

Mississippi State Board of Cosmetology
Board Meeting Minutes
April 22, 2024
239 North Lamar Street, 12th Floor, Jackson, MS 39201

I. Welcome and Call to Order

Warren Rossi, Chairman of the Mississippi State Board of Cosmetology, called the meeting to order at 9:00 a.m. on April 22, 2024. Jewel Stewart performed the roll call. May the record reflect that there was a quorum present for voting purposes.

Members present:

Warren Rossi, Chairman
Debbie Coker, Vice-Chairman
Jewel Stewart, Secretary
Hilda Bills, Member

Catherine Bell, Special Assistant Attorney General / Counsel for the Board
Ruby Lowery, Deputy Director
Sharon Clark, Executive Director

There were members of the public present.

II. Agenda Approval

Debbie Coker moved to accept the agenda. Hilda Bills provided a second. The motion was carried by unanimous approval.

III. Board Minutes Approval / Corrections

A. March 19, 2024

Jewel Stewart moved to accept the board minutes with corrections. Debbie Coker seconded the motion. The motion carried by unanimous approval.

B. March 25, 2024

Jewel Stewart moved to accept the board minutes with no corrections. Hilda Bills seconded the motion. The motion carried by unanimous approval.

C. March 27, 2024

Debbie Coker moved to accept the board minutes with no corrections. Hilda Bills seconded the motion. The motion carried by unanimous approval.

IV. Report of Officers

- A. Warren Rossi, Chairman, had nothing to report.
- B. Debbie Coker, Vice-Chairman, had nothing to report.
- C. Jewel Stewart, Secretary, had nothing to report.

- V. Executive Director Report
Sharon Clark provided the Executive Director report (attached) and financial report.
- VI. Deputy Director Report
Ruby Lowery provided the Deputy Director report a copy of which is attached.
- VII. Old Business
- A. Claudia Robinson Request for Continuance
Debbie Coker moved to approve the request of counsel for Claudia Robinson for a continuance of the hearing and rescheduling of same to June 24, 2024. Jewel Stewart seconded the motion. The motion carried by unanimous approval.
- VIII. New Business
- A. MIBA Continuing Education Request
Jewel Stewart moved to approve the Mississippi Independent Beauty Association Show called "Design by Desire" scheduled for July 21, 2024, in Tupelo, Mississippi for six (6) continuing education hours for cosmetologists only. Hilda Bills seconded the motion. The motion carried by unanimous approval.
- B. Carol Sims Electric File Certification
Jewel Stewart moved to deny the request of Carol Sims for the Board to honor her Electric File Certificate that she received previously from Magnolia College without the need to comply with the Board's January 28, 2024 requirement that all licensee's complete training on the Electric File within the next six (6) month period. Hilda Bills seconded the motion. The motion carried by unanimous approval.
- C. Northwest MS Night Class Approval
Debbie Coker moved to approve Northwest MS – Oxford for night classes with the stipulation that school must have instructors to cover both daytime and nighttime classes based on the instructor/student ration. The daytime and nighttime classes cannot overlap during any time. Program hours are to remain separate. Jewel Stewart seconded the motion. The motion carried by unanimous approval.
- D. Electric File – Lychanda Brown
- E. Crystal Short – Electric File Certification Course
- F. Heather Holloway – Electric File Certification Course

The Board heard from Sharon Clark and Lychanda Brown about attendance issues at an Electric File Certification Class provided by Ms. Brown. The Board also heard from Ms. Clark about observed issues when in courses taught by Ms. Short and Ms. Holloway.

Debbie Coker moved to go into closed session to determine whether an Executive Session was needed. The Motion passed unanimously.

Debbie Coker moved, seconded by Jewel Stewart, that the Board has reason under Miss. Code Ann. Section 25-41-7 (k), as amended, to go into Executive Session, namely, to discuss the investigative proceeding regarding allegations of misconduct or violation of the law by a licensee. The Motion passed unanimously. The Board entered Executive Session at 9:28 am.

During Executive Session, the Board took no action. However, the Board announced that changes would be made to the Electric File Certification Class requirements.

Hilda Bills moved, seconded by Jewel Stewart, to exit Executive Session at 10:05 am.

G. Tuyet Thi Nguyen (Tuyet Kim Nguyen)

The Board discussed the application paperwork submitted by a potential licensee wherein the names "Tuyet Thi Nguyen" and "Tuyet Kim Nguyen" were used seemingly interchangeably. Debbie Coker moved to approval application using the name "Tuyet Thi Nguyen" based on documentation. Hilda Bills seconded the motion. The motion carried by unanimous approval.

IX. Legislative Update

Catherine Bell provided a legislative update on measures that are not dead.

X. Formal Complaints

Hilda Bills moved to go into closed session to determine whether an Executive Session was needed. The Motion passed unanimously.

Jewel Stewart moved, seconded by Warren Rossi, that the Board has reason under Miss. Code Ann. Section 25-41-7 (k), as amended, to go into Executive Session, namely, to discuss the investigative proceeding regarding allegations of misconduct or violation of the law by a licensee. The Motion passed unanimously. The Board entered Executive Session at 10:30 am.

During Executive Session, the Board took the following actions:

- A. FC-20240314-001 – Hilda Bills moved to close this complaint based on lack of jurisdiction. Debbie Coker seconded the motion. The motion carried by unanimous approval.

- B. FC-20240229-001 – Jewel Stewart moved to close this complaint based on lack of jurisdiction and to forward the complaint to Massage Therapy Board. Hilda Bills seconded the motion. The motion carried by unanimous approval.

Hilda Bills moved, seconded by Debbie Coker, to exit Executive Session at 10:40 am. The Motion passed unanimously.

XI. Website Additions

Jewel Stewart moved to approve website additions as presented by Ms. Clark. Debbie Coker seconded the motion. The motion carried by unanimous approval.

XII. Hearings

Debbie Coker moved to go into closed session to determine whether an Executive Session was needed. The Motion passed unanimously.

Debbie Coker moved, seconded by Jewel Stewart, that the Board has reason under Miss. Code Ann. Section 25-41-7 (k), as amended, to go into Executive Session, namely for a strategy session/negotiation with respect to prospective litigation or the issuance of an appealable order when an open meeting would have a detrimental effect on the litigation position of the Board. The Motion passed unanimously. The Board entered Executive Session at 3:09 p.m.

During Executive Session, the Board took the following actions:

A. Truc Thi Do Consent Order

Debbie Coker moved to offer consent order to Truc Thi Do. Jewel Stewart seconded the motion. The motion carried by unanimous approval.

B. Traxler's School of Hair and Jessica Robinson

After the hearing on this matter, the Board found by clear and convincing evidence as follows:

There is no proof that Traxler's School of Hair violated Rule 5.18(D) by permitting Jessica Robinson to sign in and clock out daily without attending courses as required by Rule 5.18(D).

There is no proof that Traxler's School of Hair violated Rule 5.18(D) by permitting Jessica Robinson to instruct outside the scope of her current license and/or curriculum outlined in Rule 5.18(D). Further, there is no proof that Jessica Robinson spent time instructing outside of her licensure and that time was included in the required total hours for student instructors outlined in Rule 5.18(D).

There is proof that Traxler's School of Hair and Jessica Robinson violated both Rule 5.23(e) and Rule 8.1(5) by submitting fabricated time sheets that do not recapitulate the student's work for the day. Further, the Board finds that

Traxler's School of Hair be placed on 6 months-probation with no new enrollment of student instructors during the 6-month period effective upon the date of the Order. Currently enrolled student instructors may complete the program. Traxler's School of Hair is ordered to submit a Letter of Accountability for how student instructors will be trained within 30 days of the entry of this Order. Jessica Robinson is placed on 6-months-probation from administrative work but can continue teaching cosmetology.

There is no proof that Traxler's School of Hair violated Rule 8.1(5) by permitting Jessica Robinson to administer her own exams and or provided the answer key prior to the taking the exams while in the student instructor training program.

The vote taken on the above referenced matter was:


Warren Rossi – aye
Debbie Coker - aye
Jewel Stewart – abstain
Hilda Bills - aye

Hilda Bills moved, seconded by Debbie Coker, to exit Executive Session. The Motion passed unanimously.

XIII. Adjournment

Debbie Coker moved to adjourn at 4:30 p.m. A second was provided by Jewel Stewart. The motion carried by unanimous approval.

APPROVED:


Warren Rossi, Chairman


Jewel Stewart, Secretary