

MINUTES

The Tennessee State Board of Cosmetology held a meeting on April 5, 2010 at 9:00 a.m. CDT, in Nashville, Tennessee.

The following members were present: Linda Colley, Chairman, Nina Coppinger, Vice-Chairman, June Huckleby, Diana Buchanan, Pearl Eva Walker, Janet Wormsley, Judy Golden and Muriel Smith were present. Virgilene Lotze was not present.

Other present were: Beverly Waller, Executive Director, Terrance Bond, Staff Attorney and Debbie Gean, Regulatory Boards Administrative Assistant I.

Linda Colley, Chairman welcomed everyone to the board meeting.

Linda Colley, Chairman called for roll call.

MINUTES

MOTION was made by Ms. June Huckleby and seconded by Ms. Muriel Smith to approve the March 1, 2010 cosmetology board minutes. Motion carried unanimously.

APPEAR BEFORE THE BOARD

Harry Knox, Chattanooga, Tennessee – Present - Mr. Knox submitted an application for a new school of cosmetology which was presented to the Board of Cosmetology at the March 1, 2010 meeting. Mr. Knox is a former cosmetology school owner. The Board requested his appearance at the April meeting to discuss his application for a new school of cosmetology.

The board discussed the many problems that Mr. Knox has had with previous schools. Mr. Knox informed the board that he is opening this new school to help disadvantaged students obtain an education in cosmetology.

Ms. Pearl Walker stated that she feels we should give Mr. Knox another opportunity especially since he is helping disadvantaged students. Ms. Pearl Walker stated that she has a school in her area that helps disadvantaged students.

MOTION was made by Ms. Judy Golden and seconded by Ms. Pearl Walker to grant Mr. Knox a license after a signed agreed order of probation has been submitted and school has been inspected by board member and board inspector and found to be in compliance with all requirements for a license school of cosmetology in Tennessee. A certain grade must be obtained on the school inspection sheet each time the school is inspected, which will be stated in the agreed order. Motion carried unanimously with Ms. June Huckleby stated no on the vote.

Mary Chubenko, Nashville, Tennessee – Present. Ms. Chubenko is present today to discuss her situation with the Board concerning information she was given by a school which was incorrect. She is a licensed master barber and has been since 1986. She enrolled in the esthetics curriculum at Tennessee Technology Center, Nashville and was told she could transfer hours from her barber license to the esthetics curriculum.

Ms. Chubenko and the board discussed the rule concerning transferrable hours. It was stated that the rule may need to be changed. No motion was made.

Taylor Theresa Robinson, Collierville, TN – Present. Ms. Robinson submitted an application for reciprocity of manicurist license from Michigan that was presented to the Board of Cosmetology at the March 1, 2009 meeting. Certification of licensing from the Michigan State Board verifies she completed a manicurist apprenticeship program from December 7, 2000 to June 7, 2001 to qualify for a manicurist license. After reviewing her application and supporting documents the Board voted she would be required to complete six hundred (600) hours of instruction in the manicurist curriculum in a licensed school and pass the state board manicurist examination to qualify for manicurist license in Tennessee. She requested to appear before the board today to discuss the board's decision.

MOTION was made by Ms. Judy Golden and seconded by Ms. Nina Coppinger to request Ms. Robinson send the office copies of her tax returns from 2004 to 2009 and once the tax returns are received, reviewed and approved by the office Ms. Robinson will be approved for reciprocity. Motion carried unanimously.

Kimberly M. Johnson, Murfreesboro, TN – Present. Ms. Johnson submitted an application for reciprocity of aesthetician license from Florida with the board office. Certification from the Florida State Board verifies she is licensed as a facial specialist that required 260 hours of instruction and no state board examination is required. She has submitted a transcript where she attended Keiser Career College in the Paramedical Esthetician program and completed 54 hours of credits.

MOTION was made by Ms. Nina Coppinger and seconded by Ms. Judy Golden to request Ms. Johnson take an additional 490 hours in esthetics then take and pass the esthetics examination to become licensed in the State of Tennessee. Motion carried unanimously.

Keeow Sengdara is present today with her diploma from high school in Loa's for approval for enrollment in a cosmetology school.

MOTION was made by Ms. Judy Golden and seconded by Ms. Nina Coppinger to accept her diploma for enrollment in a cosmetology school. Motion carried unanimously.

ADMINISTRATIVE REPORT

SCHOOL APPLICATIONS

Application for a new school of cosmetology, Academy of Esthetics and Hair Design located Lafollette, Tennessee was submitted. The board was provided the application, fee, bond, floor plan and twenty (20) applications for enrollment. A copy of her contract was submitted also.

MOTION was made by Ms. Judy Golden and seconded by Ms. Pearl Eva Walker to send Ms. Janet Wormsley, Board Member and Mr. James Stanley, Inspector to inspect the school. Motion carried unanimously.

International College of Arts & Beauty resubmitted an application for change of ownership and change of location which was presented to the Board at the March 1, 2009 meeting. The Board voted to have the Board Member and Inspector for the area inspect the school. The school was inspected by June Huckeby, Board Member and Larry Chadwick, Inspector on March 3, 2010 and approval was granted to open. Ms. Beverly Waller, Executive Director stated she needs the Board's final approval.

MOTION was made by Ms. Muriel Smith and seconded by Ms. Nina Coppinger to approve the opening of the school. Motion carried unanimously.

A notification from Love's Beauty School was received. They are planning to expand the campus. The building is within walking distance of the main campus. They will be moving classrooms, the spa area and financial aid and enrollment offices to the new location. The location will be ready end of the month.

MOTION was made by Ms. Judy Golden and seconded by Ms. Nina Coppinger to send a board member and inspector to inspect the location for approval to expand campus. Motion carried unanimously.

An application for change of location for Shear Perfection Academy of Cosmetology was submitted. They will be ready for inspection on May 4, 2010.

MOTION was made by Ms. Judy Golden and seconded by Ms. Nina Coppinger to send Ms. Linda Colley, Board Member and Mr. Terry Barnes, Inspector to inspect the school. Motion carried unanimously.

The board was informed that Paul Mitchell the School Murfreesboro is adding the Cosmetology Instructor curriculum to their program.

Georgia Career Institute is interested in adding 200 hours to their esthetics program. The additional hours are for certification by NCEA to relate to the medical end of esthetics. They will have the 750 hours esthetics program and the 1,200 hours

esthetics program. Instead of adding 200 hours, notice from the emails it is actually 450 hours to be added for the 1,200 hours curriculum.

MOTION was made by Ms. Judy Golden and seconded by Ms. Diana Buchanan that the board can't approve or disapprove the additional hours. Motion carried unanimously.

INSTRUCTOR SEMINAR

The agenda for approval of the Barber/Cosmetology Instructor seminar for the University of Memphis to be held June 13-14, 2010 was submitted.

MOTION was made by Ms. Judy Golden and seconded by Ms. Nina Coppinger to approve the agenda. Motion carried unanimously.

EXTENSION REQUEST

A request for extension from the 2009 cosmetology instructor seminar from Brenda Kay Nguyen was submitted. She has submitted medical information.

MOTION was made by Ms. Judy Golden and seconded by Ms. Muriel Smith to grant the extension and request Ms. Nguyen attend the 2010 and 2011 instructor seminars. Motion carried unanimously.

A request for extension from the 2009 cosmetology instructor seminar from Donna Poteet was submitted. She has submitted a statement to the board.

MOTION was made by Ms. Nina Coppinger and seconded by Ms. Judy Golden to deny the request for extension unless she can provide a medical statement. Motion carried unanimously.

A request for extension from the 2009 cosmetology instructor seminar from Aserlean Marie Dotson was submitted. She has submitted a statement to the board.

MOTION was made by Ms. Nina Coppinger and seconded by Ms. Muriel Smith to deny the request. Motion carried unanimously.

A request for extension from the 2009 cosmetology instructor seminar from Natalya Rawls was submitted. She attended a continuing educational seminar before she became licensed as an instructor. She became license as an instructor July 16, 2008 and attended the instructor seminar June 16-17, 2008. She is requesting the board to accept that seminar attendance as her required attendance in 2009.

MOTION was made by Ms. Nina Coppinger and seconded by Ms. Muriel Smith to deny the request. Motion carried unanimously.

A request for extension from the 2009 cosmetology instructor seminar from Iris Boxley was submitted. Ms. Boxley stated due to family emergency, in which she details in her letter to the board, she was not able to attend. No medical statement was submitted.

MOTION was made by Ms. Muriel Smith and seconded by Ms. June Huckleby to deny the request. Motion carried unanimously.

APPLICATIONS FOR EXAMINATION

Applications for the cosmetology reinstatement examination from Laura Camille Thompson and Gilbert A. Johnson were submitted. The applicants have felonies.

MOTION was made by Ms. Nina Coppinger and seconded by Ms. Judy Golden to approve the applications with the signed agreed order. Motion carried unanimously.

An application for examination from Ashley Elizabeth Rodrigue who has a felony was submitted. The board was provided her letter of disclosure and letter of recommendation from the school she attended.

MOTION was made by Ms. Nina Coppinger and seconded by Ms. Janet Wormsley to approve the application. Motion carried unanimously.

An application for examination from Phuong Anh T. Dam was submitted. Her application for examination states she completed 601.50 hours in the manicuring curriculum at Atlanta Beauty Academy in Doraville, Georgia from May 1, 2009 until August 31, 2009. This applicant is a junior at Glencliff High School located in Nashville, Tennessee. Ms. Waller provided the school calendar for the 2008-2009 school years. Ms. Waller stated she questioned this applicant as to how and when she attended school for manicurist hours and was not able to get an answer.

MOTION was made by Ms. June Huckleby and seconded by Ms. Judy Golden to deny the application. Motion carried unanimously.

An application for examination from Demetrius Granberry who has a felony was submitted for approval. Ms. Waller provided his disclosure statement and Ms. Waller has the letter of recommendation from the school. The letter was sent after the board packet was prepared.

MOTION was made by Ms. Nina Coppinger and seconded by Ms. Judy Golden to accept the examination. Motion carried unanimously.

A request from Sheena Hall for retention of hours (608) obtained in the cosmetology curriculum at Hillsboro High School from August 16, 2001 to May 23, 2002.

MOTION was made by Ms. Judy Golden and seconded by Ms. Muriel Smith to request Ms. Sheena Hall to appear before the board. Motion carried unanimously.

High School diploma for Vernanda Patrice from the Dominica West Indies for approval for enrollment in a school of cosmetology was submitted.

MOTION was made by Ms. Nina Coppinger and seconded by Ms. Pearl Eva Walker to accept the high school diploma for enrollment in a cosmetology school. Motion carried unanimously.

High school diploma for Daisy Ybanez from the Philippines for approval for enrollment in a school of cosmetology was submitted.

MOTION was made by Ms. Nina Coppinger and seconded by Ms. Diana Buchanan to accept the high school diploma for enrollment in a cosmetology school. Motion carried unanimously.

Certificate of graduation from Kyong Hui Han from Korea for approval for enrollment in a school of cosmetology was submitted.

MOTION was made by Ms. Judy Golden and seconded by Ms. Janet Wormsley to request more information from Kyong Hui Han. Motion carried unanimously.

RECIPROCITY

Application for reciprocity of aesthetician license from Florida for Nancy Schwab was presented to the Board of Cosmetology at the March 1, 2010 meeting. The five year work history she submitted was for Profit and Loss from her business as a salon owner. She has sent a request to the board to reconsider her application for approval because she took no salary from her business. She would like the board to reconsider her application for approval of reciprocity of aesthetician license.

MOTION was made by Ms. Judy Golden and seconded by Ms. Nina Coppinger to request Ms. Schwab obtain her appointment book and business license to present to the board. Motion carried unanimously.

Application for reciprocity of cosmetology license from Cairo from Remon Morcos was submitted. He has submitted a Beauty Arts Diploma, Certificate of Experience and Certificate as proprietor of a hair dressing shop.

MOTION was made by Ms. Judy Golden and seconded by Ms. Nina Coppinger to request Remon Morcos take the cosmetology examination and pass to become licensed in the State of Tennessee. Motion carried unanimously.

Application for reciprocity of cosmetology license from Mexico for Alma Rosa Roble was submitted. She has submitted documents stating she has finished the course of

Beauty Cultural and also documents from Academy of Facial Prospective and Corporal Perfect Image that she completed the course of cosmetology with 1,800 hours.

MOTION was made by Ms. Nina Coppinger and seconded by Ms. Judy Golden to request a breakdown of hours from Ms. Alma Rosa Roble. Motion carried unanimously.

Application for reciprocity of cosmetology license from Mexico for Adelaida Ibarra was submitted. She submitted several documents, certificates of seminar attendance and one document that states she was enrolled in the register of trade from the year 1982 to the year 2000 with trade activity of cosmetics. Ms. Waller was not able to locate specific hours of instruction.

MOTION was made Ms. Nina Coppinger and seconded by Ms. Janet Wormsley to deny the request. Motion carried unanimously.

Application for reciprocity of cosmetology license from Kentucky for Brandi Newsom was submitted. Certification from the Kentucky State Board verifies she is licensed as an Apprentice Cosmetologist completing 1,800 hours of instruction in the cosmetology curriculum.

MOTION was made by Ms. Judy Golden and seconded by Ms. Nina Coppinger to request Ms. Newsom take and pass the cosmetology examination to become licensed in the State of Tennessee. Motion carried unanimously.

Application for reciprocity of aesthetician license from Colorado for Jessica Nicholson was submitted. Certification from the Virginia State Board states she obtained hours (600) and examination was waived (Effective March 23, 2009 through July 31, 2009). Certification from the Colorado State board verifies she hold a valid license. She has submitted certificates from American Spirit Institute for completion of 300 hours of training no location listed and Longs Peak Academy completion of 600 hours training.

MOTION was made by Ms. Judy Golden and seconded by Ms. Nina Coppinger to request Ms. Nicholson take and pass the cosmetology examination to become licensed in the State of Tennessee. Motion carried unanimously.

Application for reciprocity of manicurist license from Georgia for Dang Hai Nguyen was submitted. He was originally license in Florida which requires 240 hours of instruction in the manicurist curriculum. The five year work history he submitted states his occupation as self employed. 1099 form for 2007 list his employer as Luxury Nails. He has not submitted proof of a five year work history as a manicurist.

MOTION was made by Ms. Judy Golden and seconded by Ms. Diana Buchanan to request Mr. Nguyen obtain an additional 360 hours then take and pass the manicurist examination to become licensed in the State of Tennessee. Motion carried unanimously.

MISCELLENOUS

Barber/Cosmetology Instructor Continuing Education Seminar Schedule was provided for the board members.

Information on Disadvantages of Eyelash Perming was given to the board members.

Application for change of location for Career Beauty College was submitted. The tentative date is May 11, 2010 but stated they would notify the board.

MOTION was made by Ms. Judy Golden and seconded by Ms. Nina Coppinger to send Ms. Linda Colley, Board Member and Ms. Evelyn Burgett, Inspector to inspect the school. Motion carried unanimously.

Application for examination approval for Kylie Lashay Milstead was submitted. She was caught with cheat notes on mannequin October 26, 2006 when she previously tested.

MOTION was made by Ms. Nina Coppinger and seconded Ms. Muriel Smith to request Ms. Milstead come before the board. Motion carried unanimously.

Transcript submitted from K.P. Sudath from Sri Lanka for proof of high school education was submitted. She will be applying for enrollment in a school for cosmetology in Tennessee.

MOTION was made by Ms. Muriel Smith and seconded by Ms. Judy Golden to request additional education information and table this until next month. Motion carried unanimously.

Application for manicurist examination approval from Mahiah Nguyen was submitted. This applicant is a junior at Hixson High School in Hixson, Tennessee. She has completed 600 hours of instruction in the manicurist curriculum at Atlanta Beauty Academy from May 1, 2009 until August 31, 2009. Transcript for proof of completion of 10th grade shows she enrolled in Hixson High School August 12, 2008. Ms. Waller stated she needs the boards help understanding the high school education transcript.

MOTION was made by Ms. June Hucceby and seconded by Ms. Muriel Smith to deny the request. Motion carried unanimously.

Application for reciprocity of cosmetology license from Florida for Karen Baker was submitted. Certification verifies 1,200 hours of instruction in the cosmetology curriculum. She has submitted work history as cosmetologist for 2005, 2006, 2007 and 2009 with copies of federal income tax documentation. For tax year 2007 year she sent copies of her financial records with no clear clarification of occupation.

MOTION was made by Ms. Nina Coppinger and seconded by Ms. Muriel Smith to request Ms. Baker obtain an additional 300 hours then take and pass the cosmetology examination to become licensed in the State of Tennessee. Motion carried unanimously.

Application for reciprocity of manicurist license from Georgia for Tuyet Lan Thi Pham was submitted. Certification from the Georgia State Board verifies 320 hours in the manicurist curriculum, because she states she was originally licensed 1999. The work history as a manicurist she submitted is for 2006, 2007 and 2008 only. She sent a tremendous amount of papers and Ms. Waller stated she located 2006 later.

MOTION was made by Ms. Nina Coppinger and seconded by Ms. Judy Golden to request Ms. Pham obtain an additional 280 hours then take and pass the manicurist examination to become licensed in the State of Tennessee. Motion carried unanimously.

Application for reciprocity of manicurist license from Arizona for Bobbi Bennett was submitted. Certification verifies she obtained license in 1995 and the required amount of hours in the curriculum was 300. She was only able to submit a work history as a manicurist from 2007 to 2010 because she was unable to locate the former shop owner she worked for and the shop is closed.

MOTION was made by Ms. Nina Coppinger and seconded by Ms. Judy Golden to request Ms. Bennett to obtain an additional 300 hours then take and pass the manicurist examination to become licensed in the State of Tennessee. Motion carried unanimously.

Application for reciprocity for cosmetology license from Florida for Kathy Shawn Skeen was submitted. Certification from the Florida State Board verifies she was originally licensed August 20, 2009 and completed 1,200 hours of instruction in the cosmetology curriculum.

MOTION was made by Ms. Judy Golden and seconded by Ms. Nina Coppinger to request Ms. Skeen obtain an additional 300 hours then take and pass the cosmetology examination to become licensed in the State of Tennessee. Motion carried unanimously.

Application for reciprocity of aesthetician license from Florida for Vy Tuong Vu was submitted. Certification from the Florida State Board verifies she is licensed as a full specialist. In the State of Florida a combined license of manicurist and facial specialist is 500 hours. She is requesting an aesthetician license but her work history is for manicurist.

MOTION was made by Ms. Judy Golden and seconded by Ms. Janet Wormsley to grant reciprocity for Ms. Vu's manicurist license and require her to obtain an additional 490 hours then take and pass the aesthetician examination to become licensed in the State of Tennessee as an aesthetician. Motion carried unanimously.

Application for reciprocity of manicurist license from Illinois for Marshall Clark was submitted. Certification of licensing from the Illinois State Board verifies she

obtained license in June 5, 2001 and Illinois requires 350 hours of instruction in the nail tech curriculum to qualify for license. She did not submit a five (5) year work history.

MOTION was made by Ms. Judy Golden and seconded by Ms. Nina Coppinger to request Ms. Clark obtain an additional 250 hours then take and pass the manicurist examination to become licensed in the State of Tennessee. Motion carried unanimously.

Application for reciprocity of cosmetology license from Colorado for Stephanie Parkes was submitted. Certification of licensing from the Colorado State Board verifies she obtained license July 3, 2007 with 1,350 hours in the cosmetology curriculum.

MOTION was made by Ms. Judy Golden and seconded by Ms. Diana Buchanan to request Ms. Parkes obtain an additional 150 hours then take and pass the cosmetology examination to become licensed in the State of Tennessee. Motion carried unanimously.

Transcript submitted from Salas Espinoza Karol Mariela from Philippines for proof of high school education was submitted. She will be applying for enrollment in a school for cosmetology in Tennessee.

MOTION was made by Ms. Nina Coppinger and seconded by Ms. Muriel Smith to accept the high school diploma for enrollment in a cosmetology school. Motion carried unanimously.

Consent orders totaled \$8,600.00.

NC Trading Inc.
534 Dunwoody Village Pkwy
Atlanta, GA 30338

Violation issued November 20, 2009
Pd \$2,000.00 on 3-10-2010

Da- Vi Nails
225 South Howell Ave
Chattanooga, TN 37411

Violation issued November 17, 2009
Pd \$1,000.00 on 3-30-2010

Expo Nails
617-C Cumberland Street
Lebanon, TN 37087

Violation issued March 21, 2009
Pd \$1,800.00 on 3-9-2010

Peggy's Beauty Salon
4323 South Third Street
Memphis, TN 38189

Violation issued October 2, 2004
Pd \$300.00 on 3-01-2010

Pro Nails
5151 Murfreesboro Road
LaVergne, TN 37086

Violation issued March 31, 2009
Pd \$1,000.00 on 3-30-2010

Salon Sensations
4640 Nashville Hwy
Chapel Hill, TN 37034

Violation issued November 18, 2009
Pd \$500.00 on 3-30-2010

Shear Magic Hairstylist
223 North Main Street
Dickson, TN 37055

Violation issued November 20, 2009
Pd \$1,000.00 on 3-30-2010

Tress Salon
228-A North Main Street
Clinton, TN 37716

Violation issued July 22, 2009
Pd \$1,000.00 on 3-23-2010

MOTION was made by Ms. Judy Golden and seconded by Ms. Muriel Smith to accept the consent orders. Motion carried unanimously.

STAFF ATTORNEY REPORT

1. 201000156-1

January 15, 2010 Notice of Violation provides that one (1) individual was observed practicing cosmetology in a licensed cosmetology shop while the shop license was expired (exp. date 10/31/07). According to the license roster, the license is now current.

Recommendation: Authorize formal hearing with authority to settle by Consent Order and payment of a \$1,000.00 civil penalty.

ACCEPTED AS RECOMMENDED.

2. 200900976-1 [RE-PRESENT]

The board authorized formal proceedings and settlement by Consent Order and payment of a \$1,000.00 civil penalty on allegations that a licensed cosmetology instructor was observed teaching cosmetology at a licensed cosmetology school while her license was expired (exp. date 2/28/09) and that the school failed to keep necessary records for a student at the school. The school's owner submitted a response to the settlement offer.

Recommendation: Discuss.

THE BOARD VOTED TO MAINTAIN THE ORIGINAL OFFER OF SETTLEMENT AND AUTHORITY FOR A FORMAL HEARING.

3. 201000040-1 [RE-PRESENT]

The board authorized formal proceedings and settlement by Consent Order and payment of a \$5,000.00 civil penalty on allegations that a licensed full service cosmetology shop failed to display the shop license or the most recent grade sheet. In addition, one (1) licensed manicurist who was providing service to a client in the shop failed to display her license at her work station and was not wearing an identification tag. Additional violations are also alleged:

- 1) 1 individual who was practicing manicuring in the shop could not verify that she was licensed to practice manicuring;
- 2) 13 of 16 spa tub drains were in an unsanitary condition after use;
- 3) 10 licensed manicurists failed to wear identification while practicing\ manicuring in the shop; and,
- 4) 12 manicurist licenses were not displayed at the respective holder's work stations but were kept in a drawer at the shop's front desk.

The shop owner submitted a response to the offer of settlement.

Recommendation: Discuss

THE BOARD VOTED TO MAINTAIN THE ORIGINAL OFFER OF SETTLEMENT AND AUTHORITY FOR A FORMAL HEARING.

4. 200900970-1 [RE-PRESENT]

The board authorized formal proceedings and settlement by Consent Order and payment of a \$500.00 civil penalty on an allegation that the owner of a licensed cosmetology shop relocated the shop without obtaining an inspection of the new location. The owner of the shop submitted a response to the offer of settlement.

Recommendation: Discuss.

THE BOARD VOTED TO MAINTAIN THE ORIGINAL OFFER OF SETTLEMENT AND AUTHORITY FOR A FORMAL HEARING.

5. 200900316-1

This complaint was filed by a licensed cosmetologist's former employer (the owner of a licensed cosmetology shop) and alleges that the licensee embezzled a substantial sum of

money from the shop while employed as a manager there. According to the complainant, she obtained a civil judgment against the licensee relative to the stolen amounts. In addition, it is believed that the licensee is currently jailed pending trial relative to the stolen amounts.

Recommendation: Authorize formal hearing with authority to settle by Consent Order agreeing to the immediate revocation of the licensee's license to practice cosmetology.

ACCEPTED AS RECOMMENDED.

6. 200902383-1 [RE-PRESENT]

The board authorized formal proceedings and settlement by Consent Order and payment of a \$1,000.00 civil penalty on an allegation that a licensed cosmetology school admitted a student without first obtaining sufficient proof that the student completed two (2) years of high school or achieved the minimum "passing" score on the GED exam prior to entering cosmetology school. The school owner submitted a response to the offer of settlement

Recommendation: Discuss.

THE BOARD VOTED TO MAINTAIN THE ORIGINAL OFFER OF SETTLEMENT AND AUTHORITY FOR A FORMAL HEARING.

7. 200902459-1 [RE-PRESENT]

The board authorized formal proceedings and settlement by Consent Order and payment of a \$1,000.00 civil penalty on an allegation that a licensed cosmetology school admitted a student without first obtaining sufficient proof that the student completed two (2) years of high school or achieved the minimum "passing" score on the GED exam prior to entering cosmetology school. A school representative submitted proof that the student did complete two (2) years of high school prior to entering cosmetology school.

Recommendation: Discuss.

THE BOARD VOTED TO MAINTAIN THE ORIGINAL OFFER OF SETTLEMENT AND AUTHORITY FOR A FORMAL HEARING.

8. 200902580-1 [RE-PRESENT]

The board authorized formal proceedings and settlement by Consent Order and payment of a \$1,000.00 civil penalty on an allegation that a licensed cosmetology school admitted a student without first obtaining sufficient proof that the student completed two (2) years of high school or achieved the minimum "passing" score on the GED exam prior to

entering cosmetology school. A school representative submitted proof that the student did complete two (2) years of high school prior to entering cosmetology school.

Recommendation: Discuss.

THE BOARD VOTED TO MAINTAIN THE ORIGINAL OFFER OF SETTLEMENT AND AUTHORITY FOR A FORMAL HEARING.

9. 200902675-1 [RE-PRESENT]

The board authorized formal proceedings and settlement by Consent Order and payment of a \$1,000.00 civil penalty on an allegation that a licensed cosmetologist was observed operating an unlicensed cosmetology shop. The shop owner submitted a response to the offer of settlement.

Recommendation: Discuss.

THE BOARD VOTED TO MAINTAIN THE ORIGINAL OFFER OF SETTLEMENT AND AUTHORITY FOR A FORMAL HEARING.

**10. 201000150-1
201000151-1
200902191-1**

Each of the following individuals is licensed by reciprocity with hours allegedly accumulated in the State of Texas. Texas has charged each of the individuals with fraudulently obtaining the hours in Texas by purchasing them from a former licensed school of cosmetology in that state.

Recommendation: Authorize formal settlement against all Respondents with authority to settle by Consent Order agreeing to the revocation of a Respondent's license if the State of Texas finds that the Respondent accumulated hours by fraud or if a Respondent enters into settlement with the State of Texas via an Agreed Order admitting fraudulent or other disciplinable conduct.

ACCEPTED AS RECOMMENDED.

11. 201000034-1

The board authorized formal proceedings and settlement by Consent Order and payment of a \$1,000.00 civil penalty on allegations that a wax machine and implements commonly used in waxing were found in a licensed manicure shop. The owner of the shop submitted a written response to the offer of settlement.

Recommendation: Discuss.

THE BOARD VOTED TO MAINTAIN THE ORIGINAL OFFER OF SETTLEMENT AND AUTHORITY FOR A FORMAL HEARING.

MOTION was made by Ms. Muriel Smith and seconded by Ms. Pearl Walker to accept the recommendations. Motion carried unanimously.

MOTION was made by Ms. June Huckleby and seconded by Ms. Muriel Smith to adjourn the meeting. Motion carried unanimously.