

Meeting Notice

State Board of Cosmetology and Barber Examiners
Division of Professional Registration

Jefferson City, Missouri

September 23-25, 2012

The Missouri State Board of Cosmetology and Barber Examiners will meet on Sunday, Monday, and Tuesday September 23rd, 24th, and 25th, convening at 8:00 a.m. on Sunday the 23rd, 8:00 a.m. on Monday the 24th, and 8:00 a.m. on Tuesday the 25th, 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: 9/6/2012

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

September 23 – 25, 2012

TENTATIVE OPEN SESSION AGENDA

Sunday, September 23, 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, September 24, 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**
 - July 29-30, 2012
3. **Approval of Expense Accounts and Per Diem**
4. **Financial Report**

Executive Director Report – Emily Carroll

- Current Licensee Count

10:00 a.m. Probation Violation Hearings

5. **Rokhaya Biteye, unlicensed, DABA Hair Braiding, BES 2009006892, owner (master), St. Louis, Case No. 2012003048**
6. **David Nguyen, COM 2010001143, VV Nails, BES 2010012395, owner (master), Osage Beach, Case No. 2012003046**
7. **Lester Frederick, BAR 2006010392, A Cut Above The Rest, BAS 2012020221, owner (booth rental), Kansas City, Case No. 2012001226**

10:00 a.m. Disciplinary Hearings

8. **Mohamedd Bah, unlicensed, Sophia Bah, unlicensed, M & E African Hair Braiding, BES 2008036174, owner (master), St. Louis, Case No. 2010001325**
9. **Robert Grimmig, BAR 2010015684, St. Joseph, Case No. 2010006346**

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

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

Reports

12. **Betty Leake, President, National-Interstate Council of State Boards of Cosmetology**

Board Discussion

13. **20 CSR 2085-8.070 Instructor Renewal and Inactive License Requirements**
14. **20 CSR 2085-12.010 General Rules and Application Requirements for All Schools**
15. **20 CSR 2085-12.020 Specific Requirements for Barber Schools**
16. **20 CSR 2085-13.070 Crossover Schools**

Election of Officers

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, September 25, 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**

September 23-25, 2012

The Missouri State Board of Cosmetology and Barber Examiners were called to order in open session by President Wayne Kindle at 8:12 a.m. on Sunday, September 23, 2012 at the Division of Professional Registration, 3605 Missouri Boulevard, Jefferson City, Missouri.

Sunday, September 23, 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
Mallory Reinhard, Processing Technician II
Tina Crow Halcomb, Litigation Attorney

Approval of the Open Session Agenda

A motion was made by Betty Leake and seconded by Jacklyn 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, September 24, 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
Mallory Reinhard, Processing Technician II
Tina Crow Halcomb, Litigation Attorney

8:03 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 November 2012 meeting. Continuance was granted.

David Nguyen, COM 2010001143, VV Nails, BES 2010012395, owner (master), Osage Beach, Case No. 2012003046 – Probation Violation Hearing – The Board held a Probation Violation Hearing in open session at 10:08 a.m. for David Nguyen, VV Nails. David Nguyen was present and not with counsel for the Probation Violation Hearing. Tina Crow Halcomb represented the state of Missouri and Sarah Ledgerwood 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 held a Probation Violation Hearing in open session at 10:50 a.m. for Lester Frederick, A Cut Above the Rest. Lester Frederick was not present and not represented by counsel for the Probation Violation Hearing. Tina Crow Halcomb represented the state of Missouri and

Sarah Ledgerwood 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.

Mohamedd Bah, unlicensed, Sophia Bah, unlicensed, M & E African Hair Braiding, BES 2008036174, owner (master), St. Louis, Case No. 2010001325 – Disciplinary Hearing – The Board held a Disciplinary Hearing in open session at 10:59 a.m. for Mohamedd Bah, Sophia Bah M & E African Hair Braiding. Mohammedd Bah and Sophia Bah were not present and not represented by counsel for the Disciplinary Hearing. Tina Crow Halcomb represented the state of Missouri and Sarah Ledgerwood 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 Disciplinary Hearing the Board held its deliberation in Closed Session.

Robert Grimmig, BAR 2010015684, St. Joseph, Case No. 2010006346 – Disciplinary Hearing – The Board held a Disciplinary Hearing in open session at 10:53 a.m. for Robert Grimmig. Robert Grimmig was not present and not represented by counsel for the Disciplinary Hearing. Tina Crow Halcomb represented the state of Missouri and Sarah Ledgerwood 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 Disciplinary Hearing the Board held its deliberation in Closed Session.

Approval of Open Session Minutes

A motion was made by Betty Leake and seconded by Leata Price-Land to approve the Open Session Minutes of the July 29-30, 2012 meeting. Motion carried with all members present and participating.

Approval of Expense Accounts and Per Diem

A motion was made by Jacklyn Crow and seconded by Lori Glasscock 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 \$6,107,224.79. As of July 31, 2012 our total revenue received was \$55,621.75. Of the Expense and Equipment Appropriation there has been \$2,575.69 expended. Total transfers as of July 31, 2012 are \$116,537.13. Leaving the current Fund Balance as of July 31, 2012 of \$6,043,733.72.

Inspectors Report

This is an informational item. Of the 15,334 Establishment inspections due to be inspected a minimum of 1 time annually by October 30th there are only

2,270 remaining. We are on target to reach our goals by the end of the inspectors year.

President's Report – Wayne Kindle

- NIC annual meeting – Salt Lake City, Utah
- Fining authority in other states
- Iron Data – licensing program
- Leata Price-Land, Lori Glasscock and Jacklyn Crow, ad hoc committee for hairbraiding legislation.

Executive Director Report – Emily Carroll

- Current Licensee Count
Active – 76,553
Inactive – 3,654
Total Active/Inactive – 80,207

Board Discussion: Proposed Rules

20 CSR 2085-8.070 Instructor Renewal and Inactive License Requirements

A motion was made by Betty Leake and seconded by Leata Price-Land to remove the word “program” and replace with “continuing education” and submit through the rule making process.

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 General Rules and Application Requirements for All Schools

A motion was made by Betty Leake and seconded by Leata Price-Land to accept the language submitted as written and submit through the rule making process.

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 2085-12.020 Specific Requirements for Barber Schools

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 2085-13.070 Crossover Schools

A motion was made by Betty Leake and seconded by Lori Glasscock to accept the language submitted as written and submit through the rule making process.

Roll call vote:

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

Motion carried.

Election of Officers

- President – Wayne Kindle
- Vice President – Betty Leake
- Secretary – Jacklyn Crow

Reports

Betty Leake, President, National-Interstate Council of State Boards of Cosmetology

- Various NIC state policies
- Kansas - follow up inspections cost a fee
- Non-renewal with violations
- Deregulation
- Utah – tiered license. Allowing braiding only.
- Lowest paid industry
- New NIC website - www.nictesting.org
- PBA & Barbicide – offered assistance to any state facing deregulation

Open Discussion – Dialog with General Public Attending Open Session

- Tomika Stigers – background in hairbraiding. Willing to assist in developing a hairbraiding program. Licensed in Illinois for hairbraiding through a grandfather clause without any formal training. Received license through proof of experience. Had to complete 60 hours of sanitation training within the first two (2) years of receiving the hairbraiding license.
- 300 hour hairbraiding program – different techniques, sanitation, basic knowledge of braiding hair only without chemicals.

- Beneficial for students to attend a Board meeting to participate in open session. Allows for a better understanding and insight into Board practices and goals.
- Betty Leake – methods of obtaining email addresses.
- Wayne Kindle – FAQ section on the Board's website.

12:04 p.m. The Board recessed for lunch.

12:24 p.m. The Board moved into closed session.

Emily R. Carroll

Executive Director

Approved on November 19, 2012