

1 **APPROVED MINUTES**

2 **South Carolina Board of Cosmetology**
3 **10:00 A.M., January 15, 2013**
4 **Synergy Business Park**
5 **Kingstree Building, Conference Room 108**
6 **110 Centerview Drive, Columbia, SC 29210**

7 **View the Board Meeting On-line at www.llr.state.sc.us/POL/Cosmetology**

8 **Meeting Called to Order**

9 Public notice of this meeting was properly posted at the SC Board of Cosmetology office, Synergy Business
10 Park, Kingstree Building and provided to all requesting persons, organizations, and news media in
11 compliance with Section 30-4-80 of the South Carolina Freedom of Information Act.

12 **Pledge of Allegiance**

13
14 **Rules of the Meeting Read by the Chairperson**

15
16 **Introduction of Board Members:**

17 Chairperson Melanie C. Thompson called the regular meeting of the Board of Cosmetology to order. Other
18 Board members present for the meeting included, Cynthia T. Rodgers, Selena M. Brown, and Janice Curtis

19 **Staff Members Participating in the Meeting:**

20 Sara McCartha, Advice Counsel, Andrew Rogers, Assistant General Counsel, Doris Cubitt, Administrator,
21 Matteah Taylor, Roz Bailey-Glover, Sandra Dickert, Administrative Staff, Cecelia P. Englert, Court Reporter,
22 and Robbie Boland, Inspections Department

23 **All Other Persons Attending:**

24 Angelia Armstrong, Minh Tran, Clarissa Boyd, Chesley Phillips, Karis Cheeks, Lisa Powell, Wayne Powell,
25 Angela Morrison, Gloria Smith, Colleen Large, Darick Johnson, and Jay Lacy

26 **Approval of Excused Absences – There were none**

27 **Chairman’s Remarks –Melanie Thompson**

28 Ms. Thompson stated that there are problems with the renewal process, and that LLR is fully aware of those
29 problems. She asked that licenses and providers “mind their manners” when speaking with staff. All staff has
30 been instructed that they do not have to make special arrangements for anyone. Any Groups or Associations
31 who bully staff will be dealt with accordingly. Be patient. Arguing with LLR staff will not be tolerated.
32 Your issues are being addressed.
33

34 **Administrator’s Remarks – Tracey McCarley**

35 Ms. McCarley is out of the office today. Matteah Taylor substituted for Ms. McCarley along with
36 Administrator, Doris Cubitt.

37
38 **Resolution Guidelines – Robbie Boland**

39 Mr. Boland stated he can submit his comments and questions to the Board at a later date to save time since he
40 wants to ensure that inspectors are viewing the violations the way the Board wants them to be viewed. Mr.
41 Andrews, Ms. McCartha, the Board, and Mr. Boland discussed how a first, second and subsequence offense
42 or violations are interpreted. Ms. Thompson let them know that the Board takes salon violations very
43 seriously, and the Board disagreed with how inspectors are interrupting the guidelines concerning multiple
44 violations in the same location. Mr. Boland stated that he will share with the Board his draft of Standard
45 Operating Procedures for the Inspectors. The discussion continued. Mr. Andrews suggested that LLR
46 continue the IRC Committee meetings as they have been doing for consistency and continue this discussion at
47 the March, 2013 Board meeting. The IRC Committee wants to follow the Boards guidelines, and there is a
48 licensee on the IRC Committee that can help to interrupt what the profession does.
49

50 **Hearing Officer**

51 Mr. Eddie Jones has already agreed to taking on the role of hearing officer, and will need the guidelines that
52 will be used. The Board asked for a copy of the guidelines to edit. Mr. Rogers stated that once the guidelines
53 are received, the Board can rely on the hearing officer for a recommendation, and that an LLR attorney is
54 present during the IRC Committee hearings. The hearing officer's determination goes to the Board members
55 for a final determination, as the Board is not tied to the hearing officer's final decision. Ms. Thompson
56 requested that Mr. Jones attend the March 18, 2013 hearing, and then by April 2013, he can hear cases.

57
58 Ms. Cubitt last renewal period, 2011, approximately 84% of the licensees renewed online.

59
60 **Regulation Updates**

61 Ms. McCatha stated that the regulation updates were filed in the January register. There may be a regulatory
62 hearing scheduled, but that's rare. After the hearing, the updates go to the General Assembly in March 2013.
63 The sanitation regulations were endorsed by DHEC. The Board will be notified if a hearing is required, and
64 Ms. McCatha will speak on behalf of the Board. If there is a hearing, the Board should work out any issues
65 before going to the hearing.

66
67 **Old Business**

68
69 **On-line CE – Nail, Skin & Hair – Chesley Phillips**

70 Ms. Phillips appeared before the Board to obtain approval for her online esthetics continuing education class
71 in 2013. No packet of information was received by LLR Staff. Ms. Taylor explained to the Board that Ms.
72 Phillips wanted to appear before the Board to discuss her continuing education and online discipline classes.
73 For the online programs, Ms. Phillips did not submit paperwork, she emailed the information instead.

74
75 Ms. Phillips discussed that the online information was submitted via email with all of the class information.
76 She received a return email from staff that the Board had questions about how they were tracking the person's
77 time online. Ms. Phillips stated that she has a report to track how long a person is online and her IT person
78 does the same with a different report. The esthetics session was supposed to be a three (3) hour program
79 instead of six (6) hours. The infection control is the other three (3) hour program. Ms. Thompson stated that
80 the user identification number and password must be provided to the Board so they can log on to review the
81 class. Ms. Phillips stated she would provide the information to the Board. Ms. Phillips stated the online
82 programs have been a problem from the beginning. Cheating has been an issue also, so the questions from the
83 data bank were changed and the timeframe was changed so individuals cannot just complete the test without
84 going through the materials. Further discussion ensued.

85
86 Regarding the disciplinary classes, Ms. Phillips stated she submitted the documents to the Board however
87 staff had no record of having sent Ms. Phillips a letter to attend the Board meeting, so she was left off the
88 agenda. Staff could not locate Ms. Phillips documents. After reviewing the letter to Ms. Phillips from staff,
89 Ms. Thompson stated this was obviously a staff error so Ms. Phillips provided data for the disciplinary class
90 to the Board for review.

91
92 **MOTION:**

93 Ms. Curtis made a motion to approve the discipline class for 2013. Ms. Brown seconded the motion, which
94 carried unanimously.

95
96 The online submission for the nails segment was signed off on by the Board, however, the esthetics portion
97 content cannot be approved until it is reviewed by Ms. Curtis. A discussion ensued. Documents submitted
98 from staff on packets should be sent to all Board members. Documents are not for discussion, but for
99 information only.

100
101 **MOTION:**

102 Ms. Curtis made a motion to approve the esthetics program for 2013. Ms. Rodgers seconded the motion,
103 which carried unanimously.

104
105

106 **On-line CE – Charleston Cosmetology Institute – Angela Morrison, Gloria Smith**
107 Ms. Smith stated they did not get any response back from the Board regarding the disciplinary programs. The
108 link was sent to LLR staff to go through the entire class and take the test. Discussion ensued.
109
110 **MOTION:**
111 Ms. Rodgers made a motion to approve the online classes pending the Boards approval. Ms. Brown seconded
112 the motion, which carried unanimously.
113
114 **The Board called a 10 minute break. Ms. Nye had to leave the meeting, but the Board had a quorum.**
115
116 **New Business**
117
118 **Approval of License with Background Report – Andre L. Douglas**
119 A letter was mailed to Ms. Douglas from staff on December 13, 2012 to appear before the Board to answer
120 questions regarding her background report and final disposition of her case. Ms. Douglas was not present.
121
122 **MOTION:**
123 Ms. Rodgers made a motion to deny the license. Ms. Brown seconded the motion, which carried
124 unanimously.
125
126 **Approval of License with Background Report – Elizabeth Ann E. Hayes-Bright**
127 A letter was mailed to Ms. Bright from staff on December 13, 2012 to appear before the Board to answer
128 questions regarding her background report. Ms. Bright was not present.
129
130 **MOTION:**
131 Ms. Brown made a motion to deny the license. Ms. Rodgers seconded the motion, which carried
132 unanimously.
133
134 **Approval of License with Background Report – Iris D. Gilmore**
135 A letter was mailed to Ms. Gilmore from staff on December 13, 2012 to appear before the Board to answer
136 questions regarding her background report. Ms. Gilmore was not present.
137
138 **MOTION:**
139 Ms. Rodgers made a motion to deny the license. Ms. Brown seconded the motion, which carried
140 unanimously.
141
142 **Approval of License with Background Report – Angelia F. Armstrong**
143 Ms. Armstrong appeared before the Board to answer questions regarding her background check. Ms.
144 Armstrong stated offense involved a breach of trust regarding someone else’s tax return. The tax return
145 money came to Ms. Armstrong which she spent, and had to pay back. Ms. Armstrong stated she has changed
146 her ways and went to rehabilitation and parenting classes.
147
148 **MOTION:**
149 Ms. Brown made a motion to approve the license. The motion died due to the lack of a second.
150
150 **MOTION:**
151 Ms. Curtis made a motion to approve the license with a one (1) year probationary period, and submit a SLED
152 report to the Board, at her own expense, at the end of the one year. Any new violations would require Ms.
153 Armstrong to come back before the Board. Ms. Rodgers seconded the motion, which carried unanimously.
154

155 **Approval of License with Background Report – Clairessa Aretha Boyd**

156 Ms. Boyd appeared before the Board to answer questions regarding her background check. Ms. Boyd stated
157 she wrote fraudulent checks and got mixed up with the wrong crowd. She attended budget class as she did not
158 keep track of her money. Further discussion ensued. The Board let Ms. Boyd know that she must provide a
159 corrected school training affidavit showing the dates corrected by the school before the Board can make any
160 determination about her application.

161
162 **MOTION:**
163 Ms. Rodgers made a motion to approve the license pending the Board receiving the corrected school affidavit.
164 In addition, there will be a two year probationary period and Ms. Boyd must supply a SLED report at the end
165 of each year, at her own expense. Ms. Brown seconded the motion, which carried unanimously.
166

167 **Approval of License with Background Report –Darick Albert Johnson**

168 Mr. Johnson appeared before the Board to answer questions regarding his background report from 1997-2006.
169 Mr. Johnson stated he choose to turn his life around with the cosmetology professional training. Mr. Johnson
170 stated he is working and has stayed out of trouble for several years, and wants to do something positive with
171 his life since he has a family to support.

172
173 **MOTION:**
174 Ms. Rodgers made a motion to approve the license with a two year probationary period. Mr. Johnson will
175 supply a SLED report to the Board, at the end of each year, at his expense. Ms. Brown seconded the motion,
176 which carried unanimously.
177

178 **Approval of License by Endorsement with Background Report – Minh Hai Tran**

179 Mr. Tran appeared before the Board to answer questions about his background check and the serious nature of
180 the offense. Mr. Tran is currently licensed in North Carolina. He wants a South Carolina license because he
181 lives on the border between the states, and has a job waiting for him in South Carolina. The Board reviewed
182 his application and documents. Mr. Tran served his time and is not on parole and has no violations. Mr. Tran
183 stated that he wants to take care of his family and served his time in prison. He is currently the manager at his
184 brother’s convenience store and had been working since his release.

185 **MOTION:**
186 Ms. Rodgers made a motion to go into executive session for legal advice. Ms. Curtis seconded the motion,
187 which carried unanimously.
188

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

190 **MOTION:**
191 Ms. Rodgers made a motion to go back to public session. Ms. Curtis seconded the motion, which carried
192 unanimously.
193

194 **MOTION:**
195 Ms. Brown made a motion to approve the license with a five (5) year probationary period. Mr. Tran must
196 provide a SLED report to the Board at the end of each year at his expense. Any additional violations will
197 result in a suspended license. Ms. Rodgers seconded the motion, which carried unanimously.
198

199 **Probationary License with Additional Charges – Michelle L. Harrison**

200 Ms. Harrison has a current cosmetology license with a probationary status and the SLED report indicates
201 additional charges since the license was granted. Ms. Harrison was sent a letter on December 14, 2012 to
202 appear before the Board. Ms. Harrison was not present.

203
204 **MOTION:**
205 Ms. Curtis made a motion to suspend the license until Ms. Harrison is able to appear before the Board.
206 Ms. Rodgers seconded the motion, which carried unanimously.
207

208 **Discussion**

209 Ms. Rodgers reported that she attended a class at the Roy Peters Academy with Deborah LaGrande. There
210 were 197 attendees over a two day period. The sessions were videotaped and she enjoyed the program.

211 **Public Comments**

212 Ms. Large asked if the regulation changes filed had a number assigned to it yet. The Board replied, not yet.
213 Signs regarding classes being videotaped, were they mandatory? The Board replied no. Ms. Large also
214 commented that there was a Bill pending regarding online classes, and that she is meeting with Senator
215 Shealy on the matter.

216 Ms. Phillips stated that regarding the issues with staff, and others, her frustration level has been very high
217 with all the changes going on, and that she sincerely apologizes to staff members, especially Matteah Taylor
218 for her behavior, and it won't happen again. Ms. Phillips stated that all providers should be contacted when
219 changes happen so they know what's going on. Regarding the Bill pending regarding online classes,
220 fraudulent activity should be a major reason all classes should not be online.

221 Ms. Smith commented that as an instructor, when it comes to inspections, she is of the same opinion as the
222 Board. When licensees find out nothing will happen to them if they have violations, then what schools are
223 trying to teach them about their profession is meaningless.

224

225 **Adjournment**

226

227 **MOTION:**

228 Ms. Rodgers made a motion to adjourn. Ms. Brown seconded the motion, which carried unanimously.

229

230 **The next meeting of the SC Board of Cosmetology is scheduled for March 11, 2013**

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