

MINUTES

The Tennessee State Board of Cosmetology held a meeting on May 4, 2009 at 9:00 a.m. CDT, in Nashville, Tennessee.

The following members were present: H. D. Adcock, Chairman, Linda Colley, Vice Chairman, June Huckleby, Janet Wormsley and Muriel Smith were present. Nina Coppinger, Pearl Eva Walker, Lee Bowles and Judy Golden were not present.

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

H. D. Adcock, Chairman welcomed everyone to the board meeting.

H. D. Adcock called for roll call.

MINUTES

Minutes will be available at the next board meeting for approval from the April 6, 2009 board meeting.

APPEAR BEFORE THE BOARD

Penny Burns – CEO – H. D. Adcock and Associations was present to speak with the board concerning high school diplomas. Ms. Burns presented a list of schools that are federally funded and accredited to the board members. Ms. Burns spoke with the board concerning the diploma mills. Ms. Burns stated that most of these diplomas are not any good. Ms. Burns was very informative concerning diplomas that were acceptable.

After discussion the board voted traditional high school diplomas will be accepted for examination approval only. The board requested Mr. Terrance Bond, Staff Attorney and Ms. Beverly Waller, Executive Director prepare a letter explaining diploma approvals, which will be sent to all cosmetology schools. The letter is to be prepared and presented to the board at the next meeting.

Zohar Khevani – Bombay Beauty Salon, Memphis, TN – Present. Ms. Khevani was present to discuss eyebrow threading. Ms. Khevani informed the board she performed eyebrow threading in a small salon she owned in New York for ten (10) years. Ms. Khevani is requesting the board to allow other individuals to work in her salon with a permit. The board informed Ms. Khevani that anyone performing eyebrow threading would require a cosmetologist or aesthetician license.

Drite Dedushi from Lipjan was present. Ms. Dedushi's documents for proof of high school education from Lipjan were presented to the board at the April meeting and the board requested additional information. Ms. Dedushi appeared before the board due to not having any additional information. Ms. Dedushi informed the board she has four

(4) years of high school and that she escaped from her country due to the war and the documents she presented were the only ones she could get.

MOTION was made by Ms. Linda Colley and seconded by Ms. Janet Wormsley to accept the diploma of education. Motion carried unanimously.

Andela Nemeckova from Czechoslovakia was present. Ms. Nemeckova's documents were presented to the board at the April meeting and the board voted to decline acceptance of documents submitted for proof of high school education. Ms. Nemeckova presented the board with a translated transcript from secondary school.

MOTION was made by Ms. Linda Colley and seconded by Ms. June Huckleby to accept the diploma of education. Motion carried unanimously.

ADMINISTRATIVE REPORT

An application for change of location for International College of Arts located in Chattanooga was submitted. A board member and inspector have visited the new location and will need to return for final inspection.

Documents were submitted from the Beauty Institute for applicant Victoria Menendez Castro's proof of high school education from Costa Rica for approval by the board.

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

Ms. Beverly Waller, Executive Director presented a copy of information advising an amended bill which would have required the State of Tennessee to recognize high school diplomas issued by home schools and church related schools died in the House Calendar and Rules Committee at the end of the 2007 – 2008 legislative session. Ms. Nina Coppinger, Board Member is actively looking into the diploma situation the board is facing, to arrive at some type of solution.

A memo was received from an aesthetician/instructor wanting to know if aestheticians are permitted to use needles and lancets. She explains that aestheticians are called upon to do extractions. She goes on to explain why they use the needles and lancets. She feels that if they are not allowed to use needles or lancets she believes much of their business and livelihood will be affected. She stated that someone could argue that it is a treatment and someone could argue that it is not. She is requesting clarification from the Board.

MOTION was made by Ms. Linda Colley and seconded by Ms. Janet Wormsley to table this until next month's meeting when Ms. Judy Golden will be present. Motion carried unanimously.

A request from Kinna Rhodes for board approval to exceed the required time period of seven (7) years to complete the cosmetology curriculum was submitted. Ms. Rhodes currently enrolled in the cosmetology curriculum at Tennessee Technology Center in Huntsville. Ms. Rhodes originally enrolled in the cosmetology curriculum at Scott High School August 20, 2002. Ms. Rhodes seven years will be up August 20, 2009 but she will not complete her hours at Tennessee Technology Center in Huntsville until October 2009. Ms. Rhodes is requesting an extension of her hours until the end of November 2009.

MOTION was made by Ms. Muriel Smith and seconded by Ms. June Huceby to grant Ms. Rhodes her extension. Motion carried unanimously.

A request from Sherry Lynn Freeman for the board to reconsider their decision to decline her request for extension from the 2008 instructor seminar was submitted. Ms. Freeman explains in a letter she did not understand she was to attend. Ms. Freeman has to retest in 2008 because her instructor status was removed for not attending seminar in 2007. She retested and reinstated her instructor status in February 2008 and she did not attend again in 2008. She references twelve (12) hours of continuing education in her letter. She states in her letter she has been a full-time student at Chattanooga State and running her own salon. Ms. Freeman sent proof of her attendance at Chattanooga State. Ms. Freeman needs her instructor status because she has accepted a position as an instructor.

MOTION was made by Ms. June Huceby and seconded by Ms. Linda Colley to deny Ms. Freeman's request for extension. Motion carried unanimously.

An application for examination was presented at the April board meeting for Shelia White with her proof of high school education at Jefferson High School, which is an online school. Ms. White submitted copies of grades she obtained at The King's Academy showing she was promoted from 10th to 11th grade. The school was located in Meridian, Mississippi and is believed to be closed now. This was all the information that was able to be obtained. Ms. White is requesting the board to accept this as proof of completion of 10th grade for approval to take the examination.

MOTION was made by Ms. June Huceby and seconded by Ms. Muriel Smith to request Ms. White get the original paperwork. Motion carried unanimously.

Maria Eugenia Rodriguez Mendez submitted documents to the Board at the April meeting for review for consideration for licensing as a cosmetologist in Tennessee. The board reviewed the documents and requested she submit additional information pertaining to her hours of instruction she completed in cosmetology studies at the John Jenn Beauty Technical Institute in Mexico. Ms. Mendez submitted translated documents that state she had a total of 3,260 hours hair cuts, permacology, colorimetry, high hairdo, professional makeup, manicure, pedicure, paste nails, cosmetology, capillary treatment, material technology and hygiene orientation, sterilization and first aide. Ms. Mendez also submitted several certificates.

MOTION was made by Ms. Linda Colley and seconded by Ms. June Huckleby to request Ms. Mendez take the cosmetology examination and pass to become licensed in the State of Tennessee. Motion carried unanimously.

A diploma from Panama for proof of high school education from Sofia Cristina Arango Laws for admission to the Beauty Institute was submitted.

MOTION was made by Ms. Linda Colley and seconded by Ms. June Huckleby to request the original documents. Motion carried unanimously.

An application for the manicurist examination from Linh M. Dao was submitted. Mr. Dao has submitted documents showing he completed 600 hours in the manicurist curriculum at Visions Academy in Connecticut. Connecticut does not have a manicurist license. Ms. Waller stated she also spoke to the applicant by phone and he thought he had attended school in Florida. Ms. Waller asked him several times were he received his instruction in the manicurist curriculum and he repeatedly said Florida. Ms. Waller asked him why she had documents from Vision Academy in Connecticut and he said, "oh yea, I went to school their".

MOTION was made by Ms. Linda Colley and seconded by Ms. June Huckleby to not accept Mr. Dao's hours. Motion carried unanimously.

An application for cosmetology examination from Amy Ensley, who has a felony, was submitted. Ms. Waller stated she thought she had a letter of recommendation, but she did not. Ms. Waller asked if she receives a letter of recommendation could she follow the usual procedure that legal will send a agreed order and once signed and returned to the board office the applicant is approved to schedule the examination.

MOTION was made by Ms. Linda Colley and seconded by Ms. June Huckleby to agree to the examination as soon as Ms. Waller receives the recommendation letter and the signed agreement. Motion carried unanimously.

An application for manicurist examination from Gina Khinsavath was submitted. Ms. Khinsavath has submitted a document stating she completed 600 hours of instruction in the manicuring curriculum at Visions Academy in Connecticut. Connecticut does not have a manicurist license. Applicant previously applied for reciprocity but did not qualify, because Connecticut does not have a manicurist license.

MOTION was made by Ms. Linda Colley and seconded by Ms. June Huckleby to not approve for examination. Motion carried unanimously.

An application for manicurist examination from Yen Tran Hoang Nguyen was submitted. Ms. Nguyen has submitted a document stating she completed 600 hours of instruction in the manicuring curriculum at Visions Academy in Connecticut.

MOTION was made by Ms. Linda Colley and seconded by Ms. June Hucceby to not approve for examination. Motion carried unanimously.

An application for manicurist examination from Quit T. Truong was submitted. Ms. Truong has completed hours at Lyles School of Beauty. Ms. Truong previously has submitted application for examination showing 600 hours completed at Visions Academy of Connecticut. Ms. Waller stated she needs board approval of her high school diploma submitted with her application.

MOTION was made by Ms. June Hucceby and seconded by Ms. Muriel Smith to not accept the high school diploma. Motion carried unanimously.

An application for manicurist examination from Nancy Buchtel was submitted. Proof of high school education is ICS/Pacific High School, which is a correspondence school.

MOTION was made by Ms. June Hucceby and seconded by Ms. Muriel Smith to request Ms. Buchtel get transcript showing tenth (10th) grade education or GED to qualify for examination. Motion carried unanimously.

An application for cosmetology examination from Nidia Dotel was submitted. Proof of high school education is from The Dominican Republic.

MOTION was made by Ms. June Hucceby and seconded by Ms. Janet Wormsley to request Ms. Dotel get an official translation of her high school education. Motion carried unanimously.

An application for reciprocity of manicurist license from Mississippi for Tiffany Roberson was submitted. Ms. Roberson's hours of completion in the manicurist curriculum were 549 and original date of licensing was January 28, 2009, so she has no five year work history.

MOTION was made by Ms. June Hucceby and seconded by Ms. Muriel Smith to request Ms. Roberson obtain an additional 51 hours in the manicurist curriculum then take and pass the manicurist examination to become licensed in the State of Tennessee. Motion carried unanimously.

An application for reciprocity of cosmetology license from Venkata Pachwa from Indiana was submitted. Ms. Pachwa received her license in Indiana by reciprocity. Ms. Pachwa obtained her education in the cosmetology curriculum in India.

MOTION was made by Ms. Linda Colley and seconded by Ms. June Hucceby to grant Ms. Pachwa reciprocity of cosmetology license. Motion carried unanimously.

An application for reciprocity of aesthetician license from Virginia for Deborah Foster was submitted. Ms. Foster's completed 600 hours in the aesthetician curriculum and original date of licensing was October 11, 2007, with no five year work history.

MOTION was made by Ms. Linda Colley and seconded by Ms. Janet Wormsley to request Ms. Foster obtain an additional 150 hours in the aesthetician curriculum then take and pass the aesthetician examination to become licensed in the State of Tennessee. Motion carried unanimously.

An application for reciprocity of cosmetology license from Stephen Bertram from Pennsylvania was submitted. Mr. Bertram hours of completion are 1,250 and original date of licensing was February 15, 2005, with no five year work history.

MOTION was made by Ms. Linda Colley and seconded by Ms. Muriel Smith to request Mr. Bertram take an additional 250 hours in the cosmetology curriculum then take and pass the cosmetology examination to become licensed in the State of Tennessee. Motion carried unanimously.

An application for reciprocity of manicurist license from Linh Mong Bui from Maryland was submitted. Ms. Bui hours of completion are 250 and original date of licensing was October 18, 2002. Work history submitted is not a consistent five year work history as a manicurist. Tax form 2004 list occupation as household and no occupation listed on 2008.

MOTION was made by Ms. Linda Colley and seconded by Ms. June Hucceby to request Ms. Bui to obtain an additional 350 hours in the manicurist curriculum then take and pass the manicurist examination to become licensed in the State of Tennessee. Motion carried unanimously.

An application for reciprocity for manicurist license from Kiet Tuan Doan from Missouri was submitted. Ms. Waller states she has two certificates showing hours completed in the curriculum, one shows 400 hours in Massachusetts and the other shows 400 hours completed in California. Mr. Doan apparently obtained license in Missouri by reciprocity. Original date of licensing was April 16, 2006, with no five year work history.

MOTION was made by Ms. June Hucceby and seconded by Ms. Muriel Smith to request more information from Mr. Doan. Motion carried unanimously.

An application for reciprocity of manicurist license from Minh Nguyen from Massachusetts was submitted. Certification states 100 hours schooling and originally issued license August 20, 2004. He has a license from Florida which is expired and he did not provide sufficient proof of recent and consistent five year work history.

MOTION was made by Ms. Linda Colley and seconded by Ms. June Hucceby to request Mr. Nguyen obtain a current Florida license then obtain 360 hours of instruction

or take 600 hours of instruction in the manicurist curriculum then take and pass the manicurist examination to become licensed in the State of Tennessee. Motion carried unanimously.

An application for reciprocity of manicurist license from Tinh Hugh Nguyen from Washington was submitted. Hours completed in the curriculum were 500 hours and original date of licensing May 22, 2008 with five year work history.

MOTION was made by Ms. Linda Colley and seconded by Ms. June Huceby to request Mr. Nguyen take an additional 100 hours then take and pass the manicurist examination to become licensed in the State of Tennessee. Motion carried unanimously.

An application for reciprocity of cosmetology license from Melissa A. Kelly from Florida was submitted. Ms. Kelly's hours of instruction in the cosmetology curriculum are 1,200 and her original date of licensing was May 22, 2008 with no five year work history.

MOTION was made by Ms. Linda Colley and seconded by Ms. Janet Wormsley to request Ms. Kelly obtain 300 additional hours in the cosmetology curriculum then take and pass the cosmetology examination to become licensed in the State of Tennessee. Motion carried unanimously.

An application for reciprocity of cosmetology license from Misu Jung from New Jersey was submitted. Hours of instruction in the cosmetology curriculum are 1,400 in New Jersey. Original date of licensing was May 14, 2005, so no five year work history was provided. Ms. Jung also has a license in Georgia which she obtained by reciprocity from New Jersey.

MOTION was made by Ms. June Huceby and seconded by Ms. Muriel Smith to request Ms. Jung obtain an additional 100 hours in the cosmetology curriculum then take and pass the cosmetology examination to become licensed in the State of Tennessee. Motion carried unanimously.

A request from Devonda Byrd to be granted an extension from her required attendance of the 2009 instructor seminar due to accident that has her unable to walk and during the time of the seminars she will be in Atlanta, Georgia attending Sheppard's Rehab Center. No medical statement was attached.

MOTION was by Ms. Linda Colley and seconded by Ms. June Huceby to request a medical statement for an extension. Motion carried unanimously.

A request from Felecia Jourdan for approval to attend the LAC (Louisiana Association of Cosmetology Schools) May 30 thru June 1 in Louisiana for her required sixteen (16) hours of continuing education for 2009. Seminar agenda was provided.

MOTION was made by Ms. Linda Colley and seconded by Ms. Janet Wormsley to approve Ms. Jourdan to attend the seminar. Motion carried unanimously.

Documents were submitted for approval of high school education from Iraq for entrance in a school of cosmetology was submitted.

MOTION was made by Ms. Linda Colley and seconded by Ms. Muriel Smith to accept the documents. Motion carried unanimously.

A request for approval of transcript of hours completed in Empire Education Group in Indiana from Knoxville Institute of Hair Design was submitted.

MOTION was made by Ms. June Huckleby and seconded by Ms. Muriel Smith that this would be the schools decision to make. Motion carried unanimously.

Mr. Elijah Gilmore has previously requested approval from the board to purchase license that required period of six (6) months after passage of the examination. Mr. Gilmore's request was presented at the April Board meeting with a limited physician statement. Mr. Gilmore has sent a much more detailed letter explaining his situation and additional medical statements.

MOTION was made by Mr. Muriel Smith and seconded by Ms. June Huckleby to grant Mr. Gilmore's extension for purchasing his license. Motion carried unanimously.

An application for examination from Ramonda Lavern Fox was submitted. A letter attached states the high school she attended closed July 1979 and student records are stored in an archive area. Attempts to locate her records have been unsuccessful. The only documents located was a diploma order form with each students name listed as well as the signature of principal and superintendent. Ms. Waller's question is if a student enrolled July 11, 2008 and did not have proof of high school education and the school allowed her to enroll and complete the curriculum.

MOTION was made by Ms. Linda Colley and seconded by Ms. Janet Wormsley to accept the application and request Ms. Waller write school a letter concerning this issue. Motion carried unanimously.

An application for the cosmetology examination for Christopher Bajkowski was submitted. The high school diploma is Cornerstone Correspondence School.

MOTION was made by Ms. Muriel Smith and seconded by Ms. Linda Colley to deny the request and require that Mr. Bajkowski submit proof of completion of tenth (10th) grade education or GED to take the cosmetology examination. Motion carried unanimously.

An application for the cosmetology examination from Romekia Duncan was submitted. High school diploma is from Maranatha Christian Academy. Ms. Waller

stated she was not able to locate information on this school. Ms. Waller stated she did speak with the Ms. Duncan and she said Dr. Patsy Mitchell who is listed on the diploma as the President/Administrator would meet students at different places in your area and bring book work. The school is in Mississippi. Ms. Waller called the phone number for Ms. Mitchell and left a message for her to return her call. Ms. Duncan said she spoke with Ms. Mitchell and she was going to contact me. Ms. Waller called again and left a message and no one returned her call.

MOTION was made by Ms. Muriel Smith and seconded by Ms. Janet Wormsley to request proof of tenth (10th) grade education or GED to take the cosmetology examination. Motion carried unanimously.

An application for cosmetology examination from Collanthia Andrews was submitted. High school diploma is from Family Christian Academy an online home school. Student sent a statement advising that her high school diploma does not have a state seal from the Board of Education because the school added Christian beliefs to the curriculum.

MOTION was made by Ms. Linda Colley and seconded by Ms. Janet Wormsley to request proof of tenth (10th) grade education or GED to take the cosmetology examination. Motion carried unanimously.

At the April board meeting an application for reciprocity of cosmetology license for Lisa Marie Clement from British Columbia was presented to the Board. After reviewing information submitted the Board voted to request additional information as to hours of instruction she completed in cosmetology studies in British Columbia and a break down of what was covered in the curriculum. Ms. Clement has submitted a letter from Vancouver Community College stating she enrolled in the full time hairdressing program at Vancouver Vocational Institute a division of Vancouver Community College from February 25, 1985 to October 18, 1985. Upon successful completion of the program she completed 1,020 hours and received a hairdressing certificate.

MOTION was made by Ms. Linda Colley and Ms. June Huckleby to request Ms. Clement obtain an additional 480 hours then take and pass the cosmetology examination to become licensed in the State of Tennessee. Motion carried unanimously.

Kristen Sunderland submitted an application for the cosmetology examination at the April meeting and the Board requested additional information about Bethlehem Christian School which she received her high school diploma from. The school is located in Mississippi. The board was provided information that her mother submitted. The diploma submitted is a diploma of graduation, a state diploma not a high school diploma.

MOTION was made by Ms. Linda Colley and seconded by Ms. Janet Wormsley to request a transcript be sent for proof then she will be allowed to take the cosmetology examination. Motion carried unanimously.

An application for cosmetology examination from Hoda Mourad was presented at the April board meeting. The board voted to request additional information as to the hours of instruction she completed in the cosmetology studies in the Al Rafidan Institute of Cosmetology and Hair in Iraq. Ms. Waller presented the board with a letter from Ms. Mourad.

MOTION was made by Ms. Linda Colley and seconded by Ms. June Huckeby to approve Ms. Mourad to take the cosmetology examination. Motion carried unanimously.

An application for reciprocity of manicurist license from Georgia for Trang Ho was submitted. Ms. Waller stated she needs the board's decision on this. When the application was originally submitted certification from the Georgia State Board stated she completed 525 hours in manicurist curriculum and she obtained her original license March 8, 2007. The board also received a letter from the owner of Lucky Nails Salon stating Ms. Ho was employed at Lucky Nail Salon from November 17, 2003 until March 30, 2008 and was an apprentice and passed the Georgia State Board examination 2007. Ms. Waller stated she has now received a letter from certification of hours from the Georgia State Board of Cosmetology stating she completed 537 hours at Georgia Beauty School from March 7, 2006 to July 25, 2007 and attended Atlanta Beauty Academy June 3, 2008 to June 20, 2008 and obtained 75.5 hours completing a total of 612.5 but she obtained additional hours after she was licensed in Georgia. The Board's usual ruling has been if someone is required to complete hours to meet Tennessee State Board requirements they must take the examination after completion of hours.

MOTION was made by Ms. Linda Colley and seconded by Ms. June Huckeby to take the manicurist examination to become licensed in the State of Tennessee. Motion carried unanimously.

At the April board meeting an application for the cosmetology examination was presented for Nigora Tilipova from Uzbekistan. The documents she provided for proof of high school education from Uzbekistan had been translated by Foreign Consultants, Inc. Credential Evaluation Services. The board voted to have research on the credential agency. From information Ms. Waller has gathered this is an agency individuals that are educated outside of the United States can submit their educational documents to for document evaluation reports, course by course evaluation reports or education and work experience evaluation. Ms. Waller stated she found no major problems or issues concerning Foreign Consultants. Since it was an online service Ms. Waller stated she was concerned about the process. Applicants can print or download an application from the website, they complete the application, then sign and fax or email as an attachment along with transcripts, diplomas or degrees for evaluation.

MOTION was made by Ms. Linda Colley and seconded by Ms. June Huckeby to approve Ms. Tilipova to take the cosmetology examination. Motion carried unanimously.

At the last board meeting the board had applications for examination for candidates that high school diplomas were from Gateway Christian School. The board

requested legal and Ms. Waller provided information about this school. This school offers instruction to qualify for diplomas in three ways: campus school, extension program (self instruction and weekly on campus testing) and total home education program. Half of the applicants that had submitted applications for examination were able to submit transcripts showing proof of completion of tenth (10th) grade in a public school and have been approved to take the examination. Ms. Waller stated she has two (2) applications pending and she thinks some cosmetology schools in West Tennessee area have students enrolled that have diplomas from Gateway.

Touty Ndour Mame is requesting reciprocity of her Natural Hair Styling license from Senegal. Ms. Mame provided a diploma from the Nayombe Art Coiffure stating she has passed the studies exam and after deliberation by the Jury, the Diploma in Hairdressing was awarded to her.

MOTION was made by Ms. Linda Colley and seconded by Ms. Janet Wormsley to request Ms. Mame come before the board. Motion carried unanimously.

STAFF ATTORNEY REPORT

1. 200900558-1

Board originally approved a \$2,000.00 civil penalty settlement against the licensee on a Notice of Violation stating that two (2) unlicensed operators were providing service to clients in the licensed shop at inspection time. One of the alleged unlicensed operators has now presented satisfactory proof that he was licensed at inspection time but failed to transport his license to the licensed shop, where he was working for the day.

Recommendation: Maintain authority for formal hearing and lower the civil penalty to \$1,000.00 for the remaining unlicensed operator.

2. 200900375-1

Board has previously received information relative to the individual charged in this complaint and agreed that it would refrain from further consideration of the allegations in any complaint relative to this individual.

Recommendation: Dismiss.

3. 200900592-1

March 25, 2009 Notice of Violation reports that the inspector observed an unlicensed individual providing cosmetology services to a client in an unlicensed cosmetology shop.

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

4. 200900595-1

March 21, 2009 Notice of Violation reports that inspector observed that the owner of a licensed shop was allowing an individual who could not prove that she is licensed to practice manicuring in the licensed shop. The inspector also observed the individual in question attempt to disinfect a pedicure tub drain by rinsing it with water before placing a client's feet in the tub for service. The inspector also observed that nail dust was present on tools and table tops in the shop and that the owner of the shop, who is a licensed manicurist, failed to wear identification while providing service to a client.

Recommendation: Authorize formal hearing with authority to settle by Consent Order and payment of a \$3,000.00 civil penalty.

5. 200900557-1

March 13, 2009 Notice of Violation reports that the inspector observed an unlicensed individual performing natural hairstyling services in an unlicensed natural hairstyling shop.

Recommendation: Authorize formal hearing with authority to settle by Consent Order and payment of a \$2,000.00 civil penalty.

6. 200802657-1

Consumer complaint alleged that an unlicensed individual was engaged in the unlicensed practice of cosmetology in an unlicensed establishment. Investigation of the complaint revealed that the location in question is not in operation and that the individual in question has relocated to Georgia.

Recommendation: Close.

7. 200900559-1

March 20, 2009 Notice of Violation reports that the inspector observed three (3) unlicensed persons performing natural hairstyling services in an unlicensed establishment. A shop license application for the shop is now pending.

Recommendation: Authorize formal hearing with authority to settle by Consent Order and civil penalty of \$1,500.00.

8. 200900487-1

February 5, 2009 Notice of Violation reports that the inspector observed a licensed cosmetologist practicing cosmetology in an unlicensed establishment.

Recommendation: Authorize formal hearing with authority to settle by Consent Order and payment of a \$500.00 civil penalty.

9. 200900001-1

Student complaint alleges that the school failed to specify in her enrollment contract that she would be charged additional monies if she failed to complete her course of instruction within the time allotted by the school for course completion. The school owner provided a copy of the student's contract, wherein it is stated in two clauses that the student would be charged additional monies if she failed to timely complete the required curriculum.

Recommendation: Close.

10. 200900591-1

Board originally approved a \$500.00 civil penalty settlement against the licensee for operating an unlicensed manicure shop. The licensee contacted me and indicated that she wished to appeal the Board decision to offer settlement by payment of the civil penalty. I advised her to submit her appeal to me in writing for presentation.

Recommendation: None.

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

MOTION was made by Ms. June Huckleby and seconded by Ms. Linda Colley to adjourn the meeting.