

MINUTES

South Carolina Board of Cosmetology

10:00 A.M., September 13, 2004

Board Meeting

Synergy Business Park

Kingstree Building

110 Centerview Drive, Conference Room 108

Columbia, South Carolina

Pat Adams, Chairman, of North, called the meeting to order at 10:07 a.m. Other Board members attending the meeting included: Melanie Thompson, Vice Chairman, of Myrtle Beach; Katherine Busby, of West Columbia; Delores Gilmer, of Charleston; Rosanne Kinley, of Anderson; Ruth Settles, of Greenville; and Katherine Webb, of Easley.

Staff members participating at various times during the meeting included: Ronnie Blackmon, Inspector; Sandra Dickert, Administrative Assistant; Eddie Jones, Administrator; Jim Kyzer, Inspector; Raymond Lee, Inspector; Mary Ann Miller, Inspector; and Shirley Wider, Program Coordinator.

Members of the public included: Elizabeth Cagle, Nina Dickey, Charmaine Green, Noushin Heidari, Jay Lacy, Ken Lochridge, Robert Pearson, Chesley Phillips, Patti Pierce, Gail Price, Erin Riddle, Delores Rush, and Catherine Stabler.

Meeting Called to Order

Ms. Adams announced that 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

All present recited the Pledge of Allegiance.

Rules of the Meeting Read by the Chairman

Ms. Adams read the rules of the meeting for all those in attendance.

Invocation

Ms. Adams asked that everyone bow their heads for a minute of silent prayer.

Introduction of Board Members and All Other Persons Attending

The Board members, staff and members of the public introduced themselves for the record.

Approval of the July 12, 2004 Meeting Minutes

MOTION

Ms. Kinley made a motion, seconded by Ms. Thompson and unanimously carried, that the Board approve the minutes of the July 12, 2004 meeting.

Approval of Agenda

MOTION

Ms. Kinley moved the agenda be approved with any necessary deviation. The motion was seconded by Ms. Thompson and unanimously carried.

Chairman's Remarks - Pat Adams

Ms. Adams stated she would like to congratulate Mr. Jones who has been elected to the NIC executive board as the administrator and Ms. Kinley who is now vice president of NIC. She is very proud and believes each of them would be an asset to the board.

Ms. Kinley stated she and Mr. Jones were the only two who were unchallenged for offices on the board.

Administrator's Remarks, For Information - Eddie Jones

Mr. Jones stated it was rewarding chairing the administrator sector and attending the NIC conference. He went on to say the meeting went over exceptionally well and the administrators were well pleased. He further stated the administrators chose not to complete individual evaluations at the end of the meeting, however, the administrators did have one individual draft an evaluation and each of them signed that one document.

Ms. Adams stated she worried and prayed about Mr. Jones, Ms. Kinley and Ms. Webb while they were in attendance at the conference due to the floods caused by Hurricane Gaston.

Ms. Kinley stated they didn't have to leave the hotel until after the flood was over. She noted there were cars, overturned, floating down the street due to the floodwaters. She further stated employees were unable to leave the hotel.

Advisory Opinions, If Needed, Office of General Counsel

Legislative Update, If Needed, Legislative Liaison Office

There were no advisory opinions or legislative update given during the September 13, 2004 meeting.

Action Items (Vote Required)

Ratification of Mail-In Ballots

a. Ballot 1 - Approval of Vinny Hoai Ho Retaking LaserGrade Exam (Disapproved) (4, 3)
Vinny Hoai Ho was scheduled to take and was in the process of taking the LaserGrade exam on May 25, 2004 when he became ill during the exam and was sent home. He was rescheduled to take the exam on May 30, 2004. When he returned to take the exam on May 30, 2004 he was informed that he had failed the exam, although he had not completed it due to illness. He was requesting the Board's approval to retake the LaserGrade exam. Since the Board would not be meeting again until September 13, 2004 the Board members were mailed a ballot, along with the pertinent information, and were asked to cast their vote in approval or disapproval in this matter. The members were informed that the ballot would be ratified during the September 13, 2004 meeting. The Board, by a majority vote, voted to disapprove this request.

MOTION

A motion was made by Ms. Kinley to ratify mail ballot number one. Ms. Thompson seconded the motion. The motion carried.

b. Ballot 2 - Approval of Cura Cosmetology School Revise General Rules and Regulations (Approved)

In late July 2004 Tammie Stevens, owner of Cura Cosmetology School, submitted revised general rules and regulations for the Board's review and approval. Since the Board would not be meeting again until September 13, 2004 the Board members were mailed a ballot, along with the pertinent information, and were asked to cast their vote in approval or disapproval in this matter. The members were informed that the ballot would be ratified during the September 13, 2004 meeting. The Board voted unanimously to approve this request.

MOTION

Ms. Gilmer moved the Board approve mail ballot number two. Ms. Webb seconded the motion, which carried unanimously.

c. Ballot 3 - Approval of Marion County Technical Educational Nail Technology Program (Approved)

On July 13, 2004 the Board received a letter from the Marion County Technical Education Center asking for the Board's permission to add a nail technology program to their curriculum. Since the Board would not be meeting again until September 13, 2004 the Board members were mailed a ballot, along with the pertinent information, and were asked to cast their vote in approval or disapproval in this matter. The members were informed that the ballot would be ratified during the September 13, 2004 meeting. The Board voted unanimously to approve this request.

MOTION

Ms. Thompson moved the Board ratify mail ballot number three. The motion was seconded by Ms. Busby and unanimously carried.

d. Ballot 4 - Approval of Inspection of Additional Space and Manicure Course at Cosmetic Arts Institute (Approved)

On July 13, 2004 the Board received a letter from Nannette Saheb, of the Cosmetic Arts Institute, asking for the Board's approval of a manicure course for the school. Since the Board would not be meeting again until September 13, 2004 the Board members were mailed a ballot, along with the pertinent information, and were asked to cast their vote in approval or disapproval in this matter. The members were informed that the ballot would be ratified during the September 13, 2004 meeting. The Board voted unanimously to approve this request.

MOTION

Ms. Gilmer made a motion, seconded by Ms. Settles and unanimously carried, that the Board ratify mail ballot number four.

e. Ballot 5 - Approval of Angie Shuler as Theory Instructor at Kenneth Shuler Schools (Approved) (5,2)

In July 2004 the Board received a letter from Angie Shuler, of Kenneth Shuler Hair Styling Schools, requesting the Board's approval to allow her to teach the theory portion of the Instructor training program at the school. All of the instructors employed at the school teach other programs and the school director had resigned. Since the Board would not be meeting again until September 13, 2004 the Board members were mailed a ballot, along with the pertinent information, and were asked to cast their vote in approval or disapproval in this matter. The members were informed that the ballot would be ratified during the September 13, 2004 meeting. The Board, by a majority vote, voted to approve this request.

MOTION

Ms. Settles moved the Board disapprove this ballot because of a discrepancy in the ballot the Board received. Ms. Busby seconded the motion. Ms. Thompson stated the ballot is being disapproved because Ms. Shuler is not a cosmetologist; therefore, the Board cannot break the law and grant her an instructor's license. She went on to say that unless Ms. Shuler became licensed as a cosmetologist between the time the Board received the ballot and this day, she would be voting to disapprove the ballot. Ms. Adams stated there was some confusion as she felt some of the members thought Ms. Shuler was applying and it was the Board's fault for not reading the ballot clearly. She indicated some of the members might have thought Ms. Shuler was applying to become a Methods Instructor for individuals seeking their instructor license. Mr. Jones stated Shuler Hair Styling Schools had a dilemma in one of the training programs of one the students who would be out of training for a period of time. He further stated Ms. Shuler was requesting to fill in as the Methods Instructor to complete the methods phase of this student's training. Ms. Thompson asked if it would be the methods theory in her actual cosmetology curriculum. Mr. Jones replied affirmatively, but not out of the textbook. Ms. Dantzler reviewed the request and indicated it would be the theory portion of the instructor-training program out of the same Milady Masters Educator Series textbook she uses to teach the Methods course on a short-term basis for one current student. Ms. Settles stated the Board has since reviewed the request and has found she is not qualified for that instructor's course. The motion carried.

Ms. Dantzler read Regulation 35-4(a) to the Board. The regulation, in part, states:

A. A license to teach Cosmetology, Manicuring, or Esthetics may be issued by the Board to any person who:

(3) is a licensed Cosmetologist, Manicurist, or Esthetician and has practiced for at least two (2) years. . . .

(7) alternately, for specialized theory hours, a person who has a minimum of five (5) years experience or a bachelor's degree in a related profession, occupation or cognitive area, may instruct the required theory classes with prior approval by the Board.

Ms. Dantzler stated she recalls Ms. Shuler having a lot of degree work in education.

MOTION

Ms. Settles made a motion the Board refer this matter to executive session for further discussion. Ms. Gilmer seconded the motion, which carried unanimously.

f. Ballot 6 - Approval of Nail Tech Program at Williamsburg Tech and Initial Inspection of Facility (Approved) (5,1,1)

On July 9, 2004 the Board received an application from Williamsburg Technical College for a nail technology program. The application included a listing of courses, the instructor work schedule and a description of the facility to be used for instruction. Since the Board would not be meeting again until September 13, 2004 the Board members were mailed a ballot, along with the pertinent information, and were asked to cast their vote in approval or disapproval in this matter. The members were informed that the ballot would be ratified during the September 13, 2004 meeting. The Board voted, by a majority vote, with one member voting nay and one member abstaining, to approve this request.

Ms. Kinley questioned the Board members how the members converted the clock hours to credit hours. She stated she needed to know that those credit hours are equivalent to three hundred clock hours. Ms. Thompson stated she does not know how many hours the students are actually obtaining. Ms. Adams stated the application shows credit hours instead of clock hours.

Mr. Raymond Lee, staff inspector, stated he is unaware of the difference between the credit hours and the clock hours; however, he has conducted the initial and final inspections on the program. He further stated the program has a new administrator and he spent an afternoon with the individual and the school president explaining the cosmetology law. He indicated both individuals now understand the credit hours and what must be provided to the student. He doesn't feel either individual understood what was needed. He noted that the cosmetology are very good instructors.

MOTION

Ms. Kinley moved the Board send this back to Williamsburg Tech. She has no problem approving the inspection of the facility and passing that, however, the conversion of credit hours to clock hours should be referred to Williamsburg Tech. Ms. Thompson seconded the motion, which carried unanimously.

Ms. Adams asked Mr. Lee to contact Williamsburg Technical College and have them fax the conversion of the credit hours to 300-clock hours prior the adjournment of the meeting.

g. Ballot 7 - Approval of Waiver of Exam for Rose Saucier and Allowing License to be Reinstated (2, 2, 3*)

In a letter to the Board staff, dated July 8, 2004, Rose Saucier requests that the practical exam to reinstate her nail technician license be waived. This request was being made due to a staff inspector misinforming her at the time she received her Master Hair Care license. She was informed that she could continue to perform acrylic nails under the

Master Hair Care license, which is not correct information. Since the Board would not be meeting again until September 13, 2004, the Board members were mailed a ballot, along with the pertinent information, and were asked to cast their vote in this matter. The vote resulted in two members voting to approve the request, two members voting in disapproval of the request and three members abstaining from the vote. Staff sent a letter to Ms. Saucier inviting her to attend the meeting to discuss this matter, however, she was not in attendance at the meeting.

Ms. Dantzler reviewed the information and briefed the Board members on this issue.

MOTION

A motion was made by Ms. Kinley that the Board refer this matter to executive session. Ms. Thompson seconded the motion, which carried unanimously.

h. Ballot 8 - Approval of Allowing Erin Riddle Becoming Licensed as a Nail Technician after Successful Completion of Written and Practical Exams (3, 3, 1*)

On July 13, 2004 the Board received an application for licensure as a nail technician from Erin Riddle. Ms. Riddle's application included documentation of her training and a certificate of completion in the CIDESCO International Diploma Course and documents regarding her training at the Steiner Training LTD in London, England, where she received 80 hours of training in manicure and pedicure. Since the Board had just met and would not be meeting again until September 13, 2004, the Board members were mailed a ballot, along with the pertinent information, and were asked to cast their vote in this matter. The Board members were also notified that the ballot would be ratified during the September 13, 2004 meeting. The vote resulted in three members voting in favor of the request, three members voting in disapproval of the request, and one member abstaining from the vote. Staff sent a letter to Ms. Riddle inviting her to attend the meeting to discuss this matter.

Ms. Riddle appeared before the Board to discuss her options. Ms. Dantzler asked Ms. Riddle to explain the transcripts to show the Board where the 300 hours lay in nail technology. Ms. Riddle stated that while attending the CIDESCO course at the Steiner Training LTD in England she studied hand and foot treatment and body treatments and massage in addition to esthetics. She further stated that orientation, hygiene, first aid, anatomy, physiology and nutrition, manicure and pedicure, business studies, paraffin wax, chemistry and physics. She went on to say the course was 1,200 and she also had to complete six hundred hours in work experience after completing her training at school to obtain the CIDESCO qualifications. She indicated she understand that the statutes and regulations vary from state to state, which is why she went to England to obtain her qualifications in case she did not want to remain in South Carolina she would still have the highest qualifications that could be obtained as an esthetician, nail technician and massage therapist.

Ms. Adams stated the South Carolina Board of Cosmetology does recognize CIDESCO as the highest qualifications for esthetician, however, the Board does not recognize CIDESCO as qualifications for a nail technician. She indicated the Board of Cosmetology

does not govern massage therapy. She further stated she disapproved of the request as a result of the transcript indicating to her only 80 hours of training as a nail technician.

Ms. Riddle stated the manicures and pedicures are the actual training. She noted that the training in orientation, hygiene, first aid, anatomy, skin, hair and nail, diseases and disorders, and structure and growth, among other things. She went on to say she has been attempting to locate a school that would instruct only in artificial nails, however, she has not been successful. She does not care to do artificial nails.

Ms. Kinley suggested Ms. Riddle apply for a nail technology program at a school and the Board could possibly exempt some of the hours she would be required to take from her previous training.

MOTION

Ms. Kinley moved the Board deny the approval for becoming a licensed nail technician. The motion was seconded by Ms. Gilmer and unanimously carried.

MOTION

Ms. Kinley moved the Board take a ten-minute recess.

Return to Public Session

The Board returned to public session at 11:06 a.m.

i. Ballot 9 - Approval of Allowing Georgetown County School District Teach the Cosmetology I curriculum to tenth grade Students at Andrews High School and Waccamaw High School and Allowing Those Students to Complete the Program at Georgetown High School (4, 2*)

The Georgetown County School District has requested the Board approve a Cosmetology I curriculum for tenth grade students and Andrews High School and Waccamaw High School and allowing those students to complete the cosmetology program at Georgetown High School during the junior and senior years of school. Since the Board would not be meeting again until September 13, 2004 the Board members were mailed a ballot, along with the pertinent information, and were asked to cast their vote in approval or disapproval in this matter. The members were informed that the ballot would be ratified during the September 13, 2004 meeting. There were four votes in favor of the request and two abstentions.

Patti Pierce and Nina Dickey of the Georgetown County School District appeared before the Board at this time.

Ms. Busby questioned if the students are 16 years old. Ms. Dickey indicated the students must be 16 years old. Ms. Thompson questioned how one instructor could teach at three different schools. Ms. Dickey stated she begins her first block at Waccamaw High School, goes to Andrews High School and then goes to Carvers Bay High School. She went on to say she had obtained the names of individuals who could serve as substitutes; however,

no one is interested. Ms. Thompson expressed her concern over one instructor for three schools with no substitute teachers. Ms. Thompson asked Ms. Dickey how many hours the students would obtain in a three-year cosmetology course. Ms. Dickey stated the students would have the 1,000 hours in cosmetology and 500 hours in academics.

A discussion ensued on where the student records should be kept. The Board determined the records should be located at Georgetown High School.

MOTION

Ms. Settles made a motion, seconded by Ms. Kinley and unanimously carried, to ratify mail ballot number nine.

j. Ballot 10 - Approval of Initial and Final Inspections on Williamsburg Tech (Approved) Williamsburg Technical College has submitted an application for a proposed nail technology class to be added to the current cosmetology program at the school. Since the Board would not be meeting until September 13, 2004 the Board members were sent a ballot, along with the pertinent information, and were asked to cast their vote in approval or disapproval of the initial and final inspections. The members were also informed that the ballot would be ratified during the September 13, 2004 meeting. The Board voted unanimously in favor of the initial and final inspections.

MOTION

Ms. Thompson moved to ratify ballot number ten. The motion was seconded by Ms. Kinley and unanimously carried.

Ballot 6 - Approval of Nail Tech Program at Williamsburg Tech and Initial Inspection of Facility (Approved) (5,1,1) Continued

Mr. Lee stated he had the conversion of credit hours versus clock hours from Williamsburg Tech. He further stated the hours work out to be approximately 15 clock hours for 15 credit hours. He indicated the course is a 360-hour course over a fifteen-week period.

MOTION

A motion was made by Ms. Thompson moved to approve mail ballot six. Ms. Gilmer seconded the motion. The motion carried.

Unfinished Business

There was no unfinished business to be discussed during the September 13, 2004 meeting.

New Business

1. Approval of License Application

a. Gail Price

Gail Price has submitted an application to become licensed as a cosmetologist within South Carolina. Ms. Price submitted credentials from South Africa with her application.

Gail Price appeared before the Board at this time. She stated her training in South Africa took approximately twelve months (as full time student) in school to earn the M1 and M2 certificates and one year in apprenticeship.

MOTION

Ms. Thompson moved the Board approve Ms. Price's license application. Ms. Kinley seconded the motion, which carried unanimously.

2. Approval of Continuing Education Instructors

- a. Kenneth Shuler Hair Styling Schools
- b. Carolina College of Hair Design
- c. NCA of SC

Kenneth Shuler Hair Styling Schools has submitted a request for Board approval of individuals as instructors and monitors. The individuals are David Byers (monitor), Steven Dawson (monitor), Melvin Poole (monitor), Selina Fountain (instructor/monitor), Patreia Bennett (instructor/monitor), and Jennifer Gray (instructor). (The letter, with all attachments, is herewith attached and becomes a permanent part of the record retained at the Board's office.)

On September 7, 2004 the Board received a letter from Carolina College of Hair Design asking the Board's approval for three additional continuing education instructors. These individuals are Mary Powell, Regina Rainwater, and Jason Thomas (Shefsick). (The letter, with all attachments, is herewith attached and becomes a permanent part of the record retained at the Board's office.)

In a letter dated August 23, 2004, Echo Morris, FEC chairman for the National Cosmetology Association of South Carolina, is requesting the Board's approval of Anne B. Drake as a continuing education instructor. Ms. Drake would conduct a segment on financial planning and insurance during the continuing education classes. (The letter, with all attachments, is herewith attached and becomes a permanent part of the record retained at the Board's office.)

MOTION

A motion was made by Ms. Thompson that the Board approve the requests for approval of continuing education instructors and monitors. Ms. Kinley seconded the motion. The motion carried.

3. Approval of Request to Conduct Cosmetology Seminars in South Carolina

- a. South Carolina Cosmetology Teachers Association - Robert Pearson

Robert Pearson submitted a request to the Board to conduct continuing education seminars throughout South Carolina through a newly formed association known as the South Carolina Cosmetology Teachers Association. The request indicates it would extend free membership to all licensed instructors throughout South Carolina.

Ms. Adams informed Mr. Pearson that the statute indicates an association must include membership from three-fifths (3/5), or 25, of the counties within South Carolina, which

include the three most populous counties (Charleston, Greenville, and Richland). She asked Mr. Pearson if this association meets this qualification. Mr. Pearson replied he thought it was three of the five counties in the state. Ms. Adams stated there are 46 counties in the state. Mr. Pearson stated he does not have membership in 25 counties.

Ms. Adams stated the information Mr. Pearson submitted indicates the association would extend free membership to all licensed instructors throughout the state. She asked Mr. Pearson if he had extended membership to the instructors. Mr. Pearson stated the association has extended the membership to the instructors, however, not all of the results have been received. He went on to say the association would be distributing a newsletter with their signatures to come back.

Mr. Ken Lochridge stated neither he nor any of his instructors have been contacted regarding membership to this association. He asked if an organizational meeting has been scheduled. He indicated the first he heard of this association was when he reviewed the agenda for today's meeting. He went on to say he has been in contact with Nancy Poole of Strand College of Hair Design who indicated she has not been contacted either.

Mr. Pearson stated the association has just received a list of licensed instructors from the Board's staff. He went on to say the association is currently composing a letter to be sent to the instructors inviting them to join the association. He further stated the newsletter has not yet been distributed, however, when it is mailed it would include an application for the instructors.

Ms. Adams indicated Mr. Pearson would be required to provide documentation regarding the membership in twenty-five counties as well as a document listing the individuals listed in the membership prior receiving Board approval.

The Board determined it would not take a vote in this matter until such time that all requirements are met.

4. Approval of CEU Change a. Lacy Cosmetology School

On August 27, 2004 the Board received a request from the Lacy Cosmetology School for the Board's approval to allow Amanda Ayers of the Internal Revenue Service (IRS) speak at the continuing education classes in regard to federal taxation curriculum. (The letter, with the attachment, is herewith attached and becomes a permanent part of this record retained at the Board's office.)

MOTION

Ms. Thompson made a motion, seconded by Ms. Kinley and unanimously carried, that the Board approve this request and to authorize staff to approve any request to add the federal taxation curriculum with an appropriate instructor.

5. Approval of Night Esthetics Program a. Trident Technical College

Trident Technical College has submitted a request for the Board's approval for a night esthetics course to begin in January 2005. The school currently offers an esthetics class during the day. (The Trident Technical College request with the esthetics program of study and the course descriptions are herewith attached and becomes a permanent part of this record retained at the Board's office.)

MOTION

Ms. Kinley moved the Board approve Trident Technical College's night esthetics program, with their verification that the credit hours convert to 450 clock hours. Ms. Gilmer seconded the motion, which carried unanimously.

4. Review/Approval of Licensure for Threading (Middle East Technique of Hair Removal)

a. Noushin Heidari

Noushin Heidari has submitted a letter to the Board regarding threading, which is a method of removing hair from the roots without any type of chemical or use of a machine.

Noushin Heidari appeared before the Board at this time. Ms. Heidari stated she went to a cosmetology school to discuss the possibility of teaching this technique. She further stated the school was very interested because it is a method the students could learn since it does not require the use of a machine and asked if she could teach the method. She indicated has many years of experience as a teacher, however she is not currently licensed in cosmetology. She is currently a part time student at Midlands Technical College.

Mr. Jones stated not initially knowing what this process entailed it sounded as though it would come under esthetics. He noted, however, it now sounds as though it is electrolysis, which does not come under the Board's jurisdiction.

The Board informed Ms. Heidari that she could not teach the threading method, as she is not licensed as a cosmetologist or instructor. The Board also informed her that she could not perform this method in a licensed salon, although she would able to perform this method in a private business.

Recess

Ms. Kinley moved the Board recess for ten minutes.

Return to Public Session

The Board returned to public session at 12:21 p.m.

5. Review of Nails and Skin CEU Sign In Sheet

Ms. Chesley Phillips stated she conducted a continuing education class in Anderson on June 6, 2004, in which 46 licensees attended. She went on to say she informs everyone who registers for the classes to bring their driver's license, their social security card and, if they have an IMS card, they need to bring it as well. She indicated that during the registration for this class six individuals did not bring valid social security cards. She

noted that one of them happened to be the father of a family who keeps all of the personal information for everyone. She said he then presented photocopies of the social security cards for his family. She informed him those copies would not work, however, he could bring them to her later, e.g., during lunch or the next time she would be conducting a class in Anderson, which was approximately four weeks later. She continued by saying she also informed him she would hold the continuing education hours until she received the valid social security cards. She said he chose to bring the cards to her in July 2004, at which time he presented the original social security cards. She noted she has since processed the hours for those individuals.

Ms. Phillips stated when Thanh Xuan Tran appeared for the continuing education class he presented a Louisiana driver's license and said that no one informed him he was to bring a social security card. She further stated she indicated she couldn't believe how that could have happened; however, she still needed a social security card. She then said he asked if he could still take the class and bring the social security card in at a later time. She informed him that was not a problem. She continued by saying he became very disrespectful in front of the class and she had to take him out of the class and inform him that if he did not become quiet she would have to remove him from the class and he would not obtain his hours. She indicated he then quieted down. She processed all of the information and then received a phone call from his sister informing her she needed to process his hours. She believes the sister has also contacted Mr. Jones on this matter.

Ms. Phillips stated there are a couple of problems with the information submitted by Mr. Tran. She further stated he submitted a duplicate Louisiana driver's license and the signature on his driver's license matches the signature on the sign in sheet as well as the signature on his verification form. She continued by saying his signature on the driver's license he brought to her as well as the signature on the social security card and a passport, is different and also a completely different person. She said that the social security card Mr. Tran brought was laminated, contained no fade on the words Social Security and does not contain the emblem found on original social security cards.

Ms. Phillips stated she has received several threatening phone calls from his family and that some of his family members showed up two hours early on a day when he was to show up.

Ms. Phillips stated she has not processed Mr. Tran's hours because of the fraudulent social security cards.

Ms. Kinley stated after Ms. Phillips contacted Mr. Jim Kyzer, the staff inspector for the Anderson area, she asked Mr. Kyzer to check the validity of licenses at that salon. She went on to say Mr. Kyzer found South Carolina driver's licenses whereas just two weeks prior that all of the driver's licenses were Louisiana issued licenses.

Ms. Phillips stated Mr. Tran's family have all indicated this is a hardship on him because he needed to return to Louisiana to practice. She went on to say his Louisiana driver's

license now is not the same person on it as the original. She has not received confirmation on that, however, the Louisiana Highway Department has indicated has the last picture and a new picture and it is not the same individual.

Ms. Phillips stated she has also heard from Mr. Tran's attorney. She indicated his attorney's name is Jay Mostellar. She went on to say the attorney apparently did not think he had a good story or he would have attended the meeting. She further stated she asked Mr. Tran to be at the meeting; however, he did not appear.

During the discussion it was brought out that his cosmetology license is expired and that at this time the Board has done all that it could do.

Ms. Phillips stated she had to take Mr. Tran out of the class due to interruptions during the discussion of the state laws. She went on to say she informed him he did not have to practice in South Carolina that he could practice in another state. She further stated he said in class he was from Louisiana. She noted that when Mr. Kyzer checked the validity of the licenses, he produced a South Carolina driver's license. She indicated he would not show her the South Carolina license.

Ms. Dantzler stated Ms. Phillips has correctly taken the position that she would turn in his hours until he has satisfactorily produced identification. She noted the ball is now in Mr. Tran's court and if he wishes to approach this Board for credit it is up to him to appear with the appropriate documents to show that he is entitled to the credit.

The Board informed Ms. Phillips that the Board is not going to order her to do anything at this time. However, if Mr. Tran submits the appropriate documentation at any time, then the Board would order her to send Mr. Tran his certificate and submit his hours to USC for credit.

Ms. Phillips stated she would compose a letter to Mr. Tran indicating she has brought this matter before the Board and that she is unable to process his hours until such time that he produces a valid social security card. Ms. Gilmer noted that she should send a copy of the letter to Mr. Tran's attorney.

6. Approval of Initial School Inspection Reports - Raymond Lee

Mr. Raymond Lee, staff inspector, stated he is now conducting routine inspections and that he is also training George Barr in conducting the inspections. He went on to say the current process for initial inspections is for a Board member to also inspect the facility. He went on to say that the time frame involved in the Board's approval of the application, scheduling an initial inspection with a Board member and completing the initial inspection has been very time consuming. He suggested that the Board review and approve the bond, the contract and plan and then a Board member accompany him on the final inspection. He noted that the current statute does not require a Board member attend the inspection on a new program being initiated by an existing facility.

Mr. Lee stated that the school hour reports are currently on Mr. Jones's desk for approval and would be available on the Board's website upon approval.

Mr. Lee stated he has recently completed inspections on several schools.

MOTION

Ms. Thompson moved the Board allow Mr. Lee to conduct the initial inspection on new schools and on new programs without a Board member present. Ms. Gilmer seconded the motion, which carried unanimously.

7. Board Member Reports

Katherine Busby

Ms. Busby attended the PCS training session on August 14, 2004 and was disappointed in the number of applicants training for the test.

Katherine Webb

Ms. Webb attended the National conference in Richmond, Virginia in August 2004. She stated she is proud of Mr. Jones and Ms. Kinley.

Ruth Settles

Ms. Settles attended the PCS training seminar on August 14, 2004. She also monitored the practical exam, where there were 36 candidates. She monitored a continuing education class for SCSCA in Spartanburg on September 12, 2004. She indicated CTP is holding an appreciation luncheon for the examiners at 2:00 p.m. at the Margarete Miller Center.

Melanie Thompson

Ms. Thompson had no report.

Rosanne Kinley

Ms. Kinley monitored a continuing education class, sponsored by Nails and Skin of America on July 18, 2004 in Anderson. She indicated there were 40 participants. She attended the NIC national conference in Richmond, Virginia in August 2004. She noted she heard very good comments regarding Mr. Jones's administrator's meeting. She will be attending a CLEAR conference in Kansas City September 28 - October 3, 2004. She continued by saying that Tri-County nail technology program asked that she inform the Board that the school has begun the second class, which has eight students.

Delores Gilmer

Reciprocity Report

In July 2004 the Board licensed five estheticians and 31 cosmetologists. In August 2004 the Board licensed 45 cosmetologists, two nail technicians and two estheticians.

Ms. Gilmer had no report.

Discussion Items

The members were presented information that is currently on the Board's web site.

The Board determined it would meet at 1:00 p.m., Saturday, November 6, 2004 to review the 2005 continuing education courses. The Board will meet with the providers at 2:00 p.m., Sunday, November 7, 2004.

The Board will hold a legislative meeting at 1:00 p.m., Sunday, September 26, 2004 to review current and proposed legislation.

Public Comments

Mr. Ken Lochridge stated he was happy to be in attendance at the meeting and was happy to see everyone.

Mr. Jones stated if potential instructors fail the written exam twice the Board requires estheticians, nail technicians, and cosmetologists to obtain 50 hours of instruction. He further stated it has been brought to his attention that only 45 hours of instruction are required for methods.

Executive Session

MOTION

Ms. Thompson moved the Board enter executive session. Ms. Gilmer seconded the motion, which carried unanimously.

Return to Public Session to Report on Executive Session

Ms. Settles departed the meeting immediately following executive session.

Ms. Adams noted for the record that no votes were taken or motions made taken during executive session.

DRC Reports

MOTION

A motion was made by Ms. Kinley to approve the July 2004 and August 2004 DRC reports. The motion received a second from Ms. Busby. The motion carried unanimously.

Mail Ballot - Angie Shuler

MOTION

Ms. Kinley made a motion, seconded by Ms. Thompson and unanimously carried, that the Board approve Ms. Shuler to teach on an emergency temporary basis limited to 60 days.

Mail Ballot - Rose Saucier

MOTION

Ms. Thompson moved to approve the license reinstatement of Rose Saucier. Ms. Gilmer seconded the motion. Ms. Kinley amended the motion to include upon payment of fees and continuing education class credits. The amendment was seconded by Ms. Gilmer and unanimously carried. The original motion carried.

Ms. Adams asked that Mr. Jones and Mr. Bryant notify members of Board member hospitalization and deaths.

Adjournment

There being no further business to be brought before the Board at this time, Ms. Gilmer moved the meeting be adjourned. Ms. Kinley seconded the motion, which carried unanimously.

The September 13, 2004 meeting of the SC Board of Cosmetology adjourned at 2:26 p.m.