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3 **APPROVED MINUTES**
4 **South Carolina Board of Cosmetology**
5 **10:00 A.M., March 11, 2013**
6 **Synergy Business Park**
7 **Kingstree Building, Conference Room 105**
8 **110 Centerview Drive, Columbia, SC 29210**
9

10 **View the Board Meeting On-line at www.llr.state.sc.us/POL/Cosmetology**
11 **Meeting Called to Order**

12
13 Public notice of this meeting was properly posted at the SC Board of Cosmetology office,
14 Synergy Business Park, Kingstree Building and provided to all requesting persons, organizations,
15 and news media in compliance with Section 30-4-80 of the South Carolina Freedom of
16 Information Act.

17
18 **Pledge of Allegiance**

19
20 **Rules of the Meeting Read by the Chairman**

21
22 **Approval of the Agenda**

23
24 **MOTION:**

25 Ms. Curtis made a motion to approve the agenda with any deviations necessary. Ms. Brown seconded the
26 motion, which carried unanimously.

27
28 **Introduction of Board Members:**

29 Chairperson Melanie C. Thompson called the regular meeting of the Board of Cosmetology to order.
30 Other Board members present for the meeting included, Janice Curtis, Selena M. Brown, and Stephanie
31 Nye

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

33 Sara McCartha, Advice Counsel, Andrew Rogers, Assistant General Counsel, Tracey McCarley,
34 Administrator, Matteah Taylor, Roz Bailey-Glover, Jacquetta Wilson, Administrative Staff, Cecelia P.
35 Englert, Court Reporter, Robbie Boland, Inspections Department, DeLeon Andrews and Yolanda Rogers,
36 Investigations, Charlie Ido, Assistant Deputy Director, Dean Grigg, Deputy Director

37 **All Other Persons Attending:**

38 Tony Miarello, Chesley Phillips, Coleen Large, Rosanne Kinley, Doug Robinson, Rosemary Doser,
39 Nancy Poole, Elizabeth A. Hayes, Erica Horton, Kate Shelton, Carmeletta Harriett, Tommy Walkert,
40 Tony Morrison, Gloria Smith, Wayne Rhodes, Jerry Ford, Jeffery Cashioin, Michael Chipreoni, Tamika
41 Williams, Chiquita Thompson, Debbie Soga, Dr. Y. Duncan Brown, Steven Dawson, Tracy Henry,
42 William White, Connie Cooper, Lisa Sox, Allen Ray, Joe Vermont, Shelia Vixon, and Richard Scott

43
44

45 **Approval of Excused Absences – Cindy Rodgers**

46

47 **MOTION:**

48 Ms. Brown made a motion to approve the absence of Ms. Cindy Rodgers. Ms. Curtis seconded the
49 motion, which carried unanimously.

50

51 **Approval of Minutes for -December 17, 2012 (Hearing)**

52

53 **MOTION:**

54 Ms. Brown made a motion to approve the December 17, 2012 minutes with corrections. Ms. Nye
55 seconded the motion, which carried unanimously.

56

57 **Approval of Minutes for - December 28, 2012 (Conference Call)**

58

59 **MOTION:**

60 Ms. Brown made a motion to approve the December 28, 2012 minutes with corrections. Ms. Nye
61 seconded the motion, which carried unanimously.

62

63 **Approval of Minutes for - January 14, 2013 (Board Meeting)**

64

65 **MOTION:**

66 Ms. Nye made a motion to approve the January 14, 2013 meeting minutes with corrections. Ms. Brown
67 seconded the motion, which carried unanimously.

68

69 **Approval of Minutes for - January 15, 2013 (Board Meeting)**

70

71 **MOTION:**

72 Ms. Brown made a motion to approve the January 15, 2013 meeting minutes with corrections. Ms. Nye
73 seconded the motion, which carried unanimously.

74

75 **Chairman's Remarks – Melanie Thompson**

76 **Reserved until the March 12, 2013, meeting**

77

78 **Administrator's Remarks – Tracey McCarley**

79 **Recognition of Service Years – Kathy Webb**

80 Ms. McCarley stated that LLR planned to recognize Ms. Webb for her dedicated service to the Board but
81 she was unable to attend today's Board meeting. She will be asked to attend the next meeting.

82

83 **Budget – January**

84 Ms. McCarley provided a copy of the budget report to Board members for information review.

85

86 **OIE Report – Office of Investigations and Enforcement – Yolanda Rodgers**

87 Ms. Rodgers presented the OIE report to the Board. From January 1, 2013 – March 5, 2013 there were
88 eight (8) new cases added, four (4) closed cases, and as of March 5, 2013 there are a total of twenty-two
89 (22) active cases. Ms. Rodgers stated that the balance of the report was for information only.

90

91 **IRC Report – DeLeon Andrews**

92 Mr. Andrews explained the report contained Dismissed cases, Cease and Desist Orders, Formal
93 Complaints, Letters of Caution and Continued for further investigation cases. Mr. Boland then briefly
94 explained the meaning of “no jurisdiction” whereas the licensee was from a board other than the
95 Cosmetology Board and the investigator had no jurisdiction. The Board had questions about several
96 cases and why they received letters of caution instead of a cease and desist. Mr. Boland explained the
97 reasoning for the letters of caution instead of issuing a cease and desist.

98

99 **MOTION:**

100 Ms. Brown made a motion to accept the IRC report as information. Ms. Nye seconded the motion, which
101 carried unanimously.

102

103

104 **OGC Report – Office of General Counsel – Andrew Rogers**

105 Mr. Rogers provided the Board with copies of the Case Load Statistics Report. He explained there were
106 199 open cases, and 149 pending actions. Mr. Rogers also stated that consent agreements will be
107 submitted to the Board for signature today, however, the Board has an agenda item for today to make a
108 determination whether the Board will approve or disapprove signature authority for the Chairman for
109 future consent agreements. The Board has 39 pending CA/MOAs, 6 pending hearings, 1 case pending
110 final order hearing, 4 pending final orders and no cases closed on or after 1/11/2013. The report was
111 submitted for information only.

112

113 **Inspection Report – Approval of Inspection Violation Report – Robbie Boland**

114 Mr. Boland presented the inspections report stating there were 5,223 inspections completed year to date
115 for schools. He also included a January and March 2013 violations report. There are approximately 15-20
116 school inspections remaining. Mr. Boland believes the school inspections should be complete by May,
117 2013.

118

119 **Signature Authority for Consent Agreements – Andrew Rogers**

120 Mr. Rogers stated that there are many consent agreements that have been signed by the respondents, but
121 OGC was unable to locate statute authority or a policy that would allow the Chairperson to sign consent
122 agreements. Just as a precaution, OGC would like for the Board to vote on the issue. If the Board does
123 not agree on the signature authority, the cases would be brought to the next Board meeting and each one
124 would be presented to the Board for determination. Mr. Rogers briefly explained that after the Board
125 approves the IRC recommendations, the case is sent to general counsel for prosecution. The IRC has
126 guidelines for each case. Using those guidelines or parameters agreed to by the Board, OGC puts
127 together a consent agreement for the respondent for approval. The respondent does not have to sign the
128 consent agreement, or agree with the sanctions. In cases of disagreement, a formal hearing is scheduled.
129 If the Board allows the Chairperson to sign the agreements, they will go directly to the Chairperson for
130 signature without having to be presented to the entire Board. Consent agreements can also be rejected by
131 the Chairperson. Ms. McCartha briefly discussed the parameters of a consent agreement. Ms. Thompson
132 stated that this action would help to streamline the IRC process.

133

134

135 **MOTION:**

136 Ms. Brown made a motion to approve the Chairperson's signature on consent agreements. Ms. Nye
137 seconded the motion, which carried unanimously.

138

139 **NIC Regional Meeting, Charlotte, NC - April 19-21, 2013**

140 Ms. McCarley stated that the NIC Regional Meeting is scheduled April 19-21, 2013 and that two
141 members are approved to go. Ms. Nye stated she would attend, Ms. Rodgers may be going, Ms. Curtis
142 would not be attending and Ms. Brown stated she would not attend.

143

144 **MOTION:**

145 Ms. Curtis made a motion to approve Ms. Rodgers and Ms. Nye to attend the NIC Regional meeting. Ms.
146 Brown seconded the motion, which carried unanimously.

147

148 **MOTION:**

149 Ms. Curtis made a motion to approve Ms. McCarley to attend the NIC Regional meeting. Ms. Brown
150 seconded the motion, which carried unanimously.

151

152 **Old Business**

153 **On-Line Continuing Education Classes - SCACS (South Carolina Association of Cosmetology
154 Schools) – Comelita Harriot and Angela B. Morrison**

155

156 SCACS wanted to know why their on-line classes were not approved for the Charleston Cosmetology
157 Institute and Aiken School of Cosmetology in 2013. Ms. Harriot stated the school never received
158 approval for their online classes or where to make changes. Ms. Thompson stated she remembered the
159 association being on the agenda previously, and that the online classes had problems. Ms. Brown stated
160 she recalled that the Board wanted online classes to contain six hours of education. Ms. Harriot stated
161 there were some emails received from LLR staff, but they can't make changes to the information when
162 staff did not know what to change and could not give clarification on the status. Ms. Harriot stated that
163 the class offerings are the same as last year. On January 2, 2013, the online site was shut down by
164 SCACS. Ms. Harriott also stated the disciplinary classes were submitted separately from the continuing
165 education classes. A Board discussion ensued. Ms. Morrison stated that the Board gave SCACS until
166 January 22, 2013 to submit any changes for review and approval, but they did not receive any answer
167 from the Board on what to change. Ms. Taylor stated that she assumed the classes were not approved as
168 she only received a response from Ms. Thompson and Ms. Curtis. Everyone was supposed to respond on
169 Tuesday, since Monday was a holiday. Ms. Nye stated that she did receive an email from Ms. Taylor, did
170 not recall responding. Ms. McCartha recalled that the disciplinary classes were approved. The Board
171 discussion continued.

172

173 **MOTION:**

174 Ms. Nye made a motion that due to the confusion, the Board would consider reviewing the classes at this
175 late date. Ms. Brown seconded the motion, which carried. Ms. Curtis voted nay.

176

177 Mr. Tommy Wafford, the information technology person from SCACS, worked with the Board to assist
178 with access to the website to review the content of the online programs. It was clarified that the safety
179 and sanitation class along with the state law class were not disciplinary classes, and were the same classes

180 offered online last year.

181

182 **MOTION:**

183 Ms. Nye made a motion to go into executive session for legal advice. Ms. Brown seconded the motion,
184 which carried unanimously.

185

186 The Board returned to public session. During executive session there were no motions made or votes
187 taken.

188

189 **MOTION:**

190 Ms. Curtis made a motion to deny the online content as the information was not acceptable to the Board.

191 Ms. Brown seconded the motion, which carried unanimously.

192 **On-Line Continuing Education Classes - Association of Cosmetology Salon Professionals (ACSP) –**
193 **Douglas Robinson, President, and Katherine Stapleton**

194 Mr. Robinson stated that during the initial review the format of the online nail classes did not meet the
195 criteria for the six hour format. In January, he submitted the documents, but was not placed on the
196 January agenda or it was simply left off. Mr. Robinson stated that he was resubmitting the new programs
197 to be placed on today's agenda. These courses are given through York Technical College. Alternatives
198 were submitted but, again, they did not get on the agenda. The program he sent to the Board contained
199 the user name and password to view the construction site. The Board reviewed and discussed the online
200 content. Mr. Robinson stated each course was three hours in duration. Only two classes were six hours.
201 All classes are newly constructed courses and each section has a quiz at the end.

202

203 **MOTION:**

204 Ms. Brown made a motion to approve the online classes for ACSP. Ms. Nye seconded the motion, which
205 carried unanimously.

206

207 **New Business**

208 **Reporting of Continuing Education Hours - University of SC – Kate Shelton, Erica Horton**

209 Ms. Shelton stated that they received many late submissions and more questions by telephone than in the
210 past renewal years. The normal process was to receive the packet from the providers for the live classes
211 completed and/or a packet for the online classes taken. Once the class is over, the provider is given
212 fourteen (14) business days to submit both types of programs to USC. USC would then process the
213 packets in five (5) days and return to the provider and the board a copy of the class attendance roll and the
214 class evaluation summary. After that the course is closed and certificates are mailed to attendees, and the
215 next packet is processed. If there was an error that occurred with the packet the standard timeframe is
216 approximately thirty (30) days for correction. However there is no set policy, so Ms. Shelton suggested
217 the Board implement a policy to address packets being received thirty (30) days after the packet has
218 already been closed. This is a new situation that did not occur with past years and renewals. This time
219 there was a big problem with trade shows not being reported, and provider phone calls have increased
220 dramatically.

221 Ms. Shelton stated that to-date, no one has explained to USC why this is happening, and wanted to know
222 what the Board can do to address these new problems. Ms. Shelton stated the Board may want to
223 consider putting a deadline of thirty (30) days in place for submissions to ensure nothing was missed by
224 providers, and stick to the deadline. It's difficult for USC to make these last minute changes coming from
225 providers. Ms. Shelton also suggested that participants be educated that if they did not receive their
226 certificate, they should speak up quickly, particularly in the case of online classes and trade show
227 attendance. Classes should be closed within 30 days and there's no going back unless the Board makes an
228 exception. Trade show participants, more than normal, did not receive their hours. This is the first
229 renewal where the online classes have been a problem. Ms. Thompson stated that the Board would
230 consider the request for a thirty (30) day policy. Ms. Shelton stated that USC provides a quarterly report
231 to the Board Chairperson. Ms. Thompson stated the entire Board should receive the quarterly reports.
232 Ms. Shelton stated that the reports provides information on which provider continues to provide late
233 submissions.

234

235 **Approval to Change CE Schedule - Vontae's - Michelle Hampton-Furtick**

236 Ms. McCarley stated that Ms. Furtick requested to change the 2013 continuing education schedule.
237 However, no materials were submitted to the Board as the original request was made through Lesia
238 Kudelka. Ms. Furtick stated she called the office, but did not submit the documents to change the
239 schedule or submit documents for the Dudley's trade show review. Regarding the continuing education
240 classes, Ms. Furtick explained that she had two classes scheduled at the Wella School which was recently
241 closed by the bank. The classes had to be dropped because the location was shut down. Ms. Furtick
242 could not remember if the class dates occurred in April or December. Ms. Furtick also stated that she did
243 not know she was supposed to attend today's meeting as she thought she was scheduled for March 12,
244 2013. Ms. Furtick asked that the Board not hold it against Vontae's towards their allotted changes.

245

246 **MOTION:**

247 Ms. Curtis made a motion to approve the three (3) cancelled classes due to the Wella School closing, and
248 the Board will not hold these changes against her future changes. Ms. Nye seconded the motion, which
249 carried unanimously.

250

251 Ms. Furtick stated there was a class at the Kershaw Recreational Center in Camden, SC on December 2,
252 2013 which was canceled to go toward her changes. This would make one change.

253

254 **MOTION:**

255 Ms. Curtis made a motion to approve the cancellation of the December 2, 2013 class to count as one
256 change for Vontae's. Ms. Brown seconded the motion, which carried unanimously.

257

258 Ms. Furtick stated that the Dudley Trade Show meets the continuing education requirements. Ms. Furtick
259 felt the documents already provided was generic education even though Dudley's is a product company.
260 The program is like a boot camp, providing cutting, coloring, styling in two hour intervals. It's a product
261 company but they do not push product. This is education only. These are classes on education where they
262 teach you how to apply the latest cuts and coloring. These classes are not open to the public only to
263 licensees. Ms. Furtick stated she will submit to the Board, via email, the class curriculums. Ms.
264 McCartha stated that the Board could make a vote on tomorrow's agenda. Ms. Furtick stated the classes

265 are videotaped now and the same classes were approved by the Board for the past three years and nothing
266 has changed in those three years.

267

268 **MOTION:**

269 Ms. Curtis made a motion to defer the determination until tomorrow, March 12, 2013. Ms. Brown
270 seconded the motion, which carried unanimously.

271

272 **Approval to Change CE Class Dates - Nail, Skin & Hair of America – Chesley Phillips**

273 Ms. Phillips requested to move the Surfside Beach nail class scheduled for April 21, 2013 to May 5, 2013
274 and the April 22, 2013 skin class to May 6, 2013. The same instructors, monitors, lesson plans and
275 location would be used.

276

277 **MOTION:**

278 Ms. Curtis made a motion to approve the change of dates. Ms. Brown seconded the motion, which
279 carried unanimously.

280

281 **Requirements for Online Continuing Education (CE) – Chesley Phillips**

282 Ms. Phillips stated she requires online attendees to provide a copy of their driver's license, professional
283 license and sign an affidavit in order to receive credit for attending an online class. Ms. Phillips wanted
284 the Board to clarify if all CE providers are asking online attendees to provide this information, because
285 for her, providing this information proves the attendee was online. Ms. Phillips wanted the Board to
286 clarify if she is doing the right thing by asking for this information. Ms. Thompson stated that online
287 providers must determine or work out the details on how to verify the person attending the online class to
288 get the proper credit. In person and online providers can have their own company policies about
289 identification and the Board would not interfere with those policies. Ms. Phillips stated that she has
290 seventy-one (71) online attendees who have not submitted the required documents to receive online credit
291 and wanted to know what the Board wants her to do with them. If this were a live class, no credit would
292 have been given. Ms. Thompson stated that the issue presented regarding individuals not submitting
293 information in order to get their online credit is a provider issue, not a Board issue. If however, someone
294 took your class and can prove they submitted the documents you required on time and the provider did
295 not submit their information to USC for them to obtain credit, then their credits should be considered.
296 Ms. Phillips stated that there are about ten (10) people who can prove they faxed the information to her,
297 but now they cannot get credit because it's too late. Ms. Phillips stated that USC is not processing
298 packets at this time, so how can they get their hours now? Ms. McCartha stated that Ms. Phillips can
299 submit the data to LLR staff regarding the ten (10) people for help with resolving the issue and come up
300 with some type of protocol. Ms. Phillips stated that she would get the information to the Administrator,
301 Ms. McCarley, and Ms. Taylor for consideration. Ms. Phillips had two issues regarding individual
302 licensees; however, Ms. Thompson stated that individual licensees must contact LLR directly to get
303 resolve their own issues as Ms. Phillips cannot speak for the licensee.

304

305 **Approval to Renew License without CE - Connie Cooper**

306 Ms. Cooper requested that her license be renewed without completing continuing education. This request
307 could not be approved at staff level and was referred to the Board. Ms. Cooper appeared with her

308 husband, William Forest White. Ms. Cooper stated that she got married and the new name is Connie
309 Byrd White. Ms. Cooper said she signed up for a class on April 22, 2012. However, she was hospitalized
310 at the time of the class occurred and her money was refunded to her. Ms. Cooper explained the severity of
311 her condition at the time and now. She requested the Board to forgive her hours as she just wants to work
312 and will take her classes in April, 2013. Mr. White commented that working is actually very therapeutic
313 for Ms. White and because of her medical condition she cannot take an online class. A discussion ensued.

314
315 **MOTION:**

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

318
319 The Board returned to public session. During executive session there were no motions made or votes
320 taken.

321
322 **MOTION:**

323 Ms. Nye made a motion that pursuant to SC code section 40-1-70 (3) that a temporary license be granted
324 until May 1, 2013 due to the serious nature of the illness. The license will expire on May 1, 2013 without
325 proof of continuing education being taken. Ms. Curtis seconded the motion, which carried unanimously.

326 **Approval to Renew License without CE -Tracy J Henry**

327 Mr. Henry requested that his license be renewed with continuing education credits that were not approved
328 by the Board. This request could not be approved at staff level and was referred to the Board. Mr. Henry
329 stated that he was licensed in SC seventeen years ago, but had a licensed in New Zealand since 1979.
330 However, no documents were retained by the SC Board that he previously submitted to gain licensure in
331 1979. He is now fifty-three (53) years old and wants to be exempt, because he has over 30 years of being
332 licensed. Mr. Henry stated he has been exempt since 2011. There was further discussion and testimony.

333
334 **MOTION:**

335 Ms. Curtis made a motion to grant the exemption as he meets the age requirement. Ms. Nye seconded the
336 motion, which carried unanimously.

337
338
339 **Approval to Renew License without CE -Tabatha M. Quick**

340 Ms. Quick was asked to appear before the Board because she is requesting to renew her license without
341 continuing education hours. Ms. Quick was not present to answer questions.

342
343 **MOTION:**

344 Ms. Brown made a motion to deny. Ms. Curtis seconded the motion, which carried unanimously.

345
346 **MOTION:**

347 Ms. Brown made a motion to take a thirty (30) minute lunch break. Ms. Curtis seconded the motion,
348 which carried unanimously.

349 **Board returned from lunch to public session.**

350

351 **Approval to Teach Methods of Teaching Course - Dr. Y Duncan Brown**

352 Dr. Brown appeared before the Board to obtain permission to teach the methods of teaching course. Ms.
353 Brown stated that she has a doctorate in Christian Education. A discussion ensued.

354

355 **MOTION:**

356 Ms. Brown made a motion to approve. Ms. Nye seconded the motion, which carried. Ms. Curtis voted
357 nay.

358

359 **Approval to Teach Methods of Teaching Course - Richard A Scott, Jr.**

360 Mr. Scott appeared before the Board to obtain permission to teach the methods of teaching course. Mr.
361 Scott stated that he did not have a master's degree in education, but has an educator's certificate from the
362 South Carolina Board of Education to teach as a cosmetologist or a barber.

363

364 **MOTION:**

365 Ms. Curtis made a motion to deny the request since he does not have a master's degree in education. Ms.
366 Nye seconded the motion, which carried. Ms. Brown voted nay.

367

368 **Approval of Esthetics Curriculum Change to increase hours from 450 to 600- Strand College of**
369 **Hair Design – Nancy Poole**

370 Ms. Poole submitted a request to appear before the Board to allow a curriculum revision to their Esthetics
371 program for Strand College of Hair Design. They would like to increase the hours of their program from
372 450 to 600 hours. All documents were submitted for the Board review.

373

374 **MOTION:**

375 Ms. Brown made a motion to approve the curriculum change. Ms. Nye seconded the motion, which
376 carried unanimously.

377

378 **AACS Government Relations Committee – Nancy Poole**

379 Ms. Poole stated that she was appointed by the AACS Government Relations Committee (GRC) a State
380 Liaison to work with the Board of Cosmetology in regards to being in compliance with the Dept. of
381 Education regulation regarding State Authorization. Ms. Poole provided a draft form of a letter and a
382 suggested packet of information that the Board of Cosmetology may wish to use when sending a letter to
383 the Dept. of Education to get verification that South Carolina is in compliance with this regulation. The
384 deadline set by the Dept. of Education for State Authorization is June 30, 2013. Mr. Thompson stated
385 that five (5) states already submitted letters and were denied. Ms. Poole stated that if the state sends the
386 additional letter, they will be given more time to come into compliance under state authorization. The
387 states will be given until June 2014 to comply regarding Title IV Student Financial Assistance / Funding.
388 Ms. Thompson stated that LLR must draft the letter and it cannot wait. Discussion ensued. Ms. Poole
389 provided a sample of the letter the Board must submit along with the attachments. Ms. Poole does not
390 know why the five states that already submitted their packets were denied. Ms. Poole suggested the
391 Board submit the statutes governing schools, licenses, how they are inspected, how licensure is

392 determined and a copy of the license as pointed out in the draft letter. Further discussion ensued. Ms.
393 McCartha stated she can pull together the documents, but that the state legislative changes have not
394 passed yet. Ms. Thompson stated that the Board must initiate the process for the schools. If the Board at
395 least started the process then the committee will work with the Board. If they don't start the process, the
396 Board runs the risk of not being in compliance. Ms. McCartha will pull the information together for the
397 Board. Ms. Poole stated that each state submitted the attached letter along with the attachments. Ms.
398 Poole will provide Ms. McCartha with any additional information she can obtain from the committee.
399

400 **Resolution Guidelines – Nancy Poole and Robbie Boland**

401 The Board reviewed the Resolution Guidelines to clarify any issues the Inspections Department may have
402 regarding the interpretation of the guidelines. **Under Section D: Schedule of Safety and Sanitary Rules**
403 **Violations**, the Board reviewed and agreed that Items (1-8) were correct and did not need any further
404 interpretation. Item (9): Failure to maintain clean salon: A) First Offense changed to \$250, Second
405 Offense to \$500 and Third Offense: Hearing. Items (10-14) did not require any change. Item (15)
406 Allowing any animal to enter or remain in a salon or school. Trained animals accompanying sightless or
407 hearing impaired persons are exempt: A) First Offense changed to \$250, Second Offense to \$500 and
408 Third Offense: Hearing. Items (16-18), there were no changes. Items (19) and (20) changed to: A) First
409 Offense changed to \$250, Second Offense to \$500 and Third Offense: Hearing. Items (21-24), there were
410 no changes. **Under Section E: Schedule of Fines for Unlicensed Operators**, the Board reviewed and
411 agreed that Items (1-9) would not be changed. Item (10): Closing a salon without notifying the Board
412 within thirty-days changed to: A) First Offense changed to \$500, Second Offense to a Hearing, and Third
413 Offense: Hearing / Revocation. Item (12): Moving or changing the location of an existing salon without
414 first submitting the appropriate form and fee to the Board: A) First Offense changed to \$500, Second
415 Offense to a Hearing, and Third Offense: Hearing / Revocation. **Regarding Section F: Schedule of**
416 **Fines for Schools**, the Board reviewed the guidelines and determined that Items (1-3) remain unchanged.
417 Item (4): Failure to notify the Board of change in location would change to: A) First Offense changed to
418 \$250, Second Offense to \$500 and Third Offense: Hearing. Items (5-11) would remain unchanged.
419 **Regarding Section G: Schedule of fines for Instructors in Schools**, the Board reviewed the guidelines
420 and determined that Items (1-2) would remain unchanged. Item (3): Teaching with an expired Instructor
421 license would change to: A) First Offense changed to \$250, Second Offense to \$500 and Third Offense:
422 Hearing. Item (4) changed the text to: Failure to maintain professional atmosphere at all times in
423 classrooms. **Regarding Section H: Schedule of Fines for Student Enrollment**, Items (1-4) remained
424 unchanged. **Regarding Section (I) Schedule of Fines for Student Records**, the Board reviewed the
425 guidelines and Items (1-2) remained unchanged.

426 **Regarding Section D: Schedule of Safety and Sanitary Rules Violations**

427 **MOTION:**

428 Ms. Curtis made a motion to change Item (9): Failure to maintain clean salon to: A) First Offense
429 changed to \$250, Second Offense to \$500 and Third Offense: Hearing. Ms. Nye seconded the motion,
430 which carried unanimously.
431

432

433

434 **MOTION:** Ms. Curtis made a motion to change Item (15): Allowing any animal to enter or remain in a
435 salon or school. Trained animals accompanying sightless or hearing impaired persons are exempt to: A)
436 First Offense changed to \$250, Second Offense to \$500 and Third Offense: Hearing. Ms. Nye seconded
437 the motion, which carried unanimously.

438

439 **MOTION:**

440 Ms. Curtis made a motion to change Item (19) to: A) First Offense changed to \$250, Second Offense to
441 \$500 and Third Offense: Hearing. Ms. Nye seconded the motion, which carried unanimously.

442

443 **MOTION:**

444 Ms. Curtis made a motion to change Item (20) to: A) First Offense changed to \$250, Second Offense to
445 \$500 and Third Offense: Hearing. Ms. Nye seconded the motion, which carried unanimously.

446

447 **Regarding Section E: Schedule of Fines for Unlicensed Operators**

448

449 **MOTION:**

450 Ms. Curtis made a motion to change Item (10): Closing a salon without notifying the Board within thirty-
451 days changed to: A) First Offense changed to \$500, Second Offense to a Hearing, and Third Offense:
452 Hearing / Revocation. Ms. Nye seconded the motion, which carried unanimously.

453

454 **MOTION:**

455 Ms. Curtis made a motion to change Item (12): Moving or changing the location of an existing salon
456 without first submitting the appropriate form and fee to the Board to: A) First Offense changed to \$500,
457 Second Offense to a Hearing, and Third Offense: Hearing / Revocation. Ms. Nye seconded the motion,
458 which carried unanimously.

459

460 **Regarding Section F: Schedule of Fines for Schools**

461

462 **MOTION:**

463 Ms. Curtis made a motion to change Item (4): Failure to notify the Board of change in location would
464 change to: A) First Offense changed to \$250, Second Offense to \$500 and Third Offense: Hearing. Ms.
465 Nye seconded the motion, which carried unanimously.

466

467 **Regarding Section G: Schedule of fines for Instructors in Schools**

468

469 **MOTION:**

470 Ms. Curtis made a motion to change Item (3): Teaching with an expired Instructor license would change
471 to: A) First Offense changed to \$250, Second Offense to \$500 and Third Offense: Hearing. Ms. Nye
472 seconded the motion, which carried unanimously.

473

474 **Approval of Hearing Officer - Eddie Jones**

475 Mr. Jones was present. Ms. Thompson stated that the guidelines just reviewed would be used by the IRC
476 Hearing Officer to carry out the desire of the Board. Mr. Jones accepted the appointment as the Hearing
477 Officer and was asked to attend the March 19, 2013 hearing as an observer to see what the Board was

478 looking for him to do during the individual hearings. Mr. Jones thanked the Board for considering him
479 for the position.

480
481 **MOTION:**

482 Ms. Brown made a motion to approve Mr. Eddie Jones as the IRC Hearing Officer. Ms. Curtis seconded
483 the motion, which carried unanimously.

484
485 **MOTION:**

486 Ms. Curtis made a motion for a ten minute recess. Ms. Nye seconded the motion, which carried
487 unanimously.

488
489 **Ms. Brown had to leave the Board meeting at 4:07 p.m. The Board returned to public session.**

490
491 **Approval to take Cosmetology Exams - Veronica Washington**

492 Ms. Washington appeared before the Board to discuss her eligibility to take the Cosmetology Board
493 examinations after graduating from Kenneth Shuler School of Cosmetology in South Carolina in 1998
494 with 1,500 hours of training. Ms. Washington stated that she passed the examinations, but changed
495 careers. She contacted the Board in 2010 and asked about the procedure to get her license. Ms.
496 Washington stated she was told that it was okay to take the examination over. At the time, PCS allowed
497 her to take the examination a few times, because she did not pass the theory examination. Mr. Thompson
498 let Ms. Washington know that as of June 2010, after twenty-four months, the classroom hours expired.

499
500 **MOTION:**

501 Ms. Curtis made a motion to deny the request to take the examinations based on expired hours. Ms. Nye
502 seconded the motion, which carried unanimously.

503
504 **Approval to take Cosmetology Exams - Timika Woodruff**

505 Ms. Woodruff appeared before the Board to discuss her eligibility to take the Cosmetology Board
506 examinations after graduating in 1999. Ms. Woodruff stated she took one part of the exam in 2012. She
507 wants to take the second part of the exam. Ms. Woodruff stated that Piedmont Beauty School completed
508 the examination application for her. Ms. Thompson stated that the regulations currently give twenty-four
509 months to complete examinations. Ms. Woodruff stated she was not told about the law change. Ms.
510 McCartha let Ms. Woodruff know that she is welcome to appeal the decision, but the regulation changes
511 say twenty-four months, and the hours expire.

512
513 **MOTION:**

514 Ms. Curtis made a motion to deny the request to take the examinations based on expired hours. Ms. Nye
515 seconded the motion, which carried unanimously

516
517 **Approval of Licenses with Background Reports - Jeffrey L. Cashion (RC)**

518 Mr. Cashion appeared before the Board with a background report. Mr. Cashion brought along Mr.
519 Michael Cipriani as a witness. Mr. Cashion stated that he was involved with drugs and went to prison. He
520 was released May 9, 2009 after serving twenty-two months and twenty-three days for a felony. Mr.

521 Cashion stated he was not on probation and has been out of prison for over two years. Mr. Cashion stated
522 that he has been working for eight months, is involved with his church and the community. A brief
523 discussion ensued.

524
525 **MOTION:**

526 Ms. Curtis made a motion to approve the license with a one year probationary period. Mr. Cashion will
527 provide the Board with a SLED report at the end of the year, at his own expense. Ms. Nye seconded the
528 motion, which carried unanimously.

529
530 **Approval of Licenses with Background Reports - Ravin M Jones (RC)**

531 Ms. Jones appeared before the Board with a background report. Ms. Jones stated she was with hanging
532 with the wrong crowd and got in trouble. There are two misdemeanor charges on her record, which
533 changed her life. Ms. Jones stated she is on probation until she pays the \$1,800 fine.

534
535 **MOTION:**

536 Ms. Curtis made a motion to approve the license with a two-year probationary period. Ms. Jones will
537 provide the Board with a SLED report at the end of the year, at her own expense. Ms. Nye seconded the
538 motion, which carried unanimously.

539
540 **Approval of Licenses with Background Reports - Shanika L Davis (RC)**

541 Ms. Davis appeared before the Board with a background report. Ms. Davis stated she had a charge from
542 2008 for purchasing a fire arm for herself, but her boyfriend tried to sell it to an undercover officer. Ms.
543 Davis was sentenced to probation. She is no longer on probation and is working.

544
545 **MOTION:**

546 Ms. Curtis made a motion to approve the license. Ms. Nye seconded the motion, which carried
547 unanimously.

548
549 **Approval of Licenses with Background Reports - Chiquita Thompson (RC)**

550 Ms. Thompson appeared before the Board with a background report. Ms. Thompson stated that she was
551 unemployed with three small children when she wrote check that did not cover her expenses, so the
552 checks bounced. Ms. Thompson stated she was in the process of getting the offense removed from her
553 record since all of the checks were her checks. Ms. Thompson stated she is working.

554
555 **MOTION:**

556 Ms. Curtis made a motion to approve the license with a two-year probationary period. Ms. Thompson will
557 provide the Board with a SLED report at the end of the year, at her own expense. Ms. Nye seconded the
558 motion, which carried unanimously.

559
560 **Approval of Licenses with Background Reports - Elizabeth Ann E Hayes-Bright**

561 Ms. Bright appeared before the Board with a background report. Ms. Bright stated that she was driving
562 with a suspended license when she got caught and went to jail for ninety days. Ms. Bright also described a
563 situation where she fought with police officers and went to jail. She was unemployed with three children
564 and a package came to her house containing money orders. An associate convinced her to cash the

565 money orders and she received \$800. Years later, she got in trouble for the cashing the money orders, and
566 went to jail as an accessory to the crime. Ms. Bright stated she paid the money back and stayed out of
567 trouble.

568
569 **MOTION:**

570 Ms. Curtis made a motion to approve the license with a two-year probationary period. Ms. Thompson will
571 provide the Board with a SLED report at the end of the year, at her own expense. Ms. Nye seconded the
572 motion, which carried unanimously.

573
574 **Discussion**

575 **Continuing Education Issues and Board's Budget - Colleen Large**

576 Ms. Large addressed the Board stating the renewal process this year was crazy with a combination of
577 issues which she will cover. Ms. Large wanted the Board to give her clarity on the matter, and not to
578 allow this to happen again for the next renewal cycle. Ms. Large had a laundry list of concerns. She
579 stated that in her opinion, all classes should be hands-on and no online option should be given. The
580 complaints she received stated that it's taking up to one year to receive credit for online classes and to
581 receive the certificate. The cut-off date of December 31, 2012 was extended to January 31, 2013 and was
582 not communicated to providers. The online classes were offering three hours at a time, but people were
583 completing the classes in ten minutes instead of the three hours. The information from LLR was muddy,
584 at best. The RELAES system was mixing the two years on the renewals for January 1, 2013 and
585 December 31, 2012. Ms. Large also stated that licensees were receiving licenses on October 2012 with an
586 expiration date of March 10, 2015, how did that happen? Among her other concerns, Ms. Large stated
587 concerns about the budget. She stated that she went to the LCI meeting on February 7, 2013 where
588 Senate Bill #179 was tabled. Ms. Large stated that Holly Pisarik attended the same meeting and brought
589 up the Cosmetology Board as an example of how poorly the boards sustain themselves. Ms. McCartha
590 made a comment in defense of the Director and pointed out that the Agency is required by statute to
591 provide an accurate report. The Cosmetology Board is running a deficit and each board is assessed
592 accordingly. Ms. Large continued with her list of concerns and stated another inconsistency was that the
593 late fee was waived this time. Why waive the late fee if we are in a deficit? Ms. Thompson stated that the
594 Board wants information consistency as well as LLR staff. There are online program problems such as
595 the date of birth requirement that licensees were asked to provide this renewal period, but it's all part of
596 the change that people are fighting. Ms. Thompson agreed that communication is a big obstacle across
597 the Board and that they are looking at ways and taking suggestions to streamline the processes. Ms.
598 Thompson thanked Ms. Large for her dedication. Ms. Large thanked the Board for choosing Mr. Jones to
599 be the Hearing Officer.

600
601 **Public Comments**

602 Ms. Chesley Phillips stated she was also glad to have Mr. Jones back. Also, she clarified that due to
603 people who purchased the online class from January-February 2012, but took the class on January 12,
604 2013 so as a provider, she implemented a six month timeframe or deadline so the dates will expire with
605 penalty pricing like a \$10 fee so attendees don't wait until the last minute to take an online class. Ms.
606 Phillips also stated that she will be requiring online attendees to provide the proper identification. Ms.
607 Phillips wanted to know if the Board knew exactly what the LAC Report contained. Ms. Thompson
608 stated the Board did not know the content. Ms. Phillips stated the Board has always been self-sufficient.

609
610 Ms. Curtis stated that in the Board's packages there were copies of Ms. Phillips Face Book page content.
611 Ms. Curtis stated that some of the comments are inappropriately address towards LLR staff and their
612 behavior. Ms. Curtis pointed out that the students who attend Ms. Phillips classes value her opinion and

613 if Ms. Phillips is talking poorly about LLR staff, then attendees are going to follow her lead. The phone
614 calls that LLR staff has been receiving recently show they are not appreciated as far as what Ms. Phillips
615 is communicating on her Face Book page. Ms. Curtis stated “ it’s obvious from the posts that you need to
616 check it”. Ms. Phillips stated that she will go back and definitely work on this. Ms. Curtis stated that
617 some of the LLR staff were specifically named in the Face Book comments. Ms. Phillips apologized
618 again and stated she will go back and check the Face Book pages. Ms. McCartha stated the calls were
619 horrible and staff deserves patience. At the very least, be nice, have some manners and try to be nice to
620 the staff that they are working diligently, even on the weekends to help everyone.

621
622 Ms. Phillips stated that she admits her fault and apologized again and appreciates everyone.

623
624 Ms. Angie Shuler stated that she would like to receive more communication from LLR staff, in writing, to
625 the providers, when it comes to changes being made. She does not like to tell callers to contact the Board
626 and would rather be empowered to answer questions with the right information. Providers all have
627 websites and can help the Board with disseminating information. Ms. Shuler stated that she hopes none
628 of her staff members have been disrespectful to LLR staff, and that those who are putting things out on
629 Face Book that are disrespectful and unfriendly, you should “un-friend” those people! Regarding the
630 online and continuing education classes, the Board already made it clear that providers must get the
631 information from attendees the day of the class. Not getting information upfront or on the day of the
632 class, is a mistake and impossible to track after the class is over. Regarding the Trade Show coming up in
633 July, 2013, Ms. Shuler will get the information to the Board since she noticed a few of the sessions are
634 product driven classes. Ms. Shuler will submit the request to appear on the agenda for the May, 2013
635 meeting.

636
637 Ms. Nancy Poole stated that she was concerned about the Board’s budget being in the red and as a
638 licensee she still could not understand why this has happen.

639
640 **Adjournment**

641
642 **MOTION:**

643 Ms. Curtis made a motion to adjourn. Ms. Nye seconded the motion, which carried unanimously.

644
645 **The next meeting of the SC Board of Cosmetology is scheduled for March 12-13, 2013**