

**South Carolina Board of Cosmetology**  
**Board Meeting**  
**9:00 a.m., March 14, 2022**  
**Via WebEX**

**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](mailto: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 10:00 a.m. Other board members participating in the meeting were:

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

Staff members present included: Mary League, Advice Counsel; Theresa Brown, Administrator; Kimberly Brooks, Staff; Charles Gwynne, Staff; Jennifer Stillwell, Office of Investigations; Rodney Pigford, Office of Investigation and Enforcements (OIE) Sheila Hawkins, Office of Investigation and Enforcements (OIE).

Melissa Blackwell, Court Reporter; Chelsey Phillips, Gloria Smith, Steven Dawson, Lien Anh Thuy Nguyen, Mark Ramon, Nancy Poole, Erica Horton, Lynn James, Dorothy Neely, Terry Frick, Angela Williams, John Ray, Dean Herlene, Anthony Oxner, Don Bishop, Ja Clark, Jayson Powers, Karen Stacks, Ron Sealey, Ronni Walden, Uchendi Nwoni

**3. Approval of Excused Absences**

**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- February 7, 2022**

Ms. Laquita Clark-Horton made a motion to approve the minutes for February 7, 2022, Board meeting. Ms. Patricia Walters seconded the motion and it carried.

**6. Chair Remarks – Melanie Thompson**

Ms. Melanie Thompson asked everyone to take a moment of silence for all US military soldiers who are involved in the Ukraine situation. She stated that her heart goes out to them and their families.

Ms. Melanie Thompson asked administrator, Theresa Brown, for the number of staff members currently working for the Cosmetology, Barber, and Massage/Bodywork Boards. Ms. Brown stated that there are currently 7 employees with 1 vacant position available at this time.

Ms. Melanie Thompson asked Doc Smith for the number of investigators that are currently working for the Cosmetology Board. Mr. Smith stated that there is only 1 employee at this time.

Ms. Melanie Thompson asked Jennifer Stillwell for the number of inspectors that are currently working for the Cosmetology Board. Ms. Stillwell stated that there are currently 11 employees assigned to the Cosmetology and Barber Boards.

Ms. Melanie Thompson asked Ms. Mary League for the number of legal team members that are currently assigned to the Cosmetology Board. Ms. League stated that she's the only advice council specifically assigned to the Board and Charlie Gwynne is the only council assigned for disciplinary hearings.

## **7. Administrator's Remarks – Theresa Brown**

### **a. Budget/Drawdowns – For Information**

**b. OIE Report – For Information – Doc Smith-**This report was for information purposes only and was given by Doc Smith. The OIE report was dated for March 14, 2022. 82 complaints were received from 1/1/2022-1/24/2022; 12 active investigations and 4 closed cases.

**c. IRC Report – For Approval – Doc Smith-** -This report was for approval and was given by Doc Smith. The IRC report is from the March 1, 2022 IRC meeting. Based on this IRC meeting, the committee recommends 16 cases for dismissal, 2 letters of cautions, and 0 formal complaints. A total of 18 cases for approval.

Ms. Melanie Thompson expressed concerns about the 18 dismissals cases. Ms. Laquita Horton made a motion to garner legal advice for the IRC report before the meeting adjourned. Ms. Patricia Walters seconded the motion and it carried.

**d. ODC Report – For Information – Charles S. Gwynne, Jr.** The report is for informational purposes only. The ODC report was dated for March 1, 2022. There are currently 27 open cases. There are 21 cases pending hearing and agreements, 0 cases pending closure, 5 closed cases, and 3 appeal case. A total of 5 cases were closed since the last report.

**e. Inspection Report/Citation Report – For Approval – Jennifer Stillwell-** In January of 2021, there were 650 inspections, 0 were schools. In December, there were 715 inspections, 6 were schools. In 2022, a total of 1365 salons were inspected, 6 were schools.

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

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

## **8. Old Business**

### **a. Consideration of Allowing Schools and CE Providers to Use Distance Learning During the Pandemic**

### **b. Discussion and Clarification of Continuing Education**

#### **i. Further Clarification of CE Changes from 12 Hours to 4 Hours – AOPCES**

Ms. Theresa Brown stated that AOPCES was notified by herself and staff about the meeting. She stated that she's unsure why they're not in attendance.

#### **ii. Allowing Webinars As A Permanent Option – Chesley Paige Phillips**

Ms. Theresa Brown stated that Ms. Phillips was notified by staff about the meeting. She stated that she's unsure why she's not in attendance.

Ms. Laquita Clark- Horton made a motion to approve virtual in-person, and onsite classes for continuing education. Ms. Stephanie Nye seconded the motion and it carried.

Ms. Laquita Clark- Horton made a motion to keep distance learning for schools as is, until significant changes occur during the pandemic. Ms. Patricia Walters seconded the motion and it carried.

## **9. New Business**

### **a. Discussion of Board Guidance Regarding Evaluation of Foreign Education and Transcripts**

Ms. Theresa Brown stated to the Board that there is only one credential evaluation company currently approved by the Board. She stated that staff members have had numerous issues with AEQUO. She stated that the lack of communication with AEQUO and the applicants are almost none existent. She stated that we currently have an applicant that has been waiting over a year to hear back from AEQUO. Ms. Brown stated that this is unacceptable, especially when we have no other recourses for applicants. She stated that she's seeking approval from the Board to allow other credential evaluation services for applicants. Ms. Brown suggested two other companies Josef Silny & Associates Inc. and International Education Research Foundation Inc. Ms. Brown believes that the applicant's education or transcripts should be translated. She stated that she believes the application processes would move a little quicker if the translated high school documents could be reviewed and evaluated by herself or a Board member.

Ms. Thompson stated that she finds it very appalling that an applicant is having to wait over a year to receive an evaluation. She stated that when AEQUO was first appointed by the board, they were very professional and informative. She stated that she's very disappointed that this is happening.

Ms. Brown asked the Board to consider allowing individuals who must have their high school education evaluated have the option to complete TABE testing. TABE is the most comprehensive and reliable academic assessment product in adult basic education. Educators use TABE testing to provide a solid foundation for effectively assessing the skills and knowledge of adult learners.

A motion was made by Laquita Clark- Horton to approve TABE testing. Ms. Patrice Walters seconded the motion and it carried.

Ms. Melanie Thompson delegated Ms. Laquita Clark-Horton to review the applicants, translated education and transcripts. Ms. Thompson suggested that Ms. Horton reach out to the Department of Education for assistance when determining eligibility.

A motion was made by Ms. Patricia Walters to approve Ms. Laquita Clark-Horton to review translated documents received by foreign applicants. The motion was seconded by Ashley Tucker Johnson and the motion carried.

A motion was made by Ms. Patricia Walters to defer additional evaluation companies until more information is provided as requested by Board members. Ms. Laquita Clark- Horton seconded the motion and it carried.

A motion was made by Laquita Clark-Horton to take a five minute comfort break. Ms. Patrice Walters seconded the motion and it carried.

### **b. Consideration of Licensure**

#### **i. William Mark Gillespie**

Mr. William Gillespie represented himself and was requested to meet with the Board in regards to his endorsement application. Mr. Gillespie did not take the NIC practical exam. Mr. Gillespie answered the board's questions and gave background information about his application.

Ms. Melanie Thompson stated that in order to endorse into South Carolina, you must have an active license in another state; the license must be in good standing and you must have passed a national examination (theory and practical). She stated that the examination was written for entry level individuals with tenth grade level education. She stated to Mr. Gillespie that with his

experience and background in the industry, she believes that he would not have a problem with passing the examination.

A motion was made by Laquita Clark- Horton to deny Mr. Gillespie's application. Ms. Patricia Walters seconded the motion and it carried.

### **Revisit Allowing Webinars as a Permanent Option**

Ms. Theresa Brown stated that Ms. Chesley Phillips and Mr. John Ray joined the meeting.

Ms. Melanie Thompson stated that the Board voted to continue with allowing distance learning for continuing education until significant changes occur during the pandemic.

Ms. Phillips stated that she is perfectly fine with the outcome and thanked the Board for her consideration.

### **Revisit Further Clarification of CE Changes from 12 Hours to 4 Hours – AOPCES**

Mr. John Ray stated to the Board that he is appearing before the Board to discuss the decision that was made about allowing 12 hour CE classes and virtual classes beyond the March 10, 2021 deadline. He stated that his association (AOPCES) does not agree with the Board's decision regarding this matter. He stated this is not a fair application of the law or regulations.

Ms. Mary League stated that based upon what Mr. Ray stated, she believes there is some misunderstanding of what the Board is requiring for continuing education. She stated that the Board is only requiring 4 hours of continuing education for licensees who already renewed their license during the March 2021 renewal period. She stated that 4 hours of CE content should be on SC laws/regulations, client safety, infection control, sanitation and disinfection. Ms. League stated that 6 and 12 hours only applies to licensees who failed to renew their licenses prior to March 10, 2021. She stated licensees that did not meet the deadline, will have to meet the CE requirements that were in place before the new regulations went in to effect.

Ms. Theresa Brown stated that the Board approved at a previous meeting to allow for licensees that did not reinstate by the March 10, 2021 deadline be allowed to complete the 12 hours of CE until March of 2024.

## **c. Consideration of New School**

### **i. Epiphany Beauty Institute**

Ms. Tierra Polite represented Epiphany Beauty Institute and was requested to meet with the Board in regards to opening a new cosmetology program. Ms. Polite stated that she would like to open the new school by May 2<sup>nd</sup>, 2022. The Board members requested that Ms. Polite make changes to her packet.

Ms. Patricia Walters made a motion to approve the new school pending approval passing the preliminary and final inspections. Ms. Laquita Clark Horton seconded the motion and it carried.

### **ii. Bar Education, Inc. DBA Southeastern College**

Mr. Anthony Oxner, Ms. Janet Clark, Ms. Herlene Ancar, and Mr. Ronald Sealey represented Bar Education in regards to opening a new cosmetology school. Mr. Oxner stated that the planned opening date is July 5<sup>th</sup>, 2022. The Board members requested changes to be made in their packet.

Ms. Melanie Thompson stated that the packet is incomplete and changes are needed. Ms. Thompson stated that Bar Education, Inc. will need to update their packet and reappear at the next board meeting.

A motion was made by Laquita Clark- Horton to defer this agenda item to the May meeting. The motion was seconded by Patricia Walters and the motion carried.

**iii. Lawan Dior School of Cosmetology**

Ms. Dorothy Neely and Uchendi Nwani represented Lawan Dior School of Cosmetology in regards to opening a new school. Ms. Neely stated that her planned opening date is April 1<sup>st</sup>, 2022. The Board members requested changes to be made to her packet.

Ms. Laquita Clark- Horton made a motion to approve the school pending the corrections within the application. If the changes are made within the next week, a Board member will be delegated to review the application for approval prior to a preliminary and final inspections. Ms. Ashley Johnson seconded the motion and it carried.

A motion was made by Laquita Clark- Horton to approve Ashley Tucker Johnson as delegated Board member to approve the corrections prior to the preliminary and final inspections. Ms. Patricia Walters seconded the motion and it carried.

**d. Consideration Of New Classroom Location**

**i. Advanced Aesthetics**

This agenda item was moved down due to technical issues with Ms. Heidi Daly's device.

**e. Consideration of New Classroom Change**

**i. The Academy for Technology & Academics**

Mr. Jayson Powers represented The Academy for Technology & Academics in regards to a new class room change.

Ms. Laquita Clark Horton made a motion to approve the new class room changes pending the preliminary and final inspections. Ms. Patricia Walters seconded the motion and it carried.

**Revisited Advanced Aesthetics New Classroom Location**

Ms. Heidi Daly represented Advanced Aesthetics in regards to changing the location of an existing cosmetology school. Ms. Daly stated that the planned opening date is April 10<sup>th</sup>, 2022.

Ms. Laquita Clark -Horton made a motion to approve the new classroom changes pending the preliminary and final inspections. Ms. Patricia Walters seconded the motion and it carried.

**f. Consideration of New Floor Plan**

**i. The Esthetic Learning Center**

Ms. Angela Williams represented The Esthetic Learning Center in reference to a new floor plan.

Ms. Laquita Clark- Horton made a motion to approve the new classroom changes pending the preliminary and final inspections. Ms. Patricia Walter seconded the motion and it carried.

**g. Consideration of Ownership Change**

**i. Charzanne Beauty College**

Mr. Eric Canupp and Ms. Fallon Canupp represented Charzanne Beauty College in reference to an ownership change. The previous owner, Don Bishop, was present.

Ms. Laquita Clark Horton made a motion to approve new ownership change. Ms. Patricia Walters seconded the motion and it carried.

Ms. Laquita Clark- Horton amended the motion to include pending preliminary and final inspection. Ms. Patricia Walters seconded the motion and it carried.

Ms. Canupp requested a document showing an approval of the ownership change to present to their bank for closing.

#### **h. Consideration of New Program**

##### **i. The Skin and Nails Akademy**

Ms. Karen Stacks represented The Skin and Nails Akademy in reference to adding a new instructors' program. The Board members requested changes to her packet.

Ms. Laquita Clark- Horton made a motion to approve the new instructors' program pending corrections approved by an appointed Board member and pending preliminary and final inspections. Ms. Patricia Walters seconded the motion and it carried.

Ms. Patricia Walters made a motion to approve Ms. Melanie Thompson as the delegated Board member to approve the corrections prior to the preliminary and final inspections.

##### **ii. Bella Beauty School**

Ms. Laura Dowey represented Bella Beauty School in reference to adding a nail technology program. The Board members requested changes and updates to be made to her packet.

Ms. Laquita Clark Horton made a motion to approve the program pending corrections approved by an appointed Board member and pending preliminary and final inspections. Ms. Patricia Walters seconded the motion and it carried.

Ms. Patricia Walters made a motion to approve Ms. Melanie Thompson as delegated Board member to approve the corrections prior to the preliminary and final inspections.

Ms. Laquita Clark Horton made a motion to have a 10 minute comfort break. Ms. Patricia Walters seconded the motion and it carried.

### **10. Final Order Hearings – Charles S. Gwynne**

#### **i. 2019-299**

This case is in the matter of Lienanh Thuy Nguyen. Mr. Le was present to interpret for Ms. Nguyen. Mr. Charles Gwynne presented the findings of the case.

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

Ms. Patricia Walters amended the motion to accept the Hearing Officer's recommendations to clarify both licenses will be affected. Ms. Laquita Clark- Horton seconded the motion and it carried.

#### **ii. 2021-150**

This case is in the matter Phillip Nguyen. Mr. Charles Gwynne presented the findings of the case. The respondent did not appear but was properly noticed.

A motion was made by Laquita Clark -Horton to continue in the absence of the respondent. Ms. Ashley Tucker Johnson seconded the motion and it carried.

A motion was made by Laquita Clark –Horton to go into executive session for legal advice. Ms. Patricia Walters seconded the motion and it carried.

A motion was made by Ms. Stephanie Nye to come out of executive session. Ms. Laquita Clark-Horton seconded the motion and it carried. There were no motions and votes taken during executive session.

Ms. Stephanie Nye made a motion to accept the Hearing Officer's recommendations with the following modifications: in the finding and fact section, based on the transcripts to include a specific finding that the respondent was a salon manger on the date of April 23, 2021 inspection. In addition, increase the fines for each violation to \$500 because the violations have impacted public health and safety. The total fines are \$4,000 and must be paid within 60 days from the date of the final order. Also, to suspend the respondent's license for 60 days from the final order date. The substitute salon manger name must be provided and never have had any disciplinary actions by the Board. The respondent's license cannot be reinstated until all fines have been paid and sanitation and legal classes have been taken. Ms Patricia Walters seconded the motion and it carried.

**iii. 2020-191**

This case is in the matter Ms. Thuylinh Thi Nguyen. Mr. Charles Gwynne presented the findings of the case.

Ms. Patricia Walters made a motion to accept the Hearing Officer's recommendations. Stephanie Nye seconded the motion and it carried.

Ms. Patricia Walters made a motion to withdraw the above motion. Ms. Laquita Clark- Horton seconded the motion and it carried.

Ms. Laquita Clark- Horton made a motion to go into executive session for legal advice. Ms. Patricia Walters seconded the motion and it carried.

A motion was made by Laquita Clark- Horton to come out of executive session. The motion was seconded by Stephanie Nye and the motion carried. There were no motions or votes taken during executive session.

Ms. Laquita Clark- Horton made a motion to accept the Hearing Officer's recommendations with the following modifications: increase each violation to \$500. A total of \$1,000 must be paid within 60 days of final order date. The respondent should take a disciplinary law class and provide proof of successful completing the class to the Board within 60 days of the date of the Final Order. Ms. Stephanie Nye seconded the motion and it carried.

**Revisited IRC Report**

Ms. Laquita Clark Horton made a motion to go into executive session for legal advice. Ms. Stephanie Nye seconded the motion and it carried.

A motion was made by Laquita Clark- Horton to come out of executive session. The motion was seconded by Stephanie Nye and the motion carried. There were no motion or votes taken during executive session.

Ms. Laquita Clark- Horton made a motion to accept the IRC's 2 Letters of Caution and the Formal Complaints. Ms. Horton stated that the Board requested a more detailed report of the 16 dismissal cases from February and they have not been provided as of today. Ms. Patricia Walters seconded the motion and it carried.

Mr. Rodney Pigford stated that he apologizes for not having a detailed report on the dismissal cases from February. He stated he was on vacation but will make sure that moving forward a more detailed report will be provided.

**11. Board Member Reports**

No report given at this time.

**12. Adjournment**

Ms. Laquita Clark- Horton made a motion to adjourn the meeting at 3:40 p.m. Ms. Patricia Walters seconded the motion and it carried.

**The next meeting of the S.C. Board of Cosmetology is scheduled for May 9, 2022.**