APPROVED MINUTES
South Carolina Board of Cosmetology
10:00 A.M., July 10, 2012
Synergy Business Park
Kingstree Building, Conference Room 105
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 also be available on the Board's website

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 Chairperson

Introduction of Board Members
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, Roz Bailey-Glover, Administrative Staff, Cecelia P. Englert, Court Reporter. Andrew R. Rogers, Assistant General Counsel, DeLeon Andrews, OIE, Charlie Ido, Assistant Deputy Director, Doris Cubitt, Robbie Boland, Ronnie Blackmon, Inspections Department, and Darra Coleman, Chief Advice Counsel.

All Other Persons Attending:
Approval of Excused Absences: None absent

Approval of the Agenda

MOTION:

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

New Business
Approval to Teach Nail Technology
Kenneth Shuler Schools of Cosmetology ---Steven Dawson
Mr. Dawson appeared before the Board seeking approval to offer a 600 hour Nail Technology program at the Rock Hill, Spartanburg, Greenville, and Garners Ferry Road , Columbia locations. Mr. Dawson stated the Rock Hill location was previously approved, pending an inspection. The inspection did not occur because he is looking for an instructor. Once they find an instructor they will request the inspection. Ms. Thompson had concerns about the 600 hour program requirement. Ms. Thompson stated that in the Boards preparation for regulation changes #4218, the Board has been trying to obtain clarification on the federal regulations when it comes to the cosmetology schools. Staff brought it to the Board's attention, using the state regulations, and pointed out the Board could not extend the hours for the existing nail technology programs greater than the 450 hours. Mr. Dawson stated that the concept of the 600 hours is more than

150% of the state requirement. His schools have passed the reaccreditation requirements, and have been approved by their accrediting agency. The difference is that when the school was originally approved the Board had a copy of the cosmetology regulations in a blue book with nail technology hours set at 450 hours, so when they applied, they applied for 600 hours and were approved. Since that time, the regulations changed again to 300 hours, but their accrediting agency continues to approve them for 600 hours. Ms. Thompson stated that the blue book information was a misprint. The accrediting agency continues to approve their 600 hours programs since the U.S. Department of Education relies on the accrediting agency for approval. Ms. McCartha wanted to see something from the Federal Department of Education as she is concerned there is a conflict with *34-CFR SECTION 668-14 (B)-26* which covers the 150%. Mr. Dawson let the Board know that he would go back to his office to obtain information to show the accrediting agency approved 600 hours.

MOTION:
Ms. Brown made a motion to defer the determination until later today. Ms. Rodgers seconded the motion, which carried unanimously.

Mr. Dawson returned to the board meeting having obtained information from the accrediting agency that he shared with the Board showing the accrediting agency's allowance of a 600 hour nail technician program. Mr. Dawson brought in an email dated December 12, 2010, from the accrediting agency. The email stated it was not necessary to drop back to 450 hours as it was not required. Mr. Dawson provided a letter dated March 30, 2011, from Mr. Jones, the former Administrator for the SC Board of Cosmetology, addressed to the accrediting agency regarding the school's hourly information for a nail program. Ms. Thompson let Mr. Dawson know that there was a error in that "blue" book and that the statute and regulation had not changed and the only statutes and regulations that would be considered are those that appear on the state house website. Mr. Dawson also stated that the accrediting agency conducted an on-site visit to their school to review their policies and procedures and they approved the program for six (6) years, with the knowledge that SC's Board only required 300 hours for a nail technician program. Mr. Dawson let the board know that the Kenneth Shuler School feels that a 300 hour program is not sufficient enough to provide the student with the skills needed to obtain a license. He added that the federal government based funding decisions on what the accrediting agency approves. A lengthy discussion ensured. Ms. Thompson stated the Board did not want to make any decisions that would conflict with the federal government. Mr. Dawson let the Board know there were no federal regulation that he knew of that would prohibit a school from offering more hours than what is required by the state.

MOTION:

Ms. Webb made a motion to go into executive session for legal advice. Ms. Nye seconded the motion, which carried unanimously.

MOTION:

Ms. Brown made a motion to go back into public session. Ms. Rodgers seconded the motion, which carried unanimously.

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

MOTION:

Ms. Nye made a motion to deny the application to increase the nail technician program to 600 hours as it would be in violation of *34-CFR SECTION 668-14 (B)-26.* If applicant can provide the Board with documents from the U.S. Department of Education or their accrediting agency to show that they are in compliance with the federal regulations then the Board would entertain a motion to reconsider. The Board also wanted to stress that all school campuses must be in compliance with this and all federal regulations. Ms. Rodgers seconded the motion, which carried unanimously.

Mr. Dawson stated that their current locations have a 600 hour program and are approved by the accrediting agency and the Department of Education because they are Title IV funded, and they are in a sense, in compliance with the federal laws. Is there any need to go back to change those program locations? Ms. Thompson clarified that the way the Board's legal team interrupts the regulation means that if the Board were to approve a 600 hour program they could be in violation of federal law and until the Board is sure they are not in violation, the Board does not feel comfortable approving a 600 hour program.

Approval to Change CE Class Date
Nails, Skin & Hair of America -- Chesley Paige Phillips
Ms. Phillips appeared before the Board seeking approval to change a class from the Holiday Inn, because of a large, noisy group next door, to their reserved room. The alternative hotel is the Hilton Garden Inn located at 650 Tinsley Way, Rock Hill, SC 29730. This is a second change for Nails, Skin & Hair of America, and Ms. Phillips acknowledged the change is not 45 days in advance, but the change is in the best interest of the licensees, otherwise they will not be able to hear the lesson.

MOTION:
Ms. Rodgers made a motion to approve the change of the hotel location with a letter from the hotel stating the date Ms. Phillips was notified of the large group. Ms. Webb seconded the motion, which carried unanimously.

Approval to Add Additional Esthetics CE Class
Nails, Skin & Hair of America -- Chesley Paige Phillips
The third change is a request to add another esthetics class on August 5, 2012, in Aiken, SC using the same location, lesson plan, agenda, instructors, and monitors.

MOTION:
Ms. Brown made a motion to approve the additional class at the Hampton Inn. Ms. Webb seconded the motion, which carried unanimously.

Approval of Duplicate License
Linh Dinh Tran – NT
Linh Dinh Tran was not present; however, the letter mailed from LLR staff indicated 9:00 p.m. as the meeting time. Ms. Pressley acknowledged the error and stated she left a voice messages for him to come in at 9:00 a.m., but she received no answer. Ms. Thompson directed staff to submit a new letter to Linh Dinh Tran to attend the September 10, 2012, meeting with the correct time stated in the letter.

MOTION:
Ms. Webb made a motion to deny the request for a duplicate license. The motion was withdrawn.

MOTION:
Ms. Rodgers made a motion to defer the duplicate license issue until the September 10, 2012, meeting. Ms. Curtis seconded the motion, which carried unanimously.

Approval of Re-Instatement with Background Report
Cynthia McAnulty - RC
Staff did not send Ms. McAnulty a letter to appear before the Board.

MOTION:
Ms. Rodgers made a motion to defer the reinstatement issue until the September 10, 2012, meeting. Ms. Nye seconded the motion, which carried unanimously.

Approval of Licenses with Background Reports
Mary Christine U Arroyo - RC
Ms. Arroyo appeared before the Board and testified that she has been out of jail since 2009. While she was employed as a clerk and treasurer, she was charged with embezzlement for credit card fraud as she used the town credit card for personal use. She paid restitution on June 2009. Ms. Arroyo stated she learned her lesson and has a job waiting for her if the license is awarded.

MOTION:
Ms. Brown made a motion to approve the license. Ms. Rodgers seconded the motion.

The motion was amended.

MOTION:
Ms. Brown made a motion to approve the license with a two year probationary period and a SLED report due to the Board at the end of each year at Ms. Arroyo's expense. Ms. Rodgers seconded the motion, which carried unanimously.

MOTION:
Ms. Webb made a motion to take a ten minute break. Ms. Rodgers seconded the motion, which carried unanimously.

The Board returned to public session.

Dawnyelle Sharp - RC
Ms. Sharp appeared before the Board seeking approval for licensure and to answer questions the Board may have regarding her SLED report. Ms. Sharp testified that she was a youthful offender. She stated that the people she was hanging out with were armed and robbed some individuals in an apartment complex. Someone in the complex saw her license plate and turned it over to the police. The people who committed the robbery left stolen items in her car and in her house so she was arrested. The ten (10) year sentence was reduced to six (6) year as a youthful offender. Ms. Sharp testified that she completed a 90 day boot camp program and probation terminated upon payment of restitution. Ms. Sharp also stated she was stopped for a DUI in 2009. Ms. Sharp stated that she no longer associates with the people who got her in trouble. She completed a drug and alcohol program for six (6) months and reinstated her driver's license in 2010. She graduated from cosmetology school in 2012, and has a job waiting if the license is approved.

MOTION:
Ms. Brown made a motion to approve the license with a one year probation and a SLED report provided to the Board at the end of that year, at her own expense. Ms. Rodgers seconded the motion, which carried unanimously.

Scottie Simmons - RC
Mr. Simmons appeared before the Board seeking approval for licensure and to answer questions the Board may have regarding his SLED report. Mr. Simmons testified that he served eleven (11) months in jail and is on probation until restitution is fully paid. He owes $600 which should be fully paid by the end of 2012. Mr. Simmons testified that the charges on his SLED report run concurrently and is last arrest was in 2007. From 2006-2007 he was incarcerated. Mr. Simmons testified that he is currently working where he does bridal make-up and hair for the church. He is working and has been doing product make-up programs at the mall from 2008-2012, and doing hair styling without a license. Mr. Simmons stated that he arranges the hair and is being paid. Mr. Simmons brought in a portfolio which he presented to the Board as evidence of his great work on make-up and hair. Ms. Webb let Mr. Simmons know that he cannot practice without a license. Mr. Simmons stated that state laws were not brought to his attention so he has been working for MAX doing makeup. Each Board member reviewed the portfolio Mr. Simmons presented. Mr. Simmons stated that brides did not pay him, but he has a contract and pricing list in his portfolio altered to fit his business. He offers packages which include the prices for services like wedding "Up Do's" and make-up as shown in his portfolio. Mr. Simmons stated he did not receive money to do hair and said he will only use the contract for his business. Mr. Simmons stated that he does the makeup and moves the hair out of the way. Mr. Simmons testified he took his examinations in 2012.

MOTION:

Ms. Rodgers made a motion to go into executive session. Ms. Curtis seconded the motion, which carried unanimously.

MOTION:

Ms. Rodgers made a motion to go back into public session. Ms. Curtis seconded the motion, which carried unanimously.

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

MOTION:

Ms.Webb made a motion to deny the license due to convictions and practicing without a license. Ms. Curtis seconded the motion, which carried unanimously.

Ms. Thompson let Mr. Simmons know that a final order will be mailed to him from the Board.

Brandy Danyelle Agee – RC
Ms. Agee appeared before the Board seeking approval of her license with a SLED report. Ms. Agee testified she had one charge from 1999, from the State of Georgia. She passed her cosmetology examinations in 2012, and has a job waiting if the license is approved.

MOTION:
Ms. Webb made a motion to approve the license. Ms. Rodgers seconded the motion, which carried unanimously.

Tracey G Heyward – RC
In a previous Board meeting Ms. Heyward was informed by Order that once her criminal offenses had a final disposition, she could return to the Board and present her case. Ms. Heyward requested an audience with the Board to clarify questions the Board had during her last Board hearing. Ms. Heyward stated she had charges in Florida and as a fugitive, was caught in a road block in South Carolina where she was arrested. Ms. Heyward testified that based on SC fingerprints, the crime committed in Florida was not done by her. According to Ms. Heyward, the SC probation is complete and the Florida case is closed, however she did not submit any documentation from Florida regarding the final disposition of the closed case. A discussion ensued. Based on the document submitted, warrant K351640 is still open and unresolved. A lengthy discussion ensued. Ms. Heyward briefly explained the charges she received stating she paid bills and forged payroll and approved purchases she should not have with the company's funds. Ms. Heyward did not serve any prison time but was given five (5) years probation which she has completed.

MOTION:

Ms. Rodgers made a motion to go into executive session. Ms. Nye seconded the motion, which carried unanimously.

MOTION:

Ms. Brown made a motion to go back into public session. Ms. Rodgers seconded the motion, which carried unanimously.

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

MOTION:

Ms. Rodgers made a motion to defer Ms. Heyward case to the September 10, 2012, meeting depending on the documents as follows: Provide a copy of the warrant from Charleston County, provide a document to verify Ms. Heyward is not a fugitive from justice. All paperwork from the legal team and a current SLED report must be received by the Board for review. Ms. Webb seconded the motion, which carried unanimously.

Ms. Thompson stated the Board has specified the documents they will need to review. An Order will be mailed to her.

Ms. Thompson announced the lunch break from 2:35 – 3:00.

Approval of Licenses with Education Concerns
Kelly Giau Nguyen - RC
Ms. Nguyen appeared before the Board seeking approval of a license and to answer questions the Board may have regarding her California cosmetology education. Ms. Nguyen testified she attended Northern California University in California and completed 1600 hours of training by September 2010. The transcript submitted shows total hours

completed as 592 (HRS) and 1008 (OP) in two separate columns. The student information certificate from California shows 1,600 hours. Mr. Ajeda, with the California Board of Cosmetology, informed the SC Board of Cosmetology that the school is not approved to teach a cosmetology program in California.

MOTION:
Ms. Webb made a motion to deny the license because the school is not approved by California to teach cosmetology and the transcript does add up to the minimum number of hours required. Ms. Brown seconded the motion, which carried unanimously.

Vu Vuong Le - NT
Mr. Le previously appeared before the Board for the approval of his license. The license was denied as he did not have a complete application and information was missing. Mr. Le has submitted a complete application for the Boards consideration. Mr. Le stated that his sister helped him complete the first application, and she placed her date of birth on the application instead of his. Mr. Le provided a copy of his sister's driver's license to show the date of birth was hers and not his. Mr. Le's date of birth is April 14, 1982. The school information is now complete. Mr. Le is licensed in California.

MOTION:
Ms. Webb made a motion to approve the license. Ms. Brown seconded the motion, which carried unanimously.

Nhu Uyen Huynh Tran – NT
Ms. Tran appeared before the Board seeking approval of a nail technician license with an out of state school. Ms. Tran was previously denied a license because she was not show up for the board meeting. Ms. Tran testified she attended the Tinny Beauty School in New York in 2010, but she did not receive a license in New York. She was not ready to take the test in New York and waited to take the test in South Carolina. Ms. Tran stated she did not show up for the previous Board meeting because she did not receive the letter to appear. She completed her exams in 2011 because she had to take care of family members. The Board swore in staff member Bridget Jenkins. Based on Ms. Jenkins research of the school, she made contact with Ms. Yates, Director of Continuing Education Services in New York State on April 23, 2012, who confirmed by email that the Tiny Beauty School closed in 2008, and there is a current investigation pending against the school.

MOTION:
Ms. Curtis made a motion to deny the license because the school closed in 2008, even though the applicant attended the school in 2010. Ms. Rodgers seconded the motion, which carried unanimously.

Approval to Teach Instructor Courses in Esthetics and Nail Technology
Columbia Academy of Cosmetology --- Dr. Yvonne Duncan Brown
Dr. Yvonne Duncan Brown appeared before the Board seeking permission for the Columbia Academy of Cosmetology to teach the 750 hour instructor courses in esthetics and nail technology. Dr. Brown submitted a course outline for the manicurist and the esthetics programs. There were no documents submitted covering the instructors course. Ms. Thompson asked Dr. Brown to make corrections to the curriculum and match the curriculum to the Board regulations. Dr. Brown stated the manicuring course schedule would be 8:30 a.m. – 5:00 p.m., Tuesday –Saturday and the evening program schedule would be 5:00 p.m. – 10:00 p.m., Monday-Friday. Dr. Brown stated the packet of information was sent to her from her corporate office. Ms. Thompson let Dr. Brown know that a complete and accurate packet must be provided to the Board in order for the Board to make a decision.

MOTION:
Ms. Brown made a motion to deny the new program due to the submission of an incomplete application packet for the school program additions. Ms. Webb seconded the motion, which carried unanimously.

Approval of License – Home School/Vocational School
Laura Katherine Woolington – RC
Ms. Laura Woolington appeared before the Board along with her mother, Mrs. Katherine Woolington seeking licensure approval with a home school high school diploma and vocational school cosmetology training. Ms. Woolington testified she obtained her high school diploma through Homeward Education on May 2012, and the diploma was issued through ATEC Applied Technology Education Campus. Her mother, Mrs. Woolington, testified that her daughter took basic

math, English courses at home but was enrolled at a career center for the cosmetology training. She received 500 academic hours and 1414 cosmetology school hours. The instructor, Ms. Rebecca L. Teal, was sworn in and testified that at Applied Technology Education campus, Ms. Woolington completed 1414 hours in cosmetology by February 28, 2012. She attended Monday – Friday for 2 hours and 40 minutes per day and did not miss any days. Ms. Woolington attended the vocational training and high school simultaneously. By the time Ms. Woolington graduated high school, she had completed 1500 hours required for the cosmetology program. Ms. Teal stated they followed the school and district policy in order for Ms. Woolington to complete the program and the technical school accounts for the student's hours.

MOTION:
Ms. Rodgers made a motion to approve the license. Ms. Brown seconded the motion, which carried unanimously.

Caroline L Alewine – RC
Ms. Alewine appeared before the Board along with her parents, Steven and Margaret Alewine, seeking licensure approval with a home school diploma and technical school training. Ms. Alewine testified she attended the Dogwood Academy High School, which is a home school, and received her diploma May 2012. She attended the Dorchester County Career & Technology Center for her cosmetology training. Mr. Alewine testified that the high school Ms. Alewine attended is under the Grace Home School Association in Florence, SC and operates under the SC Code 59-65-47 for home schooling.

MOTION:
Ms. Rodgers made a motion to approve the license. Ms. Brown seconded the motion, which carried unanimously.

Discussion
Board members received a list of companies from the Department of Education that offered the ability to benefit examinations or ATB exams. Members were assigned to research the list in order for the Board to approve a list of ATB tests companies to provide the information to applicants who may need to take the test. At the October 2010 Board meeting, the Board established that the company Wonderlic would not be accepted to administer the ATB examinations for SC. A discussion ensued. Ms. McCartha let the Board know they can consider a specific examination or the entire list. At a later date the Board can remove any company from the list the same way Wonderlic was removed in the past. The Board members will review the list of companies and reconvene at a later date to approve the final list.

MOTION:
Ms. Curtis made a motion to defer the discussion to the August 6, 2012. Ms. Brown seconded the motion, which carried unanimously.

Home School
Mr. Ray told the Board it would help staff if they put a policy in place for accepting home schools. Ms. Thompson stated if a home school program transcript is accepted by major universities and listed with the Board of Education, then we would accept the home school and no policy would need to be established. If staff has a situation where the home school is not listed with one of the Associations (even though the Board of Education does not endorse or certify the Associations) then each licensing situation can be review by this Board on a case by case basis.

Vocational Programs in South Carolina
(Make-up hours, graduation date specifics and transfer of hours from one state to another)

Nancy Riley ---Northeast High School, Columbia SC
Ms. Riley addressed the Board wanting to know if there was a policy that would allow student hours to be transferred from one state to another state. Ms. Thompson stated she does not have an answer. The Board has been working with the SC Board of Education to get clarification. Neither the Board statutes nor regulations provide for a breakdown of the transfer of hours. The difference between a private school and a vocational school, as specified in the statutes or regulations, is that no contract or bond is required if you are a public schools, however a private school must have a contract and a bond filed with the state, everything else is the same. The 500 academic hours established years ago, does not explain what the public schools should do. No one has any documentation covering that agreement. Ms. McCartha

asked Ms. Riley to send her questions by email to the Administrator, Mr. Byron Ray, and he will forward those questions to legal to have when they meet with the Board of Education.

Mr. Steven Dawson stated that at his private school the maximum number of hours given to a transferring student is 750. Schools basically go by the transcript received from the other school since there is no regulation prohibiting them from taking more or less. The majority of the students who come to his school need about 800 hours. The problem is, the transferring student does not receive all of their hours unless they have completed their program in the other state. There must be a solution for the students. Ms. Thompson stated the Board understands the problem but there is no resolution at this time.

Rebecca Teal --- Applied Technology Education Campus, Camden SC

Ms. Teal stated there are no set regulations for vocational schools on how to track the academic hours or what the Board wants to see, etc. Ms. Teal also mentioned that the training affidavit has not been changed. Ms. Thompson stated the headings on the affidavit was changed to reflect post secondary school programs, but the hours are the same because there's still no resolution yet.

Ms. Teal wanted clarification about make-up hours if a student is enrolled to graduate in June and at the end they are short 30 hours. Can they come back to the school after the graduation date to complete their hours? Ms. Thompson stated that its her understanding that when a person graduates from a public school, they could not come back to finish hours and be considered a student. Students in public school make up hours throughout the school year, for the vocational programs; however, it was always left up to the individual school or district as some districts allow for Saturday school hours and some do not. So make-up hours were determined by the individual school or district.

Ms. Thompson stated if a public school graduate is allowed to still be considered a student in the public school in order to complete their cosmetology hours, then this is what the Board needs for the public schools to clarify. Otherwise, graduate means graduated, and a graduate is not considered a student. Ms. Thompson stated there may be an exception for "home bound" student who cannot make it to school due to an accident or body cast and they exceed their allotted number of school hours. So make-up hours and graduation dates will be considered by the Board when requirements are meet with the Board of Education.

Trina Greenwood ---Aiken County Career and Technology Center, Warrenville SC

Ms. Thompson recognized Ms. Greenwood and reviewed her letter. Ms. Greenwood had concerns and wanted clarification on attendance hours, make-up hours, graduation date specifics, and basic clarification of the policy which the Board does not have yet. Chairperson Ms. Thompson stated there were no answers for her at this time.
Ms. Greenwood explained that during the June 2011, Business Education Summit for vocational schools, Tracey McCarley was asked to come and speak with the vocational school during the round-table discussions on cosmetology. It was at that time, Ms. McCarley let the vocational schools know that they could do make-up time. The question of make-up hours came up when Rebecca Teal called Ms. Greenwood to find out what she knew about make-up time and why the vocational schools were not allowed to give make-up time. Ms. Greenwood then spoke with LLR staff member Matteah Taylor who explained that the rule is you cannot allow make-up time in a public school for graduates. Graduation dates that appear on graduation documents (completion affidavits) are specific. If the student is not graduating and the affidavit is already submitted, it could appear as falsifying documentation. This alarmed Ms. Greenwood because she is very specific about graduation dates. When the training affidavits are mailed in February, it shows a confirmed graduation date of June 1, 2012, for all students. The concern LLR staff had was, how do you know the student will actually graduate on June 1, 2012. Usually, by the third week of May the graduation dates are known for each student.

Ms. Thompson explained that the completion affidavit was designed for the private schools and not the public schools. Also, the vocational schools have two graduations, one from high school and one for cosmetology graduates. The statute does not state that you have to graduate high school in order to receive a cosmetology license once qualified, so the Board cannot change the completion affidavit because high school graduation is not a requirement for licensure. Ms. Greenwood was also told by LLR staff member Ms. Wider that if a student did not graduate then they forfeit all 500 hours and the affidavit cannot be signed by Ms. Greenwood at that time. Ms. Thompson agreed with Ms. Wider.

Ms. Greenwood stated that students who have met graduation obligations and hours must also meet the financial obligations of the public school before a completion affidavit can be released. For example, the student may owe the school fees for a book costing $85. Without the financial payment of the $85 the student cannot meet the financial

obligation, and no training affidavit would be released. This policy may vary by district. Ms. Thompson stated that unless the situation has been outlined in writing and placed on the agenda for the Board to review, the Board cannot deliberate on the subject at hand. Ms. Thompson also clarified to staff that the date on the affidavit of completion must be the date the student completed their hours of cosmetology training. That date does not change. The question remains, can the student turn in her paperwork to the Cosmetology Board for the processing of her license without the affidavit of completion? The affidavit of completion can come from the school to the Board once the student completes the financial obligation, so that the license is not sent to the student until the financial obligation is met. Staff member, Ms. Taylor, stated that the testing service, PCS, is still sending in applications to the Board for processing from vocational school students who passed their examinations in March, April, and May. The applications are late because of the missing affidavits of completion. There may be a problem with PCS not sending in the application to the Board in a timely fashion and that would need to be addressed with PCS first. Ms. Greenwood explained her daughter's situation in obtaining a license. Ms. Greenwood stated she passed the examinations in February, but the license was not received until July, which is too long. Ms. Thompson let Ms. Greenwood know that she must write a letter to the Board in the form of a complaint regarding the length of time it took for her daughter to obtain her license. The letter should be addressed to the Administrator, Mr. Byron Ray, asking for the Boards assistance in the matter. This is a problem. First, the letter must go to PCS asking for a resolution and giving them an opportunity to respond. If there is no resolution, then the Board can be notified in writing to address the issue at a meeting.

Chairperson Ms. Thompson let everyone know that as soon as the Board has answers to the outstanding questions, they will notify the schools.

Continuing Education – Topic was on the agenda, but no materials were provided for discussion so the Board dismissed the discussion.

Public Comments

Ms. Dawson stated that Assembly Bill #48 in the State of California instituted the creation of a Bureau for Private Post Secondary Education because in prior years, California had no oversight to approve cosmetology schools. In addition, where does it say a high school students who obtains 500 hours of academics in the public school should not be able to have the 500 hours transferred over if they attend a private school? Ms. Thompson stated that the Board does not have an answer yet. SC's statutes indicate the applicant must complete 1500 hours of class training. Mr. Dawson also stated that the Ability to Benefit (ATB) examination is covered under federal regulations. If the Board does not accept certain ATB examinations the Board may be a violation of federal regulations that require the examination. Mr. Dawson stated that historically, Kenneth Shuler Schools does not accept the ATB examinations only high school diplomas.

Mr. Shuler commented that the ability to benefit has to do with Title IV funding. It means the ability to benefit from the training offered. The ATB tests are profession specific such as cosmetology, brick layers, masons, etc. Ms. Thompson stated it was the Board's understanding that the ATB examinations accessed knowledge and level of education and was not profession specific. Mr. Dawson stated the academic side of the test does access knowledge and skill level in reading, writing, and math; however, their school policy is not to accept the ATB examinations. Ms. Thompson let the Board know they should also look into what the ATB is measuring and is it profession specific or not. The federal regulation changes still allow for the ATB examination to be accepted by schools.

Mr. Shuler also stated that he would like for the 500 academic hours to be done by private schools because he feels the vocational school are lacking in providing students with the technical skills needed. He feels the vocational schools do not get enough people in the schools to work on, and students can only learn certain things using a mannequin. Mr. Shuler suggested that students should do 1,000 in the vocational school and the other 500 hours in a private school.

Ms. Collen Phillips stated that she denied admittance of a student into her classroom because the student did not understand English. There is a larger influx of people who do not understand anything due to the language barrier. Ms. Phillips wanted to know if she should purchase a translation program to use in the classroom to translate the lecture and materials from English to Vietnamese. Ms. Thompson stated that the providers are to verify the student's attendance and not their participation. Disruptive people can be removed from the classroom, but providers cannot deny the students entrance if they do not interact. The Board cannot give the associations instructions on what to do. Ms. Nye stated that she can provide Ms. Phillips with some information on the type of technology the courts use for translations. Ms. Colleen Large also commented that she too had a student who did not understand English and did not participate. The student just sat in her class reading a book in another language. She ultimately did not give the student credit for the

class because she just sat there reading something else. She explained to the student and her husband after class why credit was not given. Ms. Thompson stated that although she understands, the providers verify attendance and not participation. Providers can include or create rules of the classroom, on disruptions, etc. Otherwise he does not have to participate and the Board cannot provide guidance to the providers on the subject.

Ms. Teal considered Mr. Shuler's comments and opinion about vocational schools and let the Board know that she has to defend the integrity of her vocational school which she holds in a high regard for the training provided to students who attend.

Adjournment

MOTION:
Ms. Brown made a motion to adjourn the meeting. Ms. Nye seconded the motion, which carried unanimously.

The next meeting of the SC Board of Cosmetology is scheduled for September 10, 2012