

BOARD FOR BARBERS & COSMETOLOGY

DRAFT MINUTES OF MEETING

The Board for Barbers & Cosmetology met on Monday, August 11, 2014, at the Offices of the Department of Professional and Occupational Regulation, 9960 Mayland Drive, 2nd Floor, Board Room 4, Richmond, Virginia. The following members were present:

Norma J. Dorey
T. Daniel Jones
Robert D. Jones II
Margaret B. LaPierre
Anne R. McCaffrey
Jonathan W. Minor
Lonnie Quesenberry
Marie F. Quinn
Daniella Tsamouras

The following board members were not present:

Tony M. Williams.

DPOR staff present for all or part of the meeting included:

Jay W. DeBoer, Director
Mark N. Courtney, Senior Director/Regulatory and Public Affairs
Demetrios J. Melis, Executive Director
Stephen Kirschner, Regulatory Operations Administrator
Tamika Rodriguez, Licensing Operations Administrator
Cathy Clark, Administrative Assistant

Representative from the Office of the Attorney General was present for the meeting.

Elizabeth B. Peay, Assistant Attorney General

Ms. Tsamouras, Chair, determined a quorum was present and called the meeting to order at 9:02 a.m. **Call To Order**

The Board took the agenda under consideration.

Approval of Agenda

Upon a motion by Ms. LaPierre and seconded by Mr. Quesenberry, the Board voted to adopt the Agenda.

The members voting 'yes' were Ms. Dorey, Mr. D. Jones, Mr. R. Jones, Ms. LaPierre, Ms. McCaffrey, Mr. Minor, Mr. Quesenberry, Ms. Quinn,

and Ms. Tsamouras. There were no negative votes. The motion passed unanimously.

The Board took the minutes under consideration. One amendment was introduced to page 2 of the July 21, 2014 New Board Member Training Meeting: Mr. Kirschner adjourned the meeting at 2:46 p.m.

Upon a motion by Ms. LaPierre and seconded by Mr. R. Jones, the Board voted to approve the May 12, 2014 Board for Barbers & Cosmetology Board Meeting minutes as written and the July 21, 2014 New Board Member Training minutes as amended.

The members voting 'yes' were Ms. Dorey, Mr. D. Jones, Mr. R. Jones, Ms. LaPierre, Ms. McCaffrey, Mr. Minor, Mr. Quesenberry, Ms. Quinn, and Ms. Tsamouras. There were no negative votes. The motion passed unanimously.

Ms. Tsamouras asked if there was any public comment. There was none.

After a brief recess, the Board was asked to hear public comment from two individuals who arrived late at the meeting.

Ms. Crystal Welton, Cosmetology Instructor at Gloucester High School, addressed the Board with her concerns about the testing large numbers of public school cosmetology exam candidates at the National Testing Network/Ergometrics examination sites. Ms. Welton cited the logistical issues and cost of transporting the students to the exam sites and asked that the Board consider alternatives that would permit the testing of the public school candidates at an alternate site that would accommodate all of the students at one time before the Spring 2015 graduation.

Ms. Elizabeth Britt-Kelly, Cosmetology Instructor at the Virginia Beach/Norfolk Technical Center reiterated Ms. Welton's concerns with regard to the technical center's Spring 2015 exam candidates.

The Board took the matter under advisement.

In the matter of **File Number 2013-02653, Mane Street Hair Retreat, Inc.**, the Board reviewed the record which consisted of the Summary of the Informal Fact-Finding Conference, investigative file, Report of Findings, transcript and exhibits. Mane Street Hair Retreat, Inc. did not appear at the meeting in person, by counsel, or by any other qualified representative.

**Approval of
Minutes for May 12,
2014 Board Meeting
and July 21, 2014
New Board Member
Training Meeting**

Public Comment

Cases

**2013-02653 Mane
Street Hair Retreat,
Inc.**

Concerning Count 1, upon a motion by Mr. Quesenberry and seconded by Ms. LaPierre, the Board adopted the Report of Findings which contains the facts regarding the regulatory and/or statutory issues in this matter and the Summary of the Informal Fact-Finding Conference, and found substantial evidence that Mane Street Hair Retreat, Inc. violated the following sections of its Regulations.

Count 1: 18 VAC 41-20-280.C.2.

The members voting 'yes' were Ms. Dorey, Mr. D. Jones, Mr. R. Jones, Ms. LaPierre, Ms. McCaffrey, Mr. Minor, Mr. Quesenberry, Ms. Quinn, and Ms. Tsamouras. There were no negative votes. The motion passed unanimously.

Concerning Count 1, upon a motion by Ms. LaPierre and seconded by Ms. Dorey, the Board voted to accept the recommended sanctions contained in the Summary of the Informal Fact-Finding Conference and to impose the following sanction(s):

Count 1:	18 VAC 41-20-280.A.3	\$ 550.00
TOTAL (MONETARY PENALTIES)		\$ 550.00

The members voting 'yes' were Ms. Dorey, Mr. D. Jones, Mr. R. Jones, Ms. LaPierre, Ms. McCaffrey, Mr. Minor, Mr. Quesenberry, Ms. Quinn, and Ms. Tsamouras. There were no negative votes. The motion passed unanimously.

Ms. Quinn recused herself from the meeting.

Ms. Quinn Recused

In the matter of **File Number 2013-02653, Red Nails of T & I Inc dba/Red Nails**, the Board reviewed the record which consisted of the Summary of the Informal Fact-Finding Conference, investigative file, Report of Findings, transcript and exhibits. Ms. Thu Hong Thi Vo appeared at the meeting and addressed the Board. In addition, a letter from Edward S. Whitlock, III, attorney for Red Nails, was provided to the Board for its review. Mr. Whitlock advised the Board that he was unable to attend the meeting. Also present was the complainant, Samantha Payne and her witness, Joseph Conte, who both addressed the Board.

**2013-03005 Red
Nails of T & I Inc
dba/Red Nails**

Concerning Counts 1 and 2, upon a motion by Ms. LaPierre and seconded by Mr. Quesenberry, the Board adopted the Report of Findings which contains the facts regarding the regulatory and/or statutory issues

in this matter and the Summary of the Informal Fact-Finding Conference, and found substantial evidence that Red Nails of T & I Inc dba/Red Nails violated the following sections of its Regulations.

- Count 1: 18 VAC 41-20-280.A.1.
- Count 2: 18 VAC 41-20-280.D.

The members voting ‘yes’ were Ms. Dorey, Mr. D. Jones, Mr. R. Jones, Ms. LaPierre, Ms. McCaffrey, Mr. Quesenberry, and Ms. Tsamouras. The member abstaining was Mr. Minor. The motion passed by a majority.

As a Board representative in this case, Ms. Quinn was not present, did not participate in the discussion, and did not vote on this matter.

Concerning Counts 1 and 2, a motion was made by Mr. Quesenberry to accept the recommended sanctions contained in the Summary of the Informal Fact-Finding Conference. There was no second. The motion failed.

Concerning Counts 1 and 2, upon a motion by Ms. Dorey and seconded by Mr. Quesenberry, the Board voted to accept the recommended sanctions contained in the Summary of the Informal Fact-Finding Conference and to impose the following sanction(s):

Count 1:	18 VAC 41-20-280.A.1.	\$ 650.00
Count 2:	18 VAC 41-20-280.D.	\$ 700.00
TOTAL (MONETARY PENALTIES)		----- \$1,350.00

The Board also imposes the following sanctions:

Revocation of License Number 1202-016303 for violation of Counts 1 and 2.

The members voting ‘yes’ were Ms. Dorey, Mr. D. Jones, Ms. LaPierre, Ms. McCaffrey, Mr. Quesenberry, and Ms. Tsamouras. The members abstaining were Mr. R. Jones and Mr. Minor. The motion passed by a majority.

As a Board representative in this case, Ms. Quinn was not present, did not participate in the discussion, and did not vote on this matter.

Ms. Quinn returned to the meeting.

Ms. LaPierre recused herself from the meeting.

Ms. LaPierre
Recused

In the matter of **File Number 2014-00365, Heather Allyson Gaskill**, the Board reviewed the record which consisted of the Consent Order. Heather Allyson Gaskill did not appear at the meeting in person, by counsel, or by any other qualified representative.

File Number 2014-00365 Heather Allyson Gaskill

By signing the Consent Order, Heather Allyson Gaskill acknowledges an understanding of the charges and admits to the violation(s) of the Count as outlined in the Report of Findings and consents to the following terms:

Count 1:	18 VAC 41-70-280.A.10.	\$ 0.00

	SUB-TOTAL (MONETARY PENALTIES)	\$ 0.00
	BOARD COSTS	\$150.00
	TOTAL	\$150.00

In addition, for violation of Count 1, Ms. Gaskill agrees to a one (1) year probation of her Master Esthetician license as of the effective date of this Order. During this one (1) year probation, Ms. Gaskill agrees to:

- (1) Comply with the regulations of the Board for Barbers and Cosmetology; and
- (2) Not to be convicted in any state or city of any felony, misdemeanor, or federal, state or local ordinance.

If Ms. Gaskill violates any terms of this probation, her license may be revoked, pending review by the Board.

Upon a motion by Mr. Minor and seconded by Ms. Dorey, the Board voted to accept the Consent Order.

The members voting 'yes' were Ms. Dorey, Mr. D. Jones, Mr. R. Jones, Ms. McCaffrey, Mr. Minor, Mr. Quesenberry, Ms. Quinn, and Ms. Tsamouras. The motion passed unanimously.

As a Board representative in this case, Ms. LaPierre was not present, did not participate in the discussion, and did not vote on this matter.

In the matter of **File Number 2014-00376, Heather Allyson Gaskill**, the Board reviewed the record which consisted of the Consent Order. Heather Allyson Gaskill did not appear at the meeting in person, by counsel, or by any other qualified representative.

File Number 2014-00376 Heather Allyson Gaskill

By signing the Consent Order, Heather Allyson Gaskill acknowledges an understanding of the charges and admits to the violation(s) of the Count as outlined in the Report of Findings and consents to the following terms:

Count 1:	18 VAC 41-70-280.A.10.	\$ 0.00

	SUB-TOTAL (MONETARY PENALTIES)	\$ 0.00
	BOARD COSTS	\$150.00
	TOTAL	\$150.00

In addition, for violation of Count 1, Ms. Gaskill agrees to a one (1) year probation of her Master Esthetician license as of the effective date of this Order. During this one (1) year probation, Ms. Gaskill agrees to:

- (1) Comply with the regulations of the Board for Barbers and Cosmetology; and
- (2) Not to be convicted in any state or city of any felony, misdemeanor, or federal, state or local ordinance.

If Ms. Gaskill violates any terms of this probation, her license may be revoked, pending review by the Board.

Upon a motion by Mr. Minor and seconded by Ms. McCaffrey, the Board voted to accept the Consent Order.

The members voting 'yes' were Ms. Dorey, Mr. D. Jones, Mr. R. Jones, Ms. McCaffrey, Mr. Minor, Mr. Quesenberry, Ms. Quinn, and Ms. Tsamouras. The motion passed unanimously.

As a Board representative in this case, Ms. LaPierre was not present, did not participate in the discussion, and did not vote on this matter.

Ms. Tsamouras recused herself from the meeting. Mr. Quesenberry assumed the Chair.

**Ms. Tsamouras
Recused**

In the matter of **File Number 2014-00452, American Spirit Institute**, the Board reviewed the record which consisted of the Consent Order. American Spirit Institute did not appear at the meeting in person, by counsel, or by any other qualified representative.

**File Number 2014-
00452 American
Spirit Institute**

By signing the Consent Order, American Spirit Institute acknowledges an understanding of the charges and admits to the violation(s) of the Counts as outlined in the Report of Findings and consents to the following terms:

Count 1:	18 VAC 41-70-280.A.2.	\$1,250.00

	SUB-TOTAL (MONETARY PENALTIES)	\$1,250.00
	BOARD COSTS	\$ 150.00
	TOTAL	\$1,400.00

Upon a motion by Mr. Minor and seconded by Ms. Dorey, the Board voted to accept the Consent Order.

The members voting 'yes' were Ms. Dorey, Mr. D. Jones, Mr. R. Jones, Ms. McCaffrey, Mr. Minor, Mr. Quesenberry, and Ms. Quinn.. The motion passed unanimously.

As Board representatives in this case, Ms. LaPierre and Ms. Tsamouras were not present, did not participate in the discussion, and did not vote on this matter.

Ms. LaPierre and Ms. Tsamouras returned to the meeting. Ms. Tsamouras reassumed the Chair.

In the matter of **File Number 2014-01226, Gregory A. Davis**, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Gregory A. Davis appeared at the meeting and addressed the Board.

File Number 2014-01226 Gregory A. Davis

Upon a motion by Mr. Quesenberry and seconded by Ms. LaPierre, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Gregory A. Davis' license application.

The members voting 'yes' were Ms. Dorey, Mr. D. Jones, Mr. R. Jones, Ms. LaPierre, Ms. McCaffrey, Mr. Minor, Mr. Quesenberry, Ms. Quinn, and Ms. Tsamouras. The motion passed unanimously.

In the matter of **File Number 2014-02561, Cassandra Elizabeth Okoli**, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Cassandra Elizabeth Okoli did not appear at the meeting in person, by counsel, or by any other qualified representative.

File Number 2014-02561 Cassandra Elizabeth Okoli

Upon a motion by Mr. Quesenberry and seconded by Mr. Minor, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Cassandra Elizabeth Okoli's license application.

The members voting 'yes' were Ms. Dorey, Mr. D. Jones, Mr. R. Jones, Ms. LaPierre, Ms. McCaffrey, Mr. Minor, Mr. Quesenberry, Ms. Quinn, and Ms. Tsamouras. The motion passed unanimously.

In the matter of **File Number 2014-02614, Chanh Duong**, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Chanh Duong did not appear at the meeting in person, by counsel, or by any other qualified representative.

File Number 2014-02614 Chanh Duong

Upon a motion by Mr. Quesenberry and seconded by Mr. Minor, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Chanh Duong's license application.

The members voting 'yes' were Ms. Dorey, Mr. D. Jones, Mr. R. Jones, Ms. LaPierre, Ms. McCaffrey, Mr. Minor, Mr. Quesenberry, Ms. Quinn, and Ms. Tsamouras. The motion passed unanimously.

In the matter of **File Number 2014-02653, Amanda Ann Cantrell**, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Amanda Ann Cantrell appeared at the meeting and addressed the Board.

File Number 2014-02653 Amanda Ann Cantrell

Upon a motion by Mr. Quesenberry and seconded by Ms. McCaffrey, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Amanda Ann Cantrell's license application.

The members voting 'yes' were Ms. Dorey, Mr. D. Jones, Mr. R. Jones, Ms. LaPierre, Ms. McCaffrey, Mr. Minor, Mr. Quesenberry, Ms. Quinn, and Ms. Tsamouras. The motion passed unanimously.

In the matter of **File Number 2014-02657, Carlos Tanner**, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Carlos Tanner did not appear at the meeting in person, by counsel, or by any other qualified representative.

File Number 2014-02657 Carlos Tanner

Upon a motion by Mr. Quesenberry and seconded by Mr. Minor, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Carlos Tanner's license application.

The members voting 'yes' were Ms. Dorey, Mr. D. Jones, Mr. R. Jones, Ms. LaPierre, Ms. McCaffrey, Mr. Minor, Mr. Quesenberry, Ms. Quinn, and Ms. Tsamouras. The motion passed unanimously.

In the matter of **File Number 2014-02659, Shannon Tyler Goodman**, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Shannon Tyler Goodman appeared at the meeting and addressed the Board.

File Number 2014-02659 Shannon Tyler Goodman

Upon a motion by Mr. R. Jones and seconded by Ms. LaPierre, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Shannon Tyler Goodman's license application.

The members voting 'yes' were Ms. Dorey, Mr. D. Jones, Mr. R. Jones, Ms. LaPierre, Ms. McCaffrey, Mr. Minor, Mr. Quesenberry, Ms. Quinn, and Ms. Tsamouras. The motion passed unanimously.

In the matter of **File Number 2014-02671, Eugene Aaron Singleton, Jr.** the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Eugene Aaron Singleton, Jr. appeared at the meeting and addressed the Board.

File Number 2014-02671 Eugene Aaron Singleton, Jr.

Upon a motion by Quesenberry and seconded by Dorey, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Eugene Aaron Singleton, Jr.'s license application.

The members voting 'yes' were Ms. Dorey, Mr. D. Jones, Mr. R. Jones, Ms. LaPierre, Ms. McCaffrey, Mr. Minor, Mr. Quesenberry, Ms. Quinn, and Ms. Tsamouras. The motion passed unanimously.

In the matter of **File Number 2014-02776 Steven Wayne Walker**, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Steven Wayne Walker appeared at the meeting and addressed the Board.

File Number 2014-02776 Steven Wayne Walker

Upon a motion by Mr. Minor and seconded by Mr. Quesenberry, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Steven Wayne Walker's license application.

The members voting 'yes' were Ms. Dorey, Mr. D. Jones, Mr. R. Jones, Ms. LaPierre, Ms. McCaffrey, Mr. Minor, Mr. Quesenberry, Ms. Quinn, and Ms. Tsamouras. The motion passed unanimously.

In the matter of **File Number 2014-02781, Tracey Leigh Boldyga**, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Tracey Leigh Boldyga appeared at the meeting and addressed the Board.

File Number 2014-02781 Tracey Leigh Boldyga

Upon a motion by Ms. Dorey and seconded by Ms. McCaffrey, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Tracey Leigh Boldyga's license application.

The members voting 'yes' were Ms. Dorey, Mr. D. Jones, Mr. R. Jones, Ms. LaPierre, Ms. McCaffrey, Mr. Minor, Mr. Quesenberry, Ms. Quinn, and Ms. Tsamouras. The motion passed unanimously.

In the matter of **File Number 2014-03074, Jamison Ray Washington**, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Jamison Ray Washington did not appear at the meeting in person, by counsel, or by any other qualified representative.

File Number 2014-03074 Jamison Ray Washington

Upon a motion by Mr. Quesenberry and seconded by Mr. Minor, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Jamison Ray Washington's license application.

The members voting 'yes' were Ms. Dorey, Mr. D. Jones, Mr. R. Jones, Ms. LaPierre, Ms. McCaffrey, Mr. Minor, Mr. Quesenberry, Ms. Quinn, and Ms. Tsamouras. The motion passed unanimously.

In the matter of **File Number 2014-03075, Brett Jerome Kerford**, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Brett Jerome Kerford appeared at the meeting and addressed the Board.

File Number 2014-03075 Brett Jerome Kerford

Upon a motion by Mr. Quesenberry and seconded by Mr. R. Jones, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Brett Jerome Kerford's license application.

The members voting 'yes' were Ms. Dorey, Mr. D. Jones, Mr. R. Jones, Ms. LaPierre, Ms. McCaffrey, Mr. Minor, Mr. Quesenberry, Ms. Quinn, and Ms. Tsamouras. The motion passed unanimously.

In the matter of **File Number 2014-03080, Michael Turpin**, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Michael Turpin did not appear at the meeting in person, by counsel, or by any other qualified representative.

File Number 2014-03080 Michael Turpin

Upon a motion by Mr. R. Jones and seconded by Ms. Dorey, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Michael Turpin's license application.

The members voting 'yes' were Ms. Dorey, Mr. D. Jones, Mr. R. Jones, Ms. LaPierre, Ms. McCaffrey, Mr. Minor, Mr. Quesenberry, Ms. Quinn, and Ms. Tsamouras. The motion passed unanimously.

In the matter of **File Number 2014-03104, Darren Dewayne Whitelow**, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Darren Dewayne Whitelow did not appear at the meeting in person, by counsel, or by any other qualified representative.

File Number 2014-03104 Darren Dewayne Whitelow

Upon a motion by Mr. Quesenberry and seconded by Mr. Minor, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Darren Dewayne Whitelow's license application.

The members voting 'yes' were Ms. Dorey, Mr. D. Jones, Mr. R. Jones, Ms. LaPierre, Ms. McCaffrey, Mr. Minor, Mr. Quesenberry, Ms. Quinn, and Ms. Tsamouras. The motion passed unanimously.

In the matter of **File Number 2014-03107, Bruce Diggs, Jr.**, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Bruce Diggs, Jr. did not appear at the meeting in person, by counsel, or by any other qualified representative.

File Number 2014-03107 Bruce Diggs, Jr.

Upon a motion by Ms. LaPierre and seconded by Ms. Dorey, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Bruce Diggs, Jr.'s license application.

The members voting 'yes' were Ms. Dorey, Mr. D. Jones, Mr. R. Jones, Ms. LaPierre, Ms. McCaffrey, Mr. Minor, Mr. Quesenberry, Ms. Quinn, and Ms. Tsamouras. The motion passed unanimously.

Regulatory Review Report

Mr. Melis reviewed the proposed Barbering and Cosmetology Regulations, previously approved by the Board on November 18, 2013. The Regulations are currently in Executive Review. Mr. Melis explained that the Executive Branch requested that the Board review its proposed prohibition of animals in salons, shops, and spas.

Proposed Barber and Cosmetology Regulations - Amendment

Upon a motion by Ms. Tsamouras and seconded by Ms. Dorey, the Board voted to amend the proposed regulations and remove the prohibition of animals in salons, shops, and spas from the amended 18VAC41-20-270.

The members voting 'yes' were Ms. Dorey, Mr. D. Jones, Mr. R. Jones, Ms. LaPierre, Ms. McCaffrey, Mr. Minor, Mr. Quesenberry, Ms. Quinn, and Ms. Tsamouras. There were no negative votes. The motion passed unanimously.

Mr. Kirschner reviewed and discussed with the Board proposed amendments to the Board for Barbers and Cosmetology Esthetics Regulations.

Proposed Esthetics Regulations - Discussion

Upon a motion by Mr. Quesenberry and seconded by Ms. Tsamouras, the Board voted to approve the proposed amendments to the Esthetic Regulations for submission to the Executive Branch.

The members voting 'yes' were Ms. Dorey, Mr. D. Jones, Mr. R. Jones, Ms. LaPierre, Ms. McCaffrey, Mr. Minor, Mr. Quesenberry, Ms. Quinn, and Ms. Tsamouras. There were no negative votes. The motion passed unanimously.

Mr. Melis updated the Board on amendments to the Code of Virginia that are being considered by the Department of Professional and Occupational Regulation (DPOR), including the (1) statutory definition of Schools of Barbering; (2) definition of cosmetic treatments; and (3) exemptions from the Chapter, Definitions.

Regulatory Amendments recommended by the Department of Professional and Occupational Regulation

Mr. Melis discussed with the Board the practice of "threading" for hair

Threading

removal and recent research undertaken by staff. The Board consensus was that further research and review was required. Staff will continue to research and report back.

Old Business

Mr. Kirschner provided the Board with an amendment to the Non-Traditional Classroom Instruction Guidance Document to remove “procedures” from the general or intro portion of the curriculum. By reference, the Substantial Equivalence Guidance Document will likewise be amended to incorporate this change.

Modify Online Curriculum Guidance Document

Upon a motion by Ms. Dorey and seconded by Mr. Quesenberry, the Board voted to approve the proposed amendment to the Non-Traditional Classroom Instruction Guidance Document and the Substantial Equivalence Guidance Document.

The members voting ‘yes’ were Ms. Dorey, Mr. D. Jones, Mr. R. Jones, Ms. LaPierre, Ms. McCaffrey, Mr. Minor, Mr. Quesenberry, Ms. Quinn, and Ms. Tsamouras. There were no negative votes. The motion passed unanimously.

Mr. Melis reported to the Board on the transition to the new exam vendor, Ergometrics/National Testing Network, which was effective July 1, 2014. Mr. Melis provided the Board with a report submitted by the exam vendor detailing the numbers of examinations administered and the pass/fail rates to date.

Exam Vendor Transition Report

Mr. Melis discussed with the Board the need to re-establish the Ad Hoc Committee on Vocational Education since the recent appointment of new Board members. Mr. Melis asked for volunteers to serve on the committee with existing member, Mr. Quesenberry.

Ad Hoc Committee on Vocational Education

New Business

Mr. Kirschner provided the Board with proposed amendments to the Criminal History Application Review Matrix and discussed the proposed changes with the Board. Added to the Matrix as convictions that will not be reviewed by the Board were #1, Felony convictions more than 20 years old with no subsequent reportable convictions of a similar nature, unless the conviction resulted in incarceration where the release date is less than three years from the application date; and #5, Misdemeanor convictions where the applicant has no record of felony convictions. In addition, amendments were made to #2 on the Matrix, referring to Felony convictions more than five years old. The language in sentence two was

Criminal History Matrix Amendments

amended as follows: “This does not include convictions involving murder, sexual assault, rape, robbery, indecent liberties, fraud, embezzlement.”

Upon a motion by Ms. Tsamouras and seconded by Mr. Quesenberry, the Board voted to approve the proposed amendments to the Criminal History Application Review Matrix.

The members voting ‘yes’ were Ms. Dorey, Mr. D. Jones, Mr. R. Jones, Ms. LaPierre, Ms. McCaffrey, Mr. Minor, Mr. Quesenberry, Ms. Quinn, and Ms. Tsamouras. There were no negative votes. The motion passed unanimously.

Mr. Melis initiated a discussion on the interpretation of body-piercing as it relates to ear-only piercing in stores and kiosks located in malls. The Board took the matter under advisement pending more review by staff.

Discussion – Ear only body piercing in mall jewelry stores

Mr. Melis advised the Board that elections for new officers will take place at the November 17, 2014 Board Meeting.

Board Elections – postponed until November 17, 2014 meeting

Mr. D. Jones, Tattooer/Body-Piercer Board member, will undertake a review of the current list of approved health education providers, as well as other potential providers, and report back to the Board with his findings at the November 17, 2014 meeting.

Health Education for Tattooers and Body Piercers

Mr. Melis reported to the Board that there will be a number of prima facie cases on the November 17, 2014 meeting agenda related to an investigation of training fraud.

Prima Facie cases

Mr. Melis reported to the Board that he will be attending the National-Interstate Council of State Boards of Cosmetology (NIC) Annual Conference and Board Administrators Meeting in Charleston, SC, August 21-25. Mr. Melis asked the Board to grant him the authority to vote on behalf of the Board at the meeting.

NIC Board Administrators Meeting

Upon a motion by Mr. D. Jones and seconded by Ms. Quinn, the Board voted to grant Mr. Melis the authority to vote on its behalf at the NIC Conference and Board Administrators Meeting.

The members voting ‘yes’ were Ms. Dorey, Mr. D. Jones, Mr. R. Jones, Ms. LaPierre, Ms. McCaffrey, Mr. Minor, Mr. Quesenberry, Ms. Quinn, and Ms. Tsamouras. There were no negative votes. The motion passed

unanimously.

There being no other business to be brought before the Board, Ms.
Tsamouras adjourned the meeting at 11:44 a.m.

Adjourn

Daniella Tsamouras, Chair

Jay W. DeBoer, Secretary