

## **Meeting Notice**

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

**November 24-25, 2013**

The Missouri State Board of Cosmetology and Barber Examiners will meet on Sunday and Monday November 24<sup>th</sup> and 25<sup>th</sup> convening at 8:00 a.m. on Sunday the 24<sup>th</sup> and 8:00 a.m. on Monday the 25<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: 11/19/2013

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

**November 24 - 25, 2013**

**TENTATIVE OPEN SESSION AGENDA**

**Sunday, November 24, 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, November 25, 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**
  - September 29 - 30, 2013
3. **Approval of Expense Accounts and Per Diem**
4. **Financial Report**

**Executive Director Report** – Emily Carroll

- Current Licensee Count

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

5. **Jeremy Crockett, BAR 2005036064, The Edge Barbershop, BAS 2009021910, owner (master), Kansas City, Case No. 2011006253**
6. **Sean Willis, BAR 009725, 360 Hair Studio, BAS 2005026316, owner (master), Jennings, Case No. 2011001605**
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 2085-12.010
  - 20 CSR 2085-12.020
  - 20 CSR 2085-13.070
11. **Languages of Examination** – Tabled at the July 2013 and September 2013 meeting for discussion at the November 2013 meeting.
12. **Missouri Association of Cosmetology Schools** - Request to offer Instructor continuing education hours for 2014
13. **State Law Test Update**
14. **Post-Secondary Education Update**
15. **2015 Legislation**
16. **Senate Bill 106**
17. **Inspection Report Revision** - Tabled at the July 2013 and September 2013 meeting for discussion at the November 2013 meeting.
18. **Student Kit Regulations**

**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**

**November 24-25, 2013**

The Missouri State Board of Cosmetology and Barber Examiners were called to order in open session by President Wayne Kindle at 8:02 a.m. on Sunday, November 24, 2013 at the Division of Professional Registration, 3605 Missouri Boulevard, Jefferson City, Missouri.

**Sunday, November 24, 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 Joe Nicholson to approve the Open Session Agenda as submitted. Motion carried.

**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, November 25, 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  
Sarah Ledgerwood, General Counsel  
Tina Crow Halcomb, Litigation Counsel

**8:01 a.m.** Reconvened in Closed Session.

**8:45 a.m.** Board moved into Open Session.

2. **Approval of Open Session Minutes**

A motion was made by Betty Leake and seconded by Jacklyn Crow to approve the Open Session Minutes of the September 29-30, 2013 meeting with the correction of the word "Interpreter" to "Reader" in #11 Languages of Exams. Motion carried with all members present and participating.

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

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

4. **Financial Report**

The Beginning Fund Balance for FY2014 was \$5,061,615.99. As of September 30, 2013 our total revenue received was \$1,928,147.23. Of the Expense and Equipment Appropriation there has been \$89,555.59 expended. Total transfers as of September 30, 2013 are \$393,383.08. Leaving the current Fund Balance as of September 30, 2013 of \$6,506,824.55.

**A motion was made by Joe Nicholson and seconded by Betty Leake to discuss the reduction of all fees at the March 2014 meeting. Executive Director to prepare projections of the fee reduction of 10%, 20% or 30% and reducing student enrollment fees to \$5.00. Motion carried with all members present and participating.**

**Executive Director Report** – Emily Carroll

- Current Licensee Count
- Collecting information for a possible February 2014 newsletter

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

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

The Board held a Disciplinary Hearing in open session at 9:00 a.m. for Jeremy Crockett. Jeremy Crockett was present and without counsel for the Disciplinary Hearing. Tina Crow Halcomb represented the Board of Cosmetology and Barber Examiners and Sarah Ledgerwood served 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. Sean Willis, BAR 009725, 360 Hair Studio, BAS 2005026316, owner (master), Jennings, Case No. 2011001605**

Case continued until the March 2014 meeting

**7. Inspectors Report**

This is an informational item. Of the 16,044 Establishment inspections due to be inspected a minimum of 1 time annually by October 30<sup>th</sup> there are 183 remaining.

**A motion was made by Betty Leake and seconded by Joe Nicholson to have the Executive Director research each state and the current inspection processes that they have in place. Also send notification to the inspectors requesting that they begin thinking of solutions on ways to improve the inspection process should they be asked to join a discussion in the future.**

**Motion carried with all members present and participating.**

**Inspection Process Ad Hoc Committee:** Betty Leake, Joe Nicholson, Tina Crow Halcomb, Wayne Kindle, Emily Carroll, Emily Reinhard, Julie Adrian and Board Inspectors

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

- Prioritize the most important issues for the Board to focus on
- Each Board member should think of something to place in the newsletter
- Inform the members of the public that they are welcome to attend each open session and participate

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

- October 2013 meeting in Atlanta
- All travel has to be approved prior
- Pokens were distributed. Allows the transfer of information from one person to another

- Annual Conference July 25-28, 2014 in Ft. Lauderdale

**A motion was made by Betty Leake and seconded by Joe Nicholson to schedule the September 2014 meeting in Springfield. Motion carried with all members present and participating.**

**10. Proposed Rules Update**

- 20 CSR 2085-5.010 – under review in administration
- 20 CSR 2085-7.010 – under review in administration
- 20 CSR 2085-8.070 – Governor’s office for review
- 20 CSR 2085-12.010 – final 90 day review
- 20 CSR 2085-12.020 – final 90 day review
- 20 CSR 2085-13.070 – final 90 day review

**A motion was made by Joe Nicholson and seconded by Jacklyn Crow to have the Board’s general counsel review the rules and regulation and determine whether a school has to be a licensed Crossover School in order to offer training to a licensee wanting to obtain a crossover operator license.**

**Motion carried with all members present and participating.**

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

- Joe Nicholson - The Board should not offer the examination in any other language than English
- Leata Price-Land – The Board has to be careful of coming across to the public as discriminatory
- Wayne Kindle – Licensees are currently utilizing the examinations being offered in other languages other than English
- The Executive Director will continue to monitor the number of applicants that take the examinations in other languages annually.
- No formal action will be taken by the Board at this time

**12. Missouri Association of Cosmetology Schools - Request to offer Instructor continuing education hours for 2014.**

A motion was made by Jacklyn Crow and seconded by Lori Glasscock to approve the continuing education purposal for 2014. Further, Betty Leake will be present to provide Board updates and answer any questions. Also, the following contact information on the Board’s website: 636-332-0777 Contact: Melissa or Crystal or [advanceadmissions@yahoo.com](mailto:advanceadmissions@yahoo.com)

Roll call vote:

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

Motion carried.

**13 Associated Hairdressers and Cosmetologist of Missouri, Inc -**  
Request to offer Instructor continuing education hours for 2014.

A motion was made by Betty Leake and seconded by Joe Nicholson to approve the continuing education purposal for 2014. Further, have Leata Price Land attend the training to answer any questions regarding the Board on Sunday, May 18, 2014. Also, place the contact information on the Board's website.

Motion carried with all members present and participating.

**14. State Law Test Update**

- Executive Director requests that the Board come up with an additional 50 questions and send to the Executive Director prior to the March 2014 meeting. Also, to review and approve all questions currently being used.

**A motion was made by Jacklyn Crow and seconded by Betty Leake to have each Board member send the Executive Director sample questions prior to the March 2014 meeting. Also, the Board will proceed with the RFP.**

**Motion carried with all members present and participating.**

**15. Post-Secondary Education Update**

- Ron Holt – the Board needs to have distinct processes for each separate license type; Post-Secondary, Secondary and non-accredited school
- Each application must have the license type option for the applicant to select
- The license requested will be issued with the license type on the face of the license
- All schools will have to be in compliance and receive a new license by July 1, 2014
- All schools applying for the new license type will have to meet with the Board prior to the issuance of a new license
- An emergency provision will be necessary and go into effect ten (10) days after filing for a total of 180 days. The regular rule making process will also need to be completed and will take an approximate 6-8 months.

**A motion was made by Betty Leake and seconded by Joe Nicholson to accept the draft submitted by the Executive Director and approve all other necessary changes required to move forward with coming into compliance and file the rule no later than December 15, 2013 proceeded by the filing of the emergency provision in February 2014. The Executive Director will send a mail ballot to all Board members for final approval prior to filing.**

**Motion carried with all members present and participating.**

**16. 2015 Legislation**

**A motion was made by Jacklyn Crow and seconded by Joe Nicholson to have the Executive Director schedule an open conference call for December 2, 2013 to discuss the 2015 legislation. Motion carried with all members present and participating.**

**17. Senate Bill 106**

- Requirement to accept all Military training
- Effective January 1, 2014
- New applications and forms will be created by the Board office

**A motion was made by Jacklyn Crow and seconded by Joe Nicholson to accept the drafts as submitted and have the Executive Director submit the revisions through the rule making process. Motion carried with all members present and participating.**

**18. Inspection Report Revision** - Tabled at the July 2013 and September 2013 meeting for discussion at the November 2013 meeting.

- Tabled for discussion at the March 2014 meeting

**19. Student Kit Regulations**

- Tabled for discussion at the March 2014 meeting

**Open Discussion** – Dialog with General Public Attending Open Session

Public members present: Gina Kinion and Jason Burnett

A motion was made by Betty Leake 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.

**1:02pm The Board moved into open session**

**1:02 p.m. There being no further business in open, the meeting was adjourned.**

*Emily R. Carroll*

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Executive Director

Approved on April 7, 2014