.

Adjournment: 4:13 p.m.

MOTION:

Ms. Brown made a motion to adjourn the meeting. Mr. Jones seconded the motion which carried unanimously.

The next meeting of the SC Board of Cosmetology is scheduled for March 21, 2016

ADDENDUM

RESOLUTION GUIDELINES -- INSPECTIONS

D. Schedule of Safety and Sanitary Rules Violations

Refusal to permit or interference with a salon inspection

- A) First Offense:
- B) Second Offense:
- C) Third Offense:

Failure to display salon license

- A) First Offense:
- B) Second Offense:
- C) Third Offense:

Failure to display an individual license

- A) First Offense:
- B) Second Offense:
- C) Third Offense:

Failure to display sanitary rules and regulations

- A) First Offense:
- B) Second Offense:
- C) Third Offense:

Failure to display last inspection report

- A) First Offense:
- B) Second Offense:
- C) Third Offense:

(6) Failure to receive rating of seventy-five percent on inspection

- A) First Offense:
- B) Second Offense:
- C) Third Offense:

(7) Improper use of salon as living, dining, or sleeping quarters

- A) First Offense:
- B) Second Offense:
- C) Third Offense:

(8) Inadequate toilet facilities

- A) First Offense:
- B) Second Offense:
- C) Third Offense:

(9) Failure to provide a separate entrance into salon

- A) First Offense:
- B) Second Offense:
- C) Third Offense:

(10) Failure to maintain cleanliness in a salon

- A) First Offense:
- B) Second Offense:

- C) Third Offense:
- (11) Failure to maintain equipment and furnishings in good repair
- A) First Offense:
 - B) Second Offense:
 - C) Third Offense:
- (12) Failure to provide hot and cold running water
- A) First Offense:
 - B) Second Offense:
 - C) Third Offense:
- (13) Failure to provide drinking water
- A) First Offense:
 - B) Second Offense:
 - C) Third Offense:
- (14) Failure to provide and maintain minimum equipment as prescribed in R. 35-20(E)(5)
- A) First Offense:
 - B) Second Offense:
 - C) Third Offense:
- (15) Failure to maintain electrical appliances in good repair
- A) First Offense:
 - B) Second Offense:
 - C) Third Offense:
- (16) Allowing any animal to enter or remain in a salon or school. Trained dogs accompanying sightless or hearing impaired persons are exempt.
- A) First Offense:
 - B) Second Offense:
 - C) Third Offense:
- (17) Allowing a licensee of this Board to work on any person afflicted with an infestation of animal parasites or with an infectious or communicable disease which may be transmitted during the performance of the acts of cosmetology or any of its branches
- A) First Offense:
 - B) Second Offense:
 - C) Third Offense:
- (18) Massaging the skin or scalp where skin is inflamed or where a skin infection or eruption is present
- A) First Offense:
 - B) Second Offense:
 - C) Third Offense:
- (19) Failure to have clean, appropriate personal clothing
- A) First Offense:
 - B) Second Offense:
 - C) Third Offense:
- (20) Failure to adequately cover headrests of chairs or treatment table with a towel or paper sheet for each patron
- A) First Offense:
 - B) Second Offense:
 - C) Third Offense:
- (21) Failure to properly store used or clean towels, or failure to properly launder used towels
- A) First Offense:

- B) Second Offense:
- C) Third Offense:

(22) Failure to properly dispose of supplies or instruments which come in direct contact with a patron and which cannot be disinfected.

- A) First Offense:
- B) Second Offense:
- C) Third Offense:

(23) Failure to properly disinfect non-electrical instruments and equipment

- A) First Offense:
- B) Second Offense:
- C) Third Offense:

(24) Failure to adequately store and label creams, powders, and other cosmetic preparations.

- A) First Offense:
- B) Second Offense:
- C) Third Offense:

E. Schedule of Fines for Unlicensed Operators

(1) Failure to post a salon license, practitioner license or inspection certificate in a publicly visible place within a salon. Posting of photocopies and pocket identification cards will be cited as failure to post.

- A) First Offense:
- B) Second Offense:
- C) Third Offense:

(2) Failure to apply for a license

- A) First Offense:
- B) Second Offense:
- C) Third Offense:

(3) Practicing cosmetology, manicuring, or esthetics with an expired license

- A) First Offense:
- B) Second Offense:
- C) Third Offense:

(4) Practicing cosmetology, manicuring, or esthetics with an expired permit

- A) First Offense:
- B) Second Offense:
- C) Third Offense:

(5) Operating a salon with an expired license

- A) First Offense:
- B) Second Offense:
- C) Third Offense:

(6) Purchasing or operating a salon without first filing an application for a salon license.

- A) First Offense:
- B) Second Offense:
- C) Third Offense:

(7) Performing services which practitioner is not certified to perform

- A) First Offense:
- B) Second Offense:
- C) Third Offense:

(8) Practicing cosmetology, manicuring or esthetics with a license issued to another person.

- A) First Offense:
- B) Second Offense:
- C) Third Offense:

(9) Allowing unlicensed practitioners to practice in a licensed salon

- A) First Offense:
- B) Second Offense:
- C) Third Offense:

(10) Altering a license, certificate, permit or authorization issued by the Board.

- A) First Offense:
- B) Second Offense:
- C) Third Offense:

(11) Closing a salon without notifying the Board within thirty days

- A) First Offense:
- B) Second Offense:
- C) Third Offense:

(12) Closing then reopening a salon without notifying the Board prior to reopening

- A) First Offense:
- B) Second Offense:
- C) Third Offense:

(13) Moving or changing the location of an existing salon without first submitting the appropriate form and fee to the Board.

- A) First Offense:
- B) Second Offense:
- C) Third Offense:

F. Schedule of Fines for Schools

(1) Failure to apply for a license at least sixty days before opening a cosmetology school

- A) First Offense:
- B) Second Offense:
- C) Third Offense:

(2) Failure to provide minimum floor space or equipment and supplies as stated in R. 35-2.

- A) First Offense:
- B) Second Offense:
- C) Third Offense:

(3) Failure to furnish to the Board required materials and documentation as outlined in R. 35-1(G).

- A) First Offense:
- B) Second Offense:
- C) Third Offense:

(4) Failure to notify the Board of change of location or ownership or closing of a school

- A) First Offense:
- B) Second Offense:
- C) Third Offense:

(5) Failure to comply with dispensing room requirements for equipment, supplies, and staffing.

- A) First Offense:
- B) Second Offense:
- C) Third Offense:

- (6) Failure to comply with Board-prescribed curriculum as outlined in R. 35-3.
 - A) First Offense:
 - B) Second Offense:
 - C) Third Offense:

- (7) Failure to employ Instructors licensed by the South Carolina Board of Cosmetology
 - A) First Offense:
 - B) Second Offense:
 - C) Third Offense:

- (8) Failure to maintain proper bond.
 - A) First Offense:
 - B) Second Offense:
 - C) Third Offense:

- (9) Failure to provide instruction at a ratio of one instructor for every 20 students as stated in R. 35-1(G)(5) and R. 35-10(C)(4).
 - D) First Offense:
 - E) Second Offense:
 - F) Third Offense:

- (10) Failure to report a change in instructors or schedules to the Board in writing as required in R. 35-10(C)(5)(c)
 - a. First Offense:
 - b. Second Offense:
 - c. Third Offense:

G. Schedule of Fines for Instructors in Schools

- (1) Submitting false or fraudulent documentation on the application for licensure as Instructor.
 - A) First Offense:
 - B) Second Offense:
 - C) Third Offense:

- (2) Failure to teach under the direct supervision of a licensed instructor when teaching under the provisions of a temporary license.
 - A) First Offense:
 - B) Second Offense:
 - C) Third Offense:

- (3) Teaching with an expired permit
 - A) First Offense:
 - B) Second Offense:
 - C) Third Offense:

- (4) Teaching with an expired license
 - A) First Offense:
 - B) Second Offense:
 - C) Third Offense:

- (5) Failure to maintain professional atmosphere at all times in classrooms
 - A) First Offense:
 - B) Second Offense:
 - C) Third Offense:

H. Schedule of Fines for Student Enrollment

- (1) Enrolling students who do not meet licensure requirements
 - A) First Offense:
 - B) Second Offense:
 - C) Third Offense:

- (2) Submitting false or fraudulent documents when enrolling students.
 - A) First Offense:
 - B) Second Offense:
 - C) Third Offense:

- (3) Failure to submit prescribed enrollment forms and all required supporting documentation to the Board office within twenty-one days of date of enrollment as stated in R. 35-10(A)
 - A) First Offense:
 - B) Second Offense:
 - C) Third Offense:

- (4) Failure to disclose to students total cost of course and supplies, including the cost of the student kit if not otherwise included, type of course taken, total hours of instruction and payment schedule.
 - A) First Offense:
 - B) Second Offense:
 - C) Third Offense:

- (5) Failure to provide a copy of the signed contract to the student
 - A) First Offense:
 - B) Second Offense:
 - C) Third Offense:

I. Schedule of Fines for Student Records

- (1) Failure to record hours of attendance on the correct Board-prescribed forms
 - A) First Offense:
 - B) Second Offense:
 - C) Third Offense:

- (2) Failure to report hours of attendance on the correct Board-prescribed forms
 - A) First Offense:
 - B) Second Offense:
 - C) Third Offense:

- (3) Failure to report withdrawal or graduation of a student within ten days.
 - A) First Offense:
 - B) Second Offense:
 - C) Third Offense:

J. Schedule of Fines for Training Schedules

- (1) Failure to conduct theory classes at least six hours per week
 - A) First Offense:
 - B) Second Offense:
 - C) Third Offense:

- (2) Allowing students to attend more than eight hours per day.
 - A) First Offense:
 - B) Second Offense:
 - C) Third Offense:

- (3) Failure to submit to the Board a course of study for advanced training**
 - D) First Offense:**
 - E) Second Offense:**
 - F) Third Offense:**

- (4) Giving a student credit for hours of non-educational instruction.**
 - G) First Offense:**
 - H) Second Offense:**
 - I) Third Offense:**