

**South Carolina Board of Cosmetology
Board Meeting
10:00 a.m., January 14, 2014
Synergy Business Park
Kingstree Building
110 Centerview Drive, Conference Room 105
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:

Chairperson Melanie Thompson called the regular meeting of the Board of Cosmetology to order. Other Board members on the conference call for the meeting included, Melanie Thompson, Janice Curtis, and Selena M. Brown.

Staff Members Participating in the Meeting:

Mary League, Advice Counsel; Roz Bailey-Glover, Interim Administrator; Matteah Taylor, Staff; Cecelia P. Englert, Court Reporter.

All Other Persons Attending:

Chesley Phillips, Colleen Large, Ryane Osborne, Vicki Thompson, Tuong Nhan, Stacey Sakkas, Celine Martinez, Thomas Drew, Renee Bachman, Audrey Bachman, Torrie Hamlin, John Stricklin, Katherine Smith, Courtney McCullough, Elaine Bell, Sara Phillips, Ilona Horne, Gloria Smith, Ebony Kirksey, Shade Gillians, Gail Hick, Joseph Strowder, Steven Dawson, and Angie Shuler

Approval of Excused Absences:

MOTION:

Ms. Brown made motion for approve the absence of Ms. Rodgers and Ms. Nye. Ms. Curtis seconded the motion, which carried unanimously.

Approval of minutes for December 2, 2013 and December 18, 2013

MOTION:

Ms. Curtis made a motion to approve the December 2, 2013 minutes with the changes stated. Ms. Brown seconded the motion, which carried unanimously.

MOTION:

Ms. Curtis made motion to approve December 18, 2013 minutes with the changes stated. Ms. Brown seconded the motion, which carried unanimously.

Approval of the agenda:

MOTION:

Ms. Curtis made motion to approve the agenda with any deviations necessary. Ms. Brown seconded the motion.

Chairman's remarks – Melanie Thompson:

Ms. Thompson stated she conducted an inspection with Raymond Lee at the Dillon County School they are adding a Nail Tech program, great facility with computer labs. She is scheduled to attend the all regional meeting in Las Vegas, in March. This is a networking opportunity, so she encouraged the board members to attend. Ms. Curtis and Ms. Nye may attend. As a reminder, South Carolina will host the National NIC Conference, August 22-25, 2014 in Charleston, SC at the Double Tree Hotel. Providers and Associations helped in 2009 and Ms. Thompson asked for assistance with this year's conference. Those who wish to help, please contact Ms. Thompson directly. Ms. Thompson asked the board members, to submit their CE review monitoring schedules by Monday. There are four (4) online submissions scheduled for review in February, board members be prepared to vote the submission during the phone conference.

Ms. Thompson welcomed Roz Bailey-Glover, Interim Administrator, for her willingness to help the Board.

Administrator's Remarks - Roz Bailey-Glover

Ms. Glover provided the board members with a reminder notice and the web address for the Board Member Manual.

Review for Consideration of Endorsement License: Virginia Osborne

Virginia Osborne appeared before the board seeking an endorsement license from Virginia. She stated she received 525 hours of cosmetology training at the Alpha Institute in Florida and the rest of her training was obtained through an apprenticeship with Images by B'. Ms. Osborne is currently licensed in Virginia, in good standing. Ms. Osborne attended a technical college at night to obtain the 525 hours which was taught under the Milady standard text book. Ms. Osborne has an Esthetics license in Florida which is now expired.

MOTION:

Ms. Curtis made motion to go into executive session for legal advice. Ms. Brown seconded the motion, which carried unanimously.

MOTION:

Ms. Curtis made motion to return to public session. Ms. Brown seconded the motion, which carried unanimously.

MOTION:

Ms. Brown made motion to approve Ms. Osborne's cosmetology license. Ms. Curtis seconded the motion, which carried unanimously.

Review for Consideration of Endorsement License: Michelle Huynh

Ms. Huynh was sent a letter to appear before the Board to answer questions about her endorsement application. Ms. Huynh was absent.

MOTION:

Ms. Curtis made motion to deny Michelle Huynh due to absence. Ms. Brown seconded the motion which carried unanimously.

Review for Consideration of Reinstatement with Criminal Background Report: Stacey Sakkas

Ms. Sakkas appeared before the Board to answer questions about her background report. Ms. Stacey Sakkas was involved in a fight in someone's yard. The fight ended up in the house and she was charged with a felony because she kicked in the front door and was charged with burglary. She served one (1) year probation.

MOTION:

Ms. Curtis made motion to approve the license for reinstatement with a one (1) year probationary period. At the end of the year Ms. Sakkas must submit a clean SLED report at her own expense to the Board. If there are any new violations the license will be immediately administratively suspended and she would come back to the Board. Ms. Brown seconded the motion which carried unanimously.

The one year probation begins today, and the license will be mailed from the Board.

Review for Consideration of Reinstatement with Criminal Background Report: Shade Gillians

Ms. Shade Gillians appeared before the board to answer questions about her background report. Ms. Gillians stated that she got into a dispute with a male friend and was convicted for domestic violence. Ms. Gillians' sentence was to attend domestic abuse classes for 20-30 weeks (once a week). Ms. Gillians stated she completed the abuse classes in 2011, and has a job waiting if the license is reinstated.

MOTION:

Ms. Curtis made motion to approve the reinstatement of Ms. Gillians' license with a two (2) year probationary period. At the end of each year a clean SLED report must be submitted to the Board. If there are any new violations the license will be immediately administratively suspended and she would come back to the Board. Ms. Brown seconded the motion which carried unanimously.

Review for Consideration of Invalid Hours after twenty-four (24) months of Course Completion: Tuong Nhan

Tuong Nhan appeared before the Board for consideration of his training hours after 24 months. Mr. Nhan stated that he had a letter from his attorney for the Board. Mr. Nhan stated that he failed the examination twice. Mr. Nhan stated he attended school in California for Nail Technology and the last day of attendance was October 14, 2011. In August of 2011 his family moved to South Carolina so he decided not to obtain a license in California. When he failed the theory exam for the 2nd time he decided to take some time to study a little more. The certificate in from Orange Valley College indicates he completed 400 hours of training on July 8, 2011, but Mr. Nhan stated he completed his training on October 14, 2011 which conflicted with the transcript. Mr. John Vo was sworn in to interrupt for Mr. Nhan. The Board asked Mr. Nhan to explain why the certificate contradicts the transcript. Mr. Nhan could not answer the question. He stated that he needs to work.

MOTION:

Ms. Curtis made motion to deny the license because the graduation date is questionable and the twenty-four (24) months for completing the program has expired. Ms. Brown seconded the motion which carried unanimously.

Review for Licensure Consideration with a Criminal Background Report: Courtney McCullough

Courtney McCullough appeared before the Board to answer questions about her training. Ms. McCullough stated that she completed school in South Carolina and then moved to Las Vegas, Nevada. Ms. McCullough stated she rented a car and failed to pay the rental fee. The rental company reported the car as stolen and she was charged. The company informed her since they got the car back the charges would be dropped. Ms. McCullough stated that from 2010-2011 she did not know that her driver's license was suspended. She was sentenced for three (3) months and will not be able to obtain a South Carolina driver's license until 2016. She will remain in SC for a week to try and resolve the rental car situation.

MOTION:

Ms. Curtis made motion to approve the license. Ms. Brown seconded the motion which was carried unanimously.

MOTION:

Ms. Curtis made motion to take a five (5) minute break. Ms. Brown seconded the motion which carried unanimously.

Review for Licensure Consideration with a Criminal Background Report: Vicki Thompson

Vicki Thompson appeared before the Board to answer questions about her background report. Ms. Thompson stated she was terminated from her job in 2008 and charged with breach of trust in 2010. Ms. Thompson stated she worked for an insurance company where she arranged to borrow \$1000.00 from her employer. Instead, the employer claimed that she borrowed \$9000.00. Her public defender advised her to plead guilty because it was her word against the employer. Ms. Thompson was charged with breach of trust and given five (5) years probation with the

requirement to pay \$8,000 in restitution. Ms. Thompson stated she paid the \$8,000 in September of 2013.

MOTION:

Ms. Curtis made motion to approve the license with a two (2) year probationary period. Ms. Thompson must supply a clean SLED report to the Board at the end of each year at her own expense. If any new violations are added the license will be immediately administratively suspended and she would be required to come back before the Board. Ms. Brown seconded the motion which carried unanimously.

Review for Licensure Consideration with a Criminal Background Report: Celine Martinez

Celine Martinez appeared before the Board to answer questions about her background report. Ms. Martinez explained that in 2008 she was in the car with her ex-husband and friends when they were stopped. She did not know her ex-husband was transporting drugs. She was charged and sentenced to one year, however, her ex-husband was convicted and she only served five months on probation.

MOTION:

Ms. Brown made motion to approve the licensure. Ms. Curtis seconded the motion which carried unanimously.

Review for Licensure Consideration with a Criminal Background Report: Audrey Bachman

Ms. Bachman appeared before the Board to answer questions about her background report. In 2008 Ms. Bachman was driving in North Carolina with her ex-boyfriend and his cousin. Ms. Bachman was aware that the cousin had drug on him. She also had a weapon in the car that was registered but not concealed. North Carolina transferred her probation records over to South Carolina. Ms. Bachman was unable to pay the fine so she went to jail for probation violation. Ms. Bachman stated that she has a job lined up if the license is awarded.

MOTION:

Ms. Curtis made motion to approve Ms. Bachman's licensure with a one (1) year probationary period. Ms. Bachman must also submit a clean SLED report to the Board at the end of the year at her own expense. If any additional charges appear the license will be immediately administratively suspended and she will be required to appear before the Board. Ms. Brown seconded the motion which carried unanimously.

Review for Licensure Consideration with a Criminal Background Report: Torrie Hamlin

Torrie Hamlin appeared before the Board to answer questions about her background report. Ms. Hamlin stated she was working at a gas station and promoted to supervisor. There was \$5,000 reported missing and Ms. Hamlin was blamed. She went to jail, but received probation for five (5) years. The sentence was cut down to 1,500 hours of community service because the business stated there was a glitch in their paperwork. She completed the service in 2006 and was not found guilty even though she entered a plea of guilty.

MOTION:

Ms. Curtis made motion to approve Ms. Hamlin for licensure. Ms. Brown seconded the motion which carried unanimously.

Review for Licensure Consideration with a Criminal Background Report: Ilona Horne

Ilona Horne appeared before the Board to answer questions about her background report. Ms. Horne stated she worked at Dollar General from 2002 – 2004. In 2004 she was promoted to shift supervisor. Ms. Horne was informed the deposit was short and merchandise was missing from the store totaling \$6000.00. In 2005 Ms. Horne learned there was a warrant for her arrest for breach of trust and she was arrested. Ms. Horne didn't appear in court until 2009 and her Public Defender urged her to plead guilty. Ms. Horne was sentenced to five (5) years probation until April of 2014 and to pay restitution of \$6000.00. She is on probation until April 2014.

MOTION:

Ms. Curtis made motion to approve for licensure with a one (1) year probationary period. Ms. Horne must submit a clean SLED report at the end of the year at her own expense. If any additional charges appear the license will be immediately administratively suspended and she will be required to appear before the Board. Ms. Brown seconded the motion which carried unanimously.

Review for Licensure Consideration with a Criminal Background Report: Thomas Drew

Mr. Thomas Drew appeared before the Board to answer questions about his background report. Mr. Drew stated that in 2008 he was arrested for breach of trust. According to his employer, he gave out too much money during a promotion and was sentenced five (5) years probation (2011-2016). Mr. Drew stated he was still on probation and has \$3,000 left to pay. For the shoplifting charge, he went to jail and paid a fine. Mr. Drew has a job pending the issuance of the license.

MOTION:

Ms. Curtis made motion to approve the license with a three (3) year probationary period. Mr. Drew must submit a clean SLED report at the end of the year at his own expense. If any additional charges appear the license will be immediately administratively suspended and she will be required to appear before the Board. Ms. Brown seconded the motion which carried unanimously.

Review for Licensure Consideration with a Criminal Background Report: Ebony Kirksey

Ebony Kirksey appeared before the Board because of an issue on her Criminal Background report. Ms. Kirksey was living in Texas and got arrested in 2003 for writing over \$2000.00 worth of bad checks from her own account and was placed on probation for twelve (12) months. Ms. Kirksey stated she moved to Louisiana and was supposed to pay both states. Ms. Kirksey didn't fulfill her probationary obligation and was arrested in 2010. She served ten (10) months in prison in Texas. Ms. Kirksey was released from prison on March 4, 2011 and moved to South Carolina.

MOTION:

Ms. Brown made motion to approve Ms. Kirksey for licensure with a one (1) year probationary period. Ms. Kirksey must submit a clean SLED report at the end of the year at her own expense. If any additional charges appear the license will be immediately administratively suspended and

she will be required to appear before the Board. Ms. Curtis seconded the motion which carried unanimously.

Review for Licensure Consideration with a Criminal Background Report: Sara Phillips

Sara Phillips appeared before the Board to answer questions about her background report. Ms. Phillips stated that in 2010, she was in a fight and was charged with assault, battery, malicious injury, and damage to property. She was also charged with breach of peace because she recorded a fight. Ms. Phillips was sentenced to two (2) years probation for both charges, served 15 days for breach of peace and paid restitution in the amount of \$600. In addition, Ms. Phillips stated her boyfriend was in her car with alcohol and drugs on him when they were stopped by the police. He jumped out of the car and ran. She remained in the car and was charged with drug and alcohol possession because she was afraid to give the police his name. The Board expressed concern about her pattern of violence. Ms. Phillips stated she was angry at the time, and that is not who she is today. She has no contact with her old friends and is currently working.

MOTION:

Ms. Curtis made a motion to go into executive session for legal advice. Ms. Brown seconded the motion which carried unanimously.

MOTION:

Ms. Curtis made a motion to return to public session. Ms. Brown seconded the motion which carried unanimously.

The Board returned from executive session where no votes were taken and no motions were made.

MOTION:

Ms. Curtis made motion to approve Ms. Phillips for licensure with a three (3) year probationary period. Ms. Phillips must submit a clean SLED report at the end of each year at her own expense. If any additional charges appear the license will be immediately administratively suspended and she will be required to appear before the Board. Ms. Brown seconded the motion which carried unanimously.

Review for Licensure Consideration with a Criminal Background Report: Shaina Daniels

Shaina Daniels came to the Board meeting on the wrong day. She was scheduled for Tuesday, but arrived on Monday, January 13, 2014, but appeared on the agenda for Tuesday, January 14, 2014. The Board was unable to hear her case yesterday since she was not on the agenda. The Board arranged a telephone conference call with Ms. Daniels instead to ask questions about her background report. Ms. Daniels stated that she was living in Florida in 2006 and working at a gas station with another employee, on the same shift. Ms. Daniels stated that the other employee stole some lottery tickets during their shift. The other employee didn't want to confess so both were charged with theft. Ms. Daniels was sentenced to serve thirty (30) days in the county jail but only had to serve twenty (20) days. Ms. Daniels also paid restitute of \$850. Ms. Daniels now lives in South Carolina.

MOTION:

Ms. Curtis made motion to issue Ms. Daniels a license. Ms. Brown seconded the motion.

Review for Licensure Consideration with a Criminal Background Report: Katherine Smith

Katherine Smith appeared before the Board to answer questions about her background report. Ms. Smith stated she purchased a car and was given a forty-five (45) day tag. She was pulled over for driving down the wrong side of the road because she was attempting to pass another vehicle. When the officer approached Ms. Smith's car, there was a strong smell of perfume so the car was searched. The officer let her know the temporary tag didn't match the car, and there was also a bottle of prescription drugs among other things in the car that didn't belong to Ms. Smith. Ms. Smith stated she spent thirty (30) days in jail and was placed probation for two years. In 2010 Ms. Smith failed a drug test which violated her probation. She spent forty-six (46) days in jail. Ms. Smith stated she received treatment and rehabilitation for thirty (30) days.

MOTION:

Ms. Curtis approved Ms. Smith's licensure with a three (3) year probationary period. Ms. Smith must submit a clean SLED report at the end of each year at her own expense. If any additional charges appear the license will be immediately administratively suspended and she will be required to appear before the Board. Ms. Brown seconded the motion which carried unanimously.

Review for Consideration of Disciplinary Classes – Chesley Phillips - Nail, Skin and Hair of America

Ms. Phillips stated the class binders were submitted to Board staff on time in October, 2013, and that she included everything required. She submitted the same programs that were previously approved from 2009.

MOTION:

Ms. Curtis made motion to approve the disciplinary classes. Ms. Brown seconded the motion which carried unanimously.

Board Members Report:

Ms. Brown stated that she attended a school inspection with Raymond Lee on December 9, 2013 in Charleston, SC at The Beauty Academy which is their second location. It's going to be a nice school and the inspection went well. Ms. Brown also reported she attended the Barbicide training session that was presented by Leslie Rosty, RN, which was held at LLR in the Kingtree Building on December 16, 2013. The presentation was very informative. Ms. Brown stated that the Board may want to consider a regulation change to require tools be emerged in Barbicide. Ms. Brown stated that she would like to see the presentation delivered again.

Ms. Curtis reported her concerns about the USC fourth quarter report (October – December 2013) covering CE provider packet submissions. For the most part, Providers have done a good job reporting information to USC. However, there are a few who have exceeded thirty (30) days with either their payment to USC, or the CE packet submissions. Ms. Curtis suggested that a letter of caution be sent to those providers who violated the Boards fourteen (14) day policy,

letting them know they are being put on notice from the Board for late submissions. The Board agreed.

MOTION:

Ms. Curtis made motion for Ms. League to send a letter of caution to those providers that have violated the fourteen (14) day CE submission requirement. Ms. Brown seconded the motion which carried unanimously.

Development of CE Guideline for Providers:

Ms. Thompson asked Ms. Curtis to Chair a committee to develop continuing education guidelines for online and disciplinary courses. Ms. Brown was also assigned to the committee. The committee will present their recommendations to the Board for adoption and later publishing. Ms. Thompson stated that she will participate in the committee, if needed or requested.

Task Force Recommendations:

Ms. Thompson established a committee consisting of all Board members and some school representatives to research the task force recommendations. Ms. Thompson asked staff to contact: Colleen Large, Gloria Smith, Chris Venesky, and Charmaine Greene and determine if they would agree to participate. Once all have agreed to participate, a conference call will be set up to discuss the task force recommendations.

MOTION:

Ms. Curtis made motion to form a committee to research the task force recommendations and to ask the CE providers Colleen Large, Gloria Smith, Chris Venesky, and Charmaine Greene to join the task force. Ms. Brown seconded the motion which carried unanimously.

Public Comment:

Chesley Phillips stated she didn't think Barbicide could be mentioned in a continuing education class because it's a product. Ms. Phillips also wanted to inform the Board that she was informed that Nails, Skin & Hair of America was late seventeen (17) times but none of the late online class information from USC was right.

Colleen Large stated she is willing to participate in the task force committee.

Gloria Smith stated she is willing to participate in the task force committee. Ms. Smith asked if any of the CE providers will be on the committee with Ms. Curtis to assist with implementing the CE guidelines and will LLRs IT department play a part in the development of the guidelines.

Ms. Thompson stated that a list of criteria will be drafted by the committees and presented at the next meeting.

Adjournment: 2:35 p.m.

MOTION:

Ms. Curtis made motion to adjourn. Ms. Brown seconded the motion which carried unanimously.