

# MISSISSIPPI STATE BOARD OF COSMETOLOGY

## BOARD MEETING March 26, 2018 9:00 AM

Robert E. Lee Building  
239 North Lamar Street, Suite 303  
Jackson, MS 39201

### MINUTES

Board Members Present:  
Dorothy Ennis, President  
Darlene Smith, Secretary  
Deborah Coker, Member  
Hilda Bills, Member

Others Present:  
Sharon Clark, Executive Director  
Wm. Jeffrey Jernigan, Special Assistant Attorney General  
Leigh Vestal, School Coordinator

The Board called the meeting to order at 9:07 AM.

Board President Ennis called for a roll call. Board members Ennis, Smith, Coker and Bills were present.

There were members of the public present.

Board President Ennis requested a Legal Council Report. Attorney Jernigan stated that he was working with Executive Director Clark regarding the upcoming appeals.

Board President Ennis stated that we would consider Agenda Requests at this time.

Board President Ennis recognized Reagan Smith. Ms. Smith was requesting board approval of mobile spas/salons. The Board stated that our Rules and Regulations do not allow for mobile spas/salons at this time. The request by Ms. Smith was denied.

Board President Ennis recognized Isela Palacios. Ms. Palacios requested approval of the Penn Foster Homeschool Program. Ms. Palacios stated that her daughter had attempted to register for Cosmetology School but was unable to because the Homeschool Program hosted by Penn Foster was not approved. The Board recognized Melvin Calton who explained that the Penn Foster Homeschool Program was not approved by the Department of Education. The Board

recommended that she complete her General Equivalency Degree for admission requirements into the program.

Board President Ennis recognized Lacey Trout Yates who questioned the protocol of inspectors in her salon. The Board reviewed her questions and found no action necessary.

Board President Ennis requested the Executive Director's Report.

Executive Director Clark presented in the Board Members packet a copy of a summary of the Board's financial position for the end of February, 2018. Executive Director Clark stated the Agency has \$751,916 in Appropriations for FY2018. Agency expenses for FY18 updated through March 19, 2018 are \$434,907.55. The Board is well within budget parameters and should remain under budget.

Executive Director Clark stated that the Board continues to remain current on licenses. If there is anyone who has not received their license by now, it would be due to additional issues involved and they need to contact the Board office by phone or by email at [whereismylicense@msbc.state.ms.us](mailto:whereismylicense@msbc.state.ms.us).

During the month of February our inspectors completed 468 inspections. The total number of completed inspections for FY18 thru February 28, 2018 is 3,577. The breakdown for each inspector is listed below:

Renee Benson – February (179) – Averaging 171 inspections per month for FY18

Torey Case – February (121) – Averaging 124 inspections per month for FY18

Ruby Lowery – February (168) – Averaging 149 inspections per month for FY18

The Board was provided with a breakdown of the leave taken by staff during the month of February, 2018.

Board Members were provided a copy of the reconciled February bank statement, a copy of the February UMB bill, a copy of all travel expenses for February, February to Date Expenses and the MS State Personnel Board Compliance Report.

Board President Ennis stated that at this time she would like to recognize and commend Donald M. Vaughn for his contribution to the Board.

Donald M. Vaughn of Aberdeen was appointed by Governor Phil Bryant on June 9, 2017 to represent the 3<sup>rd</sup> Supreme Court District of the MS State Board of Cosmetology.

Mr. Vaughn was born January 31, 1946; Cosmetology legislation became law in June 1948 and 13 years later Donald became the youngest person to receive a cosmetology license, by examination, in 1961. Four years later he became the youngest to receive a cosmetology instructor's license, by examination, in 1965. He graduated from Aberdeen High School in 1965, received his Bachelor of Science Degree from the University of Southern MS in 1970 and

a Master's in Education from University of Southern MS in 1977. He taught public school for 12 years.

Mr. Vaughn purchased Vaughn's Beauty College, in Aberdeen, MS, in 1982, from founders Mahlon and Dorothy Vaughn. He served as owner, instructor and director until 2016. During his service to the cosmetology industry he was a competitor, platform artist and educator. Serving both the education and salon side of the industry he moved through the ranks of both the MS Cosmetology Schools Association and the MS Cosmetology Association achieving the honors of Emeritus member status of the MS Education Committee; served as State President of the MS Cosmetology Schools Association; served as State President of the MS Cosmetology Association; served as State President of the MS Council of State Board, Salons and Schools and is an Inductee into the Cosmetology Hall of Fame.

Board President Ennis advised the Board would now consider Continuing Education Requests.

CEU Request from Spring Expo Show to be held on April 29-30, 2018 in Southaven, MS was considered. It was noted that we still need a breakdown of the agenda. A motion was made by Board Member Bills to approve the show pending receipt of the agenda for a total of 10 hours of Continuing Education. The motion was seconded by Board Member Coker. The Board voted unanimously 4-0 to pass the motion.

CEU Request from International Congress of Esthetics and Spa to be held on May 6-7, 2018 in Arlington, Texas was considered. A motion was made by Board Secretary Smith to approve. The motion was seconded by Board Member Coker.

The Board voted unanimously 4-0 to pass the motion. A motion was made by Board Member Bills to approve Board President Ennis to attend and monitor. The motion was seconded by Board Member Coker. The Board voted unanimously 4-0 to pass the motion.

CEU Request from Spring Seminar 2018 with Agenda Correction to be held on May 6-7, 2018 in Choctaw, MS was considered. Motion to approve the corrected agenda made by Board Member Coker. The motion was seconded by Board Member Bills. The Board voted unanimously 4-0 to pass the motion.

Board President Ennis stated the Board would now consider the approval of the February 26, 2018 Board Minutes. Board Secretary Smith made a motion to approve the February 26, 2018 minutes with no changes. The motion was seconded by Board Member Bills. The Board voted unanimously 4-0 to approve the minutes.

Board President Ennis stated the Board would now consider Other Board Business both old and new.

Executive Director Clark presented a quote from DataLynks for software integration with the current license system to MSI for online license renewal. Board Member Coker made a motion to approve the payment of quote # 18-2600 for \$7,200 to DataLynks. The motion was seconded by Board Member Bills. The Board voted unanimously 4-0 to approve the motion.

MS Institute of Aesthetics, Nails & Cosmetology has requested a relocation. After initial review of the relocation, the Board approved relocation request pending inspection. Board Secretary Smith made a motion for Board President Ennis and Board Member Coker to inspection. The motion was seconded by Board Member Bills. The Board voted unanimously 4-0 to approve the motion.

Executive Director Clark stated the Board needed clarification on skin bleaching and whether it is included in the scope of services for Cosmetology or Esthetics. The Board stated that skin bleaching is not included in the scope of practices for Cosmetology or Esthetics.

Executive Director Clark requested clarification on what equipment is required for face waxing at the shampoo bowl. The Board specified that no additional equipment is needed for waxing at the shampoo bowl but they are required to have a free standing magnifying light or magnifying glass. Executive Director Clark requested clarification on salons who offer wax only/eyelash extensions and has a separate room for privacy, are they required to meet equipment requirements in Chapter 4 for Esthetics. The Board stated that the equipment requirements in Chapter 4 for Esthetics would have to be met.

School Coordinator Vestal requested clarification on license holders that have gone over their three (3) year maximum and have not renewed their license and need to retake their written and practical examinations to reinstate their license, how long do they have to retest. The Board stated that there is a 10 year time limit on the retest. However, after each year you begin to lose hours and would have to take refresher hours to qualify. After 10 years, the entire course would have to be repeated.

School Coordinator Vestal requested clarification on how long after students take their examinations do they have to apply for their initial license. Students have one year from their graduation date to complete both written and practical examinations and be licensed.

Executive Director Clark requested clarification on whether hooded hair dryers are still required. The Board clarified that they are still requirement equipment.

Executive Director Clark requested clarification on whether the metal file used for pedicures was approved equipment. The Board clarified that only a foot file purchased from a beauty supply company would approved for use. Other similar tools such as zester and metal graters are not approved.

Executive Director Clark requested clarification that if an inspector is completing an inspection at a dually licensed salon for both Barber and Cosmetology and finds that a Barber is performing waxing that they can issue a violation for unlicensed practice. If a Barber is performing eyelash extensions, they must have a certificate specifying training. If they do not have the specified training for eyelash extensions, they can be issued a violation for unlicensed practice.

Board President Ennis stated the Board would now receive the School Report. During February, 143 student licenses were issued, 10 work permits and 12 certifications completed.

Board President Ennis stated the Board would now receive the Reciprocity Report. There were 33 reciprocity applications approved.

Board President Ennis stated the Board would now consider a motion to close the meeting to determine a need for Executive Session.

A motion was made by Board Member Bills to close the session to determine the need for Executive Session. The motion was seconded by Board Member Coker. The Board voted unanimously 4-0 to pass the motion.

President Ennis discussed the following reasons to go into Executive Session: Special School Candidates, Complaints, Personnel Issues and Attorney/Client Communication

Board Member Bills made the motion to enter Executive Session for the above stated reasons. The motion was seconded by Board Member Coker. The Board voted unanimously 4-0 to pass the motion.

The Board entered Executive Session at 11:47 AM.

Board President Ennis stated the Board would now consider two Special Candidates for review and approval.

The Board reviewed the student enrollment request for Chris' Beauty College and voted to deny at this time requesting additional documentation.

The Board reviewed the student enrollment request for Tupelo Academy of Cosmetology. A motion was made by Board Secretary Smith to approve the request. The motion was seconded by Board Member Bills. The Board voted unanimously 4-0 to pass the motion.

The Board was updated on the status of pending complaints during lunch.

Formal Complaint # FC2018-005 (Hinds County) was assigned to Board Member Coker.

Formal Complaint # FC2018-006 (Hinds County) was assigned to Board Member Bills.

Formal Complaint # FC2017-004 was assigned to Board President Ennis. After investigation, Board President Ennis turned everything over the Board Attorney. The attendance policy of the school does not violate the Rules and Regulations set forth by the Board. Board President Ennis recommended the Board take no further action. Board Secretary Smith made a motion to accept the recommendation. Board Member Coker seconded the motion. The Board voted unanimously 4-0 to pass the motion.

Formal Complaint # FC2018-001 was assigned to Board Member Bills. After investigation, Board Member Bills found that there was no violation of the Rules and Regulations set forth by the Board. Board Member Bills recommended the Board take no further action. Board

Secretary Smith made a motion to accept the recommendation. Board Member Coker seconded the motion. The Board voted unanimously 4-0 to pass the motion.

Board Member Bills had to leave the meeting.

Executive Director Clark requested approval to requisition for Beauty/Barber Inspector position. Board Member Coker made a motion to approve the requisition request. Board Secretary Smith seconded the motion. The Board voted unanimously 3-0 to approve the request.

Board President Ennis requested the reassignment of the CE review of Free Flow Fusion in Summit, MS on April 22, 2018 to be completed by Inspector Ruby Lowery.

A motion was made by Board Secretary Smith to exit Executive Session. The motion was seconded by Board Member Coker. The Board voted unanimously 3-0 to pass the motion.

Board Attorney Jernigan stated the actions taken during Executive Session.

A motion was made by Board Secretary Smith to adjourn. The motion was seconded by Board Member Coker. The Board voted unanimously 3-0 to pass the motion.

The Board adjourned at 1:36 PM.

Dorothy Ennis 5-21-18  
Dorothy Ennis Date  
Board President

Darlene Smith 5-21-18  
Darlene Smith Date  
Board Secretary

Deborah Coker 5-21-18  
Deborah Coker Date  
Board Member

Hilda Bills 5-21-18  
Hilda Bills Date  
Board Member