

**South Carolina Board of Cosmetology  
Board Meeting  
9:00 a.m., May 24, 2016  
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 Read by the Chairman
- c. Pledge of Allegiance

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

Chairman 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
- ❖ Selena Brown
- ❖ Laquita Clark-Horton

Staff members present included: Mary League, Advice Counsel; Shalon Genwright, Staff; Theresa Richardson, Administrator; Kathy Meadows, Office of Investigations and Enforcement (OIE); Kyle Tennis, Office of Disciplinary Counsel (ODC)

**All Other Persons Attending:**

Tina Behles, Court Reporter (Capital City Reporting); Annie Love Bishop; Lisa Londono; Son Nguyen; Scott Bills; Colleen Large; Gloria Smith; Andrea Snow; Chuck Gibbons

**3. Approval of Excused Absences**

A motion was made to excuse Ms. Stephanie Nye by Mr. Eddie Jones. It was seconded by Ms. Patricia Walters and Ms. Laquita Clark-Horton. The motion carried.

**4. Approval of Agenda**

Mr. Jones made a motion to approve the agenda and it was seconded by Ms. Clark-Horton. The motion carried.

**5. Chairman's Remarks – Melanie Thompson**

Ms. Thompson was taken aback by school representatives on the content changes of the exam. The Board has worked very hard to build bridges and alliances with the school owners and not tear those bridges down. On yesterday, she felt as if it was the Board against school representatives or school representatives against the Board and that is not how any board member wants to be. Moving forward, if there is a misunderstanding or a concern, individuals may request to meet with the Board as professionals. The Board represents the entire state, industry, and every licensee involved. Chairman Thompson stated that not one member of the Board is self-serving or has any other ulterior motives other than to serve at the governor's wish, protect the public, and uphold the integrity of this industry.

**6. Administrator's Remarks – Theresa Richardson**

N/A

**7. Old Business**

There is no old business.

## 8. New Business

### a. Consideration of an Additional Hearing Officer

Ms. Cynthia Rodgers (former Board member), Mr. Eddie Jones, and Ms. Melanie Thompson have all been approved as Hearing Officers, but it takes them down a voting member when they have to recuse themselves from board meetings with cases that they have heard. Former Board members, in Chairman Thompson's opinion, make the best candidates for hearing officers as they are well versed in the statutes and regulations. They also understand how the Board works. Chairman Thompson asks that the Board consider Ms. Janice Curtis as a Hearing Officer for the Board of Cosmetology.

Mr. Jones made a motion to accept Ms. Janice Curtis as a Hearing Officer for the Board of Cosmetology and it was seconded by Ms. Clark-Horton. The motion carried.

Ms. Theresa Richardson will look at dates for Ms. Cynthia Rodgers and Ms. Janice Curtis.

### b. Consideration of Licensure with a Criminal Background

#### i. Annie Love Bishop (EXAMINATION APPLICANT)

A motion was made by Ms. Selena Brown to make this agenda item a closed session. It was seconded by Ms. Clark-Horton. The motion carried.

Ms. Lisa Londono and Mr. Scott Bills, supporters of Ms. Bishop, remained for the session.

Ms. Selena Brown made a motion to approve Ms. Annie Bishop for licensure. It was seconded by Mr. Jones and Ms. Clark-Horton. The motion carried.

A motion was made by Ms. Clark-Horton to come out of the closed session. It was seconded by Mr. Jones and the motion carried.

### c. Consideration of Licensure by Endorsement without Passing the NIC Examinations (Theory and Practical)

#### i. Tarrah Lee

According to Ms. Theresa Richardson, Ms. Lee would not be available for the meeting. The packet was deferred until the July meeting.

### d. Consideration of Modifications to the Current Admissions Process and Documents

#### i. Miller-Motte Technical College

Mr. Chuck Gibbons and Ms. Andrea Snow represented Miller-Motte Technical College.

The modifications are going to be for the Charleston and Conway campuses. They want to change the enrollment agreement by taking all provisional period language out of it, as well as making the admission examination change from Wonderlic to Smarter Measures. Chairman Thompson asked about the discrepancy of a score of 13 or higher being removed. The paperwork then states that a student needed to score 18 or higher on the examination. She also wanted to know the number of examinations taken, the cost of the examination, and the time it will take for them to take the examination. There will be 4 (four) examinations taken and the fees are included in their tuition, which will not increase. Cosmetology, Esthetics, and Applied Health (minus Surgical Technology) will use Smarter Measures. In reference to needing to score an 18 or higher, that is specific to the Surgical Technology program. The Smarter Measures assessment takes twenty (20) minutes. They have proposed catalog language and an additional assessment is required, which is contradictory and should not be in the cosmetology contract. Mr. Gibbons stated that it is a standard contract. Chairman Thompson stated the Board understands that Miller-Motte offers numerous programs. The Board has required that anything related to cosmetology be specific to cosmetology. With any applicant coming to sign a contract with this language, there is no assurance for the student to know that certain things do not apply to them. The discrepancy needs to be

broken up, as it is all grouped together. The Board needs to see the exact document that will be presented to each cosmetology student that wants to enroll in the Miller-Motte program. The student catalog, contract, documentation, and handbook will all be needed. With any place that this change will be reflected, the Board will need that information.

A motion was made by Mr. Jones to defer until July once the necessary adjustments were made with the proper documentation. It was seconded by Ms. Brown and Ms. Clark-Horton. The motion carried.

## **9. Final Order Hearings – Kyle Tennis**

### **i. 2008-44**

Ms. Cynthia Rodgers was the hearing officer for this panel hearing from December 7, 2015. The respondent was not present. The Final Order hearing was still conducted as the respondent and his attorney were notified. The respondent was indicted for bribery as they tried to bribe a test proctor that was conducting state certification testing. This incident occurred on March 31, 2009. In January of 2010, the respondent pled guilty and was charged with one count of bribery. The respondent violated several South Carolina codes. The respondent was publicly reprimanded, ordered to pay \$2,000 in a civil penalty, and must appear before the Board to receive licensure or reinstatement of licensure.

Ms. Brown made a motion to accept the Hearing Officer recommendations and it was seconded by Ms. Patricia Walters. The motion carried.

Advice Counsel will prepare a final written order that fully reflects the disposition of this matter. It will be sent to the respondent.

### **ii. 2012-100**

Mr. Jones had to recuse himself as he was the Hearing Officer for this case. The respondent was not present, but was served with notice of the hearing. The original panel hearing was conducted on April 4, 2016. The new owner of the salon was present, which did not have any relevance to this particular matter.

There were 2 (two) inspectors that witnessed a nail technician performing waxing and eyebrow shaping services. The Sanitary Rules and Regulations were also not on display. There were 2 (two) South Carolina codes violated. The recommendations given were that the respondent was publicly reprimanded and fined \$1,000. They were also given a warning for not having the rules and regulations on display. They have to appear before the Board before seeking renewal or reinstatement of licensure.

The state asks the Board to accept the Hearing Officer recommendations in its entirety.

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

Ms. Clark-Horton made a motion to come out of executive session. The motion was seconded by Ms. Brown and Ms. Walters. The motion carried. For the record, there were no motions made or voting done while in executive session.

Ms. Walters made a motion to accept the Hearing Officer's recommendations and it was seconded by Ms. Clark-Horton. The motion carried.

Advice Counsel will prepare a final written order that fully reflects the disposition of this matter. It will be sent to the respondent.

**iii. 2015-117**

The respondent was not present, but was served with notice of the hearing. This panel hearing was heard on April 4, 2016.

The respondent applied for a salon license for his proposed salon space on January 20, 2015. The application was received on January 22, 2015. On February 11, 2015, an inspector went to inspect the premises. During that time, he noticed the respondent was conducting cosmetology services prior to obtaining a license and there was a connecting door to the living quarters. A citation was issued for operating without a license. The fine from the citation has been paid by the respondent. The premises were inspected again and the salon was still not licensed and had the same connecting door that was operable. The respondent violated several codes. The recommendations given were that the respondent shall be publicly reprimanded, pay a fine totaling \$1,500, complete a disciplinary law class within 90 days of the Final Order from the Board, and shall be required to appear before the Board for further action if the other terms are not complied with. The respondent provided a written statement to Mr. Tennis that was read aloud. By the time of the initial hearing, the respondent had obtained licensure in a salon using new commercial space.

A motion was made by Ms. Clark-Horton to approve the Hearing Officer recommendations and it was seconded by Ms. Brown. The motion carried.

Advice Counsel will prepare a final written order that fully reflects the disposition of this matter. It will be sent to the respondent.

**10. Discussion**

Ms. Walters gave clarification to update the minutes from the March 22, 2016 meeting. It should have read that *'if it is known that a response is required and expected to the Board, then the Board should be contacted'*. This is on page 4 (four) that begins with 'Ms. Walters'.

Ms. Brown made a motion to approve the correction given and it was seconded by Ms. Clark-Horton. The motion carried.

**11. Board Member Reports**

Ms. Brown traveled to Rock Hill on May 16, 2016, to the Pampered Beauty CEU class. It was held in a salon with 3 (three) persons in attendance. The instructor was Ms. Doreshea Dye. It was a 6 (six) hour class with 2 (two) monitors. They also had a sign-in sheet and a clock. Ms. Dye was good and followed the agenda. The students did hands on work and safety rules and regulations were also spoken about. A late attendee was noted who is thought to have made that time up at the end of the class. It was a great discussion on hair coloring using various volumes of peroxide. The instructor was very engaging.

Ms. Walters went to Vontae's CE class in Columbia on April 11, 2016. The instructor was Michael Pringle, II. She was very impressed and it went extremely well. There were check-in sheets and the monitor was very good. There was also a question and answer session for the sanitary rules and regulations.

On May 17, 2016, Ms. Walters also monitored the NIC practical examination. The hotel is still under construction, but it was better than last year. Professional Credentialing Services (PCS) handled everything well.

Ms. Clark-Horton went to the NIC regional meeting in Nashville, Tennessee. She was impressed on how the states are coming together. It was a good conference and she learned a lot, including new terminology.

Mr. Jones conducted panel hearings on April 20<sup>th</sup> and May 9<sup>th</sup> of 2016. He conducted a school inspection with an inspector, Ms. Jennifer Stillwell on April 1, 2016. The school was the Southeastern School of Cosmetology in Orangeburg, South Carolina. Karen Stacks supervises the school. Joseph Cunningham is the owner. According to Chairman Thompson, the ratification of the school should have been on the May agenda to ratify the vote of the school approval. Currently, the school has provisional approval. Ms. League stated that the orders are to approve the pending final inspection and the ratification is ad ministerial. It will be placed on the July agenda.

## 12. Public Comments

Ms. Colleen Large asked about the mannequins for the esthetics practical examination. She asked was a holder needed by the students. Chairman Thompson stated that the mannequins will be positioned on the table. They will be laid flat on the table. Students may also use hard wax, but with an adjustment of the temperature.

Mr. Scott Bills had a question in reference to the Methods of Teaching instructors. A person without a Master's degree in education has to prove that they have the expertise in teaching others how to teach. The type of training that a person goes through, classes taken, number of classes, and number of hours completed in teaching others how to teach will help them in becoming a Methods of Teaching instructor. There is no guarantee that that is enough without seeing it. It has to be proven to the Board that a person has an expertise in teaching others how to teach. In the past, an individual has shown the classes that were taken, along with the numerous hours taken for teaching.

Ms. Richardson mentioned the new location of the NIC practical examination. It will now be located at 110 McSwain Drive in West Columbia, South Carolina. It is at the Holiday Inn and Suites at the Columbia airport. This location change will be implemented on June 20, 2016. A memorandum will be going out to the school administrators and instructors from Professional Credentialing Services (PCS) on this week. It will affect the June examination and Ms. Nye is monitoring the July examination. Ms. Richardson will be send this information to all of the Board members. Chairman Thompson mentioned monitoring the practical examination in April and gave kudos to PCS on moving the location so quickly.

Chairman Thompson reminded the Board members about the training and overview at the end of June at the Inn at USC. For additional information, Ms. Richardson may be contacted. If the new Board member has been confirmed by then, she/he should attend.

The domestic violence information is on the LLR website and if anyone has a salon website, the information should be placed on the website. Brochures may be placed in the restrooms of salons. The Cosmetology Board was praised, which was a wonderful change of atmosphere.

## 13. Adjournment

Ms. Brown made a motion for adjournment and it was seconded by Ms. Clark-Horton. The motion carried.

The meeting adjourned at 10:34 a.m.

**The next meeting of the S.C. Board of Cosmetology is scheduled for July 11-12, 2016.**