

Western, Patrick L

From: Adam.L.Higginbotham@wv.gov
Sent: Saturday, March 20, 2010 10:08 AM
To: Higginbotham, Adam L; Western, Patrick L
Cc: cindypmail@aol.com
Subject: WVBBC Complaint

West Virginia Board of Barbers and Cosmetologists

Complaint Form

Individual Making Complaint

Name: Cynthia Parsons
Address: 4825 Pennsylvania Ave, Apt 1C
So Charleston, WV 25309
Phone: 304-552-9977
E-mail: cindypmail@aol.com

Individual or Business Named in the Complaint

Name: See Below See Below
Company: See Below
Address: See Below
See Below, WV See Below
Phone: see Below

List of Witnesses

see below

Description of Complaint

This complaint is concerning my board test result. I took the Nail Tech test in February. My exam results showed that I made a 91 on the National Written and a 87 on the State Law Written. It showed that I failed the Practical. I have contacted Adam Higginbotham to find out exactly what I did wrong causing me to fail. He stated that he was not in a position to give me that information and indicated that it was unlikely that I would get that information from the board. I submit that if the board failed me, the board should inform me of what I did to cause the failure. I will have to retake the board in May. I need to know what I should correct to pass. I am 54 years old. I took this class due to a lay-off. I chose this course because I felt that it was a good fit for me. I went to school and took the course

seriously giving my best effort to learn the skill and complete the necessary book work. I went into the board test feeling that I was ready. I was shocked to learn that I failed the practical. I was very upset to learn that I had to retake the practical and upset that I will again have to pay the \$50 fee and purchase another test kit which is \$35. I am layed off and have limited finances. Please favorably consider this request and respond with the information I need. Thank You.

Western, Patrick L

From: Higginbotham, Adam L
Sent: Monday, March 29, 2010 9:52 AM
To: Western, Patrick L
Subject: FW: Nail shop at Walmart in Wheeling / Highlands

Please prepare this complaint and send Helen there tomorrow since this is a sanitary issue.

From: Justina Gabbert [mailto:justgabby1@comcast.net]
Sent: Sunday, March 28, 2010 4:44 PM
To: Higginbotham, Adam L
Cc: styli23@aol.com; dli061465@comcast.net
Subject: Nail shop at Walmart in Wheeling / Highlands

Adam, I received a complaint today regarding the Nail Shop as noted above.

*Complaint: Nails - Using emery boards on repeated customers
Pedicure - Not giving the flip-flop slipper and toe guards to the client or
throwing in trash. Instead they put them in a box/basket and reuses them.*

Send someone to check this out Please !

Western, Patrick L

From: Helen Ferrell [wvstatehjf@frontier.com]
Sent: Tuesday, March 30, 2010 7:43 PM
To: Western, Patrick L
Subject: Re: Complaint: Nail Shop @ Walmart . The Highlands. Wheeling, WV

Salon Investigated complaint confirmed, report in mail with inspection slips. mailed violation notice.

From: Western, Patrick L
Sent: Monday, March 29, 2010 10:44 AM
To: Helen Ferrell
Subject: Complaint: Nail Shop @ Walmart . The Highlands. Wheeling, WV

Dear Helen,

Please check out this shop tomorrow, if it all possible. Here are the complaints.

*Complaint: Nails - Using emery boards on repeated customers
Pedicure - Not giving the flip-flop slipper and toe guards to the client or throwing in trash. Instead they put them in a box/basket and reuses them.*

Send someone to check this out Please !

Here are the shop details:

#014432
Da-Vi Nails (in walmart)
450 Stewart Lane
Triadelphia, WV 26059

There is also a smartstyle in there. I don't believe that is the shop they are talking about, but if Da-Vi Nails comes up without anything, you might check it out as well.

Former complaints 9/5/07, 12/6/07. Odors from salon.

I'll send more details about training later today.

Sincerely,

Patrick L. Western
Office Staff
State of West Virginia
Board of Barbers and Cosmetologists
1201 Dunbar Avenue
Dunbar, WV 25064
Telephone: (304) 558-2924
Fax: 304-558-3450
Email: patrick.l.western@wv.gov
<http://www.wvbbs.com/>

For Agency Use:

Complaint #:

West Virginia Board of Barbers and Cosmetologists

COMPLAINT FORM

This form is used when there is a complaint filed by a consumer, shop owner, or any interested party. Please completely fill out all fields. Your name and information **WILL NOT** be revealed. Once the complaint is filed, the Board will conduct an investigation into the complaint.

NAME
(COMPLAINT FILED BY)

2

PHONE NUMBER

2

TODAY'S DATE

03-30-2010 ^{Inspector} Received Complaint By E-Mail 03/29/2010NAME OF
SHOP/LICENSEE COMPLAINT

DA-VI Nails 14432

LOCATION OF SHOP OR
LICENSEE450 Stewart Ave
TR. ALPH. CO

SHOP/LICENSEE #

DA-VI Nails 14432

INCIDENT DATE

?

MEANS OF RECEIVING
COMPLAINT (letter, phone, etc)Inspector By E-Mail ^{From} officeCOMPLAINT
(Please fill the incident that
warrants a complaint) Write on
back if more room is needed.

Nails - USING Emery boards on repeated customers
Ped. cure - not giving the flip flops & toe
guards to the client or throwing in trash. Instead
they put them in Box or Basket Reuses them
Letter from office enclosed

AGENCY USE ONLY

NAME
COMPLAINT RECEIVED BY

ACTION TO BE TAKEN

Inspector Helen Ferrell Investigated
(They said they throw used Flip Flops & Toe guards away in Box)

FINAL FINDINGS

There was Box with 14 used Flip Flop and toe guards
I did not see them being used. I told them to dispose of
them in trash. They said they would give used Emery Boards to
customers. Gave them violation Notice 2133 warning

INSPECTOR &
DATE INSPECTED

Helen Ferrell DATE: 03-30-2010

Western, Patrick L

From: Western, Patrick L
Sent: Monday, March 29, 2010 4:25 PM
To: 'Helen Ferrell'
Subject: Keep your eye out if you are in Moundsville

Dear Helen,

Board Member: Susan Poveromo, had heard from Dung (Dana) T. Vo #M00843 through some friends that someone might be using her license up in Moundsville at Regal Nail. We got a report in December, for which we sent you on in investigation for. Don't go out of your way, since we've already checked into this one, but next time you are around Moundsville, pop into Regal Nail and make sure everyone working there is licensed. It's kind of strange that this Licensee, this far south, somehow mentioned that and that we had a similar complaint filed this past December.

Let me know if you need additional information on that shop.

#015341 Regal Nails – 240 N. Lafayette Ave, Moundsville, WV

Comment from December:

“

12/16/09 phone complaint that a worker by the name of "Kim" is working under someone else's license at a station. Complaint caller would not leave a name. Could barely understand him. Attempted to get him to write a written complaint but he would not do that. would not give day, time, or names of any witnesses or people involved aside from a "Kim" – plw”

Let me know if you need additional information.

Sincerely,

Patrick L. Western
Office Staff
State of West Virginia
Board of Barbers and Cosmetologists
1201 Dunbar Avenue
Dunbar, WV 25064
Telephone: (304) 558-2924
Fax: 304-558-3450
Email: patrick.l.western@wv.gov
<http://www.wvbbs.com/>

Western, Patrick L

From: Helen Ferrell [wvstatehjf@frontier.com]
Sent: Tuesday, March 30, 2010 7:41 PM
To: Western, Patrick L
Subject: Re: Keep your eye out if you are in Moundsville

Checked on Salon today. Report in with slips. No sign of Dana's license posted at Regal Nails.

From: Western, Patrick L
Sent: Monday, March 29, 2010 4:25 PM
To: Helen Ferrell
Subject: Keep your eye out if you are in Moundsville

Dear Helen,

Board Member: Susan Poveromo, had heard from Dung (Dana) T. Vo #M00843 through some friends that someone might be using her license up in Moundsville at Regal Nail. We got a report in December, for which we sent you on in investigation for. Don't go out of your way, since we've already checked into this one, but next time you are around Moundsville, pop into Regal Nail and make sure everyone working there is licensed. It's kind of strange that this Licensee, this far south, somehow mentioned that and that we had a similar complaint filed this past December.

Let me know if you need additional information on that shop.

#015341 Regal Nails – 240 N. Lafayette Ave, Moundsville, WV

Comment from December:

"

12/16/09 phone complaint that a worker by the name of "Kim" is working under someone else's license at a station. Complaint caller would not leave a name. Could barely understand him. Attempted to get him to write a written complaint but he would not do that. would not give day, time, or names of any witnesses or people involved aside from a "Kim" – plw"

Let me know if you need additional information.

Sincerely,

Patrick L. Western
Office Staff
State of West Virginia
Board of Barbers and Cosmetologists
1201 Dunbar Avenue
Dunbar, WV 25064
Telephone: (304) 558-2924
Fax: 304-558-3450
Email: patrick.l.western@wv.gov
<http://www.wvbbs.com/>

For Agency Use:

Complaint #:

West Virginia Board of Barbers and Cosmetologists

COMPLAINT FORM

This form is used when there is a complaint filed by a consumer, shop owner, or any interested party. Please completely fill out all fields. Your name and information WILL NOT be revealed. Once the complaint is filed, the Board will conduct an investigation into the complaint.

NAME

(COMPLAINT FILED BY)

Susan Poveromo Board member / Friend

PHONE NUMBER

TODAY'S DATE

Inspector Received 03/29/10

NAME OF

SHOP/LICENSEE COMPLAINT

15341 Regal Nails

LOCATION OF SHOP OR
LICENSEE240 N. Lafayette Ave
Moundsville

SHOP/LICENSEE #

Regal Nails 15341

INCIDENT DATE

MEANS OF RECEIVING

COMPLAINT (letter, phone, etc)

Inspector received by E-mail from office

COMPLAINT

(Please fill the incident that warrants a complaint) Write on back if more room is needed.

Letter from office attached

AGENCY USE ONLY

NAME

COMPLAINT RECEIVED BY

ACTION TO BE TAKEN

Working at Regal Nails 15341 1 female legal FID
License so no license for Quoc Bao Mai posted male AS and
working. He has sent for them. Grave violation notice 21
Dung's DANG T'S License was not posted NO ACTION TAKEN

FINAL FINDINGS

Dung's License not posted in this salon
NO ACTION WAS TAKEN ON COMPLAINT OF USING
Dung's DANG T'S License. Her license was not being
used in this investigation

INSPECTOR &

DATE INSPECTED

Helen Furrh DATE: 03-30-2010

Western, Patrick L

From: Adam.L.Higginbotham@wv.gov
Sent: Wednesday, March 31, 2010 11:06 AM
To: Higginbotham, Adam L; Western, Patrick L
Subject: WVBBC Complaint

West Virginia Board of Barbers and Cosmetologists

Complaint Form

Individual Making Complaint

Name: Board Of Barbers And Cosmetologists Board Of Barbers And Cosmetologists
 Address: 1201 Dunbar Ave
 Dunbar, WV 25064
 Phone: 304-558-2924
 E-mail:

Individual or Business Named in the Complaint

Name: Charleston School Of Beauty Culture Charleston School Of Beauty Culture
 Company: Beauty School
 Address: 210 Capitol Street
 Charleston, WV 25064
 Phone: 304-349-9603

List of Witnesses

Paula Kurczak Justina Gabbert Sarah Hamrick Micahel Belcher Susan Poveromo Jim Ryan Rick
 Stache Mindi Stewart Adam Higginbotham

Description of Complaint

School administration violated WV Code 30-27 by allowing a student (Hien Nguyen) to commence studies before receiving a work permit as required by law. Additionally, school administration allowed an individual (Hien Nguyen) that the school knew had TB to commence studies without first obtaining a health certification as required by law. The school also failed to obtain medical tests to determine if the individual's TB was in a contagious form by having a licensed doctor perform a chest x-ray as standard practice for years.

BEFORE THE WEST VIRGINIA BOARD OF BARBERS AND COSMETOLOGISTS

Board of Barbers and Cosmetologists
Complainant,

v.

Charleston Academy of Beauty Culture,
Inc., d.b.a. Charleston School of Beauty
Culture, Inc.

Respondent.

Case No.: _____

Response

Charleston School of Beauty Culture, Inc., hereinafter referred to as the School, hereby responds to that complaint in the above styled case filed and initiated by the Board of Barbers and Cosmetologists, hereinafter referred to as the Board, with letter dated April 8th, 2010, to-wit:

1. To that allegation that Hein Nguyen, hereinafter referred to as the student, was allowed to commence studies before receiving a student permit as required by law: A student permit was issued for the student dated September 9th, 2009 and said student commenced his studies on September 10th, 2009. A copy of said student permit is attached to this response and labeled as Attachment A.
2. To that allegation that the School allowed the Student to enroll as a student and commence studies without first obtaining a health certification as required by law: The student permit was issued by the Board, and the Student allowed to commence studies by the School, with the agreed understanding that the required health certification would be sent as soon as practicable after the student's enrollment. Said medical examination was conducted and forwarded to the Board on or about October 23rd, 2009. To the extent that the health certification was not submitted at the time of registration, the Board waived that requirement of the law for this particular Student in agreement with the School by issuing said permit under such conditions. Said regulatory requirement having been waived by the Board, the Board must abide by its previous waiver.
3. To that allegation that the School was informed by the Student that he had tuberculosis, hereinafter referred to as TB: The School denies ever being informed by the Student or any other person that the Student had TB.
4. To that allegation that the School failed to obtain medical tests to determine if the individual's TB was in a contagious form: The School obtained and submitted to the Board the examination results dated October 23rd, 2009, from one who is presumed to be a licensed physician on the letter-head from the Kanawha Charleston Health Department stating that the Student "was examined . . . and found to be free of respiratory tuberculosis disease." A copy of said examination letter is attached to this response and labeled as Attachment B.



Joe Manchin III
Governor

Adam L. Higginbotham
Director

State of West Virginia
Board of Barbers and Cosmetologists

1201 Dunbar Ave.
Dunbar, WV 25064
Telephone: 304-558-2924
Fax: 304-558-3450
www.wvbhc.org

Board Members

Michael Belcher
Justina Gabbert
Sarah Hamrick
Paula Kurczak
Susan Poveromo
Jim Ryan
Rick Stache

Charleston School of Beauty Culture, Inc.
210 Capitol Street
Charleston, WV 25301

April 8, 2010

Dear Charleston School of Beauty Culture Owners:

The purpose of this letter is to inform you that a formal complaint has been filed by the West Virginia Board of Barbers and Cosmetologists (hereinafter "Board") against the Charleston School of Beauty Culture, Inc. Please review the enclosed copy of the complaint, as filed by the Board, and provide the Board with a written response addressing the allegations listed therein.

You have fourteen (14) days from the date of this letter in which to file your response with this Board. The relevant statutes and rules may be found at www.wvbhc.org or www.wvsos.com/csr/.

Should you have any questions regarding this complaint, please do not hesitate to contact the Board office.

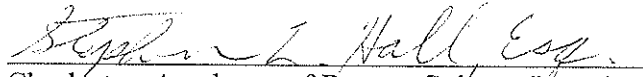
Sincerely,

Paula Kurczak
Board President

Cc: Nicole A. Cofer, Assistant Attorney General

5. To that allegation that the alleged failures caused a public health risk to the other students and any members of the public that may be served by this institution: Clearly, as the Student is "free of respiratory tuberculosis disease," there was never any public health risk as there was never any disease to which to be exposed.

Respectfully submitted this 12th day of April, 2010,

A handwritten signature in cursive script, reading "Stephen L. Hall, Esq.", written over a horizontal line.

Charleston Academy of Beauty Culture, Inc., by Counsel,
Stephen L. Hall, Esq.
Attorney at Law, WVSB #7278

STATE OF WEST VIRGINIA
Board of Barbers and Cosmetologists

STUDENT REGISTRATION CERTIFICATE NO. 051125

This is to certify that the individual named below is registered as a student in the school named hereon for the period of time required to complete the course of study prescribed for such schools operating in the State of West Virginia, unless this certificate is suspended or revoked for good and sufficient reason.

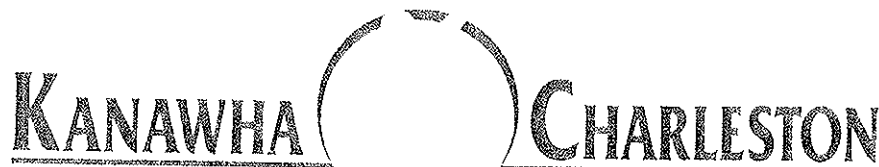
HIEN NGUYEN

MANICURIST
09/09/2009

CHARLESTON SCHOOL OF BEAUTY CULTURE
210 CAPITOL STREET
CHARLESTON WV 25301

Adam L. Higginbotham, Director

THIS CERTIFICATE MUST BE DISPLAYED IN A CONSPICUOUS PLACE



Attachment B

HEALTH DEPARTMENT

PO Box 927
CHARLESTON, WV 25323
www.kchdww.com

Date: 10/23/09

Hien Nguyen was examined on this date and found to be free of
respiratory tuberculosis disease.

J. Bryant M.D.

ADMINISTRATION
(304) 348-6494

FAX
(304) 348-6821

CLINIC
(304) 348-6080

FAX
(304) 346-4756

ENVIRONMENTAL
(304) 348-8050

FAX
(304) 348-8054

EPIDEMIOLOGY
(304) 348-1088

FAX
(304) 348-8149

HEALTH PROMOTION
(304) 348-6493

FAX
(304) 348-6821

HOME HEALTH
(304) 348-8152

FAX
(304) 348-8072

BEFORE THE WEST VIRGINIA BOARD OF BARBERS AND COSMETOLOGISTS

**Board of Barbers and Cosmetologists
Complainant,**

v.

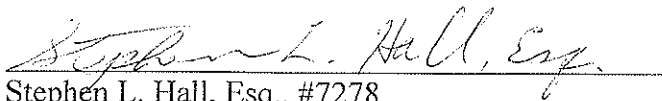
**Charleston Academy of Beauty Culture, Inc.
Respondent.**

Case No.: _____

CERTIFICATE OF SERVICE

I, Stephen L. Hall, Attorney for Respondent, Charleston Academy of Beauty Culture, Inc., d.b.a. Charleston School of Beauty Culture, Inc., do hereby certify that I have served the foregoing Response, by depositing a true copy thereof in the U.S. Mail, postage prepaid, this April 12, 2010, to:

WV Board of Barbers and Cosmetologists
1201 Dunbar Avenue
Dunbar, WV 25064



Stephen L. Hall, Esq., #7278

Attorney for Respondent

Charleston Academy of Beauty Culture, Inc.,
d/b/a Charleston School of Beauty Culture, Inc.

Western, Patrick L

From: Adam.L.Higginbotham@wv.gov
Sent: Monday, April 05, 2010 11:53 AM
To: Higginbotham, Adam L; Western, Patrick L
Cc: Ferrell, Helen J
Subject: WVBBC Complaint

West Virginia Board of Barbers and Cosmetologists

Complaint Form

Individual Making Complaint

Name: Jack Plot
Address: Po Box 1
Elkins, WV 2645
Phone: (304) 786-3089
E-mail: helen.j.ferrell@wv.gov

Individual or Business Named in the Complaint

Name: Sam Box
Company: Regal Nails
Address: 45 River Drive
Elkins, WV 26834
Phone: (304) 786-5544

List of Witnesses

Jacob Todd Suter Hall Elkins WV Sara Roth 5th St. Elkins WV

Description of Complaint

Nail Salon using same implements on every customer.

Western, Patrick L

From: Whitney Smith [whitneysmith007@yahoo.com]
Sent: Wednesday, April 07, 2010 9:50 AM
To: Higginbotham, Adam L
Cc: Stewart, Mindi D; Western, Patrick L; Black, Peta A
Subject: report a nail salon.

To whom it may concern,

Hello my name is Whitney, i went to T & M nail salon on 3677 US Route 60 E # 2 Barboursville, WV 25504 last week, they have use a razor and cut my foot bleeding. I don't think they have a nail lisence. Just want to let you know Thank You.

sincerely your,
Whitney

Western, Patrick L

From: Adam.L.Higginbotham@wv.gov
Sent: Wednesday, April 07, 2010 1:48 PM
To: Higginbotham, Adam L; Western, Patrick L
Cc: skwalden@hotmail.com
Subject: WVBBBC Complaint

West Virginia Board of Barbers and Cosmetologists

Complaint Form

Individual Making Complaint

Name: Karen Walden
Address: 614 Buck Hill Road
Gerrardstown , WV 45420
Phone: 3042290040
E-mail: skwalden@hotmail.com

Individual or Business Named in the Complaint

Name:
Company: Perfect Nails
Address: 4984 Gerrardstown Road
Inwood, WV 25428
Phone: 3042298590

List of Witnesses

Description of Complaint

The nail salon is performing facial waxing without a license to do so there is no one who is employed there that is a cosmetologist or esthetician




wvllw@frontier.con

+ Font size -

Zimbra

FW: WVBBC Complaint

Wed, Apr 07, 2010 01:59 PM

From : Patrick L Western <Patrick.L.Western@wv.gov>
Subject : FW: WVBBC Complaint
To : Lynda Ware <wvllw@frontier.com>

FYI.

Check this out next time you are in the area.

From: Adam.L.Higginbotham@wv.gov [mailto:Adam.L.Higginbotham@wv.gov]
Sent: Wednesday, April 07, 2010 1:48 PM
To: Higginbotham, Adam L; Western, Patrick L
Cc: skwalden@hotmail.com
Subject: WVBBC Complaint

West Virginia Board of Barbers and Cosmetologists**Complaint Form****Individual Making Complaint**

Name: Karen Walden
 Address: 614 Buck Hill Road
 Gerrardstown, WV 45420
 Phone: 3042290040
 E-mail: skwalden@hotmail.com

Individual or Business Named in the Complaint

Name:
 Company: Perfect Nails
 Address: 4984 Gerrardstown Road
 Inwood, WV 25428
 Phone: 3042298590

List of Witnesses**Description of Complaint**

The nail salon is performing facial waxing without a license to do so there is no one who is employeeed there that is a cosmotologist or esthetician



Attn: I Checked & inspected Salon. No Wax Machine & I also talk to the owner & warned her for the second time. I will continue to check on this Salon. # Perfect Nails

<http://webmail.frontier.com/frontiermail/h/printmessage?id=13300>

Lynda 4/8/2010

Western, Patrick L

From: Adam.L.Higginbotham@wv.gov
Sent: Thursday, April 08, 2010 10:24 AM
To: Higginbotham, Adam L; Western, Patrick L
Cc: Casto, Lamona R
Subject: WVBBC Complaint

West Virginia Board of Barbers and Cosmetologists

Complaint Form

Individual Making Complaint

Name: Lamona Casto
Address: 1201 Dunbar Ave
Dunbar, WV 25064
Phone: 304-558-2924
E-mail: Lamona.r.casto@wv.gov

Individual or Business Named in the Complaint

Name: John Settle
Company: New Image Hair Styling
Address: 204c West Maple Street
Fayetteville, WV 25840
Phone: 3045743720

List of Witnesses

???

Description of Complaint

Arrested for being accused of sexual abuse of a 13 year old boy in Mr. Settle's shop called New Image Hairstyling.

Executive Information Security Message

The web site you are trying to reach

MEMBER CENTER: Create Account | Log In

☐ SITE SEARCH ☐ WEB SEARCH BY Google

Go



HOME NEWS WEATHER SPORTS COMMUNITY VIDEO WHAT'S ON ADOPT-A-PET LIFESTYLE CLASSIFIEDS ABOUT US

Executive Information Security Message

Email Print

A A A Text Size

Fayetteville man accused of sexual abuse, waives hearing

Posted: Mar 30, 2010 4:49 PM EDT

Most Watched Video

More>>

Funeral home banned from accepting pre-paid funerals

New leads in Raleigh Co. cold case

New developments in search for shooting suspect

Possible hit and run in Bluefield, W.Va.

Two bodies found in Giles County

A Fayetteville hairstylist waived his preliminary hearing Tuesday afternoon. 62-year-old John Settle is being charged with first-degree sexual abuse after he allegedly fondled a 13-year-old boy on February 23.

Settle's salon, New Image Hair Styling in Fayetteville is still open but Settle declined to talk with us after his hearing.

Settle's case will now be heard in a Fayette County Circuit Court.

BOOKMARK

More Local News

Rescuers enter Upper Big Branch Mine

12 dead, more missing in mine explosion

I-77 traffic back-up after multi-car crash

Bluefield police name suspect in 2009 night club shooting

Boucher announces job creation for SWVA

Beckley shooting suspects behind bars

Verdict is reached in child abuse case

Princeton parrot cheers on Mountaineers

Forest fires possible this weekend

Pediatric office in Tazewell might close, leaving parents concerned

Executive Information Security

The web site you are trying to reach
<http://ad.doubleclick.net/adi/wn.nat.wn>
because of the possible

If you require access to this site for your organization, please contact your administrator and enter your Name, Agency, and Phone number for an automated request for access.

Western, Patrick L

From: Adam.L.Higginbotham@wv.gov
Sent: Friday, April 09, 2010 1:06 PM
To: Higginbotham, Adam L; Western, Patrick L
Cc: artzsteph@hotmail.com
Subject: WVBBC Complaint

West Virginia Board of Barbers and Cosmetologists

Complaint Form

Individual Making Complaint

Name: Stephanie Reese
Address: 1587 Washington St., East
Charleston, WV 25311
Phone: 304-347-0055
E-mail: artzsteph@hotmail.com

Individual or Business Named in the Complaint

Name: Mischa Olah Olah
Company: Salon Indigo
Address: 5401 Kanawha Avenue
Kanawha City, WV 25304
Phone: (304) 550-5301

List of Witnesses

Kanesa McCoy (stylist that works at salon) 942 Park St., St. Albans, WV 25177 (304) 610-2470
Stephanie Reese 1587 Washington St., East, Charleston, WV

Description of Complaint

Mischa Olah Miller broke into my salon after she was terminated and stole thousands of \$\$\$\$\$\$ in products, equipment, etc. She also vandalized salon and was charged with the crimes. She posted on Facebook that she was doing hair at home. If you have questions, please call 304-347-0055

Western, Patrick L

From: Adam.L.Higginbotham@wv.gov
Sent: Monday, April 12, 2010 12:11 PM
To: Higginbotham, Adam L; Western, Patrick L
Cc: girwin223@hughes.net
Subject: WVBBC Complaint

West Virginia Board of Barbers and Cosmetologists

Complaint Form

Individual Making Complaint

Name: Gina Irwin
Address: RR 1 Box 74
Dallas, WV 26036
Phone: 304-547-4086
E-mail: girwin223@hughes.net

Individual or Business Named in the Complaint

Name: Joe Mamone
Company: Scott College
Address: 1502 Market Street
Wheeling, WV 26003
Phone: 304-232-7798

List of Witnesses

Lachawn Miller, Ashley John, Joe Mamone, Mrs. Spears, Mrs. Stobbs, Mrs. Vetanze. Jane Bater, Miss Clark, Mrs. Strawn. These are the witnesses to the learning disability incident along with our entire class. And as for the inventory issue the entire student body can testify that there is never a full line of product for us to service customers.

Description of Complaint

I am writing this complaint for my daughter Lachawn D. Miller. Both she and I attend Scott College together. We for the second time since we began are being Taught by Joe Mamone Himself. He taught us haircutting in 2 days. and now color. I find it difficult to stay awake in his class. He speaks in a monotone voice and puts me and most of the class to sleep. No wonder we can't learn this. Paul Mitchell the color. There is absolutely no structured curriculum. The students nor the teachers never

know what we are going to be doing until we walk in the door each day. It's horrible. We can't take a medical leave or a vacation because we don't know what we are going to be doing that week. I know for a fact that when Mrs. Scott had the college that she has a structured curriculum. If you wanted to take a vacation, you could pick a week that you were going to be on the clinic floor and still not fall behind in class room work, and remain the same level as the rest of your class and only have clinic hours to make up. Sometimes we are told that tomorrow we will be in class. And when tomorrow comes we find out different. Forcing us to be unprepared. I believe that this school has the highest rate of dropouts due to the insecurities as a direct result of poor management. Lachawn was accepted at Scott with her learning disability which is reading comprehension. She has had this problem ever since the 6th grade and has been accompanied according to the department of rehabilitation which is paying for a big part of her education. Lachawn is not being taught according to the rehabilitation guidelines. If she takes a fill in the blank exam she is to be provided with a word bank. This was never an issue until we began studying "Paul Mitchell" Color. Our entire class had trouble with this particular exam. Lachawn asked Joe for a little time to look over her study guide and he told her that it wouldn't be fair to the rest of the class for her to have extra time. He gave her 5 minutes!!! HELLO!! SHE HAS A READING DISABILITY!!! Then she asked him for a word bank because she can't memorize things like other people can and he denied her that too. Again saying it wouldn't be fair to the rest of the class. EXCUSE ME SHE ISN'T LIKE THE REST OF THE CLASS!!!! Lachawn took one look at the test and told her test reader "I can't take this test. I can't understand any of these questions." Her reader told her to write something down anything is better than nothing at all. Lachawn was getting more frustrated by the minute and she told her reader that..."you guys are going to get into trouble over this because I have special needs. I should be allowed to study more than the rest of the class because of my reading comprehension problem. I'm going to see my rehab lady about this right now." She then walked across the street to see Faith. Lachawn was given the very same exam which was fill in the blank with NO WORD BANK! She was humiliated to the point of tears and she walked out of the school and went to the rehabilitation office to speak to her representative about the test. While she was there Joe Mamone called and told Faith, the rehab rep. That "Lachawn was about to be kicked out of school due to outbursts. And that she would never have a career in cosmetology for that reason." Do you know what hearing that did to my daughters self esteem?? She now feels that since Joe Mamone says she will never be good at this that she won't!!! This is very damaging to a disabled person. They require more encouragement than that of a "Normal" person. Not discouragement! She was so worked up over this that she wanted to give up and quit school. She is in the top percentile of our class with a 90% average. I am ready to transfer our hours to Penn Commercial to keep her in school. This College has taken her self esteem so low that she doesn't believe in herself. It's bad enough to have a disability. And Joe's exact words to all of us were, "I'm not going to spoon feed you". There were questions on this test that were not highlighted on our worksheets. We were told to study the highlighted parts for the test. I did study with my daughter for 2 hours and I think I failed the test as well. The whole class was complaining about it. One student Danielle Smith who gets A's all the time was actually in tears over this test! My daughter was so upset over all of this that she was vomiting and had diarrhea because of her nerves. And she still wants to quit school. We have a meeting tomorrow with the rehab rep, Joe, Lachawn and I. Joe has requested that we leave rehab out of it. They are paying for Lachawn's education, and I feel that they should be there to represent her. I don't know why he doesn't want them there but I do want them to be there if for no other reason than to be a witness on Lachawn's behalf because our attorney cannot make it on such short notice. I have an attorney working on finding out what Lachawn's legal rights are concerning her disability. Joe keeps telling us that the WV State Board of Barbers and Cosmetologists will not modify her test for her. Therefore he won't either. I need to see some documentation on what type of services are provided to someone who has a learning disability. What are the guidelines. If there are none, then why was she accepted in the first place? My thoughts are to get \$15,000.00 out of her. Since this is privately owned I don't know what our rights are but I fully intend to find out. I think that there should be some qualifications in regards to teaching someone

with a learning disability if you accept them in your school. They require a little extra help because they don't have the ability to comprehend as well as most of us do. But at Scott College, it's just brushed to the side. The only service that she has been provided with is a "reader" for tests only. Not for studying. She is used to having special study halls so that she can absorb things in books. But not here. I am her study partner and I don't know how to do it either. But at least I try. And I'm not getting paid to teach her they are. Now to my next issue. We are paying for a quality education and I feel we have been cheated. We had ONE demo on doing acrylics and were expected to perform this service on clients!!! We cut our Manikins three times and were expected to cut hair on clients the very next day. We learned a 45, 90, 180 in 2 days and are now on the clinic floor doing hair cuts. The teacher that we started school with was Michelle Strawn. She was not teaching us anything. She was teaching our class sexual positions!!!! Imagine that!!!! She has since been fired. But we cannot get back the hours that we spent in her classroom. The hours that we learned absolutely nothing! 2 and 1/2 months to be exact. She did not have a license to teach us. And she could not even pronounce the words that she was supposedly teaching us the meanings of. I believe we should all have a refund or a credit for all those pointless hours. I have perfect attendance and am very serious about being a successful cosmetologist and having my own shop someday with my daughter. Together that school is making \$30,000.00 off of just the two of us. Which brings me to issue #3. Inventory. I don't know who is responsible for inventory, ordering, receiving and all that. But it is pounded into our heads to sanitize, and disinfect. Yet there has been times when the clinic is out of barbicide for 3 weeks!!! They kept saying that the order hadn't come in yet. Well go to a supply store and get some for goodness sake!!! or how about some bleach to replace it, no back up at all. How does that happen???? Just this past Saturday I had a client wanting a full set of acrylics. I was very nervous because I had only seen this done one time and now I'm doing it. I managed to pull it off but there are students in my class that refuse to work on a client with acrylics out of fear because we were not properly trained because of the unorganization in that school. But there was no acrylic???? A few weeks ago a client came in to have a perm. First of all there were no END WRAPS!! Thank God I had some of my own. They only cost 43 cents at Cosmo Prof!! Her card from previous perms stated that she had an "acid" perm. But we were out of them??? We had a wedding full of Updo's and no hair pins to accommodate them. Only Black bobbi pins.... Not everyone has black hair!!! Our class has finished the "color" portion of our books but still have not received our kits to do color??? Joe says that there isn't enough that he has to order more??? We had a client going to a prom on Friday and Saturday last week. and another one this week. and next week. Weddings as well. There are about 30 of us on the clinic floor but there is only 3 bottles of hairspray??? same with Mousse, it is ridiculous! We have 10 girls in a birthday party and only 3 bottles of hairspray we have to share??? Please help us. He collects \$2.00 from most of us on Fridays and Saturdays for wearing color shirts and blue jeans. None of us know how much money he has from this. He calls it a fundraiser for those of us who can't afford to go to the hair shows. Yet he collected \$90.00 from us for the hair show in Kalahari at the end of this month???? Lots of things just don't add up. Now those of us who can't afford it STILL can't afford it even though we have been paying \$4.00 a week to ensure that we can afford it. We have been there since November 17th and we still have not received all of our kits. Poor management in my opinion. I am forwarding a copy of this letter to my attorney, Eric Gordon, and Governor Joe Manchin, I may even forward this letter to President Obama, to let him know how disabled college students are paying for a quality education and are not being provided with special needs instructors. Or given anything aside from a test reader. I believe in my heart that this is wrong or I would not be writing this letter. I know there are laws out there to protect her special needs and intend to find out exactly what they are. Discrimination comes to mind. I will expect to hear from someone in your office as quickly as possible. Otherwise I will be forced to think that nothing is going to be done about it and we will be transferring to Pennsylvania in May. I would like to have a West Virginia license but not at the expense of my daughters self esteem. My Lawyers name is Eric Gordon, and his phone number is 304-845-2580 he is in the same law firm as Senator Jeff Kessler as

well. I beg of you to please help us get a good education in West Virginia so that we may continue to work in our home State. Thank you very much Gina Irwin



Joe Manchin III
Governor

Adam L. Higginbotham
Director

State of West Virginia
Board of Barbers and Cosmetologists

1201 Dunbar Ave.
Dunbar, WV 25064
Telephone: 304-558-2924
Fax: 304-558-3450
www.wvbbs.org

Board Members

Michael Belcher
Justina Gabbert
Sarah Hamrick
Paula Kurczak
Susan Poveromo
Jim Ryan
Rick Stache

Joe Mamone
Scott College
1502 Market Street
Wheeling, WV 26003

April 12, 2010

Dear Joe Mamone,

The purpose of this letter is to inform you that a complaint has been filed by Gina Irwin against the Scott College. Please review the enclosed copy of the complaint, as filed by the complainant, and provide the Board with a written response addressing the allegations listed therein.

You have fourteen (14) days from the date of this letter in which to file your response with this Board. The relevant statutes and rules may be found at www.wvbbs.org.

Should you have any questions regarding this complaint, please do not hesitate to contact the Board office.

Sincerely,

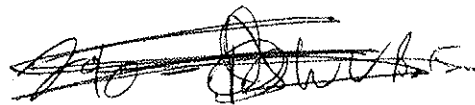
Adam L. Higginbotham M.B.A.
Director

4/12/2010

Notation made in complaint log

Complaint letter was sent to School for response in 15 Days.

Complaint forwarded to WV State board of Education.

A handwritten signature, possibly reading "J. D. Smith", which has been heavily crossed out with multiple horizontal lines.

2010 - WVDE01

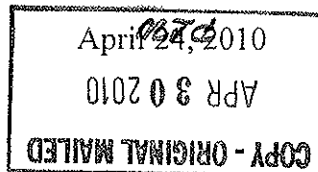


Scott College of Cosmetology

1502 Market Street, Wheeling, West Virginia 26003

(304) 232-7798 (304) 232-7834 fax

Adam Higginbotham
State Board of Barbers and Cosmetologists
1201 Dunbar Ave.
Dunbar, WV. 25064



Dear Adam Higginbotham,

The purpose of this letter is to respond to the complaint filed by Gina Irwin against Scott College of Cosmetology and myself. I will respond to each allegation in the order they appear in the complaint.

Structured curriculum, no vacations, and no medical leaves: As you know our curriculum is clearly laid out by the State Board, NACCAS, The U.S. Department of Education and Scott College of Cosmetology. Have there been times when we have had to move a subject a few days or even a week up or back due to an instructor out sick or on vacation? Yes. That happens in every school. Are students ever prevented from taking a leave for vacation or medical issues? No. The only time a student is denied leave is if they have no leave left. For example today Gina Irwin told the office that she and Lechawn might want to take a leave to plant a garden. If they decide that is what they want to do they will be permitted to.

Drop out rate: Our IPEDS reports indicate our drop out rate is not higher than the national average. Actually it is lower.

Not being taught to WV Rehab guidelines: WV. Rehabilitation does not set our guidelines. When we were approached by Lechawn and her mother about Lechawn enrolling in our program we had her take our entrance exam just like everyone else does. Her results were not good and so we met with her and her mother (Gina) about those test scores and we had some concern then about her ability to complete the program and the board exam. They explained the help that she had received in high school and that she had done well in high school and her transcripts confirmed that. At that time I told them that I would call Mr. Higginbotham and discuss the situation with him. In my conversation with Mr. Higginbotham I was told that the only thing I would be permitted to provide Lechawn would be a reader for the tests because that was all she would be provided at the exam. I then met with them and passed the information to them. I also suggested that she may want to wait until the November class because August was always our biggest class and most unruly class due to the majority being right out of high school. I felt that since the November class would be smaller we would be able to give

her more attention when she needed it and with less distractions. I was told by Gina that they were afraid I was going to deny Lechawn entry to the school and that would just crush her and they were elated that I suggested she wait until November so we could give her extra help when needed. They both ended up enrolling in the November class. I have yet to this day ever gotten a call or a notice from WV rehab that we are not following their "guidelines". We talk with them several times a week. I might also mention that they were very happy that we suggested waiting till the smaller class for more personal attention and the fact that we would provide a reader for her tests. Please feel free to contact Faith Hicks at WV Rehab 304-238-1092.

Time to look over her study guide: They were all told the day before that they would take the test first thing in the morning. When I took Lechawn down to where her reader was waiting she asked if she could have more time to study. She and everyone else had the material for several days. They knew the day before the test was first thing in the morning. When she got to school that day (she was early) her mother said lets go to the class and study. Lechawn said NO. Gina went to the classroom and studied by herself. When I handed Lechawn her test she asked for more time, I said, how is that fair to everyone else? I looked at her reader and said give her 5 more minutes and then start the test. She will not be given extra time to study at the board exams!

Denied a word bank: She was denied a word bank because Mr. Higginbotham said I can not give her a word bank.

Kicked out: Lechawn became verbally abusive to her reader as soon as I left the room. She has done this over and over again. This time was the worst. She had the reader very upset. She kept getting more aggressive as the reader kept trying to get her to focus on the test. Finally she told Mrs. Sparks that is it and refused to try to finish the test and stormed out saying that we were about to find out how much trouble we were in and that she was going to her rehab representative immediately. Before she left she was very vocal telling everyone how she was going to get us in so much trouble. She was not sick or throwing up or diarrhea from the test she only got upset when she found out that I had had enough of her outbursts. When I found out what she had done I called WV Rehab and spoke with Faith. I did not say that I was going to kick her out, what I did tell Faith was I was not sure at that point if I was taking any action but I could guarantee that she performed like that one more time she would not be welcome back. Faith agreed 100%. She asked if I thought she should try to find somewhere that might accept Lechawn. I told her she needed to talk to Lechawn about acting like a lady no matter where she went to school. Shortly after our conversation Faith called back asking if Lechawn was permitted to come back to the school and I told her if she was coming back she would have to act in a professional manner. She did come back about 5 minutes later. There were no more instances that day.

Never be good at this: That is not what was said. In my conversation with Faith I told her that if that was how Lechawn would react every time a client came back unhappy she would never make it. That is a far cry from "she will never make it" She must learn

how to control her temper. I told Faith that she was doing well in school and I thought she would be successful if she stayed focused and finished the program.

I'm not going to spoon feed you: I told the whole class that. It was not said to Lechawn or anyone in particular. I was asked why there were 2 questions on the test that were not on the study guide. I told them we had gone over it in class and on the board. They said it is not fair that it wasn't on the study guide. I said they won't be spoon fed. They have to put some work into it or they will not retain the information.

Everyone failed the test: Hair color is one of the hardest subjects of the cosmetology curriculum to truly understand. It is also one of the most important because in your professional career well over 50% of your income can be generated from hair color and corrective color IF YOU UNDERSTAND IT. Yes the test can be hard and you do have to put some time into it. Tests are not just "pass or fail" they are also to be used as a gauge to determine how much of the information you have obtained and what areas you need to spend more time on. Danielle Smith did not fail the test and actually there were several who passed the test. Those who don't pass a test then know what they need to spend more time on. I will not make any test easy just for the sake of saying "everyone passed". That is not doing my job of teaching this profession. My job is to make sure they know the information. I find it interesting that Gina says they learn nothing and want a refund of their money but yet they made it a point to show me and several others how great Lechawns first color turned out just two days after she wrote the complaint that they are not being taught anything.

I request that her WV Rehab representative not attend: Again a twist on words. I asked Gina to come to my office for a few minutes at the end of the day the day after Lechawns outburst. Lechawn had not come to school that day. I told Gina what had happened the day before and that if she could talk with Lechawn over the week end about her temper and how it was going to get her into trouble not only here but in life in general. I told her there is a proper way to disagree with things in life but throwing a fit and disrupting everyone around is not the correct way. In that conversation I said that Faith had offered to sit down with all of us to try and reinforce to Lechawn how her conduct was getting her into these situations. I said to Gina as far as I am concerned the three of us can talk about that we don't need Faith here for me to explain that to Lechawn. We talked about how Lechawn was given special treatment in high school and how unfair Gina felt it was that we accepted Lechawn knowing she has a disability and we are not doing the things that her high school did for her. I also explained how high schools have teachers who are trained in special needs. Here we are not even teachers we are cosmetologists trying to teach the profession. Gina said how Lechawn just loved high school but here she was not getting that special attention and it made her feel disregarded. I reminded her that we had had this conversation prior to them deciding to enroll and that Mr. Higginbotham had made it clear that at the exam she will get a reader only and that is how we needed to approach it here. I told her I felt it was working fine because her average was one of the highest in her class (mid 90's) so we must be doing something right. Gina made a statement that I think puts a lot of things into perspective. She said sometimes she feels that the high school made things too easy for Lechawn and now

Lechawn thinks that she can't do it without special assistance. After our conversation Gina asked me if I would call Lechawn on her cell phone and tell her some of these things myself. I told her I would be happy to. She gave me her cell phone number, shook my hand and thanked me. I called Lechawn's cell phone the next day and it went into voice mail. I was leaving that day to travel to Philadelphia, Pa. for a U.S. Department of Education workshop so I wanted to make contact with her because I knew I would be out of town most of the following week. I left a message and before I finished the phone cut me off. I called back and continued the message. Again I ran out of time. The third time I called to finish my message Lechawn answered the phone and yelled "I'm out four wheeling I can't talk" and hung up. I did not call back.

Special needs people require a little extra help: I encourage you to speak with any staff member here and ask how much special attention we have given Lechawn. Obviously something is being done right. She has a great GPA. I know that her mother has helped her a lot but so have we.

Demonstrations: We do all the theory work on any particular subject and then we move to practical. The instructor does a complete demonstration and then they begin practical under at least one instructor supervision. In some cases we have 2 instructors work with them on the more difficult practical exercises. We have fake fingers to do nail practical on or they can work on each other. In haircutting they do 0 degree twice, 180 degree twice, 45 degree twice and the 90 degree at least twice. We have 4 manikins in their kits. You can only get so many exercises out of them. We try to limit the number of manikins to try to keep the kit cost down. At that point it is time to start working on the public. That is why people come here. They understand the price reflects the fact that students are learning.

Ms. Strawn not licensed: Michelle Strawn was licensed as a student instructor as your records will confirm. She was under the supervision of Master Instructor Mrs. Spears. She was doing a great job as you can see from the evaluations that I have included. Also the test scores from the class chapter tests and blue book tests will confirm that fact. When I was told of the incident of talking about sexual positions I called Ms. Strawn to the office and questioned her about that. She said a few of the girls were talking about sexual positions and she added to their conversation that since she rode horses she preferred a cowboy position or something to that effect. I told her that was not acceptable and that in a case like that when she overheard that type of talk she needed to put a stop to it immediately not add to the conversation. I told her that due to the unprofessional conduct that I would have to take some action. I gave her a written reprimand and 2 days off without pay and warned her that it can not happen again. I have attached the written reprimand for conformation. Also let me add that Ms. Strawn was not let go for not being able to teach. She actually did a very good job in the classroom. She was let go for excessive absence during her 90 probationary period. I think the reason for this complaint is Gina and Ms. Strawn had known each other prior to coming to Scott College of Cosmetology and Ms. Strawn had told me there was friction between them from years ago.

Making \$30,000.00 off of them: Our tuition is \$13,450.00 not \$15,000.00 and yes that is a lot of money but I am sure you realize those costs are justified through the U. S. Department of Education, NACCAS, etc. You just don't pick a number out of the air. It costs a lot of money to operate a school. Our three closest competitors all have higher tuition than ours.

Inventory: I personally do all ordering. I order items in cases so that we are not out of stock. I don't get to spend much time on the clinic floor so I asked the clinic instructors if we were ever out of marvicide/barbicide on the clinic floor or in the classrooms. I was told that we were never out of it for a day let alone 3 weeks as Gina claims. I have a stock room on the third floor that we keep the cases of inventory and then we have a smaller amount of inventory locked on the clinic floor and then we have an amount of all items in the dispensary. Some students would rather complain that the dispensary is out of a particular item rather than tell an instructor that we need more from the supply room. Hair color, hair spray, perms, styling product, etc all is kept in a very limited amount in the dispensary because it gets stolen if we put out too much. The student working the dispensary is to take inventory every morning before she opens and every night after she closes the dispensary. That person is to report to the clinic floor instructor if we need any items from stock. End papers, bobbi pins, hair spray, etc. we have it by the cases. Some would rather complain and make an issue of it to their clients and others rather than ask for some from the stockroom.

Color kits: Color kits consist of one color bowl, one color brush and 2 clips in a plastic bag. They are ordered with their kit. When kits arrive some things get back ordered. In Gina's class the color kit was back ordered. That was 5 or so months ago. When they started practical for color a few weeks ago they were told tomorrow you will need to bring these items with you to class. When they were told color kits they said we don't have them, they were back ordered. I had forgotten. Usually anything back ordered arrives in a week or two but these were still not here. I told them I would order them from some other supplier that day and that I would issue school bowls and brushes for them to use until the new ones arrive. I also told them to bring the clips that they had from their kits. Things get back ordered. I don't know how you can handle that any better than we did. It just happens from time to time. When I realized that they still had not gotten their color kits I immediately ordered them from another supplier.

He collects \$2.00 and none of us know where this money goes: This allegation probably bothers me more than any of her others. When I bought this school I wanted to take 2 trips a year as a school to hair shows, hand-on trainings etc. We go to one in the spring and one in the fall. In the fall we go on a one day bus trip to Columbus, Ohio to the Mid American Beauty Classic. It is the largest hair show between Chicago and New York. The students are allowed to sign up for whatever classes they would like to attend. They range from hair to nails to color to weaves to business and so on. After the show is over the bus picks us up and we stop in Zanesville at the Olive Garden on our way home for a group dinner. In the spring we go to a resort in Sandusky, Ohio called Kalihari. Kalihari is the largest indoor water park in the northern hemisphere. We stay over night. The first day they are free to enjoy the water slides. That evening we have a pizza party

that includes booths that you can walk around to as you eat your pizza and watch different demonstrations being done to hair. You have an up close opportunity to ask questions as the demo is being done. That lasts about 2 hours. They can return to the water slides if they want or go to the game room or to their suite after that. The next morning they have a continental breakfast and then they attend a hands-on haircutting workshop that is 3 hours long. Each student receives a manikin to perform the haircut on with the supervision. We then break for an hour for lunch which is a very nice lunch and is included in the cost. After lunch you then go to a hair color hands-on workshop that lasts 3 hours too. After that class we have a general session to recap the information and have a drawing for some really nice prizes for the students. We then load up in our cars and drive towards home and stop in Amish country for a nice dinner as a group. Then we continue our journey home. When we first started 3 years ago we used to have soup sales, sandwich sales, bake sales, candy bar sales. Anything we could do to raise money so we could go. The school has always paid a major portion of the expenses. Two years ago the students approach me and asked if they could wear jeans on Saturdays and they would pay a \$2.00 fee to be allowed to wear them. I said no at first and then we said how about if we do that as a field trip fund raiser and we put the \$2.00 into our hair show trips. Everyone agreed but everyone also understood nobody has to wear jeans only those that did had to pay the \$2.00. It enabled us to not have to do so many sandwich sales. The following trip I was asked if they could wear colored shirts on Fridays and pay \$2.00 towards the field trip fund. I again agreed. At that point we stopped doing the sandwich/bake sales. Understand nobody has to wear jeans and nobody has to wear colored shirts. Some Saturdays we might have 4-6 that do and other Saturdays we might have 15-20 it varies but it never comes close to the cost of the trip. 6-8 weeks before each trip I have a school meeting and I explain the bus cost, the ticket costs, the meal costs, the room costs if it is an overnight trip. I discuss all expenses. The first two trips we took the students never had to put in any more money than what was raised at our sales. The school paid the balance. And it was always more from the school than from the bake sales. What ended up happening the first two was that because no money was contributed out of pocket I would have 40 people sign up. I would buy 40 tickets. Get transportation for 40. Order meals for 40 but have 6 or 7 show up. Because they didn't have to reach in their pocket come the morning of the trip they just would not feel like getting out of bed. So I had to start charging a minimal fee to get them to attend and I explain that to them each trip. Because the Columbus show is not over night it is less expensive so they must pay \$20.00 each besides the money they may have contributed by wearing jeans and or colored shirt. The trip to the water park is obviously more money because we need rooms, more meals, manikins etc. so they have to pay \$90.00 out of pocket besides any money they may have contributed to the jeans fund. I give them time to make payments on that 20 or 90 dollars if they need to. After each trip I try to publish a report where I stand in front of the school and show them then entire cost of the trip including how much had accumulated in the jeans fund, how much was collected by the 20/90 dollar fee and how much the school paid. There has only been one trip that I did not get the time to stand before them and go over it with them. But each instructor has a signed sheet with the names of the student or staff member that wears jeans/colored shirt and the amount collected. It then goes from their reports to my reports to the auditors report. It is one the books as The Student Jeans Fund and every dime has been spent on those field trips only.

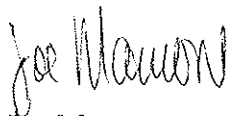
The last two trips breakdown is as follows. Columbus...Bus \$1,400, tickets to get in the show were \$90 each, and the meal at Olive Garden was \$600 totaling \$2970. We had \$700 in the jeans fund, collected \$660 from the \$20 each student paid, that left a balance that I paid of \$1,610. The trip to Kalahari is this Sunday and Monday. We have 23 going. The tickets are \$175 each. That includes the pizza party, classes on Monday and the lunch on Monday. That is \$4,025.00 The rooms total \$1,155.00 The meal coming home will be between \$500-\$600 for a total of roughly \$5,730 We currently have \$1,430.00 in the jeans fund because we added the colored shirts it has produced more revenue, that does not include what will be collected this Friday and Saturday. The \$90.00 each student will pay will total \$2,070.00. Which means I will pay \$2,230.00 for them to attend this hands-on workshop this weekend. All of these figures are reflected in our audits. It is not something that goes un-reported. I am obviously being accused of stealing and I certainly don't want them to have to worry that I am stealing from them so after this trip this weekend the student jeans fund will have a zero balance. When we return to school on Tuesday April 27, 2010 I will give them a full report on the total cost of the trip and confirm with them that the jeans fund was depleted to a zero balance and beginning Tuesday April 27, 2010 we will do away with the jeans/colored shirt fee and the field trips. I will make them aware of any hair show events that I become aware of and they will be able to make their own arrangements if they would like to attend them. We will revert back to all black and white everyday as our dress code.

I think it is important to note that I feel all of these accusations are a direct result of that fact that Gina has already been reprimanded twice for threatening other students. She was told by me the second time that if it happened again she would not be able to stay enrolled at our school. And now Lechawn has gotten herself into a similar situation so rather than take a look at themselves and see what they need to do to correct their behavior it would be easier to try and get Scott College of Cosmetology and myself in trouble.

If you are familiar with the Jeanne Cleary Act you know that the U.S. Department of Education makes all schools take a zero tolerance policy on any issues like these.

If you find that after reviewing these responses I have not answered all questions or you would like further explanation or documentation please feel free to contact me.

Sincerely,



Joe Mamone
Scott College of Cosmetology
1502 Market Street
Wheeling, WV. 26003

EMPLOYEE DISCIPLINARY EVALUATION:

EMPLOYEE'S NAME Michelle Strawn

DATE HIRED _____

DATE OF EVALUATION 1/16/10

DEFICIENCIES ADDRESSED:

It has been reported that Miss Strawn has used very poor judgement and crossed the lines of student/instructor professionalism. It has been brought to my attention that she has had discussions of sexual nature with students. This type of conduct is unacceptable.

DIRECTOR'S RECOMMENDATION:

I will suspend Miss Strawn for one day (Tues. Jan. 19th 2010). Miss Strawn may return to work on Wed. Jan. 20th, 2010

EMPLOYEE'S SIGNATURE: _____

Michelle A. Strawn

EMPLOYEE:

I certify that this report has been discussed with me. I understand my signature does not necessarily indicate agreement.

DIRECTOR'S SIGNATURE _____

Joe Mamone

DATE 1/16/10

2/5/10

Michelle has been late many times. Left early many times. Still reports a full time card. Has been told many times over the last month of her need to do more instruction on clinic floor. She still wants to talk all day to student about horses, dogs etc. Has been making passes on Evan. Today she asked to leave because headache. I told her things were not working out. She doesn't need 1