

**South Carolina Board of Cosmetology
Board Meeting
10:00 a.m., July 15, 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:

Chairperson Melanie Thompson called the regular meeting of the Board of Cosmetology to order. Other Board members in attendance included, Eddie Jones, Janice Curtis, Cindy Rodgers, 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; and Cecelia P. Englert, Court Reporters.

All Other Persons Attending:

Chesley Phillips, Andrea Flore-Marcial, Jennifer Dela Fuente, Paulina Rojas-Navarro, Colleen Large, Charon Gadsden, Maria Sanchez, Irene Castelan, Comelita Harriott, Andrea Garcia, Robyn Madden, Anairda Peralta, Maria Navarro, Bererice Jimerez, Mariela Sanchez, Christin Bailey, Charmaine Green, Tyler Green, Erica Jamison, Brandy Wisciver, and Oratonla Cleaver

Approval of Excused Absences: Stephanie Nye

MOTION:

Janice Curtis made a motion to approve the absence of Stephanie Nye. Selena Brown seconded the motion which carried unanimously.

Approval of the agenda:

MOTION:

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

Chairman's remarks – Melanie Thompson:

Ms. Thompson stated she attended the PCS training and school overview which was held in Columbia June 21st – 23rd. There were 31 examiners present. Ms. Thompson was happy to see Roselind Glover, Board staff, and Theresa Richardson, Board Administrator on Saturday, June 21st. The school overview was held Monday, June 23rd and Ms. Thompson was happy to see Matteah Taylor and Roselind Glover, Board staff, and Theresa Richardson, Board Administrator. Ms. Thompson reminded all cosmetologists that NIC still has the Cosmetology job analysis survey opened for all cosmetologists in the country to participate in to help select questions for the theory examination through the end of September. The website is www.nictesting.org. Ms. Thompson mentioned the annual NIC Conference will be held August 2014 in Charleston, South Carolina. Ms. Thompson thanked the agency for approving the full Board to be in attendance. Ms. Thompson also thanked everyone that has donated items for the goodie bags, and if anyone would like to make a donation Ms. Thompson will need those items by August 1st. Items that have the State logo are nice to have since the conference is being hosted in South Carolina this year. Ms. Thompson explained the Board member assignments; i.e the monitoring of continuing education classes as well as the practical examinations is very important and those will be divided more due to the two new Board members.

Administrator's Remarks – Theresa Richardson

There were no Administrator's remarks.

OLD BUSINESS

The additional Professional IRC member

Ms. Thompson stated she would prefer to contact the person of interest to make sure this person is willing to be the alternate IRC member.

MOTION:

Janice Curtis made a motion for Ms. Thompson to contact the proposed alternate professional IRC member of interest before he/she is named to make sure he/she is interested in this position. Cindy Rodgers seconded the motion which carried unanimously.

NEW BUSINESS

Mary League, Advice Counsel read a statement from the South Carolina Attorney General pertaining to the Deferred Action for Childhood Arrivals (DACA) candidates, which explained the reasoning of the license not being approved at staff level. The DACA status was created by an executive order of the President of the United States not to take action against individuals who were brought into this country as children unlawfully. Federal Law states individuals can work in the United States but not where a professional license is required.

Review for Consideration of Licensure with DACA

Ana Chavez-Ceron was not in attendance.

MOTION:

Janice Curtis made a motion to deny licensure for Ana Chavez-Ceron because she is not in attendance. Eddie Jones seconded the motion which carried unanimously.

Maribel Diaz Sotelo was not in attendance.

MOTION:

Cindy Rodgers made a motion to deny licensure for Maribel Diaz Sotelo because she is not in attendance. Eddie Jones seconded the motion which carried unanimously.

Natividad Hernandez Berabe was not in attendance.

MOTION:

Cindy Rodgers made a motion to deny licensure for Natividad Hernandez Berabe because she is not in attendance. Eddie Jones seconded the motion which carried unanimously.

Maria Massa Anderson was not in attendance.

MOTION:

Cindy Rodgers made a motion to deny licensure for Maria Massa Anderson because she is not in attendance. Selena Brown seconded the motion which carried unanimously.

Isabel Rodriguez Aguilar was not in attendance.

MOTION:

Cindy Rodgers made a motion to deny licensure for Isabel Rodriguez Aguilar because she is not in attendance. Eddie Jones seconded the motion which carried unanimously.

Jennifer Arely De La Fuente-Solis appeared before the Board seeking approval of licensure based on her citizenship. Ms. De La Fuente-Solis asked why she was not informed before getting the education and paying to take the examinations that she would be denied licensure. Ms. Rodgers' explained that the Board cannot stop anyone from getting an education. Ms. Thompson explained to Ms. De La Fuente-Solis that this is for the state of South Carolina but not all states have this law in place. Ms. Thompson also encouraged Ms. De La Fuente-Solis to continue to watch this particular law and if something changes within 24 months please come back before the Board so her license can be issued.

MOTION:

Janice Curtis made a motion to deny licensure for Ms. Jennifer Arely De La Fuente-Solis based on the Federal statutes. This Board does not have the authority to issue a professional license to DACA individuals. Cindy Rodgers seconded the motion which carried unanimously.

MOTION:

Cindy Rodgers made a motion for a break. Selena Brown seconded the motion which carried unanimously.

Ms. Thompson called the meeting back to order.

Maria Rois-Sanchez was not in attendance.

MOTION:

Cindy Rodgers made a motion to deny licensure for Maria Rois-Sanchez because she is not in attendance. Eddie Jones seconded the motion which carried unanimously.

Irene Castelan Jimenez was not in attendance.

MOTION:

Cindy Rodgers made a motion to deny licensure for Irene Castelan Jimenez because she is not in attendance. Eddie Jones seconded the motion which carried unanimously.

Cindy Barrientos Miranda was not in attendance.

MOTION:

Cindy Rodgers made a motion to deny licensure for Cindy Barrientos Miranda because she is not in attendance. Patricia Walters seconded the motion which carried unanimously.

Andrea Garcia Hernandez appeared before the Board seeking approval of licensure based on her citizenship. Ms. Hernandez stated she has received a Hair Braider's registration from the Barber Board. Ms. Hernandez also stated she owns a salon in South Carolina and she has a business license; although, she has a manager in that salon she wants to work legally in her salon as a stylist. Ms. Hernandez explained she is paying her taxes based on her salon. Ms. League explained all of the Boards at LLR are guided by the South Carolina Attorney General's statutes. Ms. Thompson explained the Federal Law does not mandate the ownership of a business but the professional license.

MOTION:

Janice Curtis made a motion to deny licensure for Ms. Andrea Garcia Hernandez based on the Federal statutes. This Board does not have the authority to issue a professional license to DACA individuals. Cindy Rodgers seconded the motion which carried unanimously.

Paulina Dayana Rojas-Navarro appeared before the Board seeking approval of licensure based on her citizenship. Ms. Rojas-Navarro asked the Board if other DACA students could be informed of this law before getting cosmetology education and taking the examinations.

MOTION:

Janice Curtis made a motion to deny licensure for Ms. Paulina Dayana Rosjas-Navarro based on the Federal statutes. This Board does not have the authority to issue a professional license to DACA individuals. Cindy Rodgers seconded the motion which carried unanimously.

Mariela Ortega Sanchez appeared before the Board seeking approval of licensure based on her citizenship. Ms. Ortega Sanchez asked if the law changes in the next 3 to 5 years would the DACA candidates be able to receive their license. Ms. Thompson explained the current Cosmetology law reflects that once the course has been completed a candidate has 24-months to complete the examinations and receive their license, after the 24-months; hours will then be invalid.

MOTION:

Janice Curtis made a motion to deny licensure for Ms. Mariela Ortega Sanchez based on the Federal statutes. This Board does not have the authority to issue a professional license to DACA individuals. Eddie Jones seconded the motion which carried unanimously.

Anairda Yelena Peralta-Maldonado appeared before the Board seeking approval of licensure based on her citizenship. Ms. Peralta-Maldonado was accompanied by her attorney, Robin Madden. Ms. Madden stated she does have additional information that the Board may not have. Ms. Madden presented document 82910 as well as USCIS website information. Ms. Madden also stated there was a law recently passed pertaining to licensing in the Ninth Circuit Court. Ms. League stated this law was pertaining to the South Carolina Driver's License not a professional license. Ms. Madden stated Ms. Peralta-Maldonado was brought to the United States with her mother; therefore, she did not have a choice and Ms. Peralta-Maldonado is lawfully present in the United States. Ms. Madden stated she feels this law is ambiguous and the law should be in favor of the DACA individuals. Ms. Madden asked for a temporary license to be granted while awaiting an appeal.

MOTION:

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

MOTION:

Janice Curtis made a motion to come out of executive session. Eddie Jones seconded the motion which carried unanimously.

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

MOTION:

Janice Curtis made a motion to deny licensure for Ms. Anairda Yelena Peralta-Maldonado based on the Federal statutes. This Board does not have the authority to issue a professional license to DACA individuals. Eddie Jones seconded the motion which carried unanimously.

MOTION:

Janice Curtis made a motion to decline a temporary license. Cindy Rodgers seconded the motion which carried unanimously.

Review for Consideration of New School Opening

Vski Cosmetology School

Ms. Colleen Large was the representative for Vski Cosmetology School opening.

MOTION:

Janice Curtis made a motion to approve Vski Cosmetology School for the preliminary school inspection. Eddie Jones seconded the motion which carried unanimously.

Review for Consideration of Licensure with Criminal Background History

Oralonda Rhonda Cleaver appeared before the Board because of issues that appeared on her background history. Ms. Cleaver relocated from Kentucky to Charleston. During her move she wrote a few bad checks. Ms. Cleaver returned to Kentucky to take care of the returned checks.

MOTION:

Janice Curtis made a motion to approve licensure for Ms. Oralonda Rhonda Cleaver with a 1 year probationary period. A clean SLED report must be submitted at Ms. Cleaver's expense. If there are any additional violations the license will be immediately administratively suspended. Mr. Jones and Patricia Walters seconded the motion which carried unanimously.

Review for Consideration of Approval of New Continuing Education Association

Lowcountry Stylist DBA CE Vski

GATE continuing education will be dissolved at the end of 2014 and CE Vski will replace it.

MOTION:

Janice Curtis made a motion to approve Lowcountry Stylist DBA CE Vski as a new continuing education association. Cindy Rodgers seconded the motion which carried unanimously.

Review for Consideration of Continuing Education Updates

CE Training Course

Brandy Wiscaver Spence appeared before the Board seeking approval for additional online CE courses for CE Training Course. This submission is in addition to the previously submitted online course. Cindy Rodgers explained Keratin Complex is a straightening product. Ms. Thompson explained the Keratin Complex is a product and cannot be approved. The classes must be generic in nature not product specific. Ms. Spence asked could the request be withdrawn until further corrections can be made.

No action or motion was made by the Board because Ms. Spence withdrew the request.

GATE

Colleen Large asked if there is only one telephone number listed on the CE listing and another needs to be added and the one listed need to be updated. Will this count as a change.

Discussion – There was no discussion

Board Member Report

Selena Brown had no report

Patricia Walters had no report

Cindy Rodgers had no report

Janice Curtis reported her attendance on the phone conferences of May 19th and May 21st.

Eddie Jones reported his attendance on the phone conferences of May 19th and May 21st.

Public Comments

Chesley Phillips asked if she has to appear before the Board to change the amount of days she gives licensees to complete Nail, Skin & Hair of America's online classes. Ms. Phillips explained there is a 90-day deadline date and now they wish to move the time frame to a closer time. Ms. Thompson explained the time frame is not mandated by the Board but it needs to be clear on the registration page. Ms. Phillips mentioned she is aware of someone in the Aiken area that provides the eyelash extensions training but is not mandating that this process is performed by a licensed Esthetician or Cosmetologist. Nail Technicians are stating they are certified to provide this service.

Adjournment – 1:44pm

MOTION:

Cindy Rodgers made a motion to adjourn. Eddie Jones seconded the motion which carried unanimously.