

**South Carolina Board of Cosmetology
Board Meeting
10:00 a.m., September 8, 2014
Synergy Business Park
Kingstree Building
110 Centerview Drive, Conference Room 108
Columbia, South Carolina 29211**

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

Rules of the Meeting Read by the Chairman

Introduction of Board Members:

Vice Chairperson Cynthia Rodgers called the regular meeting of the Board of Cosmetology to order. Other Board members in attendance included, Eddie Jones, Janice Curtis, Patricia Walters, and Selena M. Brown.

Staff Members Participating in the Meeting:

Mary League, Advice Counsel; Theresa Richardson, Administrator; Roz Bailey-Glover, Matteah Taylor, Staff; Robbie Boland, Yolanda Rodgers, OIE; Andrew Rogers, ODC; and Cecelia P. Englert, Court Reporter.

All Other Persons Attending:

Regina Benton, Kimberly Sims, Phyllis Bellamy, Mark Halsmer, Diane Halsmer, Herbert Wilson, Chesley Phillips, Debora Geigher, Brian Swords, Ken Hitchcock, Misty McKenzie, Danielle Goodwin, April Cobb, Sara Hoover, Judy Monteith, Charmaine Green, Angela Morrison, LaTanya Epps, Keyona Joseph, Colleen Large, Steven Dawson, Catherine Stabler, Qweshanda Mauney, Sabrina Ward, Erika Horton, Kathy Johnney, Debbie Stabler, Alan Ray, Jean Davenport, and Michelle Hampton-Furtick

Approval of Excused Absences: Melanie Thompson

MOTION:

Janice Curtis made a motion to approve Melanie Thompson's absence. Stephanie Nye seconded the motion which carried unanimously.

Approval of the minutes:

July 14, 2014

July 15, 2014

MOTION:

Selena Brown made a motion to approve the July 14, 2014 minutes with minimal corrections. Eddie Jones seconded the motion which carried unanimously.

MOTION:

Selena Brown made a motion to approve the July 15, 2014 minutes with minimal corrections. Eddie Jones seconded the motion which carried unanimously.

Approval of Agenda:

MOTION:

Janice Curtis made a motion to approve the agenda with any deviations necessary. Selena Brown seconded the motion which carried unanimously.

Administrator's Remarks – Theresa Richardson:

Gloria Smith is on the agenda as the additional IRC member. She was nominated by the Board and a vote needs to be taken to confirm her acceptance.

MOTION:

Janice Curtis made a motion to accept Gloria Smith as the additional IRC member. Eddie Jones seconded the motion which carried unanimously.

Budget:

If you have any questions pertaining to the budget Ms. Richardson asked for the Board members to email the questions to her and she would get the answers for them. Cindy Rodgers explained she still has some of the same questions and/or concerns and she placed them in writing. The questions were given to Matteah and copies were provided to all of the Board members. Ms. Richardson gave the questions that Cynthia Rodgers had to the Financial Director for answering.

OIE Report – Office of Investigations and Enforcement – Yolanda Rodgers:

The cases received from January 1, 2014 through August 27, 2014 include 91 cases. Among the 91 cases are: 23 cases are active investigations, 16 are closed cases, 31 are do not open, 4 are pending Board action, 7 are pending ODC actions, and 10 cases are pending IRC. There were 21 total active cases through August 27, 2014. Cases that were closed through August 27, 2014 are 179 and 32 are do not open cases which are a total of 211 cases.

IRC Report – Yolanda Rodgers:

On August 11, 2014 the IRC committee met and reviewed 6 cases. Out of those 6 cases, there was 1 case dismissed, 1 case was sent for a formal complaint, and 4 cases were up for reconsideration for dismissal.

MOTION:

Janice Curtis made a motion to approve the IRC report. Eddie Jones seconded the motion which carried unanimously.

ODC Report – Andrew Rodgers:

As of August 26, 2014 ODC had 194 open cases. There were 25 pending citation appeals, 1 pending CA draft, 18 pending FC draft, 74 pending Atty review, 5 pending CA/MOA, 32 pending hearings, 10 pending final order hearings, 14 pending final orders/closures, 4 appeals, and 11 closed cases on July 9, 2014. The Administrative Law Court (ALC) was contacted to acquire about the 3 cases pending. The ALC encountered they are still working on these 3 cases. There was 1 pending IRC cases. There have been 147 cases closed since January 1, 2014.

Inspection Report – Robbie Boland:

Before the Board is the inspection report from the 2013 – 2014 fiscal year and there were 4,650 salons inspected and 102 schools. As of July 2014 there were 506 salons inspected and 4 schools. There were a total of 5,522 salons opened.

Citation Report – Robbie Boland:

For June there were 14 citations written and in July there were 16 citations written. There were 2 dates added for the IRC committee; October 8, 2014 and December 2, 2014. Janice Curtis asked at the last meeting about follow-ups. If there is a notification of a C&D not being followed a follow-up inspection will be conducted unless it's a C&D on an unlicensed practice.

OLD BUSINESS

Review for Consideration of Increasing Salon CE capacity

MOTION:

Janice Curtis made a motion to review increasing seating capacity for continuing education in a salon on an individual basis. Eddie Jones seconded the motion which carried unanimously.

MOTION:

Janice Curtis made a motion to approve the seating capacity up to 150 for Vski salon for continuing education. Stephanie Nye seconded the motion which carried unanimously.

MOTION:

Stephanie Nye made a motion for a break. Janice Curtis seconded the motion which carried unanimously.

Cynthia Rodgers called the meeting back to order.

NEW BUSINESS

Review of Proposed Citation Appeal Hearing Process and Citation Appeal Order

Ms. League explained the citation authority has been given to the Board and asking for the process to be slightly different. The Hearing Officer will have the final authority regarding citation hearings. If a person chooses to appeal they must appeal within 30-days to the Administrative Law Court (ALC) if they disagree with the Hearing Officer's recommendation and the ALC will then make the final decision.

MOTION:

Eddie Jones made a motion to accept the Citation Appeal Hearing Process and the Citation Appeal Order. Janice Curtis seconded the motion which carried unanimously.

Review for Consideration of Schooling Openings

Brian Swords and Ken Hitchcock (Pickens County Technical program) appeared before the Board to represent Tri County Technical College, seeking approval for their program to merge with the Pickens County Vocational School program. Tri County Technical College is interested in partnering with Pickens County Vocation Schools to allow the Tri County Technical College interested adult students to utilize the Pickens County Vocational School facilities in the evenings. Mr. Swords understands the curriculum for the Tri County Technical students will have to reflect the 1500 curriculum.

MOTION:

Selena Brown made a motion to approve the Tri County Technical College students to utilize the Pickens County Vocational School facility in the evenings. Patricia Walters seconded the motion which carried unanimously.

Mark Halsmer and Diana Halsmer appeared before the Board to represent the International School of Beauty, seeking approval of the Esthetics program to be added to their already existing school. The Esthetics program will be offered during the day from 10:00am to 4:00pm and evenings from 4:00pm to 9:00pm with 10 students in each class. Inspector, Raymond Lee stated he was conducting a routine inspection and Mrs. Halsmer asked for the preliminary inspection of the Esthetics section of the school. The preliminary inspection was conducted June 19, 2014.

MOTION:

Selena Brown made a motion to approve the International School of Beauty the implementation of the Esthetics program. Eddie Jones seconded the motion which carried unanimously.

Update to Website Continuing Education Information and Guidelines

Ms. Richardson explained there is some out of date information pertaining to the continuing education provider's packet information. Ms. Richardson has spoken with Ms. League and Ms. Thompson pertaining to the out of date information and they have worked on some updates and would like to implement them.

MOTION:

Janice Curtis made a motion for the continuing education section of the website to be updated. Eddie Jones seconded the motion which carried unanimously.

Review of Consideration of Methods of Teaching Instructor

Danielle Goodwin appeared before the Board seeking approval of becoming a Methods of Teaching instructor. Ms. Goodwin stated she is a licensed Cosmetology Instructor and Barber Instructor in South Carolina and she is a continuing education provider in North Carolina. Ms. Goodwin feels with her background experience she is capable of teaching others to teach.

MOTION:

Janice Curtis made a motion to go into executive session for legal advice. Stephanie Nye seconded the motion which carried unanimously.

MOTION:

Janice Curtis made a motion to come back to public session. Stephanie Nye seconded the motion which carried unanimously.

During executive session there were no motions made and no votes were taken.

MOTION:

Eddie Jones made a motion to deny Ms. Goodwin as a Methods of Teaching instructor because it was not proven that Ms. Goodwin has a Master's degree in Education or an expertise in teaching others to teach. Patricia Walters seconded the motion which carried unanimously.

Review for Consideration of Continuing Education Changes

Angela Morrison appeared before the Board representing SCACS, seeking approval to add an instructor and a guest speaker to their CE program.

MOTION:

Selena Brown made a motion to approve SCACS for the addition of a new instructor and the guest speaker to their CE program. Patricia Walters seconded the motion which carried unanimously.

Michelle Hampton-Furtick appeared before the Board representing Vontae's, seeking approval for 2 location changes, the addition of a class, and the addition of an instructor.

MOTION:

Janice Curtis made a motion to approve Vontae's for the 2 location changes, for the November 9, 2014 class and for December 14, 2014 adding a class for November 2, 2014 at the Courtyard Marriott 110 Mobile Dr, in Spartanburg, SC and an instructor, Dwyla Sturkie. Eddie Jones seconded the motion which carried unanimously.

Advanced Association, no one appeared as representation; however, Lynn Jones-Walker asked that the Board carry on in her absence. Advanced Association asked for 3 instructors to be added to her Association.

MOTION:

Janice Curtis made a motion to approve the additional 3 instructors, Kaniel Wilson, Jonathan Stewart, and A'Lores Norris for the Advanced Association. Stephanie Nye seconded the motion which carried unanimously.

Chesley Phillips appeared before the Board representing Nails, Skin & Hair of America, seeking approval of lesson plans to be used from the January 5, 2014 class for the December 29, 2014 class.

MOTION:

Janice Curtis made a motion to approve the lesson plans to be used at the December 29, 2014 class. Eddie Jones seconded the motion which carried unanimously.

Review for Consideration of New Continuing Education Providers

Debora Geigher appeared before the Board as a representative for A Better You Cosmetology Association, seeking approval of their association to become a continuing education provider.

MOTION:

Janice Curtis made a motion to enter executive session for legal advice. Stephanie Nye seconded the motion which carried unanimously.

MOTION:

Janice Curtis made a motion to come back to public session. Eddie Jones seconded the motion which carried unanimously.

During executive session there were no motions made and no votes were taken.

MOTION:

Janice Curtis made a motion to approve A Better You Cosmetology Association pending a completed membership roster is submitted to the Board's Administrator within 3 weeks of the meeting. Ms. Geigher has until September 29, 2014 to have a completed membership roster to Ms. Richardson. Eddie Jones seconded the motion which carried unanimously.

LaTanya Epps along with Charmaine Green (as support) appeared before the Board representing JKU Cosmetology Association, seeking approval of their association to become a continuing education provider.

MOTION:

Eddie Jones made a motion to approve JKU Cosmetology Association as a continuing education provider. Selena Brown seconded the motion which carried unanimously.

Qweshanda Mauney and April Cobb appeared before the Board representing Q & A Cosmetology Association, seeking approval of their association to become a continuing education provider.

MOTION:

Selena Brown made a motion to approve Q & A Cosmetology Association as a continuing education provider. Stephanie Nye seconded the motion which carried unanimously.

Chesley Phillips appeared before the Board as a representative for Original International Spa Institute, LLC, seeking approval of her association to become a continuing education provider.

MOTION:

Janice Curtis made a motion to approve Original International Spa Institute, LLC as a continuing education provider. Eddie Jones seconded the motion which carried unanimously.

Chesley Phillips appeared before the Board as a representative for N 2 Skin Education, LLC, seeking approval of her association to become a continuing education provider.

MOTION:

Janice Curtis made a motion to approve N 2 Skin Education, LLC as a continuing education provider. Stephanie Nye seconded the motion which carried unanimously.

Key'ona Joseph appeared before the Board as a representative for Pampered Beauty, seeking approval of her association to become a provider.

MOTION:

Selena Brown made a motion to approve Pampered Beauty as a continuing education provider. Eddie Jones seconded the motion which carried unanimously.

MOTION:

Janice Curtis made a motion for a break. Eddie Jones seconded the motion which carried unanimously.

Cynthia Rodgers called the meeting back to order.

Review for Consideration of Licensure with Background History

Kimberly Sims appeared before the Board seeking reinstatement approval for licensure with issues found on her background history. Kimberly served 12 days in jail because she went into her car that was repossessed to retrieve some of her personal items. The items were not in the car; therefore, Kimberly and her friend took the car. Kimberly also wrote a few bad checks and did not clear the non-sufficient funds. Kimberly took a marijuana charge for a friend that was currently on parole and she did not want him to go to jail for 2 years.

MOTION:

Janice Curtis made a motion to approve Kimberly Sims' licensure for reinstatement with a 2 year probationary period and at the end of each year a SLED report must be submitted at Kimberly's expense. If any additional charges occur the license will be immediately administratively suspended.

Misty McKenzie appeared before the Board seeking approval for licensure with issues found on her background history. In 2010 Misty was charged with a financial transaction card theft, which the credit card was a friend's card and he gave her permission to use it. Misty had a drug addiction since the age of 18 and served one and a half years in prison and since her prison sentence she has remained clean. While on probation Misty went through intensive drug screenings each week.

MOTION:

Janice Curtis made a motion to approve Misty McKenzie for licensure with a 3 year probationary period and at the end of each year a SLED report must be submitted at Misty's expense. If any additional charges occur the license will be immediately administratively suspended.

Sara Hoover appeared before the Board seeking approval for licensure with issues found on her background history. Regina Benton appeared with Sara to testify on her behalf. In 2008 Sara and her husband were under investigation for child abuse. Sara was arrested for unlawful use of a telephone as well as the Department of Social Services (DSS) worker. Sara was in an abusive marriage and was forced to fight back. Sara pled guilty to 1 charge and the others were dropped. Regina Benton was working at a beauty school when she first met Sara, and helped Sara to enroll at that school. Sometime later, when Ms.

Benton began working at Palmetto Beauty School, Sara enrolled at Palmetto Beauty School to complete her cosmetology training, but was not aware that Ms. Benton was working at Palmetto Beauty School.

MOTION:

Patricia Walters made a motion to approve Sara Hoover for licensure with a 1 year probationary period and a SLED report must be submitted at the end of that year at Sara's expense. If any additional charges occur the license will be immediately administratively suspended. Selena Brown seconded the motion which carried unanimously.

Herbert Wilson appeared before the Board seeking approval for licensure with issues found on his background history. In 1995 Herbert was sentenced for 1st degree murder but it was reduced to 2nd degree murder. Herbert explained his niece was being molested and his 1st thought was to get rid of the molester. Herbert served 17 ½ years in prison. Herbert has received a cosmetologist license in North Carolina. Herbert is a shift manager at the Regis cooperation and recently enrolled into the district leadership program which is the reason Herbert is interested in endorsing his license to South Carolina.

MOTION:

Janice Curtis made a motion to approve Herbert Wilson's endorsement applicant. Selena Brown seconded the motion which carried unanimously.

Jasmine Hall did not show up for the Board meeting.

MOTION:

Janice Curtis made a motion to deny Jasmine Hall's application due to failure to appear. Patricia Walters seconded the motion which carried unanimously.

Review for Consideration of Reinstatement with Background History

Judy Monteith appeared before the Board seeking approval for reinstatement of her salon license. Judy answered no on her cosmetologist reinstatement but yes on her salon reinstatement to the conviction question. In July 2013 Judy was arrested but not convicted for assault and battery 2nd degree. Judy explained she was in a physical altercation with her ex-husband and she was arrested.

MOTION:

Janice Curtis made a motion to enter into executive session for legal advice. Stephanie Nye seconded the motion which carried unanimously.

Cynthia Rodgers called the meeting back to order

During executive session there were no motions made and no votes were taken.

MOTION:

Selena Brown made a motion for approval for Judy Monteith's salon reinstatement. Patricia Walters seconded the motion which carried unanimously.

Discussion:

Cynthia Rodgers stated she regrets she was not able to make it to the NIC conference but she had death in her family which prevented her from attending the NIC conference. Ms. Rodgers mentioned that she received a flyer from CosmoPro holding continuing education classes and stated that South Carolina would be able to receive CE credit. Ms. Rodgers stated she does not remember approving CosmoPro as a CE provider.

Janice Curtis stated several of the Hickory Mart Show classes were denied in the July's Board meeting and she received a flyer with the denied classes listed. This show is due to be held November 8 – November 10, 2014 in Hickory, NC and expressed a letter should be sent to Joan Branham pertaining to this matter.

MOTION:

Janice Curtis made a motion to send an official letter to Joan Branham at the Southern Conference and Spa, for the Hickory Mart Show pertaining to the classes that were denied and to be cautious about the product specific classes. Selena Brown seconded the motion which carried unanimously.

Janice Curtis asked who makes the corrections of the minutes before posting them on the website. Ms. Richardson responded the minutes are posted on the website once Matteah makes the corrections.

Public Comments:

Chesley Phillips asked for the names of the 3 classes that credit will not be given for at the Hickory Mart Show. Janice Curtis responded: Aging Gracefully, Precise Peeling, and New Innovations in Basic Peels. Chesley also mentioned that a long time nail tech instructor, Phyllis Mitchum which worked for Jerry Poer has died. Chesley stated she was not sure how to handle a disciplinary class when someone has purchased a salon that has violations from the previous owner.

Steven Dawson mentioned he spoke with Ms. Richardson and Matteah about disciplinary classes because he has encountered individuals in his classes that speak very limited English. The slides are placed on the board for the licensees to be able to read as Steven goes through the information but he is concerned if they are even able to read the slides. Also Steven is concerned because a public post-secondary school was approved to partner with a private secondary school. Steven stated he would be looking into sending applications for approval.

Danielle Brown asked should the continuing education providers date their lesson plans for the dates they will be teaching the specific lessons. Cynthia Rodgers explained the Board cannot answer questions at the public comment segment.

Adjournment: 3:07pm

MOTION:

Janice Curtis made a motion to adjourn. Selena Brown seconded the motion which carried unanimously.