

South Carolina Board of Cosmetology
Board Meeting
9:00 a.m., January 9, 2023
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 9:06 a.m. Other board members participating in the meeting were:

- ❖ Ashley Tucker Johnson
- ❖ Patricia Walters

LLR staff present included: Mary League, Advice Counsel; Theresa Brown, Administrator; Robynn Devine, Patrice Deas; Beverly Gould, Jennifer Stillwell, OIE; James Kemfort, OIE; Sheila Hawkins, OIE; Erin Baldwin, ODC; and Sara Morris, ODC.

Others in attendance: Diane Hendricks, Court Reporter; Deborah Herbert, Laura Dowey, Khoa Nguyen, Hoai Nguyen, Bryan C. Letteer, Alicia Thomas, Cedric Brown, Sankinah Merriweather, Patricia Byrd, and Brandon Sykes.

3. Approval of Excused Absences

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

4. Approval of Agenda

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

5. Approval of Meeting Minutes

November 14, 2022

Ms. Ashley Tucker Johnson made a motion to approve the minutes for the November 14, 2022 Board meeting. Ms. Patricia Walters 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 – James Kemfort- This report was for information purposes only and was given by James Kemfort. The OIE report shows for the entire year of 2022, there were 502 total complaints; 31 active investigations and 119 were closed.

- c. **IRC Report** – For Approval – James Kemfort- This report was for approval and was given by James Kemfort. The IRC met on January 3, 2023 and there were 27 total cases submitted and the committee recommended 20 cases for dismissal and 7 formal complaints.

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

- d. **ODC Report** – For Information – Sara Morris- This report was for information purposes only and was given by Sara Morris. There are currently 17 open cases and 10 cases pending hearings or agreements. Since the last report 8 cases have been closed since October 2022 and total for the year 2022, 33 cases have been closed.

- e. **Inspection Report/Citation Report** – For Approval – Jennifer Stillwell- For the month of November, 511 inspections were completed and 4 of those were schools. In December, a total of 591 inspections were completed and 1 of those were schools. The total for the entire 2022 year of 8,791 salons that were inspected and 55 of those were schools.

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

- f. **State Ethics Commission – Statements of Economic Interest**– Ms. Theresa Brown reminded the Board members that they are required to turn in their Statement of Economic Interest reports to the State Ethics Commission. Ms. Brown stated that the travel information will be sent out in the next couple of weeks and the deadline is normally at the end of March.

8. New Business

a. Consideration of CE Exemption

i. Deborah Herbert

Ms. Deborah Herbert appeared before the board representing herself to request approval for continuing education exemption. Ms. Herbert was sworn in by the court reporter. Ms. Herbert explained her reasoning for why she should be approved for continuing education exemption then discussion ensued.

Ms. Ashley Tucker Johnson made a motion to go into executive session for legal advice. Ms. Patricia Walters seconded the motion and it carried.

Ms. Patricia Walters made a motion to come out of executive session. Ms. Ashley Tucker Johnson seconded the motion and it carried. No votes were taken during the executive session.

Ms. Patricia Walters made a motion to deny CE Exemption based on the statutes. Ms. Ashley Tucker Johnson seconded the motion and it carried.

b. Consideration of New School

i. Avalon Cosmetic Art Institute LLC

Mr. Khoa Nguyen and Ms. Mi Hai Nguyen appeared before the board representing Avalon Cosmetic Art Institute LLC to request to open as a new nail technology school. Mr. Nguyen and Ms. Nguyen were sworn in by the court reporter. Mr. Nguyen and Ms. Nguyen explained their reasoning for wanting to open a nail technology school then discussion ensued.

Ms. Patricia Walters made a motion to approve Avalon Cosmetic Art Institute LLC to open as a new nail technology school pending preliminary and final inspections. Ms. Ashley Tucker Johnson seconded the motion and it carried.

ii. Bella Beauty School LLC (Second Location)

Ms. Laura Dowey appeared before the board representing Bella Beauty School LLC to request to open a second location. Ms. Dowey was sworn in by the court reporter. Ms. Dowey explained her reasoning for wanting to open a second location then discussion ensued.

Ms. Ashley Tucker Johnson made a motion to approve Bella Beauty School LLC to open a second location pending preliminary and final inspections. Ms. Patricia Walters seconded the motion and it carried.

iii. Virtuous School of Nails and Esthetics

Ms. Alicia Thomas appeared before the board representing Virtuous School of Nails and Esthetics to request to open as a new esthetics and nail technology school. Ms. Thomas was sworn in by the court reporter. Ms. Thomas explained her reasoning for wanting to open a new esthetics and nail technology school then discussion ensued.

Ms. Ashley Tucker Johnson made a motion to approve Virtuous School of Nails and Esthetics to open as a new esthetics and nail technology school pending preliminary and final inspections. Ms. Patricia Walters seconded the motion and it carried.

c. Consideration for School Changes

i. Professional School of Nails & Esthetics (New Program)

Mr. Cedric Brown appeared before the board representing Professional School of Nails & Esthetics to request to add an instructor training program to their school. Mr. Brown was sworn in by the court reporter. Mr. Brown explained his reasoning for wanting to add an instructor training program to his school then discussion ensued.

Ms. Ashley Tucker Johnson made a motion to approve Professional School of Nails & Esthetics to add an instructor training program. Ms. Patricia Walters seconded the motion and it carried.

ii. Advantage Academy (Name Change)

Ms. Patricia Byrd appeared before the board representing Advantage Academy to request for a school name change. Ms. Byrd was sworn in by the court reporter. Ms. Byrd explained her reasoning for wanting to change the school's name then discussion ensued.

Ms. Ashley Tucker Johnson made a motion to approve Advantage Academy for their school name change. Ms. Patricia Walters seconded the motion and it carried.

iii. Southeastern Esthetics Institute (Location Change)

Mr. Brandon Sykes appeared before the board representing Southeastern Esthetics Institute to request a location change and to add two new programs, cosmetology and nail technology, to the school. Mr. Sykes was sworn in by the court reporter. Mr. Sykes explained his reasoning for wanting to change the school's location and add two new programs then discussion ensued.

Ms. Patricia Walters made a motion to approve Southeastern Esthetics Institute's location change and to add two new programs, cosmetology and nail technology, pending preliminary and final inspections. Ms. Ashley Tucker Johnson seconded the motion and it carried.

d. Final Order Hearings

i. 2022-207

This case is in the matter of Kayla Donaldson. Mr. Bryan C. Letteer appeared before the board as counsel representing Kayla Donaldson. Mr. Letteer is standing in for Mr. S. J. Hugh Moore who was the attorney for Kayla Donaldson at the time. Ms. Erin Baldwin presented the findings of the case.

Ms. Ashley Tucker Johnson made a motion to accept the hearing officer's recommendations to dismiss the case. Ms. Patricia Walters seconded the motion and it carried.

ii. 2022-169

This case is in the matter of Luan Vet Hoang. Mr. Hoang did not appear before the board. Ms. Erin Baldwin stated that the State asked to move forward with the hearing. Ms. Baldwin stated that they have had contact with Mr. Hoang through the Office of Disciplinary Counsel and he provided his driver's license for identification purposes. Ms. Baldwin stated that they have not received contact from Mr. Hoang to indicate why he would not appear and they did appropriately service notice on him via email, through regular and certified mail. Ms. Baldwin stated Mr. Hoang has been notified three separate ways and he responded to the notice but failed to appear.

The Vice Chair, Ms. Laquita Horton, accepted the request from disciplinary counsel to move forward in the absence of the respondent.

Ms. Erin Baldwin presented the findings of the case.

Ms. Ashley Tucker Johnson made a motion to accept to the hearing officer's recommendation. Ms. Patricia Walters seconded the motion and it carried.

9. Board Member Reports

No report given at this time.

10. Adjournment

Ms. Ashley Tucker Johnson made a motion to adjourn the meeting at 10:14 a.m. Ms. Patricia Walters seconded the motion and it carried.

The next meeting of the S.C. Board of Cosmetology is the Task Force Meeting on January 10, 2023.