

## MINUTES

South Carolina Board of Cosmetology

10:00 A.M., September 12, 2005

Board Meeting

Synergy Business Park

Kingstree Building

110 Centerview Drive, Conference Room 108

Columbia, South Carolina

Rosanne Kinley, Chairman, of Anderson, called the regular meeting of the SC Board of Cosmetology to order at 10:00 am. Other board members present included: Melanie Thompson, Vice Chairman, of Myrtle Beach; Michelle Furtick, of Columbia; Delores Gilmer, of Charleston; Ruth Settles, of Greenville; and Katherine Webb, of Easley.

Staff members participating in the meeting included: Ronnie Blackmon, Inspector; Raymond Lee, Inspector; Jim Kyzer, Inspector; George Barr, Inspector; Sharon Dantzler, Deputy General Counsel, LLR-Office of General Counsel; Randall Bryant, Assistant Deputy Director - LLR; Shirley Wider, Program Assistant; Donna Barnhard, Administrative Assistant; and Connie Huffstetler, Administrative Assistant.

Members of the public attending the meeting included: Chesley Phillips, Nails, Skin & Hair of America; Kathy Roberts, Esthetician; Barbara Doss, Kenneth Shuler; Cheryle Anulies, Grace Medical; Christine Ferens; Randy, Wininger; Sorina Wininger; Ruth Ott, Trident Technical College; Cody Lidge, USC; Catherine Stabler, NCASC; Tim Hamilton, Grace Medical Spa; Ken Lochridge, Carolina College of Hair Design; Diane Cook, NCASC; Linda Beach, SC Massage and Esthetics Institute; Pearl B. Clark, SCSCA; Jay Lacy, Palmetto Professionals of Cosmetology; Frances Archer; Pat Adams; Barbara McKnight, Florence-Darlington Tech; and Ken Lake.

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

All present recited the Pledge of Allegiance.

Rules of the Meeting Read by the Chairman

Ms. Kinley read the rules of the meeting for all present.

Introduction of Board Members and All Other Persons Attending

All present at the meeting introduced themselves.

Approval of the July 11, 2005 Meeting Minutes

## MOTION

Ms. Gilmer moved to approve the minutes of the July 11, 2005 meeting. Ms. Webb seconded the motion, which carried.

## Approval of Agenda

### MOTION

Ms. Thompson made a motion to approve the agenda with any changes deemed necessary during the course of the meeting. Ms. Gilmer seconded the motion and it carried.

## Chairman's Remarks - Rosanne Kinley

Ms. Kinley noted that she and several other Board members had recently attended the NIC conference in Washington, DC. She thanked the other members for their support at the conference.

## Administrator's Remarks - Eddie Jones

### Legislative Update

There were no legislative updates for the September 12, 2005 meeting.

## Advisory Opinions

There were no advisory opinions for the September 12, 2005 meeting.

Mr. Jones noted that Ms. Kinley had been elected President at the NIC conference and congratulated her on that accomplishment.

## Ratification of Mail-In Ballots

Ballot 1 - Request for Approval of Deborah Heath as Instructor for Methods of Teaching

### MOTION

Ms. Thompson moved to ratify the mail ballot, which approved Ms. Heath as an instructor for the Methods of Teaching. Ms. Webb seconded the motion and it carried.

Ballot 2 - Request for Approval of Instructors CE Class for Palmetto Professionals of Cosmetology on August 21- 22, 2005

### MOTION

Ms. Gilmer moved to ratify the mail ballot, which approved an Instructors CE Class for Palmetto Professionals of Cosmetology. The motion was seconded by Ms. Thompson and carried.

Ballot 3 - Request for Approval of CE Class for Nails, Skin & Hair of America at the Premiere Beauty Show on August 28-29, 2005

### MOTION

Ms. Thompson moved to ratify the mail ballot, which approved a CE Class for Nails & Skin of America. The motion was seconded by Ms. Webb and carried.

Ballot 4 - DRC Report for August 1, 2005

## MOTION

Ms. Gilmer moved to ratify the mail ballot, which approved the DRC report for August 1, 2005. Ms. Webb seconded the motion, which carried.

## Ballot 5 - Licensure By Reciprocity for Sorina Wininger

This ballot was not ratified, as Ms. Wininger was in attendance at the meeting and scheduled to appear later on the agenda to address the Board.

## Old Business

### Palmetto Professionals of Cosmetology

Mr. Jones addressed the members regarding the CE class conducted on May 1-2, 2005, by Palmetto Professionals of Cosmetology, without prior approval by the Board of the class or the instructor. He recommended that the Board approve the class and that CE credit be given to the attendees of the class. Mr. Jones further recommended that the members address the matter of the class being held before receiving Board approval, during their annual meeting for review and approval of CE classes.

## New Business

### DRC Report for August 29, 2005

Mr. Blackmon presented the members with the report from the August 29, 2005 DRC. He noted that due to the heavy caseload, simultaneous hearings were conducted on August 1, 2005, with both Wanda Hightower and Alan Ray serving as hearing officers.

The members reviewed and briefly discussed the August 29, 2005 DRC report.

## MOTION

Ms. Thompson moved to approve the August 29, 2005 DRC report. Ms. Gilmer seconded the motion and it carried.

## Approval of CE Class for NCASC

## MOTION

Ms. Thompson made a motion to approve the NCASC class on November 14, 2005. The motion was seconded by Ms. Gilmer and carried.

## School Application for Donaldson Career Center

Mr. Lee explained that Donaldson Career Center was requesting to reopen the Cosmetology program at the school. The facility is being renovated and will be a very nice school. Students will be taught at Golden Strip Career Center and will transfer to Donaldson when the renovations are complete and the school has been approved.

## MOTION

Ms. Gilmer moved to give preliminary approval of the Donaldson Career Center. Ms. Thompson seconded the motion, which carried.

## SC Cosmetology Teachers Association

No action was taken at the September 12, 2005 meeting, regarding the SC Cosmetology Teachers Association

## Application for Licensure by Reciprocity

Christine Ferens

Ms. Ferens appeared before the Board to request that she be granted a cosmetology license through reciprocity. She does not meet the requirement of a 10th grade education, having grown up in Germany where she received a 9th grade traditional education followed by 3 years in cosmetology school. Ms. Ferens has been a licensed cosmetologist for 30 years and has been licensed in three states.

### MOTION

Ms. Settles moved to approve Ms. Ferens' application for licensure by reciprocity. Ms. Webb seconded the motion and it carried.

Regina Collura

Ms. Collura made a written request to the Board to consider her application for licensure by reciprocity. She does not meet the requirement of a 10th grade education, having left high school to attend cosmetology school. She is a licensed cosmetologist in New York and Florida. The members reviewed Ms. Collura's application and her letter to the Board dated August 30, 2005.

### MOTION

Ms. Thompson made a motion to approve Ms. Collura's application for licensure by reciprocity. Ms. Gilmer seconded the motion, which carried, with Ms. Hampton-Furtick voting against.

Sorina Winger

Ms. Winger appeared before the Board to request licensure by reciprocity. She is unable to provide a transcript from cosmetology school, which she attended in Romania while it was a communist country. The records have since been destroyed and no transcript is available. Ms. Winger presented documentation to the Board that she graduated from a program in cosmetics and is requesting an esthetician's license. The members reviewed Ms. Winger's application.

Ms. Dantzler noted that it is common to have problems getting such records from Eastern European countries, and Romania in particular. Ms. Dantzler suggested that the Board might consider allowing Ms. Winger to take the practical exam to demonstrate her training and knowledge of esthetics.

### MOTION

Ms. Webb made a motion to waive the requirement of a transcript and allow Ms. Winger to take the practical exam to receive her esthetician's license. Ms. Gilmer seconded the motion, which carried.

Ms. Thompson noted that Ms. Winger's application would need to be amended to show that she is applying for an esthetician's license, as the original application is checked for a cosmetology license.

Recess

### MOTION

Ms. Thompson moved to take a 10-minute recess at this time. The motion was seconded by Ms. Gilmer and carried.

#### Request for Temporary Approval of Instructors at SC Massage & Esthetics Institute, Bluffton

Ms. Beach appeared before the Board to request temporary approval for instructors at her new esthetics program in Bluffton. She explained that she would need to employ a number of instructors due to the fact that all are currently working as estheticians and will not be teaching full-time. Ms. Settles stated that she felt a resume should be submitted for each applicant and Ms. Beach responded that she had been unable to get resumes from all of the individuals and had written notes on those that she had received. Ms. Beach presented information to the Board regarding the qualifications for each applicant to be considered.

#### MOTION

Ms. Thompson moved to defer the matter to Executive Session to allow time to verify licensure of the applicants and to garner legal advice. The motion was seconded by Ms. Gilmer and carried.

#### Request for Approval of Instructors for Methods of Teaching Course

Linda Beach

Ms. Beach addressed the Board regarding her qualifications to become an instructor for the Methods of Teaching course. She has been an instructor in the post-secondary field for 13 years and has been the owner of SC Massage & Esthetics Institute for over 7 years. She personally trains instructors in the massage program. Ms. Beach does not hold a master's degree but feels she is experienced in the field and qualified to teach the Methods of Teaching course.

Ms. Kinley asked in what field Ms. Beach is licensed. Ms. Beach responded that she is a licensed massage therapist and is approved by the Commission on Higher Education as an instructor of massage therapy. She is also nationally certified in massage therapy.

Sandra Scott

Ms. Beach presented information to the Board regarding Ms. Scott's qualifications to become an instructor for the Methods of Teaching course. Ms. Scott was the Director of the massage therapy program at the Technical College of the Low Country and developed the program there, in addition to being instrumental in getting accreditation for the program. She was also licensed by the Bureau of Post-Secondary and Vocational Education in California and was an instructor in that state. In her capacity at the Technical College of the Low Country, Ms. Scott trained instructors in methods of teaching. Ms. Scott is now on staff at the SC Massage and Esthetics Institute.

#### MOTION

Ms. Thompson moved to consider the applications of Ms. Beach and Ms. Scott in Executive Session in order to allow more time to review the information, as it was just received at the meeting. Ms. Gilmer seconded the motion, which carried.

#### Board Member Reports

Ms. Gilmer stated that she had attended the NIC conference in Washington. She congratulated Ms. Kinley on becoming President.

Ms. Gilmer presented the Reciprocity Reports for July and August, 2005. In July there were 37 cosmetologists and 1 nail technician licensed by reciprocity. In August, there were 41 cosmetologists and 7 estheticians licensed by reciprocity.

Ms. Hampton-Furtick stated that she had monitored the PCS exam in August. She also visited Allendale-Fairfax High School with Mr. Lee and felt that if the staff follows the advice and instructions given to them by Mr. Lee, the cosmetology program at the school should go well.

Ms. Thompson accompanied Mr. Lee on a final inspection at Marion County Tech on August 3, 2005. She also attended the NIC conference in Washington and was pleased that SC was well represented by Board members and others in the profession.

Ms. Webb, along with Mr. Lee, inspected the Beaufort-Jasper Academy for Career Excellence on August 12, 2005. She was very impressed with the facility and excited for the opportunity the students have with the new esthetics program.

Ms. Webb also inspected the SC School of Massage & Esthetics with Mr. Lee on that same day, August 12, 2005. She noted that the school is in a temporary location while a permanent facility is being constructed.

Ms. Webb remarked that she also attended the NIC conference in Washington and felt it was a very good conference.

Ms. Settles had no report.

Ms. Kinley noted that letters had been sent to Jay Lacy and Kenneth Shuler regarding administering a computer based test for the theory examination. She has not yet received a response but asked if anyone present had any comments. Mr. Lochridge spoke in favor of a computer based test. Ms. Beach said that she felt that about half of her students take the test by computer and half take the paper test.

#### Public Comments

Ken Lochridge remarked that he appreciates the time the Board members devote to serve in that capacity. He also noted that it was good to see Mr. Jones back and in better health.

Kathy Roberts spoke to the Board regarding continuing education classes and felt that on some occasions the classes she has attended have not been geared towards esthetics.

Chesley Phillips advised Ms. Roberts that Nails, Skin & Hair of America offers CE classes

for esthetics.

Pearl Clark asked the status of the registration for hair braiding. Ms. Kinley answered that it is being handled under the Board of Barber Examiners.

Ms. Clark asked if she was correct in remembering that the Board requires 2 instructors for CE classes with over 100 attendees. Ms. Kinley said that was the Board's recommendation for large classes. Ms. Clark asked if it was allowable to split the class and have one instructor teach the entire class for each group. Ms. Kinley said that could be done.

Pat Adams questioned the Board regarding Mail Ballot 3, approving the CE class for Nails, Skin & Hair of America. She noted that the class was held at a trade show in Orlando, Florida, which she attended. Ms. Adams asked how the Board could approve a CE class held out of state. Ms. Adams expressed concerns about the registration process and verification of attendance for CE credit.

Ms. Kinley advised Ms. Adams that a complaint has been filed regarding the class and the matter is currently under investigation. Ms. Adams asked if the Board approves out of state classes. Ms. Kinley answered that the Board had done so in the past and that the way she understands the law is that the class must be conducted by a state approved association, but does not have to take place within the state. Ms. Kinley went on to say that the Board does not wish to penalize the licensees who attended the class.

Ms. Dantzler cautioned that any further discussion of the matter could taint the investigation.

Executive Session

MOTION

Ms. Thompson moved that the Board enter Executive Session to seek legal counsel on several matters. Ms. Gilmer seconded the motion, which carried.

Return to Public Session to Report on Executive Session

Ms. Thompson made a motion to return to Public Session. The motion was seconded by Ms. Gilmer and carried.

Ms. Kinley noted for the record that no motions were made and no votes were taken in Executive Session.

Request for Temporary Approval of Instructors for SC Massage & Esthetics Institute, Bluffton

MOTION

Ms. Hampton-Furtick moved to deny the request for temporary approval of instructors for the SC Massage & Esthetics Institute in Bluffton. Ms. Gilmer seconded the motion, which carried.

## Request for Approval of Instructors for Methods of Teaching Course

### MOTION

Ms. Webb made a motion to deny the request for Linda Beach and Sandra Scott to be approved as instructors for the Methods of Teaching course.

## Adjournment

### MOTION

There being no further business, Ms. Thompson moved that the meeting be adjourned. Ms. Gilmer seconded the motion and it carried.