

MINUTES

**South Carolina Board of Cosmetology
Board Meeting
10:00 a.m., January 8, 2007
Courtyard by Marriott
35 Lockwood Drive
Charleston, South Carolina**

Meeting Called to Order

Mrs. Kinley announced that public notice of this meeting was properly posted at the S. C. Board of Cosmetology office, Synergy Business Park, Kingstree Building, the Courtyard by Marriott 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.

Rosanne Kinley, Chairman, of Anderson, called the regular meeting of the SC Board of Cosmetology to order at 10:00 am. Other board members present included: Melanie Thompson, vice chairman; of Myrtle Beach; Michelle Hampton-Furtick, of Columbia; Delores Gilmer, of Charleston; Kristy McMillan, of Summerville; Ruth Settles, of Greenville; and Katherine Webb, of Easley.

Staff members participating in the meeting included: George Barr, Inspector; Ronnie Blackmon, Inspector; Randy Bryant, Assistant Deputy Director; Sharon Dantzler, Deputy General Counsel; Sandra Dickert, Administrative Assistant; Larry Hall, Inspector; Eddie Jones, Administrator; Mark Sanders, Inspector; and Shirley Wider; Program Assistant.

Members of the public attending the meeting included: Pat Adams, Briley Altman, Ashana Green, Lisa Hall, Tim Hamilton, Eric Johnson, Esq., Dawn Lacy, Jay Lacy, Ken Lake, Colleen Large, Bob MacElhiney, Eric McGee, Barbara Parker, Chesley Phillips, and Nancy Poole.

Pledge of Allegiance

All present recited the Pledge of Allegiance.

Rules of the Meeting Read by the Chairman

Mrs. Kinley read the rules of the meeting.

Introduction of Board Members and All Other Persons Attending

The Board members, staff, and individuals attending the meeting introduced themselves.

Approval of Excused Absences

All Board members were present.

Approval of the November 13, 2006 Meeting Minutes

MOTION

Mrs. Thompson moved the Board approve the minutes of the November 13, 2006 meeting. Mrs. Hampton-Furtick seconded the motion, which carried unanimously.

Approval of Agenda

MOTION

Mrs. Thompson made a motion, seconded by Mrs. Webb and unanimously carried, that the agenda be approved with any necessary deviations.

Chairman's Remarks – Rosanne Kinley

Ms. Kinley stated 2007 is renewal for registered cosmetologists, nail technicians and estheticians. She asked the industry to be patient with staff as the renewal year brings a new law relating to the continuing education exemption.

Administrator's Remarks, For Information – Eddie Jones

Mr. Jones stated the \$1.25 credit card fee which was being charged to those individuals renewing on-line has been waived. He went on to say the online renewal is available to those individuals who would like to renew via that Board's web page.

Mr. Jones reminded the members of the Region 3 meeting scheduled for May 5-7, 2007. He further stated this meeting would be held in Savannah, Georgia

Advisory Opinions, If Needed, Office of General Counsel

Legislative Update, If Needed, Legislative Liaison Office

There were no advisory opinions or legislative update given during the January 8, 2007 meeting.

Number of Inspections

Mr. Blackmon stated 3,032 inspections have been conducted since July 1, 2006. He noted these inspections included two preliminary inspections, one complaint inspection, and two routine inspections in November 2006 and one new opening, one preliminary and one routine inspection in December 2006.

Number of Open Complaint Cases

This information was not available. Mrs. Dickert stated she would have that information for the March 12, 2007 meeting.

New Business

1. Approval of DRC Reports – Sharon Dantzler

Mrs. Dantzler briefed the Board on the DRC Reports from December 4, 2006 and January 3, 2007.

MOTION

Mrs. Thompson made a motion the Board approve the December 4, 2006 and the January 3, 2007 DRC Reports. Mrs. Gilmer seconded the motion. The motion carried unanimously.

2. Approval of Continuing Education Provider – Melinda McMillan, Eva's Esthetics

On December 20, 2006 the Board received a request from Melinda McMillan of Eva's Esthetics to become a South Carolina approved continuing education provider. Ms. McMillan included a format for a one day class, a certificate of achievement form, her instructor and provider qualifications, course descriptions, and a copy of an evaluation form.

The Board tabled this matter to the March 12, 2007 meeting due to the Board needing information from Ms. McMillan as to where and when the class would be taught.

3. Approval of Method of Teaching Instructor – Glenis R. Darby

In a letter dated December 28, 2006 Glenis R. Darby stated she is seeking the Board's approval to become a Methods of Teaching instructor. Ms. Darby's letter further states she has been teaching for approximately 24 years and is currently employed with a public school district. She holds a Bachelor Degree from South Carolina State University and a Master's Degree from Columbia College.

MOTION

Mrs. Thompson moved the Board approve Ms. Darby as a Methods of Teaching instructor. Ms. Settles seconded the motion, which carried unanimously.

4. Approval of Continuing Education Instructors

a. *Colleen Large*

On December 4, 2006 the Board received a letter from Colleen Large seeking the Board's approval to become an esthetics continuing education instructor. She included her exam scores, a copy of her esthetics license, and a resume with her request.

MOTION

Mrs. Hampton-Furtick made a motion, seconded by Mrs. Gilmer and unanimously carried, that the Board approve Ms. Large as an esthetics continuing education instructor.

b. *Arnold M. Taylor*

On December 6, 2006 the Board received a letter from Angie Shuler of Kenneth Shuler School of Cosmetology seeking the Board's approval of Arnold M. Taylor as a continuing education instructor. Mr. Taylor is currently licensed as a Master Cosmetologist and Cosmetology Instructor with the Georgia Board of Cosmetology. Mr. Taylor's resume and license information from the Georgia Board of Cosmetology were included with the request.

Mrs. Hampton-Furtick stated Mr. Taylor taught a continuing education class on December 10, 2006.

MOTION

Mrs. Thompson moved the board discuss this matter in executive session. Mrs. Webb seconded the motion, which carried unanimously.

5. Approval of School Instructor

a. *Briley Altman*

On January 3, 2007 the Board received a request from Nancy Poole of Strand College of Hair Design seeking the Board's approval of Briley Altman as an instructor at her school to teach Professional Development, Salon Ecology, Anatomy and Physiology, Chemistry and Salon Business.

Mr. Altman has a Bachelor's Degree in Accounting with a Minor Degree in Biology and Chemistry. He has a Master's Degree in Business Administration. Ms. Poole's request included copies of Mr. Altman's employment history and transcripts regarding his degrees.

MOTION

Mrs. Webb made a motion the Board approve Mr. Altman as an instructor. Mrs. Gilmer seconded the motion, which carried unanimously.

6. Reconsideration of Consent Order

a. *Joe McCulloch, Esquire, on behalf of Academy of Hair Technology*

On November 10, 2003 the Academy of Hair Technology entered into a consent order with the Board of Cosmetology that placed the school on probation for four years. The consent order contains a paragraph that states the school could petition the Board for release from the probation after three years if the school was in compliance with the consent order.

In a letter dated November 29, 2006 Joe McCulloch, Esquire, asked that the Board consider releasing the Academy of Hair Technology from the probation placed on the school in the consent order.

Joe McCulloch was unable to attend today's meeting; however, Eric Johnson, Esquire, spoke on behalf of Mr. McCulloch and the Academy of Hair Technology.

Mrs. Dantzler stated she has spoken with staff as well as the investigative staff and found evidence that the school is in compliance with the consent order.

MOTION

Mrs. Settles moved the board accept the request and release the Academy of Hair Technology from probation. Mrs. Webb seconded the motion, which carried unanimously.

7. Applicant Hearing
 - a. *Ashana S. Green*

On September 22, 2006 PCS received a nail technician examination and license application from Ashana S. Green. Ms. Green's application indicates she had been arrested on January 13, 2004 on a fraudulent check charge. Since neither PCS nor staff could approve the application Ms. Green was informed she would need to appear before the Board to explain the charge.

Ashuna Green appeared before the Board and was sworn to give correct testimony by Mrs. Dickert.

Ms. Green stated the check was written to a day care and that the owner did not properly notify her of the returned check. She further stated she paid the full amount of the check and has not been charged or arrested since that incident.

MOTION

Mrs. Thompson made a motion, seconded by Mrs. Gilmer and unanimously carried, that the Board approve Ms. Green for licensure.

Recess

The Board recessed at 10:40 a.m. and returned to public session at 11:10 a.m.

Return to Public Session

Discussion Item

Proposed Regulations

The Board discussed changes to the proposed regulations. The discussion included minor editorial changes to 35-16, 35-23, and 35-24. The Board also discussed increasing the surety bond for schools. The Board and industry representatives present for the meeting agreed to change the surety bonds to \$10,000.00 for schools with 1 – 80 enrolled students and \$20,000 for schools with enrolled students of 81 and above.

Mrs. Poole suggested the Board consider increase the hours for instructor training to 350 to 400 hours. She went on to say this would allow the candidate to student teach under an instructor.

Mrs. Dantzler stated this is a big enough and a long term problem and suggested that the Board not embed this change with the other technical changes to the regulations at this time. She further stated this subject would require its own study committee prior to making any changes to that area.

Board Member Reports

Ruth Settles

Mrs. Settles stated she monitored the practical exam on December 18, 2006. She further stated the exam was well organized.

Kristy McMillan

Mrs. McMillan stated she attended and monitored a continuing education class on December 10, 2006 at the Charleston Cosmetology Institute. She further stated Mr. Jerry Poer and one of the monitors made several derogatory remarks in regard to the Board and their opinion of the continuing education exemption during the morning session of the class. She then stated that Mr. Poer retracted his remarks following lunch. She noted the monitor was making nasty remarks prior to the start of the class.

Melanie Thompson

Mrs. Thompson had no report.

Michelle Hampton-Furtick

Mrs. Hampton-Furtick stated she monitored continuing education classes sponsored by SCSCA, Kenneth Shuler College, Lacy Cosmetology School, and the Sumter Career College.

Kathy Webb

Mrs. Web stated she monitored the practical exam on November 20, 2006.

Delores Gilmer

Mrs. Gilmer had no report.

Reciprocity Report

In November 2006 the Board licensed 54 cosmetologists, eight estheticians and one nail technician by reciprocity.

In December 2006 the Board licensed 30 cosmetologists and five estheticians by reciprocity.

Public Comments

Mr. MacElhiney stated the Board had mentioned it would discuss additional individuals for monitors.

Mrs. Kinley stated the Board did review that information and determined it would allow non-licensees as monitors.

Mrs. Phillips stated the 2007 continuing education list is on the web page. She asked if she could now mail her list.

Mrs. Wider stated Mrs. Phillips added approximately eight classes and make other deletions. She believes those corrections are now on the Board's web page.

Mrs. Kinley stated Mrs. Phillips could mail her list.

Mrs. Kinley asked Mr. McGee of USC if they are receiving all evaluations or random comments. Mr. McGee stated they complete random comments on the classes.

Ms. Lacy asked if the continuing education sponsors should receive verification from staff in regard to additional monitors. Mrs. Kinley stated she would like for staff to send verification to the provider or sponsor of receipt of additional monitors.

Executive Session

MOTION

Mrs. Thompson moved the Board enter executive session to seek legal advice. Mrs. Webb seconded the motion, which carried unanimously.

Return to Public Session

Mrs. Kinley noted for the record that no motions were made and no votes were taken during executive session.

MOTION

Mrs. Thompson made a motion, seconded by Mrs. Hampton-Furtick and unanimously carried, that the Board instruct PCS that the Board does not need to review applications with SLED Reports in regard to shoplifting, DUI, check fraud, or misdemeanor drug possession.

MOTION

Mrs. Thompson moved the Board revisit the vote for the DRC Report from the November 2006 meeting and uphold the original decision made by the DRC Chairman. Mrs. McMillan seconded the motion, which carried unanimously.

MOTION

Mrs. Thompson made a motion to approve Mr. Taylor as a continuing education instructor, however that the Board authorize staff to begin the process of investigation of the provider. Mrs. Gilmer seconded the motion, which carried unanimously.

Adjournment

MOTION

Mrs. Gilmer moved the meeting be adjourned. Mrs. Hampton-Furtick seconded the motion, which carried unanimously.

The January 8, 2007 SC Board of Cosmetology meeting adjourned at 1:00 p.m.