

## **Meeting Notice**

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

**September 29-30, 2013**

The Missouri State Board of Cosmetology and Barber Examiners will meet on Sunday and Monday September 29<sup>th</sup> and 30<sup>th</sup> convening at 8:00 a.m. on Sunday the 29<sup>th</sup> and 8:00 a.m. on Monday the 30<sup>th</sup>, 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: 9/13/2013

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

**September 29-30, 2013**

**TENTATIVE OPEN SESSION AGENDA**

**Sunday, September 29, 2013**

**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 30, 2013**

**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 21-22, 2013
  - July 25, 2013
3. **Approval of Expense Accounts and Per Diem**
4. **Financial Report**

**Executive Director Report** – Emily Carroll

- Current Licensee Count
- 2013-2015 Renewal Update

### **9:00 a.m. Disciplinary Hearings**

5. **Antoine Dixon, BAR 2007032320, Antoine Dixon, unlicensed (booth rental), Kansas City, Case No. 2010003280**
6. **Jeremy Crockett, BAR 2005036064, The Edge Barbershop, BAS 2009021910, owner (master), Kansas City, Case No. 2011006253**
7. **Inspectors Report**  
Report provided by Inspector Supervisor reflecting number of inspections conducted for the month.
8. **President's Report** – Wayne Kindle
9. **National-Interstate Council of State Boards of Cosmetology, Immediate Past President's Report** – Betty Leake
10. **Proposed Rules Update**
  - 20 CSR 2085-5.010
  - 20 CSR 2085-7.010
  - 20 CSR 2085-8.070
  - 20 CSR 2085-11.020
  - 20 CSR 2085-12.010
  - 20 CSR 2085-12.020
  - 20 CSR 2085-13.070
11. **Languages of Examination** – Tabled at the July 2013 meeting for discussion at the September 2013 meeting.
12. **Inspection Report Revision** - Tabled at the July 2013 meeting for discussion at the September 2013 meeting.
13. **State Law Test Update**
14. **Examination Fee Increase** – Professional Credential Services
15. **Scheduling 2014 Meeting Dates**
16. **Post-Secondary Education Update**
17. **2015 Legislation**
18. **Board Approved Apprentice Supervisor Seminars**

**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.

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

**The Board anticipates the Open Session meeting will adjourn at approximately 1:00 p.m.**

**\*\*Adjournment\*\***

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

**September 29-30, 2013**

The Missouri State Board of Cosmetology and Barber Examiners were called to order in open session by President Wayne Kindle at 8:05 a.m. on Sunday, September 29, 2013 at the Division of Professional Registration, 3605 Missouri Boulevard, Jefferson City, Missouri.

**Sunday, September 29, 2013**

**Board Members Present:**

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

**Staff Present:**

Emily Carroll, Executive Director  
Emily Reinhard, Administrative Coordinator  
Jennifer Luebbert, Processing Technician II  
Tina Crow Halcomb, Litigation Counsel

1. **Approval of the Open Session Agenda**

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

**Closed Session**

A motion was made by Betty Leake and seconded by Leata Price-Land 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.

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**Monday, September 30, 2013**

**Board Members Present:**

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

**Staff Present:**

Emily Carroll, Executive Director  
Emily Reinhard, Administrative Coordinator  
Jennifer Luebbert, Processing Technician II  
Earl Kraus, General Counsel  
Tina Crow Halcomb, Litigation Counsel

**8:04 a.m.** Reconvened in Closed Session.

**9:02 a.m.** Board moved into Open Session.

2. **Approval of Open Session Minutes**

A motion was made by Betty Leake and seconded by Joe Nicholson to approve the Open Session Minutes of the July 21-22, 2013 meeting. Motion carried with all members present and participating.

A motion was made by Leata Price-Land and seconded by Joe Nicholson to approve the Open Session Minutes of the July 25, 2013 meeting. Motion carried with all members present and participating.

3. **Approval of Expense Accounts and Per Diem**

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

4. **Financial Report**

Emily Carroll, Executive Director, reported on the FY2013. The Beginning Fund Balance for FY 2013, was \$6,107,224.79. As of June 30, 2013 our total revenue received was \$592,405.59. Of the Expense and Equipment Appropriation there has been \$192,159.22 expended. Total transfers as of June 30, 2013 are \$1,445,855.17. Leaving the current Fund Balance as of June 30, 2013 of \$5,061,615.99.

The Beginning Fund Balance for FY2014 was \$5,061,615.99. As of July 31, 2013 our total revenue received was \$435,908.77. Of the Expense and Equipment Appropriation there has been \$46,123.04 expended. Total transfers as of July 31, 2013 are \$118,997.36. Leaving the current Fund Balance as of July 31, 2013 of \$5,332,404.36

**Executive Director Report** – Emily Carroll

- Current Licensee Count
- 2013-2015 Renewal Update
- 68% of the licensees have renewed online

**9:00 a.m. Disciplinary Hearings**

**5. Antoine Dixon, BAR 2007032320, Antoine Dixon, unlicensed (booth rental), Kansas City, Case No. 2010003280**

The Board held a Disciplinary Hearing in open session at 9:08 a.m. for Antoine Dixon. Antoine Dixon was not present and without counsel for the Disciplinary Hearing. Tina Crow Halcomb represented the Board of Cosmetology and Barber Examiners and Earl Kraus serves as the Board's legal advisor. Board members 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.

**6. Jeremy Crockett, BAR 2005036064, The Edge Barbershop, BAS 2009021910, owner (master), Kansas City, Case No. 2011006253**

Request for continuance granted.

**7. Inspectors Report**

This is an informational item. Of the 16,172 Establishment inspections due to be inspected a minimum of 1 time annually by October 30<sup>th</sup> there are 2,481 remaining.

**8. President's Report** – Wayne Kindle

- Would like for the Board to be more proactive and transparent
- Inform the public of Open Session

**9. National-Interstate Council of State Boards of Cosmetology, Immediate Past President's Report** – Betty Leake

- No report given

**10. Proposed Rules Update**

- 20 CSR 2085-5.010 – review at the division
- 20 CSR 2085-7.010 – review at the division
- 20 CSR 2085-8.070 – waiting on approval from Governor
- 20 CSR 2085-11.020 – effective August 31, 2013

- 20 CSR 2085-12.010 – published in the Missouri Register 10/15/13
- 20 CSR 2085-12.020 – published in the Missouri Register 10/15/13
- 20 CSR 2085-13.070 – published in the Missouri Register 10/15/13

11. **Languages of Examination** – Tabled at the July 2013 meeting for discussion at the September 2013 meeting.

- Missouri school's only teach in English
- Missouri has been recognized as an English speaking State
- Readers are currently hired by the test vendor, Professional Credential Services (PCS)

A motion was made by Joe Nicholson and seconded by Betty Leake to only offer the examinations in English.

Motion withdrawn

A motion was made by Jacklyn Crow and seconded by Joe Nicholson 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.

**10:59 a.m.** A motion was made by Jacklyn Crow and seconded by Betty Leake to move into closed session

A motion was made by Joe Nicholson and seconded by Betty Leake to have the Executive Director bring the minutes for the Board to review at the November 2013 meeting of when the Board made the decision to offer the examination in other languages. Also, bring the number of candidates that take the examination in another language other than English to the November 2013 meeting.

Roll call vote:

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

Motion carried.

**12. Inspection Report Revision** - Tabled at the July 2013 meeting for discussion at the September 2013 meeting.

- Possibility of forming an ad hoc committee to submit revisions of the inspection reports
- Problems with the School Audit inspection report
- Clarification on where documents are supposed to be maintained and stored
- Original memo sent in 2010 advising the school's that the inspectors will be auditing 10% of the currently enrolled students
- A revised memo can be sent out to all school's to better clarify exactly what the inspectors will be auditing
- The separate school audit inspection report was created to better clarify what the inspectors are there to inspect and what is required
- 24 hour notice is being given to the school prior to the school audit inspection
- Inspectors will participate in a conference call with the Executive Director to clarify the requirements and details of the school audit inspection
- Possibility of sending clarification to all of the schools regarding the school audit inspection practices
- No changes need to be made to the school audit inspection memorandum or report. Better clarification is needed for the inspectors
- Clarification is needed regarding student kits and when they need to be available for inspection

A motion was made by Joe Nicholson and seconded by Leata Price-Land to have each Board member make their own revisions and table the discussion for the upcoming 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.

**13. State Law Test Update**

- The volume of reciprocity applicants is greater than the Board can handle to house a space in the Board office for the applicants to take the state law test
- An approximate cost for the state law test being contracted to the vendor would be \$50-\$60 for each exam
- Each applicant would pay the fee directly to the vendor

- This would require the Board to obtain bids from perspective vendors and go through the proposal process
- Information could be provided with the reciprocity application providing the link of the Board's online rules and statutes as well as contact information for scheduling the state law examination with the vendor
- The Board will establish the same requirements of our written examination for each bid purposal

A motion was made by Jacklyn Crow and seconded by Betty Leake to have the Executive Director begin the bid process for vendors to offer the state law test.

Roll call vote:

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

Motion carried.

**14. Examination Fee Increase – Professional Credential Services**

- Examination fees were increased
- Schools not happy with the way PCS provided notice
- PCS should always notify the Board office prior to sending memos out
- All of the memos sent were not received by all school's
- Executive Director notify PCS of the Board's dissatisfaction with the way PCS advised all of the schools regarding the fee increase. Further requesting all memorandums be sent to the office for full Board approval before sending to schools in the future

**15. Scheduling 2014 Meeting Dates**

- March 2 – 3 , 2014 (Jefferson City)
- June 1 – 2, 2014 (St. Louis)
- July 27 – 28, 2014 (tentative) (Kansas City)
- August 10 – 11, 2014 (tentative) (Lake Ozark)
- September 28 – 29, 2014 (Jefferson City)
- November 30 – December 1, 2014 (Jefferson City)

**16. Post-Secondary Education Update**

- Ron Holt has sent the Board proposed rule changes to be considered
- Conference call held with the Board of Education
- A license is needed that reflects that this Board licenses a school as a Post-Secondary/Secondary institution
- Requirement of having a high school diploma or equivalent
- The Board issued license would have to state "Post-Secondary" or "Secondary" on the face of the license

- Tabled for further discussion with Ron Holt; following the conference call a discussion will be held in an open conference call with the Board

17. **2015 Legislation**

- Tabled to be discussed on an upcoming conference call

18. **Board Approved Apprentice Supervisor Seminars**

A motion was made by Joe Nicholson and seconded by Jacklyn Crow to have the Executive Director remove the contact phone numbers of the apprentice supervisor seminars from the Board's website.

Roll call vote:

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

Motion carried.

**Open Discussion** – Dialog with General Public Attending Open Session  
Present – Khadijah Hardway and Christina Wilhome

- Professionals need to come together and gain knowledge to help the profession as a whole
- Public Service Announcements
- Newsletters

A motion was made by Joe Nicholson and seconded by Leata Price-Land to amend the July 21-22, 2013 minutes to reflect the moment of silence the Board had for Mr. Robert Brunner.

Roll call vote:

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

Motion carried.

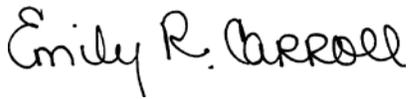
A motion was made by Betty Leake and seconded by Leata Price-Land to move into closed session pursuant to Section 610.021 Subsections (1), (3), (5), (7), and (14), RSMo, and Sections 324.001.8 and 324.001.9, RSMo for the purpose of discussing investigative reports and/or complaints and/or audits and/or 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  
Wayne Kindle        aye  
Joe Nicholson        aye

Lori Glasscock       aye  
Betty Leake         aye  
Leata Price-Land    aye

Motion carried.



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Executive Director

Approved on November 25, 2013