

South Carolina Board of Cosmetology
Board Meeting
9:00 a.m., November 8, 2021
Via Teleconference

1. Meeting Called to Order

- a. 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. The meeting will be held virtually. Due to technical constraints, members of the public who wish to attend may do so by telephone. For meeting access information, please email boardinfo@llr.sc.gov.
- b. Rules of the Meeting

2. Introduction of Board Members

Chairperson Melanie Thompson called the meeting of the S.C. Board of Cosmetology to order at 9:08 a.m. Other board members participating in the meeting were:

- ❖ Laquita Clark-Horton
- ❖ Ashley Tucker Johnson
- ❖ Stephanie Nye
- ❖ Patricia Walters

Staff members present included: Mary League, Advice Counsel; Theresa Brown, Administrator; Kimberly Brooks, Staff; Patrice Deas, Staff; Charles Gwynne, Staff; Jennifer Stillwell, Staff; Rodney Pigford, Staff

All other Person Attending

Sean Carry, Court Reporter; Chelsey Phillips; Dee Alice Moton, Kathie Greer, Kayela Williams, Laura Dawney, Lynn Martin, Jeon Kim, Renee Wheeler, Tron Nguyen, Taqueisha Johnson, Ashley Lynn, Cassandra Risher, Debbie Allen, Melissa Jones Horton, Beatriz Hernandez, Gloria Smith, Christina Howell, Sheila Hawkins, Jennifer Bates, Kishina Gill, Courtney Sykes

3. Approval of Excused Absences

No excused absences to approve.

4. Approval of Agenda

Ms. Laquita Clark-Horton made a motion to approve the agenda with any deviations deemed necessary. Ms. Patricia Walters seconded the motion and it carried.

5. Approval of Meeting Minutes

Board Meeting- September 14, 2021

Ms. Laquita Clark-Horton made a motion to approve the minutes for the September 14, 2021 Board meeting. Ms. Patricia Walters seconded the motion and it carried.

6. Chair Remarks – Melanie Thompson

Ms. Melanie Thompson recognized Administrator Theresa Brown for being elected to serve on the Executive Board for the National Interstate Council of State Boards of Cosmetology.

7. Administrator's Remarks – Theresa Brown

- a. **Budget/Drawdowns** – For Information
- b. **OIE Report** – For Information – Rodney Pigford- This report was for information purposes only and was given by Rodney Pigford. The OIE report was dated for November 8, 2021. 417 complaints received 1/1/2021-9/2/2021; 19 active investigations and 121 closed cases.

- c. **IRC Report** – For Approval – Rodney Pigford-This report was for approval and was given by Rodney Pigford. The IRC report is from the September 30, 2021 IRC meeting. Based on this IRC meeting, the committee recommends 9 cases for dismissal, 1 letters of cautions, and 1 formal complaint. A total of 11 cases for approval. A second report was given by Rodney Pigford. The IRC report was given by Rodney Pigford from the October 29, 2021 meeting. Based on the IRC meeting, the committee recommends 9 cases for dismissal, 5 letter of cautions, and 3 formal complaints.

Ms. Laquita Clark-Horton made a motion to approve both IRC Reports. Ms. Patricia Walters seconded the motion and it carried.

- d. **ODC Report** – For Information – Charles S. Gwynne- The report is for informational purposes only. The ODC report was dated for October 26, 2021. There are currently 24 open cases. There are 21 cases pending hearing and agreements, 0 cases pending closure, 14 closed cases, and 1 appeal case. A total of 56 cases were closed since January 1, 2021.

- e. **Inspection Report/Citation Report** – For Approval – Jennifer Stillwell - In September, there were 745 inspections, 9 were schools. In October, there were 579, 7 were schools. A total of 6,566 salon inspections for the year, 53 were schools were inspected.

Ms. Laquita Clark-Horton made a motion to approve the Inspection Report. Ms. Stephanie Nye seconded the motion and it carried.

Ms. Laquita Clark-Horton made a motion to approve the Citation Report. Ms. Stephanie Nye seconded the motion and it carried.

8. Old Business

- a. **Consideration of Allowing Schools to Use Distance Learning During the Pandemic**

Ms. Theresa Brown requested the Board consider continuing with distance learning for schools. This agenda item was considered at the September 30, 2021 Special Called meeting and she is seeking approval from the board members for a continuance.

Ms. Laquita Clark-Horton made a motion to continue with distance learning for schools until further notices. Ms. Stephanie Nye seconded the motion and it carried.

- b. **Consideration of Allowing CE Providers to Use Distance Learning During the Pandemic**

Ms. Laquita Clark- Horton made a motion to continue with distance learning for CE providers until further notice. Ms. Stephanie Nye seconded the motion and it carried.

9. New Business

- a. **Consideration of Licensure**

- i. Teresa Hamilton

Ms. Teresa Hamilton did not appear and was properly noticed.

A motion was made by Ms. Laquita Clark-Horton to defer this case to the next board meeting, if the applicant desires. Staff will also inform Ms. Hamilton that the Board cannot go against the regulations and cannot assist her in this matter. Ms. Stephanie Nye seconded the motion and it carried.

ii. Jennifer Bates

Ms. Jennifer Bates was requested to meet with the Board in regards to her endorsement application. Ms. Bates did not take the NIC examination. Ms. Bates answered the board's questions and gave background information on her application.

A motion was made by Ms. Patricia Walters to deny the applicant for licensure. The motion was seconded by Ms. Laquita Clark- Horton and the motion carried.

b. Consideration of New School

i. Bella Beauty School LLC

Ms. Lowery Dowey appeared before the board representing Bella Beauty School LLC to request to open a new school.

Ms. Laquita Clark- Horton made a motion to approve the new school pending the preliminary and final inspections. Ms. Stephanie Nye second the motion and it carried.

c. Consideration of School Contract Changes

i. Nail Tech Academy of Easley

Ms. Jeon Kim appeared before the board representing Nail Tech Academy of Easley to request an approval for a new school contract change.

A motion was made by Ms. Laquita Clark-Horton for a 10-minute comfort break. It was seconded by Ms. Stephanie Nye and the motion carried.

Ms. Laquita Clark-Horton made a motion to accept the changes for Nail Tech Academy of Easley. Ms. Patricia Walters seconded the motion and it carried.

ii. Institute of Beauty Artistry

Ms. Beatriz Hernandez appeared before the board representing Institute of Beauty Artistry to request an approval for a new contract agreement.

Ms. Patricia Walters made a motion to accept the changes for Institute of Beauty Artistry. Ms. Laquita Clark-Horton seconded the motion and it carried.

d. Ratification of Renewal for CE Provider

Ms. Theresa Brown explained to the board members that the following CE providers below were left off the agenda from the July Board meeting inadvertently. Ms. Brown stated that the three providers below provided their application, membership roster, and certificate of existence in a timely manner.

- i. Affirm Wellness: International Beauty Institute
- ii. CE Training Courses, Inc.
- iii. South Carolina State Cosmetology Association of the National Beauty Culturist League, Inc. (SCSCA)

Ms. Laquita Clark- Horton made motion to approve all three providers for 2022. The motion was seconded by Ms. Patricia Walters and it carried.

e. Ratification of Approved Continuing Education Programs

Ms. Melanie Thompson stated that the following list of providers below had minimal or no corrections that were approved to offer 4-hour CE classes.

- i. A Better You Cosmetology Association
- ii. Allegiance Cosmetology Association LLC
- iii. Association For Cosmetology Excellence INC (ACE)
- iv. Beautiful Innovations By Suzette LLC
- v. Dunn-N-One Hairknotx LLC
- vi. Educate Inspire Motivate Cosmetology Association LLC
- vii. Hair Heirs LLC
- viii. ING Accounting LLC
- ix. Jolei's Hair Institute LLC
- x. Marcus Antonio Training Association LLC
- xi. Pedi Parlor
- xii. Sweet Feet Foot Care Services LLC
- xiii. T.L.C Hair
- xiv. Upstate Hair Skin And Nails L.P
- xv. Williams Group Enterprise LLC
- xvi. With Purpose LLC

Ms. Laquita Clark-Horton made a motion to ratify the approval for the 16 CE provider packets with little or no corrections. Ms. Stephanie Nye seconded the motion and it carried.

f. Consideration of Proposed Continuing Education Programs

Ms. Theresa Brown stated that the following CE providers below did not meet the requirements for approval or did not submit completed packets in a timely manner.

- i. Euphoria Naturals Learning Center

Euphoria Naturals Learning Center was represented by Dee Alice Morton.

Ms. Patricia Walters made a motion to deny Euphoria Naturals Learning Center's CE packet for 2022. Ms. Laquita Clark- Horton seconded the motion and it carried.

- ii. It's Just Hair Association LLC

It's Just Hair Association LLC was represented by Kishina Gill.

Ms. Patricia Walters made a motion to deny It's Just Hair Association's CE packet for 2022. Ms. Laquita Clark- Horton seconded the motion and it carried.

- iii. Medical Hair Restoration

Medical Hair Restoration was represented by Cassandra Risher.

Ms. Laquita Clark- Horton made a motion to deny Medical Hair Restoration's CE packet for 2022. Ashley Tucker Johnson seconded the motion and it carried.

- iv. Miracle Cosmetology Association

Miracle Cosmetology Association was represented by Taqueisha Johnson.

Ms. Laquita Clark Horton made a motion to deny Miracle Cosmetology Association's CE packet for 2022. Ms. Ashley Tucker Johnson seconded the motion and it carried.

Ms. Stephanie Nye left the meeting at this time.

- v. Nails, Skin, & Hair of America LLC

Nails, Skin, & Hair of America LLC was represented by Chesley Paige Phillips.

No motion was made. Ms. Phillips informed the Board that she will not be providing any new content for 2022 and she apologized for the confusion.

vi. Wheeler B's Beauty Association

Wheeler B's Beauty was represented by Renee Wheeler. Ms. Wheeler lost connection to meeting. Staff tried to contact Ms. Wheeler by phone and email but wasn't able to make contact.

A motion was made by Ms. Laquita Clark- Horton to defer this agenda item until 1:00 p.m. to give Ms. Wheeler time to rejoin the meeting. Ms. Ashley Tucker Johnson seconded the motion and it carried.

Ms. Stephanie Nye rejoined the meeting.

g. Reconsideration of Board Decision Regarding Distance Learning for Methods of Teaching

i. Kathie Greer

Ms. Kathie Greer appeared before the board to discuss with the board members about reconsidering distance learning for methods of teaching providers.

A motion was made by Ms. Patricia Walters to continue with in-person learning for Methods of Teaching courses. Ms. Laquita Clark-Horton seconded the motion and it carried.

h. Discussion and Consideration Regarding Criminal Background Offenses for Board or Administrator Review and Approval

Ms. Melanie Thompson discussed with the Board about criminal background offenses. Ms. Thompson stated that anyone that has the following offenses should appear before the board for approval: violent crimes, habitual offenders, identity theft, credit card fraud or bank fraud.

Ms. Thompson stated that any misdemeanors 10 years or older, 1st time offense for DUI or simple possession can be approved at the administrator level.

Ms. Laquita Clark Horton made a motion to approve the above discussion. It was seconded by Ashley Tucker Johnson and the motion carried.

A ten-minute comfort break was given at this time.

Approval of Wheeler B's Beauty Association

Staffed tried to contact a representative for Wheeler B's Beauty Association by phone and email. The board agreed to continue in their absence.

A motion was made by Ms. Patricia Walters to deny Wheeler B's Beauty Association CE packet for 2022. The motion was seconded by Ms. Laquita Clark- Horton and the motion carried.

i. Discussion Regarding the Need for Pocket Cards

Theresa Brown discussed with the Board about the need for pocket cards. She stated that in the IRC meeting a few fraud cases were mentioned and pocket cards were being sold to family members and friends.

Ms. Melanie Thompson stated that her pocket card is very beneficial to her in many ways. She stated that it's a quicker way to provide proof of licensure.

Ms. Brown thanked the Board for the discussion and stated it was very helpful and informative.

10. Final Order Hearings – Charles S. Gwynne

i. 2020-56

This case was in the matter of Tron Van Nguyen. Ms. Nguyen appeared before the board representing himself. Mr. Charles S. Gwynne presented the findings of the case.

Ms. Laquita Clark-Horton made a motion to go into executive session for legal advice. The motion was seconded by Ms. Ashley Tucker Johnson and it carried.

Ms. Laquita Clark Horton made a motion to come out of executive session. Ms. Ashley Tucker Johnson seconded the motion and it carried. No motions were made or votes taken during executive session.

Ms. Ashley Tucker Johnson made a motion to accept the Hearing Officer's recommendations with modifications. Mr. Nguyen will not be allowed to manage a salon as long as he holds a South Carolina license. Ms. Laquita Clark- Horton seconded the motion and it carried.

ii. 2020-09

This case was in the matter of Dung Huynh. Mr. Huynh appeared before the board representing himself. Qguyan Tran was present to interpret for Mr. Huynh. Mr. Charles Gwynne presented the findings of the case.

Ms. Patricia Walters made a motion to accept the Hearing Officer's recommendation. Ms. Laquita Clark- Horton seconded the motion and it carried.

11. Board Member Elections

Ms. Melanie Thompson is currently the Chair, and Laquita Clark-Horton is currently the Vice Chair.

A motion was made by Ms. Patricia Walters to keep Melanie Thompsons as Chair. Ms. Stephanie Nye seconded the motion and it carried.

A motion was made by Ms. Stephanie Nye to keep Laquita Clark-Horton as Vice Chair. The motion was seconded by Ms. Patricia Walters and it carried.

12. Board Member Reports

No report given at this time.

13. Adjournment

Ms. Laquita Clark- Horton made a motion to adjourn the meeting at 2:26 p.m. and it was seconded by Ms. Stephanie Nye.

The next meeting of the S.C. Board of Cosmetology is scheduled for January 10th and 11th, 2022.