

**South Carolina Board of Cosmetology  
Board Meeting  
9:00 a.m., May 14, 2018  
Synergy Business Park  
Kingstree Building  
110 Centerview Drive, Conference Room 108  
Columbia, South Carolina 29210**

**1. Meeting Called to Order**

- a. 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.
- b. Rules of the Meeting
- c. Pledge of Allegiance

**2. Introduction of Board Members and All Other Persons Attending**

Chairperson Melanie Thompson called the meeting of the S.C. Board of Cosmetology to order. Other Board members participating in the meeting included:

- ❖ Eddie Jones
- ❖ Patricia Walters (arrived at 11:30 a.m.)
- ❖ Stephanie Nye
- ❖ Laquita Clark-Horton

Staff members present included: Mary League, Advice Counsel; Shalon Genwright, Staff; Theresa Brown, Administrator; Eric Thompson, Office of Inspections; Jennifer Stillwell, Office of Investigations and Enforcement (OIE); Kyle Tennis, Office of Disciplinary Counsel; Sharon Wolfe, Office of Investigations and Enforcement (OIE)

**All Other Persons Attending:**

Tina Behles, Court Reporter; Steven Dawson; Michelle Hampton-Furtick; Amanda Painter; Lesa Gordon; Sandra Mullins; Jerry Frick; Tonia Greyno; Tamara Johnson; Shaneka Brown; Annie T. Ly; Jennifer Fillers; Malinda Dean; Beth Reed; Christopher Rico; Cuong Huynh; Lillian Smalls; Matrina Lowe; Gloria Smith; Andrea Snow; Loleta Wilkerson; Lethonia Barnes; Chesley Phillips; Frances Archer; Sarah Reid

**3. Approval of Excused Absences**

Mr. Eddie Jones made a motion to approve the absence of Ms. Marcia Delaney and it was seconded by Ms. Laquita Clark-Horton. The motion carried.

**4. Approval of Agenda**

Ms. Clark-Horton made a motion to approve the agenda for the meeting with any deviations deemed necessary. The motion was seconded by Mr. Jones and it carried.

**5. Approval of Meeting Minutes**

March 12, 2018

Ms. Clark-Horton made a motion to approve the meeting minutes from the March 12, 2018, board meeting. The motion was seconded by Ms. Stephanie Nye and it carried.

**6. Chair Remarks – Melanie Thompson**

Ms. Thompson wished a happy belated Mother's Day to everyone. There was a NIC regional meeting that occurred in Charlotte, North Carolina, in April. There were 17 states represented for the region. There was a presentation that included hope for the barbering and cosmetology industry as there are power in numbers. There were other presentations given domestic violence, human trafficking, and standardized testing. The human trafficking presentation was very great and showed several signs that are commonly overlooked. There was a panel discussion that happened at the meeting on barbering and cosmetology as most states do not have good

working relationships with each other. There are 27 boards that have combined boards (barber/cosmetology). South Carolina's boards work very well together. The meeting was a great success and the presentations may be seen on the NIC website.

## 7. Administrator's Remarks – Theresa Brown

- a. **Budget/Drawdowns** – For Information – The budget is for informational purposes only.
- b. **OIE Report** – For Information - Sharon Wolfe – This report is for cases received between January 1, 2018, and May 7, 2018. There have been 127 incoming complaints. There are currently 19 active cases and 120 cases have been closed thus far.
- c. **IRC Report** – For Approval - Sharon Wolfe – There was an inquiry on case 2017-287. No evidence of illegal activity (human trafficking) was found in the shop. The Columbia Police Department was also informed as well. Mr. Jones made a motion to approve the IRC report with the clarification given and it was seconded by Ms. Clark-Horton. The motion carried.
- d. **ODC Report** – For Information - Kyle Tennis – The ODC report is for informational purposes only. There are currently 49 open cases.
  - 18 (pending attorney review)
  - 2 (pending CA/MOA drafting)
  - 6 (pending respondent's agreement)
  - 1 (pending drafting of the Formal Complaint)
  - 7 (pending panel hearings)
  - 3 (pending Board action)
  - 3 (pending scheduling for Final Order hearings)
  - 1 (pending Final Order hearings)
  - 2 (pending scheduling)
  - 4 (pending citation hearings)
  - 2 (pending action from other boards)
  - 6 (closed cases from 3/5/18 to 5/2/18)
- e. **Inspection Report/Citation Report – For Approval** – Eric Thompson – In March, there were 521 salon inspections and 12 school inspections. In April, there were 555 salon inspections and 14 school inspections. There have been 5,522 salon inspections and 104 school inspections so far for the fiscal year. As of May 8, 2018, there are a total number of 6,392 active salons. 86% of that total has already been inspected this fiscal year. There 14 citations written for the month of March and the month of April. These citations dealt with unlicensed practice, sanitation issues, and failure to display a license. The trend is unlicensed practice and fraudulence. If a citation shows that it is 'x2' (times two), that means that there were two citations.

A motion was made by Ms. Clark-Horton to approve the inspection and citation report and it was seconded by Mr. Jones. The motion carried.

### f. **Legislative Update**

For the week ending April 27<sup>th</sup>, the barber bill that allowed barbers to practice in salons, reported out of the House 3M committee favorably. The section stating that a barbershop and a salon could share a common door or entrance and operate without a wall or any other physical division between them was amended to be deleted. The Hair Designer bill did not advance from the committee, Bill 5097.

## 8. Old Business

## 9. New Business

### a. **Executive Session**

- i. Discussion Regarding Examination Contract

This executive session would be with Mr. Dean Grigg, Deputy Director for Professional and Occupational Licensing (POL) of LLR.

Ms. Clark-Horton made a motion to go into an executive session to garner legal advice on the examination contract and it was seconded by Mr. Jones. The motion carried.

Mr. Jones made a motion to come out of the executive session and it was seconded by Ms. Clark-Horton. The motion carried. There were no motions made or votes taken during the executive session.

**b. Consideration of New School/School Changes**

**i. SHB International Hair Academy**

Mr. Gregory and Shaneka Brown represented SHB International Hair Academy as they want to open a new cosmetology school in Conway. The school will not open for another 3-6 months from now. Information needs to be added to the enrollment agreement about students that may withdraw from the program. As long as every hour is paid for, they must receive a transcript of hours earned.

A motion was made by Ms. Clark-Horton to approve SHB International Hair Academy for the preliminary inspection with the revision to the enrollment agreement. This motion was seconded by Mr. Jones and it carried.

**ii. Grace Institute of Cosmetology LLC**

Ms. Tonia Greyno represented Grace Institute of Cosmetology LLC and she wants to open up a new cosmetology school. The proposed opening date is as soon as possible and she will offer day and night courses.

Ms. Nye made a motion to approve Grace Institute of Cosmetology LLC for the preliminary inspection, with a final inspection and a complete and thorough review of the school contract by the Board Chair. This motion was seconded by Ms. Clark-Horton and it carried.

**iii. Institute of Innovation**

Ms. Amanda Painter and Ms. Lesa Gordon represented the Institute of Innovation to open the institute as a new cosmetology school. This would be a public school program to offer a full cosmetology program. They are relocating and rebranding their current program. It will be the same program and curriculum with a new name. The proposed opening date is August 20, 2018. They are currently Cherokee Technology Center.

Ms. Clark-Horton made a motion to approve the Institute of Innovation for a new location and name change, pending the preliminary inspection and it was seconded by Ms. Nye. The motion carried.

**iv. Southeastern Esthetics Institute**

Mr. Brandon Sykes represented Southeastern Esthetics Institute as they would like to add an additional classroom to their current program. The purpose for this addition is for the growth of the program that they have had this year. There are no other changes. Some of the equipment listed is not within the scope of practice for esthetics, such as the laser and chamber.

Ms. Clark-Horton made a motion to approve the additional classroom for Southeastern Esthetics Institute, pending a preliminary inspection of the additional space and the removal of the equipment listed that is not within the scope of practice for esthetics. The motion was seconded by Mr. Jones and it carried.

**v. Virginia College**

Ms. Lethonia Barnes represented Virginia College and she wants to update the enrollment and tuition agreement for all locations. The addition of requesting the social security number and methods of payment were the updated changes.

Ms. Clark-Horton made a motion to approve the changes to the enrollment and tuition agreement for all Virginia College locations. The motion was seconded by Ms. Nye and it carried.

**c. Application Hearings**

**i. Jennifer Fillers**

Ms. Fillers came before the Board for the approval of the reinstatement of her Registered Cosmetologist license. A criminal background report accompanied her reinstatement application as she received a new charge in July of 2014.

A motion was made by Ms. Clark-Horton to grant reinstatement to Ms. Jennifer Fillers. This includes a probation period until July of 2020. A SLED report will also be needed at the end of each year at her own expense. This motion was seconded by Ms. Nye and it carried.

**ii. Cuong Huynh**

Mr. Huynh came before the Board for his approval of licensure as a Nail Technician. He completed an endorsement application that was accompanied by a criminal background report. He is currently licensed as a Nail Technician in the state of West Virginia and is also currently on parole that will not end until July 20, 2030.

A motion was made by Ms. Clark-Horton for an executive session to garner legal advice on the matter. This motion was seconded by Ms. Nye and it carried.

Mr. Jones made a motion to come out of the executive session and it was seconded by Ms. Clark-Horton. The motion carried. There were no motions made or votes taken during the executive session.

A motion was made by Ms. Nye to approve Mr. Cuong Huynh for licensure with probation to run concurrent with his current probation. The probation will last a minimum of 5 years. A SLED report is needed at the end of each year at his own expense. This motion was seconded by Ms. Clark-Horton and it carried.

**iii. Shawneen Bentley**

A motion was made by Ms. Clark-Horton to defer this agenda item until Ms. Bentley contacts the Board (administration). The motion was seconded by Mr. Jones and it carried.

**iv. Chesley Phillips**

Ms. Clark-Horton made a motion to go into a closed session for confidentiality laws and it was seconded by Ms. Nye. The motion carried.

Ms. Clark-Horton made a motion to approve the reinstatement of the instructor licenses (IES, INT) of Ms. Chesley Phillips with a two year probationary period. A SLED report is needed at the end of each year at her own expense showing no new charges. The motion was seconded by Ms. Nye and it carried.

**d. Consideration to become a Methods of Teaching Instructor**

**i. Matrina Lowe**

Ms. Lowe sought approval to become a Methods of Teaching instructor. Clarification was given on what in-house training consisted of. Ms. Lowe is currently employed with Paul Mitchell. She went over her credentials and her extensive experience in teaching. Ms. Lowe also gave some examples of her experience, such as maintaining classrooms and becoming a mediator. Nothing in the materials shows the teaching, but it shows that she follows the Paul Mitchell curriculum. Information is needed from Paul Mitchell detailing how she became a trainer/certifier.

A motion was made by Ms. Clark-Horton to defer Ms. Matrina Lowe's consideration until the July meeting, so that more information may be given on her expertise of teaching others how to teach. This motion was seconded by Ms. Patricia Walters and it carried.

ii. Lillian Smalls

Ms. Smalls sought approval of becoming a Methods of Teaching instructor. Ms. Sarah Reid served as a witness for Ms. Smalls as well. Ms. Smalls was employed by Miller-Motte Technical College from 2007-2013 and she worked with another Methods of Teaching instructor as well. She has also taught the 750 hours student instructor program to 6 or 7 students and has been a part of the industry since 2004.

Ms. Clark-Horton made a motion to defer Ms. Lillian Smalls' consideration until proper documentation was submitted. This motion was seconded by Ms. Walters and it carried.

Ms. Clark-Horton made a motion for a comfort break and it was seconded by Mr. Jones. The motion carried.

e. **Consideration of CE Packet Corrections**

i. S.C. Technical College System

Mr. Christopher Rico represented the S.C. Technical College System as he was looking for approval of his continuing education packet corrections. They are only offering one class, to be held in December.

Ms. Clark-Horton made a motion for the approval of the S.C. Technical College System's continuing education course corrections and it was seconded by Ms. Walters. The motion carried.

f. **Request to Obtain Continuing Education Online**

i. Kasey Sullivan

Ms. Sullivan was not present for the meeting, but this is her first renewal, so no continuing education hours are needed.

g. **NIC Annual Conference**

The annual conference will be in Seattle, Washington, and it will be held from October 6-8, 2018. The Executive Director component will be held on the 4<sup>th</sup> and 5<sup>th</sup>.

A motion was made by Ms. Walters for Ms. Theresa Brown to attend the Executive Director's meeting and the first half of the general session meeting. The motion was seconded by Ms. Clark-Horton and Mr. Jones and it carried.

Mr. Jones made a motion to approve one board member to attend the annual NIC conference, to be chosen no later than a week from today's meeting. The motion was seconded by Ms. Clark-Horton and it carried.

h. **Final Order Hearings – Kyle Tennis**

i. 2017-245

Mr. Jones recused himself from the hearing as he was the Hearing Officer at the initial hearing.

This hearing was in the matter of Ms. Annie Tep Ly who admitted to the facts at the initial hearing, being resolved with a memorandum of agreement. She does have prior citations. This was regards to allowing unlicensed practice and sanitation violations.

Ms. Clark-Horton made a motion to go into an executive session for legal advice and it was seconded by Ms. Nye. The motion carried.

A motion was made by Ms. Clark-Horton to come out of the executive session and it was seconded by Ms. Walters. The motion carried. There were no motions made or votes taken during the executive session.

A motion was made to Ms. Clark-Horton to adopt the Hearing Officer's recommendations with a modification to add a two year probationary period on Ms. Annie Tep Ly's nail technician license. If she receives any new citations, she must come back before the Board. The motion was seconded by Ms. Nye and it carried.

**10. Board Member Elections**

Ms. Nye moved to re-elect Ms. Melanie Thompson and Ms. Laquita Clark-Horton as the chairperson and the vice chairperson, respectively. This motion was seconded by Mr. Jones and Ms. Walters. The motion carried.

**11. Board Member Reports**

Mr. Jones monitored the practical examination on March 19<sup>th</sup> and everything went well as the proctors work very closely together. He went over the statistics of the number of persons who examined, were no shows, and turned away.

Ms. Clark-Horton monitored Pampered Beauty's nail technician continuing education course, which was a great class. There was only one licensee in attendance and everything was hands on. She taught as though there were 300 attendees.

Ms. Walters went to monitor Medical Hair on April 8<sup>th</sup> and the location was moved. No notification was given to staff of the location change, so the website had not been updated. She also attended a CE course by A Better You on April 8<sup>th</sup>. It was an excellent class and there were 31 attendees, but there was no sign in/out form for breaks. On May 6<sup>th</sup>, Ms. Walters drove to Aiken for a course with Project ICON. She was told by the Hampton Inn listed for the course that they did not have meeting rooms.

**12. Discussion**

Professional Credential Services (PCS) will have school overview training on June 25<sup>th</sup>. It will be held at the Holiday Inn Express on Garner's Ferry Road in Columbia.

**13. Public Comments**

There were no public comments.

**14. Adjournment**

A motion was made by Ms. Clark-Horton to adjourn the meeting and it was seconded by Mr. Jones. The motion carried.

The meeting adjourned at approximately 1:49 p.m.

**The next meeting of the S.C. Board of Cosmetology is scheduled for July 9-10, 2018.**