



ALABAMA BOARD OF COSMETOLOGY AND BARBERING

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Minutes for the Board Meeting
May 8, 2017
10:00 a.m.
100 North Union Street, Suite 300
Montgomery, Alabama 36104

Mr. McDonald called the meeting to order at 10:00 a.m. and presided over the meeting. The members present were: Floyd McDonald, Bobby Luster, General Jackson, Tracy Smith, Michelle Callahan-Alvis and Shirlie Phan. A quorum of the Board members was present. Jodi Respass was present as Acting Executive Director. Todd Hughes from the Attorney General's Office was present as legal counsel. The office staff members present were Yina Ford and Carol Reynolds. The visitors present were: Alice Williams, Gwendolyn Hunter, Wendy Merriweather, Orson Steward, Vu T. Huynh, Tommie Jinright, Josh Laney, Glennis Black, Tracy martin, Diann Kennick, Paige Kennick, Madison McElroy, Mary Humphrey, Teri McLemore, Chyril Traylor, Sherry Laster, Tracey Flowers, Sherri Evans, Collie Wells, Janice Moseley, Barbara Allen (?), Morgan Windham, Eric Mackey, Larry Merriweather.

Roll call was taken.

Mr. McDonald made a motion to accept the minutes as presented from the January 9, 2017 meeting. Ms. Smith seconded. All ayes, the motion carried.

Mr. McDonald welcomed all and stated that those listed on the Agenda would be allowed to speak for five minutes each. If a person is not listed on the Agenda, he/she is not allowed to speak.

Collie Wells with the State Department of Education addressed the Board Members concerning high school students. A check list sheet that the Department of Education had developed was discussed.

Diann Kennick discussed her daughter's circumstances concerning high school classes with the Board Members. Mr. McDonald asked Ms. Kennick who had made the promise to her daughter that she would be able to become licensed as a cosmetologist before graduating. Ms. Kennick stated that no one had said that, but that it was advertised at the vocational schools.

Glennis Black discussed her program in Limestone County with the Board Members.

Tommie Jinright stated that she had nothing to add, but thanked the Board Members for visiting this issue.

Madison McElroy discussed her process of becoming licensed. She attended trade school for two years, then went to college to become licensed as a cosmetologist. She stated that she was not prepared directly from high school to go into the workforce.

Sherry Laster discussed her students with the Board Members. Mr. McDonald asked if the Board had promised her students a license and she replied no.

Tracey Flowers discussed her high school program with the Board Members.

Wendy Merriweather discussed the Natural Hair Stylist license requirements with the Board Members. She stated that some of her students had applied, but the applications had been returned because the students had received credit for a chemical services class or hair coloring class.

Terri McLemore discussed *Chapter 250-X-5-.07(4)*: "Schools must provide a wet sanitizer at each student work station."

The Board Members took a break from 11:06 to 11:18.

Each Board Member discussed his/her feelings about the high school situation. Mr. Hughes stated that our Board doesn't regulate when the public schools start the students in school, whether it be tenth grade or ninth grade. He stated that the Board looks at the certification that 1,500 hours have been completed. Mr. McDonald asked if the instructor has falsified the certification? Mr. Hughes stated that the Board could then take action against the instructor. Ms. Wells stated that Mr. Hughes indicated that the State Department of Education manages what time the instructors start the course work.

Mr. Luster made a motion that the Board accept the form created by the Department of Education, submitted by the Department of Education and approved by the Alabama Board of Cosmetology and Barbering. Ms. Smith seconded. All ayes, the motion carried.

Mr. Jackson made a motion to accept those students in the 11th and 12th grades in 2017 with 1,500 hours and submit the new form for certification. Ms. Smith seconded. All ayes, the motion carried.

In reference to Ms. Merriweather's question, Ms. Wells stated that there is no coursework for only a Natural Hair Stylist license. Ms. Merriweather stated that the Natural Hair Stylist coursework is imbedded in the cosmetology coursework. The Board agreed that a student with 210 hours may apply for the Natural Hair Stylist exam, whether any chemical or hair coloring classes have been taken.

The Board discussed Ms. McWhorter's question concerning the requirement to have wet sanitizers on each student's work station in a school. Mr. Luster stated that the Board should not weaken any Rule that would endanger a customer. No action was taken on this matter.

For Complaint #3151: Ms. Linden made a motion to accept the Administrative Law Judge's recommendation of a fine of \$625.00 plus hearing costs. The shop and owner's

personal licenses should not be allowed to renew until both fully comply with the Final Order. Ms. Smith seconded. All ayes, the motion carried.

For Complaint #3156: Mr. Jackson made a motion to accept the Administrative Law Judge's recommendation of a fine of \$500.00 plus hearing costs. If Respondent fails to pay the fine within thirty (30) days after the Final Order, suspend personal and shop licenses until fully comply. Mr. Luster seconded. All ayes, the motion carried.

For Complaint #3187: Mr. Jackson made a motion to accept the Administrative Law Judge's recommendation of a fine of \$250.00 plus hearing costs. If Respondent fails to pay the fine within thirty (30) days after the Final Order, suspend personal license until fully comply. Ms. Linden seconded. All ayes, the motion carried.

For Complaint #3192: Mr. Jackson made a motion to accept the Administrative Law Judge's recommendation of a fine of \$1,625.00 plus hearing costs. If Respondent fails to pay the fine within thirty (30) days after the Final Order, suspend personal and shop licenses until fully comply. Mr. Luster seconded. All ayes, the motion carried.

For Complaint #3247: Mr. Jackson made a motion to accept the Administrative Law Judge's recommendation of a fine of \$1,000.00 plus hearing costs. If Respondent fails to pay the fine within thirty (30) days after the Final Order, suspend personal and shop licenses until fully comply. Ms. Callahan-Alvis seconded. All ayes, the motion carried.

For Complaint #3254: Ms. Linden made a motion to accept the Administrative Law Judge's recommendation of a fine of \$250.00 plus hearing costs. If Respondent fails to pay the fine within thirty (30) days after the Final Order, suspend personal and shop licenses until fully comply. Mr. Luster seconded. All ayes, the motion carried.

For Complaint #3268: Mr. Jackson made a motion to accept the Administrative Law Judge's recommendation of a fine of \$1,125.00 plus hearing costs. If Respondent fails to pay the fine within thirty (30) days after the Final Order, suspend personal and shop licenses until fully comply. Mr. Luster seconded. All ayes, the motion carried.

Complaint #2856: Respondent previously had allowed someone else to take the written exam for her in Alabama. The hearing costs of \$6,396.19 was paid, but she did not pay for or take the written exam as required in the Final Order. On May 1, 2017, she applied for reciprocity from California. She had earned 400 hours in school there and had taken and passed the written (in Vietnamese) and the practical. Ms. Pham made a motion to approve her reciprocity application. Ms. Smith seconded. Mr. Luster abstained. All others voted aye, the motion carried.

Complaint #2859: Respondent previously had allowed someone else to take the written exam for her in Alabama. The hearing costs of \$728.90 was paid, but she did not take the written exam. On April 16, 2017, the Board received a cosmetology apprentice application for Respondent. Ms. Smith voted to accept Respondent's cosmetology apprentice application. Ms. Linden seconded. Mr. Luster abstained. All others voted aye, the motion carried.

Since HB262 has passed both the House and the Senate allowing a Natural Hair Stylist apprenticeship, the Board Members discussed several Rules that will need to be amended. They are:

Chapter 250-X-3-.02(31): change to “During barber, cosmetology, esthetics, or natural hair services a proper sanitary cover must be placed around patron’s neck to avoid direct contact with protective cape.”

Chapter 250-X-4-.01(9) will need to be added: “Natural hair stylist apprentices are allowed six (6) months to complete training.

Chapter 250-X-4-.01(13) add:

“(14) Barber, Cosmetology, Esthetician and Manicure Apprentices must become licensed within two (2) years from record of completion date of original training or complete 375 hours of school training before applying or reapplying for examination.”

“(15) Natural Hair Stylist Apprentices must become licensed within two (2) years from record of completion date of original training or complete 75 hours of school training before applying or reapplying for examination.”

Chapter 250-X-4.02 add: “(5) Natural hair stylist apprentice must complete their training within six (6) months.”

Chapter 250X-4-.03 add: “(5) Natural hair stylist apprentices must complete a curriculum of not less than the following requirements:

20 hrs	Shampooing
270 hrs	Braiding, weaving, extending, locking
130 hrs	Science and Sanitation
420 hrs	HOURS TOTAL”

Ms. Linden made a motion to accept these Rule changes for the Natural Hair Stylist apprenticeship. Mr. Luster seconded. All ayes, the motion carried.

The Board Members discussed Chapter 250-X-5-.06(3): “Private schools are required to send student daily attendance records to the board office by the 15th day of the month following the month in which hours are earned.” Ms. Linden made a motion to change this to: “Private schools are required to send student daily, monthly and cumulative attendance records to the board office by the 15th day of the month following the month in which hours are earned.” Mr. Jackson seconded. All ayes, the motion carried.

Ms. Ford discussed the Board and students having issues with PSI and PCS, the providers for the written and practical examinations. Ms. Respass stated that we may need to consider re-bidding both examinations.

Ms. Respass stated that the NIC Instructor exam has been updated and the new one will be started as of January 1, 2018.

Ms. Respass discussed micro blading. Ms. Respass discussed receiving phone calls concerning mobile shops.

Ms. Reynolds asked if a school regulated by our Board is allowed to teach spray tanning. The Board’s consensus is no.

