

**AMENDED
Meeting Notice**

State Board of Cosmetology and Barber Examiners
Division of Professional Registration

Jefferson City, Missouri

July 29-31, 2012

The Missouri State Board of Cosmetology and Barber Examiners will meet on Sunday, Monday, and Tuesday July 29th, 30th, and 31st, convening at 8:00 a.m. on Sunday the 29th, 8:00 a.m. on Monday the 30th, and 8:00 a.m. on Tuesday the 31st, at the Division of Professional Registration, located at 3605 Missouri Boulevard, Jefferson City, MO 65109. For individuals with special needs, notification should be forwarded to the Missouri State Board of Cosmetology and Barber Examiners, P.O. Box 1062; 3605 Missouri Boulevard, Jefferson City, Missouri or by calling (573) 751-1052 to ensure available accommodations. The text telephone number for the hearing impaired is 800-735-2966.

Except to the extent disclosure is otherwise required by law, the Missouri State Board of Cosmetology and Barber Examiners is authorized to close meetings, records and votes, to the extent they relate to the following: Sections 610.021 (1), (3), (5), (7), (13) and (14), RSMo, and Chapter 324.001.8 and 324.001.9, RSMo.

The Board may go into closed session at any time during the meeting. If the meeting is closed the appropriate section will be announced to the public with the motion and vote recorded in open session minutes.

Please see attached tentative agenda for this meeting.

POSTED: 7/16/2012
AMENDED POSTED: 7/18/2012
AMENDED POSTED: 7/26/2012

**State Board of Cosmetology and Barber Examiners
Division of Professional Registration
3605 Missouri Boulevard
Jefferson City, MO 65109**

July 29 – July 31, 2012

TENTATIVE OPEN SESSION AGENDA

Sunday, July 29, 2012

8:00 a.m.

- a.) Call to order
- b.) Roll Call

1. Approval of Open Session Agenda

Closed Session – The Board will move into closed session pursuant to Section 610.021 Subsections (1), (3), (5), (7), and (14), RSMo, and Sections 324.001.8 and 324.001.9, RSMo for the purpose of discussing investigative reports and/or complaints and/or audits and/or other information pertaining to a licensee or applicant, and discussing general legal actions, causes of action or litigation and any confidential or privileged communications between this agency and its attorney, for deliberation on discipline, for discussing hiring, firing, disciplining or promoting an employee of this agency, for discussing applicants for licensure, performance evaluations pertaining to individual employees, testing and examination materials, and for the purpose of approving the minutes of one or more previous meetings.

Monday, July 30, 2012

8:00 a.m. The Board will convene in Closed Session

- a) Call to order
- b) Roll call

9:00 a.m. The Board will move into Open Session

2. Approval of Open Session Minutes
 - March 11, 2012
 - April 30, 2012
3. Approval of Expense Accounts and Per Diem
4. **Financial Report**

Executive Director Report – Emily Carroll

- Current Licensee Count
- Update on new licensure system
- NIC Annual Conference
- Update on House Bill 2069

- Update on House Bill 2082
- Instructor exam updates
- Survey of other states testing languages offered

9:00 a.m. Probation Violation Hearings

5. Rokhaya Biteye, unlicensed, DABA Hair Braiding, BES 2009006892, owner (master), St. Louis, Case No. 2012003048
6. Mau Thanh Nguyen, COM 2010001143, VV Nails, BES 2010012395, owner (master), Osage Beach, Case No. 2012003046
7. Marlon Williams, BAR 20080027861, Marlon Williams, BAS 2009012508, owner (rental), Kansas City, Case No. 2012003045
8. Stephanie Dean, COA 098561, St. Charles, Case No. 2012003044
9. Chrystall Burnett, COA 102288, St. Louis, Case No. 2012003050
10. Brittany Travers, COA 2009019994, St. Peters, Case No. 2012003043
11. Torin Hendereson, BAR 009843, Another Zone, BSH 2009005808, owner (master), Florissant, Case No. 2012003042
12. Lester Frederick, BAR 2006010392, A Cut Above The Rest, BAS 2012020221, owner (booth rental), Kansas City, Case No. 2012001226
13. Van Thu Truong, COM 2004011648, Foxy Nails, BES 2006006513, owner (master), Parkville, Case No. 2012003528

9:00 a.m. Disciplinary Hearings

14. Madjiguene Thiam, unlicensed, African Nubian Hair Braiding, BES 2004017589, owner (master), St. Louis, Case No. 2010001144
15. Arthur Meredith, unlicensed, Work of Art Barber Shop LLC, BES 2007004038, owner (master), St. Louis, Case No. 2009004295

The Board may move immediately into Closed Session for completion of any unfinished business pursuant to Section 610.021 Subsections (1) (3) (5) (7) and (14), RSMo, and Sections 324.001.8 and 324.001.9, RSMo for the purpose of discussing investigative reports and/or complaints and/or audits and/or other information pertaining to a licensee or applicant, and discussing general legal actions, causes of action or litigation and any confidential or privileged communications between this agency and its attorney, for deliberation on discipline, for discussing hiring, firing, disciplining or promoting an employee of this agency, for discussing applicants for licensure, performance evaluations pertaining to individual employees, testing and examination materials, and for the purpose of approving the minutes of one or more previous meeting.

12:00 p.m. Recess for Lunch

1:00 p.m. The Board will reconvene in Open Session

16. **Inspectors Report**
Report provided by Inspector Supervisor reflecting number of inspections conducted for the month.
17. **President's Report** – Wayne Kindle

Reports

18. **Betty Leake, Vice President**
19. **Wayne Kindle, Secretary/Treasurer**

Board Discussion

20. **Instructor Continuing Education Seminars**
21. **20 CSR 2085-12.010 General Rules and Application Requirements for All Schools**
22. **20 CSR 2085-12.020 Specific Requirements for Barber Schools**
23. **20 CSR 2085-12.040 Specific Requirements for Cosmetology Schools**
24. **20 CSR 2085-13.070 Crossover Schools**

Open Discussion – Dialog with General Public Attending Open Session

- Missouri Association of Cosmetology Schools
- Associated Hairdressers and Cosmetologists of Missouri, Inc.
- National Hair Braiders Association

Upon completion of Open Session, the Board will move into Closed Session.

The Board may move immediately into Closed Session for completion of any unfinished business pursuant to Section 610.021 Subsections (1) (3) (5) (7) and (14), RSMo, and Sections 324.001.8 and 324.001.9, RSMo for the purpose of discussing investigative reports and/or complaints and/or audits and/or other information pertaining to a licensee or applicant, and discussing general legal actions, causes of action or litigation and any confidential or privileged communications between this agency and its attorney, for deliberation on discipline, for discussing hiring, firing, disciplining or promoting an employee of this agency, for discussing applicants for licensure, performance evaluations pertaining to individual employees, testing and examination materials, and for the purpose of approving the minutes of one or more previous meeting.

Tuesday, July 31, 2012

8:00 a.m. The Board will convene in Closed Session

The Board will complete any unfinished business in Closed Session.
Upon completion of Closed Session, the Board will move into Open Session.

*Adjournment**

**State Board of Cosmetology and Barber Examiners
Division of Professional Registration
3605 Missouri Boulevard
Jefferson City, MO 65109**

July 29 – July 30, 2012

The Missouri State Board of Cosmetology and Barber Examiners were called to order in open session by President Wayne Kindle at 8:00 a.m. on Sunday, July 29, 2012 at the Division of Professional Registration, 3605 Missouri Boulevard, Jefferson City, Missouri.

Sunday, July 29, 2012

Board Members Present:

Wayne Kindle, President
Betty Leake, Vice President
Leata Price-Land, Member
Jacklyn Crow, Member
Joe Nicholson, Member
Lori Glasscock, Public Member

Staff Present:

Emily Carroll, Executive Director
Emily Reinhard, PR Administrative Coordinator
Kara Rhoades, Processing Technician Supervisor
Tina Crow Halcomb, Litigation Attorney

Approval of the Open Session Agenda

A motion was made by Betty Leake and seconded by Joe Nicholson to approve the Open Session Agenda as submitted. Motion carried.

Closed Session

A motion was made by Betty Leake and seconded by Jacklyn Crow to move into closed session pursuant to Section 610.021 Subsections (1), (3), (5), (7), and (14), RSMo, and Sections 324.001.8 and 324.001.9, RSMo for the purpose of discussing investigative reports and/or complaints and/or audits and/or other information pertaining to a licensee or applicant, and discussing general legal actions, causes of action or litigation and any confidential or privileged communications between this agency and its attorney, for deliberation on discipline, for discussing hiring, firing, disciplining or promoting an employee of this agency, for discussing applicants for licensure, performance evaluations pertaining to individual employees, testing and examination materials, and for the purpose of approving the minutes of one or more previous meetings. Roll call vote:

Jacklyn Crow	aye	Lori Glasscock	aye
Wayne Kindle	aye	Betty Leake	aye
Joe Nicholson	aye	Leata Price-Land	aye

Motion carried.

Monday, July 30, 2012

Board Members Present:

Wayne Kindle, President
Betty Leake, Vice President
Leata Price-Land, Member
Jacklyn Crow, Member
Joe Nicholson, Member
Lori Glasscock, Public Member

Staff Present:

Emily Carroll, Executive Director
Emily Reinhard, PR Administrative Coordinator
Kara Rhoades, Processing Technician Supervisor
Tina Crow Halcomb, Litigation Attorney

8:00 a.m. Reconvened in Closed Session.

9:00 a.m. Board moved into Open Session.

Rokhaya Biteye, unlicensed, DABA Hair Braiding, BES 2009006892, owner (master), St. Louis, Case No. 2012003048 – Probation Violation Hearing – The Board was scheduled to hold a Probation Violation Hearing in open session for Rokhaya Biteye d/b/a DABA Hair Braiding. Rokhaya Biteye requested a continuance until the September 2012 meeting. Continuance was granted.

Mau Thanh Nguyen, COM 2010001143, VV Nails, BES 2010012395, owner (master), Osage Beach, Case No. 2012003046 – Probation Violation Hearing – The Board was scheduled to hold a Probation Violation Hearing in open session for Mau Thanh Nguyen d/b/a VV Nails. Mau Thanh Nguyen requested a continuance until the September 2012 meeting. Continuance was granted.

Marlon Williams, BAR 20080027861, Marlon Williams, BAS 2009012508, owner (rental), Kansas City, Case No. 2012003045 – Probation Violation Hearing – The Board held a Probation Violation Hearing in open session at 9:20 a.m. for Marlon Williams. Marlon Williams was present and without counsel for the Probation Violation Hearing. Tina Crow Halcomb represented the state of Missouri and Earl Kraus serves as the Board's legal advisor. Board member present were Wayne Kindle, Betty Leake, Jacklyn Crow, Joe Nicholson, Leata Price-Land and Lori Glasscock. At the conclusion of the Probation Violation Hearing the Board held its deliberation in Closed Session.

Stephanie Dean, COA 098561, St. Charles, Case No. 2012003044 – Probation Violation Hearing – The Board held a Probation Violation Hearing in open session at 10:03 a.m. for Stephanie Dean. Stephanie Dean was not present for the Probation Violation Hearing and no one appeared on her behalf. Tina Crow Halcomb represented the state of Missouri and Earl Kraus serves as the Board's legal advisor. Board member present were Wayne Kindle, Betty Leake, Jacklyn Crow, Joe Nicholson, Leata Price-Land and Lori Glasscock. At the conclusion of the Probation Violation Hearing the Board held its deliberation in Closed Session.

Chrystall Burnett, COA 102288, St. Louis, Case No. 2012003050 – Probation Violation Hearing – The Board held a Probation Violation Hearing in open session at

10:10 a.m. for Chrystall Burnett. Chrystall Burnett was not present for the Probation Violation Hearing and no one appeared on her behalf. Tina Crow Halcomb represented the state of Missouri and Earl Kraus serves as the Board's legal advisor. Board member present were Wayne Kindle, Betty Leake, Jacklyn Crow, Joe Nicholson, Leata Price-Land and Lori Glasscock. At the conclusion of the Probation Violation Hearing the Board held its deliberation in Closed Session.

Brittany Travers, COA 2009019994, St. Peters, Case No. 2012003043 – Probation Violation Hearing – The Board held a Probation Violation Hearing in open session at 9:39 a.m. for Brittany Travers. Brittany Travers was present and without counsel for the Probation Violation Hearing. Tina Crow Halcomb represented the state of Missouri and Earl Kraus serves as the Board's legal advisor. Board member present were Wayne Kindle, Betty Leake, Jacklyn Crow, Joe Nicholson, Leata Price-Land and Lori Glasscock. At the conclusion of the Probation Violation Hearing the Board held its deliberation in Closed Session.

Torin Henderson, BAR 009843, Another Zone, BSH 2009005808, owner (master), Florissant, Case No. 2012003042 – Probation Violation Hearing – The Board held a Probation Violation Hearing in open session at 9:11 a.m. for Torin Henderson d/b/a Another Zone. Torin Henderson was present and without counsel for the Probation Violation Hearing. Tina Crow Halcomb represented the state of Missouri and Earl Kraus serves as the Board's legal advisor. Board member present were Wayne Kindle, Betty Leake, Jacklyn Crow, Joe Nicholson, Leata Price-Land and Lori Glasscock. At the conclusion of the Probation Violation Hearing the Board held its deliberation in Closed Session.

Lester Frederick, BAR 2006010392, A Cut Above The Rest, BAS 2012020221, owner (booth rental), Kansas City, Case No. 2012001226 – Probation Violation Hearing – The Board was scheduled to hold a Probation Violation Hearing in open session for Lester Frederick d/b/a A Cut Above The Rest. Lester Frederick requested a continuance until the September 2012 meeting. Continuance was granted.

Van Thu Truong, COM 2004011648, Foxy Nails, BES 2006006513, owner (master), Parkville, Case No. 2012003528 – Probation Violation Hearing – The Board held a Probation Violation Hearing in open session at 1:33 p.m. for Van Thu Truong d/b/a Foxy Nails. Van Thu Truong was present and without counsel for the Probation Violation Hearing. Tina Crow Halcomb represented the state of Missouri and Earl Kraus serves as the Board's legal advisor. Board member present were Wayne Kindle, Betty Leake, Jacklyn Crow, Joe Nicholson, Leata Price-Land and Lori Glasscock. At the conclusion of the Probation Violation Hearing the Board held its deliberation in Closed Session.

Madjiguene Thiam, unlicensed, African Nubian Hair Braiding, BES 2004017589, owner (master), St. Louis, Case No. 2010001144 – Disciplinary Hearing – The Board held a Disciplinary Hearing in open session at 10:47 a.m. for Madjiguene Thiam d/b/a African Nubian Hair Braiding. Madjiguene Thiam was not present for the Disciplinary Hearing and no one appeared on her behalf. Tina Crow Halcomb represented the state of Missouri and Earl Kraus serves as the Board's legal advisor. Board member present were Wayne Kindle, Betty Leake, Jacklyn Crow, Joe Nicholson, Leata Price-Land and Lori Glasscock. At the conclusion of the Probation Violation Hearing the Board held its deliberation in Closed Session.

Arthur Meredith, unlicensed, Work of Art Barber Shop LLC, BES 2007004038, owner (master), St. Louis, Case No. 2009004295 - Disciplinary Hearing – The Board held a Disciplinary Hearing in open session at 10:54 a.m. for Arthur Meredith d/b/a Work of Art Barber Shop LLC. Arthur Meredith was not present for the Disciplinary Hearing and no one appeared on her behalf. Tina Crow Halcomb represented the state of Missouri and Earl Kraus serves as the Board's legal advisor. Board member present were Wayne Kindle, Betty Leake, Jacklyn Crow, Joe Nicholson, Leata Price-Land and Lori Glasscock. At the conclusion of the Probation Violation Hearing the Board held its deliberation in Closed Session.

Approval of Open Session Minutes

A motion was made by Joe Nicholson and seconded by Leata Price-Land to approve the Open Session Minutes of the March 11, 2012 meeting with the change of removing Kim Marshall, Secretary and including Lori Glasscock. Motion carried with all members present and participating.

A motion was made by Betty Leake and seconded by Leata Price-Land to approve the Open Session Minutes for the April 30, 2012 meeting as submitted. Motion carried with all members present and participating.

Approval of Expense Accounts and Per Diem

A motion was made by Joe Nicholson and seconded by Jacklyn Crow to approve the expense accounts and per diems as submitted. Motion carried with all members present and participating.

Financial Report

Emily Carroll, Executive Director, reported on the FY2012. The Beginning Fund Balance for FY 2012 was \$4,519,045.00. As of May 31, 2012 our total revenue received was \$3,243,655.74. Of the Expense and Equipment Appropriation there has been \$238,900.54 expended. Total transfers as of May 31, 2012 are \$1,325,732.13. Leaving the current Fund Balance as of May 31, 2012 of \$6,198,068.07.

Inspectors Report

This is an informational item. Of the 15,354 Establishment inspections due to be inspected a minimum of 1 time annually by October 30th there are only 4,356 remaining. We are on target to reach our goals by the end of the inspectors year.

The Board gave the Executive Director a directive to schedule a time for the Board to meet with the Inspectors.

President's Report – Wayne Kindle

Wayne encouraged entire Board to ask applicable members of the public to apply for a seat on the Board in an effort to keep meeting dates consistent and allow for Board business to proceed.

Executive Director Report – Emily Carroll

- Current Licensee Count
 - Active – 75, 505
 - Inactive – 4,138
 - Total Active/Inactive – 79.643

- Update on new licensure system - Emily Carroll has authorized that the Board will commit to \$361,570 from the Board's funds towards the purchase of the new licensure system from System Automation Corporation.
- NIC Annual Conference will be held in Salt Lake City, Utah from August 23-27, 2012. The Board will be represented by Betty Leake and Wayne Kindle. Also, Tina Crow Halcomb is on the agenda to do a presentation about Inspections, Investigations and Good Litigation Tactics.
- Update on House Bill 2069 - Changed the composition of the Board as well as added a licensed tattoo artist and massage therapist to the Board and increased the 10 high school credits for cosmetology to high school diploma or a GED and added a education requirement to barbers
- Update on House Bill 2082 - Both HB2069 & HB2082 did not pass this year during the legislative session. HB2082 was going to be set for committee hearing but was cancelled the day before the hearing. Professional Registration is doing research and trying to educate the importance of licensure for public protection and infection control. This will be an upward challenge as the Board could face this type of deregulation this coming legislative session.
- Instructor Exam updates – Effective April 2012, the changes to the NIC Instructor written and practical examinations have been updates based on recent survey and job analysis study. The new examination content will reflect current Instructor professional practices in the United States.
- NIC Examination – Number of states that give the examination in English only. This was just an informational item at this time.

Proposed Rules

20 CSR 2085-12.010(4)(C) – Remove “shampoo bowl” from this section.

A motion was made by Betty Leake and seconded by Leata Price-Land to accept changes and bring back for Board for review by mail ballot of conference call. Roll call vote:

Jacklyn Crow	aye	Lori Glasscock	aye
Wayne Kindle	aye	Betty Leake	aye
Joe Nicholson	aye	Leata Price-Land	aye

Motion carried.

20 CSR 2085-12.010(4) – Add “shampoo bowl equipped with hot and cold running water plus chair, but in no event shall exceed six (6) chairs be required.”

A motion was made by Betty Leake and seconded by Leata Price-Land to accept changes and bring back for the Board to review by mail ballot or conference call. Roll call vote:

Jacklyn Crow	aye	Lori Glasscock	aye
Wayne Kindle	aye	Betty Leake	aye
Joe Nicholson	aye	Leata Price-Land	aye

Motion carried.

20 CSR 13.070 – Remove (3)(B) from this section. Re-letter (C) through (F). Add “classrooms, janitors closets and shampoo bowls with hot and cold running water plus chairs” to the current letter (D).

A motion was made by Betty Leake and seconded by Leata Price-Land to accept changes and bring back for the Board to review by mail ballot or conference call. Roll call vote:

Jacklyn Crow	aye	Lori Glasscock	aye
Wayne Kindle	aye	Betty Leake	aye
Joe Nicholson	aye	Leata Price-Land	aye

Motion carried.

Reports

Betty Leake, NIC Vice President - Betty announced that she is running for the President seat on the NIC Board. The elections will take place at the next NIC conference in Salt Lake City, Utah.

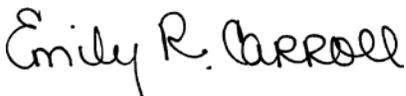
Wayne Kindle, NIC Secretary/Treasurer - Wayne is looking forward to the upcoming NIC conference in Salt Lake City, Utah and eager to hear more information on different states current deregulation status. Wayne will be running for the Vice President seat on the NIC Board. He also stated that he would like for Emily Carroll, Executive Director be approved to attend the next NIC conference.

Board Discussion

Instructor Continuing Education Seminars – Wayne recused himself from the discussion therefore the Board did not have a quorum. No discussion took place.

Open Discussion – Dialog with General Public Attending Open Session

- Jerry Heavilin was in attendance and discussed the following:
 - The Board’s policies of training hours previously being “frozen” when a student sat for a least a portion of the State Board examinations. The Board has now determined that this former policy is unlawful.
 - A remedy to assist the schools by informing them on high schools the Board discovers are fraudulent as the Board becomes aware.
 - Dissatisfaction in the fact that the Board was unable to discuss the agenda item “Instructor Continuing Education Seminars”.



Executive Director

Approved on September 24, 2012