

South Carolina Board of Cosmetology
Board Meeting
9:00 a.m., July 11, 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.
- b. Rules of the Meeting

2. Introduction of Board Members

Vice Chairperson Laquita Clark-Horton 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

Staff members present included: Mary League, Advice Counsel; Theresa Brown, Administrator; Robynn Devine, Staff; Patrice Deas, Staff; Donnell Jennings, Staff; Rodney Pigford, Staff; Sheila Hawkins, Staff; Erin Baldwin, staff and Shelby Sutusky, Staff.

Diane Marie, Court Reporter; Anthony Oxner, Beatriz Hernandez, Debra Geigher, Eursel Ashford, Herlene Ancar, Julia Corona, Larry Benton, Lynn Martin, Melissa Jackson, Michelle Barnes, Ronni Waldman, SaRanda Prince, Thao Vo, Allene Chamblin, Melissa Gillespie, and Marilyn Montgomery.

3. Approval of Excused Absences

Ms. Patricia Walters made a motion to approve the absence of Melanie Thompson from the meeting. Ms. Ashley Tucker Johnson seconded the motion and it carried.

4. Approval of Agenda

Ms. Patricia Walters made a motion to approve the agenda. Ms. Ashley Tucker Johnson seconded the motion and it carried.

5. Approval of Meeting Minutes

May 9, 2022

Ms. Patricia Walters made a motion to approve the minutes for May 9, 2022, Board meeting. Ms. Ashley Tucker Johnson seconded the motion and it carried.

6. Vice Chair Remarks – Laquita Clark Horton

There were no remarks.

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 shows since January 1, 2022 to July 5, 2022, there were 254 complaints; 18 active investigations and 38 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 June 24, 2022 IRC meeting. Based on this IRC meeting, the committee recommended 14 cases for dismissal, 1 dismissal cease and desist, 6 letters of cautions, and 3 formal complaints. A total of 24 cases for approval.

Ms. Patricia Walters made a motion to approve the IRC report. Ms. Ashley Tucker Johnson seconded the motion and it carried.

- d. **ODC Report** – For Information – Shelby Sutusky. The report is for informational purposes only. The ODC report was dated for June 22, 2022. There are currently 22 open cases. There are 14 cases pending hearing and agreements, 0 cases pending closure, 4 closed cases, and 2 appeal cases. A total of 4 cases were closed since the last report and 17 cases
- e. **Inspection Report/Citation Report** – For Approval – Donnell Jennings- From the time period May 2, 2022 through June 28, 2022 there were 36 total violations, 36 citations issued. In majority of which were unlicensed practice and/or sanitation issues.

Ms. Patricia Walters made a motion to approve the Inspection Report. Ms. Ashley Tucker Johnson seconded the motion and it carried.

8. New Business

a. Consideration of Licensure

i. Melissa Monique Gillespie

Ms. Melissa Gillespie represented herself and requested to meet with the Board in regards to her instructor endorsement application. Ms. Gillespie passed the practical exam but did not pass the theory exam. Ms. Gillespie answered the board's questions and gave background information about her application.

Ms. Laquita Clark Horton stated that there are rules and laws they follow and that South Carolina doesn't allow anyone to be grandfathered in.

Ms. Patricia Walters informed Ms. Gillespie that based on South Carolina rules and regulations, their hands are tied.

Ms. Patricia Walters made a motion to deny Ms. Gillespie's request to receive an instructor license without testing. Ms. Ashley Tucker Johnson seconded the motion and it carried.

Ms. Theresa Brown stated that she or staff will give Ms. Gillespie a call to direct her a little better. Even if it is a particular person at PSI so that Ms. Gillespie can get better guidance on what she can study for the examination.

b. Consideration of New School

i. Michelle Barnes Cosmetology Institute LLC

Ms. Michelle Barnes appeared before the board representing Michelle Barnes Cosmetology Institute LLC to request to open a new school. Ms. Barnes was then sworn in by the court reporter. Ms. Barnes explained her reasoning on wanting to open a school then discussion ensued.

Ms. Patricia Walters made a motion to approve the new school pending corrections and pending preliminary and final inspections. Ms. Ashley Tucker Johnson seconded the motion and it carried.

ii. The Prevalent Institute

Ms. Eursel Ashford appeared before the board representing The Prevalent Institute to request to open a new school. Ms. Ashford was then sworn in by the court reporter. Ms. Ashford explained her reasoning on wanting to open a school then discussion ensued.

Ms. Ashley Tucker Johnson made a motion to approve the new school pending corrections and pending preliminary and final inspections. Ms. Patricia Walters seconded the motion and it carried.

iii. By Claudia Esthetics Institute Corp.

Ms. Allene Chamblin and Ms. Analia Williams appeared before the board representing By Claudia Esthetics Institute Corp. to request to open a new school. Ms. Chamblin and Ms. Williams were sworn in by the court reporter. Ms. Chamblin and Ms. Williams explained their reasoning for wanting to open a school then discussion ensued.

Ms. Patricia Walters made a motion to approve the new school pending corrections and preliminary and final inspections. Ms. Ashley Tucker Johnson seconded the motion and it carried.

iv. Bar Education, Inc. DBA Southeastern College

Mr. Anthony Oxner, Ms. Herlene Ancar, and Ms. Julia Corona represented Bar Education INC DBA Southeastern College to request to open a new school. Mr. Oxner, Ms. Ancar, and Ms. Corona were sworn in by the court reporter. Mr. Oxner explained their reasoning for wanting to open a school then discussion ensued.

Ms. Patricia Walters made a motion to approve the new school pending preliminary and final inspections. Ms. Ashley Tucker Johnson seconded the motion and it carried.

Ms. Patricia Walters made a motion to break for 10 minutes. Ms. Ashley Tucker Johnson seconded the motion and it carried.

Ms. Patricia Walters made a motion to reconvene meeting. Ms. Ashley Tucker Johnson seconded the motion and it carried.

c. Consideration of School Changes and Additions

i. Institute of Beauty Artistry

Ms. Beatriz Hernandez-Cardona represented Institute of Beauty Artistry to request to change floor plans. Ms. Hernandez-Cardona was then sworn in by the court reporter. Ms. Hernandez-Cardona explained her reasoning to change floor plans then discussion ensued.

Ms. Ashley Tucker Johnson made a motion to approve floor plan change pending inspections. Ms. Patricia Walters seconded the motion and it carried.

ii. Kenneth Shuler (All Locations)

Ms. Marilyn Montgomery represented Kenneth Shuler (all locations) to request to change student catalogs and contracts. Ms. Montgomery was then sworn in by the court reporter. Ms. Montgomery explained the changes to the student catalogs and contracts then discussion ensued.

Ms. Patricia Walters made a motion to approve the student catalog and contract. Ms. Ashley Tucker Johnson seconded the motion and it carried.

iii. Regina Benton School of Cosmetology

Mr. William Larry Benton and Ms. Regina Benton represented Regina Benton School of Cosmetology to request to change their student enrollment and contract. Mr. Benton and Ms. Benton were sworn in by the court reporter. Mr. Benton and Ms. Benton explained the changes to the student enrollment and contract then discussion ensued.

Ms. Patricia Walters made a motion to approve the changes to the student enrollment and contract. Ms. Ashley Tucker Johnson seconded the motion and it carried.

iv. Southeastern Esthetics Institute

Mr. Brandon Sykes represented Southeastern Esthetics Institute to request to change the cost of tuition on the contract. Mr. Sykes was then sworn in by the court reporter. Mr. Sykes explained the changes to the contract then discussion ensued.

Ms. Patricia Walters made a motion to approve the changes to contract pending corrections. Ms. Ashley Tucker Johnson seconded the motion and it carried.

v. The Academy of Beauty

Mrs. SaRanda Prince represented The Academy of Beauty to request to add a new program, instructor training. Ms. Prince was then sworn in by the court reporter. Ms. Prince explained her reasoning on wanting to add a student instructor training then discussion ensued. During the discussion Ms. Prince stated that she emailed the instructor schedule over the weekend.

Ms. Patricia Walters made a motion to delegate Ms. Theresa Brown to approve the new program pending the requested corrections. Ms. Ashley Tucker Johnson seconded the motion and it carried.

vi. Upstate College of Cosmetology

Ms. Theresa Brown approved the request to change the school's hour of operation and the school will be placed on the next agenda for ratification.

9. Final Order Hearings – Erin Baldwin

i. 2020-12

This case is in the matter of Ngoc Thu Pham. The respondent did not appear but was properly noticed. Ms. Mary League asked the chair since adequate notice was given and the respondent is not present, does she wish to proceed and Ms. Horton agreed. Ms. Baldwin presented the findings of the case.

Ms. Patricia Walters made a motion to accept the Hearing Officer's recommendations. Ms. Ashley Tucker Johnson seconded the motion and it carried.

Ms. Mary League stated that if the respondent wishes to appeal, they would need to do so within 30 days to the Administrative Law Court.

ii. 2021-305

This case is in the matter Thao Thi Vo. Ms. Vo appeared before the board representing herself. Ms. Erin Baldwin presented the findings of the case.

Ms. Patricia Walters made a motion to accept the Hearing Officer's recommendations and changed the time frame from 60 days to 90 days. Ms. Ashley Tucker Johnson seconded the motion and it carried.

Ms. Mary League stated that if the respondent wishes to appeal, they would need to do so within 30 days to the Administrative Law Court.

10. Board Guidance for Handling CE Provider/Course Review

Ms. Theresa Brown is requesting that the board delegate to staff the approval process for new CE Providers.

Ms. Theresa Brown's second request is regarding the review of CE Courses. Ms. Brown stated that anything that is going to be up for review for the upcoming CE review would be the new 4-hour CE courses. Ms. Brown stated that providers who want to continue to offer their same 4 hour courses, a notebook would not be expected from them and it would only be their spreadsheet to let us know when their 4-hour classes would be given. Ms. Brown stated that if anybody wanted to change their title then we would have to receive a notebook from those CE providers because all of their content would have to be reviewed by the board to ensure their content and title match.

Ms. Brown's final request is for the board to give approval to staff to approve and renew CE providers. Ms. Brown stated that every 2 years CE providers have to submit their applications for renewal to be a CE provider and their information should be submitted by March 10th which will coincide with the regular renewal.

Ms. Patricia Walters made a motion to approve staff recommendations to delegate authority for CE providers, renewal for CE providers, and approval of courses resubmitted with no changes and the board would review new 4-hour courses or courses that have any changes including a change in title. Ms. Ashley Tucker Johnson seconded the motion and it carried.

11. NIC Annual Conference 2022

Ms. Theresa Brown stated that the NIC conference will be held in San Antonio this year and the dates of the conference are September 30 through October 3, 2022. Ms. Brown stated that the conference normally starts off with the Executive Board Meeting on September 30 and the request is for Ms. Brown to be approved to attend the executive director meeting as well as the rest of the conference and a board member to attend as well so that board member can be a voting delegate. Ms. Brown stated that if board members cannot attend, then Ms. Brown asked to be granted approval to be the voting delegate.

Ms. Laquita Clark Horton stated that she is willing to go to be the voting delegate.

Ms. Ashley Tucker Johnson made a motion for Ms. Theresa Brown and Ms. Laquita Clark Horton to attend NIC conference and executive director board meeting. Ms. Patricia Walters seconded the motion and it carried.

12. 2023 Board Meeting Dates

Ms. Theresa Brown stated that the board meeting dates of 2023 are January 9th and 10th, March 13th and 14th, May 8th and 9th, July 10th and 11th, September 11th and 12th, the CE review will be October 16th and 17th, and the last board meeting is November 6th and 7th.

Ms. Ashley Tucker Johnson made a motion to approve 2023 board meeting dates. Ms. Patricia Walters seconded the motion and it carried.

13. Board Member Reports

No report given at this time.

Ms. Laquita Clark Horton made a statement to all of the new schools, when the inspector and a board member are coming out to give the final inspection, please have everything ready. Ms. Horton stated to have kits, books, and everything else that is required in the regulation for schools. Ms. Horton stated that the schools need to be turnkey ready for when the inspector and board member come but if not ready, let inspectors know that more time is needed.

14. Adjournment

Ms. Patricia Walters made a motion to adjourn the meeting at 11:52 a.m. Ms. Ashley Tucker Johnson seconded the motion and it carried.

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