



Arizona State
Board of Cosmetology

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ARIZONA STATE BOARD OF COSMETOLOGY MEETING MINUTES

September 11, 2015 at 9:00 am

1721 East Broadway

Tempe, Arizona 85282-1611

ALL AGENDA ITEMS INCLUDE THE OPPORTUNITY FOR BOARD CONSIDERATION, DISCUSSION, AND POSSIBLE ACTION

The Board may go into ~~Executive~~ Executive Session for the purpose of obtaining legal advice from the Board's attorney on any of the agenda items pursuant to A.R.S. § 38.431.03 (A)(3).

The Board makes every attempt to hear all matters timely. However, due to the number of items scheduled on any particular agenda, the Board may find it necessary to hear some items out of order and/or later than the time originally scheduled.

PLEDGE OF ALLEGIANCE

CALL TO ORDER AND ROLL CALL

Gary Begley
Karla Clodfelter
Jessica M Stall-Rainbow
Joe Verdugo
Tammy L Acton - Absent
Melissa C Porter - Teleconference
Martha P Ramsey

BOARD BUSINESS

1. Approval of Regular Board Minutes of July 17, 2015.

MOTION by Karla Clodfelter to approve minutes as written. MOTION
SECONDED by Joe Verdugo. MOTION CARRIED.

2. Approval of Regular Board Minutes of August 14, 2015.

MOTION by Karla Clodfelter to approve minutes as written. MOTION SECONDED by Joe Verdugo. MOTION CARRIED.

3. Declaration of Conflict of Interest.

None

4. Report and Discussion on (NIC) National Interstate Council Convention held in Missoula, Montana, on August 28th . 31st.

Executive Director Donna Aune, reported on the Administrators Meeting, and stated there were 25-states represented and discussed being on the same page with deregulation talks and discussed National Standards. We are also working on a recommended standard for disinfection and will be working with Leslie Roste from King Research. Gary Begley stated the National Group is creating the National Standards to increase reciprocity for students.

Gary Begley stated there were many educational talks related to the industry with ideas of how to improve service in the community, Gary Begley, also stated he ran for office again and was elected Regional Manager and will be trying to help NIC to do better in representing Arizona, we are a leader in this area and we want to stay that way.

5. Discussion, Consideration and Possible Action on Proposed Legislation for 2016 Legislative Session.

***Board Membership A.R.S. §32-502 and Proposing Legislative Change**

- Adding Aesthetician Member
- Removing Public Educator Member and Adding Second Public Member
- Adding Salon Owner Member

MOTION by Martha Ramsey to propose legislation in this session to add a second Public Member and to eliminate the Public Education Member. MOTION SECONDED by Jessica Rainbow. MOTION CARRIED.

***Age Limit for Proof of Education Requirement**

- A.R.S. §32-510 Aesthetician; Applications; Qualifications
- A.R.S. §32-511 Cosmetologist; Applications; Qualifications
- A.R.S. §32-512 Nail Technician; Applications; Qualifications
- A.R.S. §32-531 Instructor; Applications; Qualifications
- A.A.C. R4-10-204 (C) (3) (c) Proof of Education Requirement
- A.A.C. R4-10-101 (14) Definition of %High School Equivalency+

MOTION by Karla Clodfelter to propose legislation this session to add language that if applicant is over 24 years of age, the educational requirements would not be

required, however if under 24 years of age, the educational requirements would be required prior to licensure and applicants would still show that they were at least 16 years of age for A.R.S. § 32-510, A.R.S. § 32-511, A.R.S. § 32-512, A.R.S. § 32-531. MOTION SECONDED by Joe Verdugo. MOTION CARRIED.

***Definition of Eyelash Enhancements and/or Eyelash Extensions**

- A.R.S. §32-501 Definitions

No action taken

***Indirect and Direct Supervision of Licensees Using Lasers**

- A.R.S. §32-516 Aestheticians; Cosmetologists, Cosmetic Laser and IPL Device Use; Certification; Fees; Definitions

MOTION by Karla Clodfelter to change definition of Direct and Indirect Supervision of A.R.S. § 32-516 to align with the Arizona State Naturopathic Board which allows for delegation of supervision. MOTION SECONDED by Jessica Rainbow. MOTION CARRIED.

6. Report, Discussion, Consideration and Possible Action on Possible Substantive Policy Statement regarding A.R.S. §32-506(13); Non-applicability of Chapter

- Board's Position on Eyelash Enhancements

No action taken

7. Discussion, Consideration & Possible Action on Approval of Proposed Language to Board Rules

- A.A.C. R4-10-102 Fees
- A.A.C. R4-10-107 License Renewal
- A.A.C. R4-10-110 Reactivating an Inactive License

Executive Director Donna Aune, stated that we have completed the exemptions and received them from the Governor's office, we have opened the Docket and have set up for Oral Comments to be held on October 14, 2015, at 9:00 a.m. regarding the Fees, License Renewal and Reactivating an Inactive License.

8. Cosmetology Students on Field Trip.

- Questions and answers regarding Board authority and process

Students from Turning Point Beauty College and Santa Cruz Institute of Cosmetology were in Attendance.

EXECUTIVE DIRECTOR'S REPORT

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1. Report on (CLEAR) Council on Licensing Enforcement and Regulations Conference to be held in Boston Massachusetts on September 17th . 19th.

Executive Director Donna Aune stated the she will be going to CLEAR on Wednesday and will report back on the conference at the next Board Meeting.

2. Report on Annual Flu Shots to be available on October 16, 2015, Board Meeting from 8:30 a.m. to 9:00 a.m.

4. Report, Consideration & Possible Action of Annual Report to the Governor.

Board Members were presented copies of two letter sent to the Governor.

5. Report, Consideration & Possible Action of Fiscal Year Plan.

Gloria Ramirez presented the Fiscal Year Plan, Strategic Plan and the Budget to the Board Members.

6. Report, Consideration & Possible Action of Strategic Plan and Budget.

MOTION by Gary Begley to accept the Fiscal, Strategic Plan and Budget as presented. MOTION SECONDED by Karla Clodfelter. MOTION CARRIED.

7. Summary of Current Events.

Executive Director Donna Aune reported that Irma is now back and that we are thrilled to have her back and she is doing well and Bobbie will be on leave for 6-months and Linda is coming back to help us during this time.

Executive Director Donna Aune also mentioned that we moving on with GL Solutions and have completed the 2-year renewal and are now working on the e-mail reminders for the licenses.

CONSENT AGENDA

The Consent Agenda items may be considered for approval as a single action unless a Board Member or any other interested party wishes to remove the item for discussion.

The Board may vote to go into Executive Session to discuss and consider records exempt by law from public inspection, including the receipt and discussion of information, or testimony that is confidential by State or Federal law on all agenda items under Steps 1, 2 & 3 pursuant to A.R.S. §38-431.03 (A) (2).

STEP 1: COMPLAINT REVIEW

A. Recommend Application Denials

89834 Oanh Thi Ngoc Nguyen *(Deny & accept w/\$250 negotiation terms; working prior to licensure)*

89841 Loan Bich Trang *(Deny & accept w/\$250 negotiation terms; working prior to licensure)*

MOTION by Joe Verdugo to deny and accept with negotiation terms. MOTION SECONDED by Jessica Rainbow. MOTION CARRIED.

B. Recommend Dismissals

MOTION by Martha Ramsey to accept staff recommendations for all those listed below Step 1 B & C. MOTION SECONDED by Karla Clodfelter. MOTION CARRIED.

88411	Binita Dhakal #31200539, Owner/Manager	<i>(Threading is exempt)</i>
88682	Jennifer M Moreno #10701235	<i>(No evidence found)</i>
88933	Hannaa Butrus #11302144	<i>(No evidence found)</i>
88936	Truth Natural Hair Oasis #SCOS20693	<i>(No violations found)</i>
	Eugenia Booker #10300222, Owner/Manager	
89058	Maricopa Skill Center Cosmetology Program	<i>(No evidence to support allegations)</i>
	Maricopa County Community College District, Owner	
	Gayla Brunett #90700051, Director	
89337	Jennifer Caringella-Lane, Unlicensed	<i>(Refer to proper authorities)</i>
89534	Simone LaAbbe #17921644	<i>(Salon closed)</i>
89613	Repose Salon & Spa #SCOS23456	<i>(No violations found)</i>
	City Scape Salon LLC, Owner	
	Steven M Maun, Member	
	Stefanie Richards #11301922, Manager	
89616	2121 Plaza Unlicensed	<i>(No evidence found)</i>
89620	Gino of Switzerland #SCOS11869	<i>(No evidence found)</i>
	Pia Stoppa #58500027, Owner	
	Christine Sword Dryden #19714543, Licensee	
89621	Rosie Nails #SNT16496	<i>(No evidence found)</i>
	Bich Tuyen Thi Le #50000384, Owner/Manager	
89622	Bien Nails & Spa #SNT14678	<i>(No evidence to support allegations)</i>
	Hung Huynh #59500848, Owner	
89626	Carlos Lopez	<i>(Licensed Barber – no jurisdiction)</i>
89627	Leticia Gonzales	<i>(Licensed Barber – no jurisdiction)</i>
89631	Margarita	<i>(Refer to proper authorities)</i>
89635	Eagle Nails #SNT15126	<i>(No evidence to support allegations)</i>
	Son Nguyen #50700033, Owner	
89650	Divine Nails II LLC #SNT17656	<i>(No evidence to support allegations)</i>
	Divine Nails II LLC, Owner	
	Phuong Kim Tran, Member	
89678	Shaggy Hair Salon LLC #SCOS25135	<i>(No violations found)</i>
	Shaggy Hair Salon LLC, Owner	
	Julie Davis, #19600250, Owner Operator	
89686	Retro Hair Studio #SCOS24361	<i>(No evidence found)</i>
	Richard M Witham #19813627, Owner	
89737	Spa Nails #SNT16769	<i>(No evidence found)</i>
	Steve C Le #59500802, Owner	

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89806 Da Vi Vails #SNT14746 (Proved identity)
Thanh Chi Nguyen #50000295, Owner/Manager

C. Recommend Letter of Concern

See Motion Above.

88963 Mozel & Company Hair #SCOS22751 (No posting out for braider & delinquent license)
Mozel Beauty Company LLC, Owner
Mozel Avery, #10600415, Member/Manager

89273 Arcadia Senior Living Salon #SCOS21415 (Advertising differently)
Arcadia Independent Living LLC, Owner

89633 The Studio Academy of Beauty/LLC #CSL172 (Current school license not displayed)
The Studio Academy of Beauty LLC, Owner
Reed Jackson Holdings, Inc.
Jefferey S Koluch, Director
Tami Rosa Hathcock #99817858, New Director
Michelle Rodriguez #71100024
Diane Modica #91300067

89679 Adrenaline Salon & Skin Studio #SCOS19931 (Delinquent personal license)
Mary A Turner #18226048, Owner

89709 OPC Nails & Spa Inc. #SNT16946 (Delinquent personal license)
OPC Nails & Spa Inc., Owner
Oanh Hoang Tran #50000211, President/Manager

89714 Aesthetic Institute & Laser Sciences #ASL34 (Student hours being reported late)
Fernando Gonzalez, Owner
Isabel Calleros #99200002, Director
Shauntelly Castro-Gonzalez

89724 Amy's Palace Nails #SNT15385 (Delinquent personal & personal license display)
Hue P Lam #59600460 & 30300107, Owner/Manager

89725 Noggins Studio West #SCOS20099 (Delinquent establishment license)
Jordan Sanders #10602245, Owner
Diane D Davey #19800618, Manager

89745 Carly's Corner #SCOS13920 (No outside sign & delinquent establishment license)
Carly Sena #19400866, Owner/Manager

89746 Bombshell Beauty Salon #SCOS24389 (Advertising separately)
Ashley Bateman #11401337, Owner

89759 Hair or Dye #SCOS23342 (Delinquent personal license)
Danielle Ferguson #11200947, Owner

89760 The Roose Parlour & Spa #SCOS23003 (Delinquent establishment license)
The Parlour Salon & Spa LLC, Owner
Leanne Scott #30500831, Member/Manager
Ashley Leiby #10327480, Member/Manager

89761 Shear Creations #SCOS20692 (Delinquent establishment license)
Yolanda Landeros #10601935, Owner
Marcey Melvin #11201257, Manager

89762/89763 Ocean Nails by Lee #SNT18003 & SAES18943 (Advertising differently & 2/5 with sanitation violations)
Tuoi Van Le #50500471, Co-Owner
Dang Xuan Thi, Co-Owner
Thanh Van Nguyen #50401446, Manager

89764 Sport Clips AZ 120 #SCOS20437 (Establishment license display)
Lee Hill Investments LLC, Owner
Jared Lee, Member
Val Hill, Member
Kymber L Dunny #11000576, Manager

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89787	Colours of Sedona Inc #SCOS21409 Colours of Sedona Inc, Owner Judy Lynn Dutra #19400562, President	<i>(Advertising differently)</i>
89791	Salon Sublime #SCOS18243 Hair Creations LLC, Owner Rebecca Thruston #19714187, Member/Manager Arthur Thruston, Member	<i>(Delinquent personal & delinquent establishment license)</i>
89792	Tre Donne Studio #SCOS24457 Nancy A Bravata #19301378, Co-Owner/Manager Lynn R Dittfach #19000830, Co-Owner/Manager Tina N Cupka #18601449, Co-Owner/Manager	<i>(No tuberculocidal disinfectant)</i>
89793	Salon Lola #SCOS21039 La Barrosa LLC, Owner Maria Dolores Butron Gomez #10332881, Member/Manager	<i>(Delinquent personal license)</i>
89794	Couture Lane #SCOS21244 Alyssa Foust #10501102, Owner Lisa Eager #10500418, Manager	<i>(Delinquent personal license)</i>
89795	Laura & Christian's Salon #SCOS17930 Christian N Bormann #19100659, Co-Owner/Manager Laura R Stewart #17516683, Co-Owner/Manager	<i>(Delinquent personal & delinquent establishment license)</i>
89797	Lauberger Spa #SCOS17071 Lauberger Spa LLC, Owner Al Spector, Member/Manager	<i>(Delinquent establishment license)</i>
89800	The Spa of Sedona LLC #SCOS25155 The Spa of Sedona LLC, Owner Robin Bailey, Member	<i>(No outside sign)</i>

D. Recommend Informal Interview or Negotiation Terms

MOTION by Jessica Rainbow to accept staff recommendations for all those listed below under Step 1. D. MOTION SECONDED by Joe Verdugo. MOTION CARRIED.

1. 88922 Andy's Nails SNT17187
Chau Thi Huynh #50100735, Owner
Offer a consent agreement to assess \$250.00 civil penalty and Board costs and \$35.00 in restitution, see motion above.
2. 88859 Bernice Fernandez #11002873
Offer a consent agreement to assess \$500.00 civil penalty and Board costs, see motion above.
3. 88984 & 20 Lounge, Unlicensed
Valerie Griggs, Owner
89773 & Ashley Beck #11201185, Manager
Offer a consent agreement to assess \$50.00 civil penalty and Board costs, see motion above.
89774 & Alyssa Cyermillion #11001981, Licensee
Offer a consent agreement to assess \$50.00 civil penalty and Board costs, see motion above.
89775 & Jennifer McQueen #51400190, Licensee
Offer a consent agreement to assess \$50.00 civil penalty and Board costs, see motion above.
89776 & Francheska Rosamond #11400991, Licensee
Offer a consent agreement to assess \$50.00 civil penalty and Board costs, see motion above.
89778 & Kellie Anne Michell #31300090, Licensee

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- Offer a consent agreement to assess \$50.00 civil penalty and Board costs, see motion above.
- 89779 & Suzanne Garcia #50100527, Licensee
Offer a consent agreement to assess \$50.00 civil penalty and Board costs, see motion above.
- 89780 & Coleen McCullouh #51000483, Licensee
Offer a consent agreement to assess \$50.00 civil penalty and Board costs, see motion above.
- 89781 Suzie Miller #59000169, Licensee
Offer a consent agreement to assess \$50.00 civil penalty and Board costs, see motion above.
4. 89307 Tuan El Bella Day Spa #SCOS17357
Tony Hoang Pham #5000157, Owner
Vivian Le #50600140 & 30700459
Offer a consent agreement to assess \$500.00 civil penalty and Board costs, see motion above.
5. 89360 Kingman #1 SNT16651
Tuong T Mac #50100289, Owner
Tien T Mac #50200389, Licensee
Offer a consent agreement to assess \$1,500.00 civil penalty and Board costs, for Owner Tuong T. and Licensee Tien T. Mac to attend the Infection Protection/Law Review class held by the Board, see motion above.
6. 89554 Kingman #1 SNT16651
Tuong T Mac #50100289, Owner
Tien T Mac #50200389
Offer a consent agreement to assess \$1,000.00 civil penalty and Board costs, see motion above.
7. 89419/89420 Nails Etc. LLC #s SNT17305 & SAES17886
Nails Etc. LLC, Owner
H Lyn Buonya #59919552 & 31100331
MOTION by Karla Clodfelter to issue a Letter of Concern for a delinquent personal license. MOTION SECONDED by Joe Verdugo. MOTION CARRIED.
8. 89497 Milano Nails Salon LLC #SNT17434
Milano Nails Salon LLC, Owner
Luong T Ngo #50800052, LLC Manager
Tuyen Thi Thu Loung #11302126, LLC Manager
Monica Robles Olvera #10901044, Licensee
Offer a consent agreement to assess \$500.00 civil penalty and Board costs, see motion above.
9. 89510 Notorious Hair and Nails #SCOS23601
Manuel G Romero, Owner
Kerry Knox, Unlicensed
Offer a consent agreement to assess \$500.00 civil penalty and Board costs, see motion above.
10. 89515/89517 Scottsdale Nail & Spa LP #s SNT18087 & SAES19083
Henry Nguyen, Partner
Tuan Mong Chu, Partner
Kristine N Nguyen #50100168, Manager
Offer a consent agreement to assess \$500.00 civil penalty and Board costs, \$30.00 in restitution and for Manager Kristine N. Nguyen to attend the Infection Protection/Law Review class held by the Board, see motion above.
11. 89535 Michael A Malisewski #17616979
Offer a consent agreement to assess \$500.00 civil penalty and Board costs, see motion above.
12. 89536/89537 For Nails Only #s SNT17310 & SAES17891

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- LNN Inc., Owner
Thu M Nguyen #~~5~~ 59500445 & 30100111
Khanh Ly #~~5~~ 50022418 & 30500627
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.
13. 89547 Krissy Rahkola Disabato #11301957
Brazilian Blowdry Boutique Unlicensed
Offer a consent agreement to assess \$500.00 civil penalty and Board costs, see motion above.
14. 89555/89561 Regal Nails #1746 #~~5~~ SNT17849 & SAES18705
Tommy Ngo #51300042, Owner
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.
15. 89569 Dolly~~5~~ Nail & Spa #SCOS23049
Jennifer Christine Nguyen #11000949, Owner
Offer a consent agreement to assess \$750.00 civil penalty and Board costs and \$30.00 restitution, see motion above.
16. 89579 Da-Vi Nails #4325 #SNT16270
Tracy Hoang #50700357, Owner
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.
17. 89583 Fantastic Sams #SCOS13553
EDDM Investment, Corp
Chanelle Renne Watlington #10902061, Manager
Jessie Ramona Griffin #11400219, Manager
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.
18. 89601 Tucson College Beauty CSL44
Transwest Properties Inc/Behind the Chair School of Design LLC, Owner
Michael Hanson
Rochelle Carr #99229186, Director/Instructor-in-charge
Jensen Carr #11101106
Offer a consent agreement to assess \$500.00 civil penalty and Board costs, see motion above.
19. 89617/89618 Angel~~5~~ Nails/LLC #~~5~~ SNT17328 & SAES17915
Angel~~5~~ Nails LLC, Owner
Johnny V Nguyen #50400597, Member
Offer a consent agreement to assess \$750.00 civil penalty and Board costs, see motion above.
20. 89623/89624 Nail Time & Wax #~~5~~ SNT16985 & SAES17433
Nail Time LLC, Owner
Ky Nguyen #50331266, Member
Duc M Hoang #~~5~~ 50100299 & 30300032, Member
Offer a consent agreement to assess \$500.00 civil penalty and Board costs, see motion above.
21. 89630 Denise Rosa Dunlap #19500618
Offer a consent agreement to assess \$500.00 civil penalty and Board costs, see motion above.
22. 89634 & Oanh T Huynh #50000542, Member
Oanh Ken Nails & Spa #~~5~~ SNT18061 & SAES19044
Oanh Ken~~5~~ Nails & Spa LLC, Owner
Offer a consent agreement to assess \$500.00 civil penalty and Board costs and \$24.00 restitution, see motion above.
- 89846 & Thuy T Nguyen #5970037, Licensee
89847 Ngoc Ngan Phan Tran #50600986, Licensee

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23. 89652 Legends Nails #SAES15005
Kim Phuong Thi Nguyen #10100401
Offer a consent agreement to assess \$250.00 civil penalty and Board costs and for Kim Phuong Thi Nguyen to attend the Infection Protection/Law Review class held by the Board, see motion above.
24. 89653 & Victor A Gamez Unlicensed
Fin-Hair & Beauty Supply, Unlicensed
89845 Kimberly Herrera #10701148, Inactive
Offer a consent agreement to assess \$50.00 civil penalty and Board costs, see motion above.
25. 89654 Uniquely Nails #SNT17964
Uniquely Nails Inc., Owner
Ngoc-Tram Nguyen Luu, Director
Tuan Luu #50600733, Director
Dismiss due to insufficient evidence to support allegations, see motion above.
26. 89676 Ashley Delnap Whiting, Unlicensed
Dismiss and refer to the proper authorities, see motion above.
27. 89685 Suzan A Hooper #39819782
Embody Wellness Center, Unlicensed
Offer a consent agreement to assess \$500.00 civil penalty and Board costs, see motion above.
28. 89711 Indulge Designs & Co #SCOS23368
Indulge Designs & Co /LLC, Owner
Antwaun T Bryant #10402122, Owner
Offer a consent agreement to assess \$500.00 in restitution, see motion above.
29. 89722 Dis Hair and Nail Salon #SCOS215
Dianna Ripplinger #18225540, Owner
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.
30. 89715 Paradise Nails Salon #SNT17569
John+Chuong Van Kieu #19700641, Owner
Offer a consent agreement to assess \$500.00 civil penalty and Board costs and for Owner John+Chuong Van Kieu to attend the Infection Protection/Law Review class held by the Board, see motion above.
31. 89716 The Salon at Ulta 3 #SCOS6323
Ultra 3 Cosmetic Savings Store Inc, Owner
Terry Hanson, CEO
Tracie Lujo, Manager
Offer a consent agreement to assess \$500.00 civil penalty and Board costs, see motion above.
32. 89717 Sweelen Hudson #10800757, Owner/Manager
Offer a consent agreement to assess \$500.00 civil penalty and Board costs, see motion above.
33. 89718 Creations Hair Design #SCOS11510
Beth Ornelas, Owner
David M DeLeon #18327536, Manager
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.
34. 89719 Lili Nails Corp #SCOS25138
Lili Nails Corp, Owner
Lieu Nguyen Howard #19920027, President/Director
Gary Howard, Director
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.
35. 89720 Hair Ink #SCOS21677

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- Ashley Filio #10401306, Owner
Brandee Leann Culver #10601531, Manager
Offer a consent agreement to assess \$500.00 civil penalty and Board costs, see motion above.
36. 89721 Pure Elements Salon #SCOS16518
Pure Elements Salon LLC, Owner
Jenny R Kauffman #50227986, Member
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.
37. 89726 Top This Salon #SCOS18825
Raeshel Elisa Lucero #10501077, Co-Owner
Joyce Lucero, Co-Owner
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.
38. 89729 Spoiled Rotten-A Hair and Nail Studio #SCOS24500
Divia C Chilcoat #10700336, Owner
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.
39. 89730 Bit of Heaven #SCOS20417
Julie A Pennington #19601246, Co-Owner/Manager
Joanne Suchanek #59500309, Co-Owner/Manager
Offer a consent agreement to assess \$500.00 civil penalty and Board costs, for Co-Owner Julie A. Pennington and Co-Owner Joanne Suchanek to attend the Infection Protection/Law Review class given by the Board, see motion above.
40. 89733 Roxanne's Hot Locks & Nails #SCOS16258
Roxanne Williams #18400580, Owner
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.
41. 89739 Awesome Styles Salon & Boutique #SCOS23351
Holly O'Connell #19900240, Owner/Manager
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.
42. 89740/89741 Za Nails #SNT17552 & SAES18268
Hoa C Giang #51300215, Owner/Manager
Offer a consent agreement to assess \$2,000.00 civil penalty and Board costs and for Owner Hoa C. Giang to attend the Infection Protection/Law Review class given by the Board, see motion above.
43. 89742 Hiedi M Hand #10123069, Owner/Manager
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.
44. 89743 Envy Hair & Nails Salon #SCOS24806
CC R Tatzell LLC, Owner
Claudine R Tatzel #50300146, Member
Kathryn Privett #11500434, Manager
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.
45. 89744 Happy Haircutters #SCOS20110
Margarita Braun #19300708, Owner
Diane M Bush #19401106, Manager
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.
46. 89758 Bangz Art & Hair Salon Ltd #SCOS22897
Bangz Art & Hair Salon Ltd, Owner
Jamie L Rankin #18701643, President/Manager

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- Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.
47. 89784 Salon Virtu #SCOS21678
Salon Coalition Inc, Owner
Mark O Smith #18124768, Member/Manager
- Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.
48. 89785 Autumn M Houston #19501359, Owner/Manager
- Offer a consent agreement to assess \$1,250.00 civil penalty and Board costs and for Autumn M. Houston to attend the Infection Protection/Law Review class, see motion above.
49. 89786 Allison C Giles #19500572, Owner/Manager
- Offer a consent agreement to assess \$500.00 civil penalty and Board costs, see motion above.
50. 89788/89789 Polish Nails #SNT17743 & SAES18558
Danny Nguyen #50500827 (*Inactive*)
- Offer a consent agreement to assess \$500.00 civil penalty and Board costs, see motion above.
51. 89790 Fuchsia #SCOS21986
Owens-Hall & Vukonich LLC, Owner
Erin Owens-Hall, Member
Lisa Vukonich #18800675, Member
Andrea Sims, Manager
- Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.
52. 89796 Namti #SAES17586
Jeff McGrath, Owner
- Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.
53. 89798 Pleasant Nails #SNT15776
Pleasant Nails LLC, Owner
Chad Van Nguyen #50800394, Member/Manager
Anh Bao Le #59716672, Member/Manager
- Offer a consent agreement to assess \$500.00 civil penalty and Board costs, see motion above.
54. 89799 Hair & More #SCOS18571
Debra Wombacher-Finley, Co-Owner/Manager
Bill Wombacher, Co-Owner
- Offer a consent agreement to assess \$500.00 civil penalty and Board costs, see motion above.
55. 89801 Leo Orchid Nails & Spa #SNT16822
Thac Chi Nguyen #50200010, Owner/Manager
- Offer a consent agreement to assess \$500.00 civil penalty and Board costs, see motion above.
56. 89802 Great Clips #SCOS10720
Hands Shear Magic Inc, Owner
Kenneth Hand, President
Barbara B Hand, Secretary/Treasurer
Cindy M Prater #193000234, Manager
- Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.

END OF CONSENT AGENDA

STEP 2: INFORMAL INTERVIEWS

A. Without Negotiation Options

1. 89173/89189 Damage Beauty College #CSL92 9:50 a.m.
Luz Jamie #90600042, Member/Director/Instructor in Charge
Diana Baez, Instructor
Ivette Hernandez #11102630
Reyna Lopez #91000006, Instructor
Gladys A Melgar #91400016, Instructor
Marina Rodriguez #11301078, Instructor
Veronica Verdugo #11400045, Instructor
Maria De Jesus Vasquez #11002420, Instructor
Edith, Instructor
Continued from June 23 Board Meeting

Luz Jamie appeared was sworn in along with her attorney Marc Cullen Goldsen whom stated for the record he was not informed accordingly of the witnesses. Mr. Goldsen spoke to the lack of kit list that are itemized with each item priced and referred to the rule which in his opinion can be confusing. Ms. Jamie has adjusted the standardized kit list and has been corrected. Ms. Jamie did not know she needed to price each item. Mr. Goldsen spoke to the violations of Dishonesty, Fraud and Deceit, regarding Maria Vasquez representing herself as a licensed instructor, this was the first notice that this was potentially an issue. Ms. Jamie stated that she had just passed her test and was waiting for her license and removed the name tag immediately. Mr. Goldsen spoke on proof of education, he stated the school has (4) different ways that indicate students are responsible to prove their education, and that there is nowhere in Rule that indicates it is the schools responsibility to prove the education, they are Rules, School Contract, Information Sheet and School Catalog. When Ms. Jamie found out Woodfield was not legitimate she no longer accepted the diploma. Ms. Jaimie stated she did call the Woodfield website as a student got to the point where they were going to issue a GED, called back and was given all the information and requirements, she stated she had no involvement in getting students diplomas. Mr. Goldsen stated if anyone has been misled it has been Ms. Jamie and the school and yet Ms. Jamie remains willing to work with the students and Board with the Board Rules and the contracts the students have signed. Investigator Joanne Ayotte testified that the office received (14) written complaints from students who went or are currently attending the school. There were two cases which were combined into one. The alleged violations were safety and health, student kit, online school . fraudulent nature . unlicensed instructor activity, theory class taught in 2-month period and students pulled out of theory class to perform clinical services. Investigator Joanne Ayotte stated through the investigation she found numerous file violations of no proof of education, eight files without priced and itemized kit lists, some had kit lists but none were priced, found Maria Vasquez a student instructor wearing a name tag indicating her as a cosmetology instructor, and found that the online school Woodfield to be fraudulent. Dulce Sanchez student was sworn in along with her interpreter who stated she never went to Woodfield school, was in Luz office, she said she would charge me the amount and Luz did it on her computer and helped me to answer all the question because I don't speak English. Another student indicated that hers was done by Diana Baez an Instructor, and they put other students that were capable with more knowledge in English to do the test for them.

11:05 MOTION by Karla Clodfelter to move to Executive Session for Legal Advice on Item 1. Step 2 A. of the Agenda. MOTION SECONDED by Joe Verdugo. MOTION CARRIED.

11:30 Returned to Open Session.

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MOTION by Karla Clodfelter to move that for case nos. 89173 & 89189 all alleged violations cited in the Investigation Report have been shown. MOTION SECONDED by Joe Verdugo. MOTION CARRIED.

SUBSTANTIATED VIOLATIONS

A.A.C. R4-10-204 (C)(3. f. i, ii, iv) Student Kits

A.A.C. R4-10-101 (14) High School Equivalency

A.R.S. § 32-561/A.A.C. R4-10-204 (C)(3. c) Student Records . Proof of Education

A.R.S. § 32-553 (B) Staff Instruction

A.R.S. § 32-536 (B) Instructor Practice

A.R.S. § 32-574 (A)(9) Unlawful Acts; Violations; Classifications

HISTORY

Damage Beauty College, School License No. CSL92

86095 . 5/17/2013 . Letter of Concern . No proof of work experience for (4) student instructors

84332 . 6/15/2013 . CA/\$2,000/CP . Student/Instructor ratio; proof of education & delinquent instructor's license

Luz Jaime, License No. 90600042

88929 . 1/16/2015 . CA/\$250/CP . Health & Safety (soiled files, reuse of buffer blocks, soiled acrylic dappen dish & nail container soiled)

MOTION by Karla Clodfelter to move that for case nos. 89173 & 89189 to impose the following discipline and to issue a Consent Agreement with the following terms of \$2,000 civil penalty and Board costs to be paid in 1-year, school to be put on a 2-year probation and for Member Luz Jamie to attend the Infection Protection/Law Review class held by the Board within 60-days. MOTION SECONDED by Martha Ramsey. MOTION CARRIED.

B. With Negotiation Options

1. 88788 Chiccas Bellas Beauty Salon #C24028 **10:15 a.m.**
Leticia Silva Lopez, Owner
Continued from July's Board Meeting
RETURN TO SENDER – UNABLE TO FORWARD
2. 89363/89590 & Xlent Nails & Spa #SNT17625 & SAES18395 **10:15 a.m.**
89666/89667 & Tracy Cuc Trinh #S 50700880 & 30700774, Co-Owner
89680 Chuong V Vo #51300635, Co-Owner
Continued from July's Board Meetings
NEGOTIATED
3. 89406 Tiawnie's Salon #SCOS25003 **10:15 a.m.**
Tiawnie West #11301625, Owner/Manager
Continued from June's Board Meeting
NEGOTIATED \$250
4. 89528/89529 & Ken's Nails & Spa #S SNT16386 & SAES16641 **10:15 a.m.**
89628 Anh Hoang Nguyen #50200058, Owner
Continued from July's Board Meetings
No Show; to formal hearing
5. 89230/89589 Nails Club LLC #S SNT17542 & SAES18252 **10:15 a.m.**
Nails Club LLC, Owner
James Q Tran, Member/Manager
Hanh Duong, Licensee, #50600790
NEGOTIATED \$750/RESTITUTION

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6. 89388 3D Nails #SNT16461 10:15 a.m.
Thom Thi Nguyen #50331128, Owner
Tri Cao Tran #51500180, Licensee
NEGOTIATED
7. 89389/89649 Luxury Nails #SNT16401 & SAES16672 10:15 a.m.
Phung Thi Vo #50300068 & 30500347, Owner
CONTINUED
8. 89393 Esmeralda Garcia #11300981 10:15 a.m.
RE-NOTICE
9. 89447 J Anthony Salon & Spa #SCOS24038 10:15 a.m.
J Anthony Salon & Spa LLC, Owner
Christy Kamp, Corporate Owner
Abigail Haddad #30800317, Licensee
Cherie K Romo #30600727, Licensee
No Show; to formal hearing
10. 89450/89451 Tee Perfect Nails & Spa #SNT17594 & SAES17365 10:15 a.m.
Ngu Thanh Le #30500067 & 50400622, Owner/Manager
NEGOTIATED \$500/
11. 89456 Jennifer Nodine #31300555 10:15 a.m.
NEGOTIATED \$500/
12. 89464/89465 & Model Nails by Phung #SNT17879 & SAES18759 10:15 a.m.
Model Nails by Phung LLC, Owner
NEGOTIATED \$500/
89771/89772 Phuong Khanh Mangus #50400347 & 31200760, Member/Manager
NEGOTIATED TO ATTEND BOARD CLASS
13. 89467/89469 Luster Nail & Spa #SNT17864 & SAES18731 10:15 a.m.
Satsang LLC, Owner
Hetal Patel, Member
Jadish Patel, Member
NEGOTIATED \$500/
14. 89483 Nail U Luv 1 LLC #SNT16012 10:15 a.m.
Nail U Luv 1 LLC, Owner
Thuy Thi Huynh #50601196, Member/Manager
NEGOTIATED \$500/PAID
15. 89484 International Academy of Hair Design #CSL00185 10:15 a.m.
IABC Inc., Owner
Gerald D Johnson #97800591, President
Michele Leon, V-President
Mario Montoya #90500073, Director
Brittany Montoya #90900040, Instructor
Rebecca Ramirez #90700033, Instructor
Katherine Rogers #90900084, Instructor
NEGOTIATED \$250/PAID
16. 89494 Monique Payne #31200560 10:15 a.m.

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Monique Payne appeared was sworn and stated after much research she does understand that mobile services were being done, however she can't find where or how to get licensed. She has received her business license along with other licenses she needed but did not know about a mobile license. Ms. Payne stated she is a partial owner with the company AZ Glitz Girls and that she is an Aesthetician and only does makeup. The company has contractors who are licensed cosmetologists who style and color hair. Investigator Amber Moore testified to this was an unlicensed establishment without a mobile license. Investigator made an appointment with Ms. Payne.

MOTION by Karla Clodfelter to move that for case no. 89494 all alleged violations cited in the Investigation Report have been shown. MOTION SECONDED by Joe Verdugo. MOTION CARRIED.

SUBSTANTIATED VIOLATIONS

A.R.S. § 32-574 (A)95) & (8) Practice or attempt to practice cosmetology, aesthetics or nail technology in any place other than in a salon licensed & operate a salon or school without being licensed.

A.R.S. § 32-572 (A)(5) Advertising by means of misleading statements (Salon)

A.A.C. R4-10-404 (A)(1) Mobile Services

A.R.S. § 32-574 (A)(9) Unlawful Acts; Violations; Classifications

STAFF REPORTED NO HISTORY

MOTION by Karla Clodfelter to move that for case no. 89494 to impose the following discipline and to issue a Consent Agreement with the following new terms of \$250.00 civil penalty and Board costs and for Licensee Monique Payne to attend the Infection Protection/Law Review class held by the Board. MOTION SECONDED by Joe Verdugo. MOTION CARRIED. Gary Begley and Jessica Rainbow VOTED NAY.

- | | | | |
|-----|------------------|---|-------------------|
| 17. | 89523 &
89777 | Tommy Nail Spa #SNT17307
NEGOTIATED \$500/PAID
Peter D Nguyen #50700851, Owner
NEGOTIATED TO ATTEND BOARD CLASS | 10:15 a.m. |
| 18. | 89538 | Maria Maxwell #30500104
NEGOTIATED \$50/PAID | 10:15 a.m. |
| 19. | 89572/89573 | Huong Royalty Nail and Spa # SAES18711 & SNT17852
Huong Nguyen Miller #50331195, Owner
Tiffany Ngoc Ho #35050015, Licensee
Kim Vang Thi #11500184, Licensee
NEGOTIATED \$250/PAID | 10:15 a.m. |
| 20. | 89577/89578 | Christine's Nails & Spa # SNT18026 & SAES18983
Lien Kim Lai #50600447, Owner
NEGOTIATED \$250/PAID | 10:15 a.m. |
| 21. | 89619 | Avalon School of Cosmetology #CSL168
EA Education Inc, Owner
Brandon Pobiak, President
Don Pobiak, Vice-President
Ryan Patrick Frisbie #90900080, Educational Director
De Ette Marie Desilva #91300069, Instructor in Charge
NEGOTIATED \$750/PAID | 10:15 a.m. |
| 22. | 89637/89638 | 2 V-K Elle Nails # SNT17618 & SAES18382
2 V-K Elle Nails Inc, Owner
Duy Q Tong #50100431, Director
Tricia Thi Tran # 50400367 & 30400238, Manager | 10:15 a.m. |

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NEGOTIATED \$250/PAID

23. 89640 #2 Sunshine Nails & Spa #SNT17372 **10:15 a.m.**
Trish Nguyen, Owner
Holly H Ha #~~50000349~~ & 31100715, Manager
NEGOTIATED \$250

24. 89641 Tip Top Nails by Annie #SCOS24161 **10:15 a.m.**
Annie P Rast #50401192, Owner/Manager
NEGOTIATED \$250/6-MONTH PROBATION/1st Payment Submitted

25. 89642 J. D. Nails #SNT17140 **10:15 a.m.**
Anna Kieu Thi Nguyen #50500121, Owner/Manager
No Show; to formal hearing

26. 89644 Desert Blossom #SCOS19937 **10:15 a.m.**
Chad K Rogers, Owner
Rebecca A South #10602042, Manager
NEGOTIATED \$500/

27. 89645 & Abe~~5~~ Beauty Salon #SCOS24052 **10:15 a.m.**
89782 & Abraham Bustamante, Owner
89783 Juana Ortiz #19600263, Manager

Abraham Bustamante appeared was sworn and stated the first aid kit and disinfectants are there we keep them out of reach of kids, they are behind the counter. Melissa Beard and Melissa Garcia are the same person she just got married. Mr. Bustamante stated he does not know a Lucy Guzman and that we are not a Barber shop only cosmetology. Mr. Bustamante stated he did not know that Juana Ortiz had an inactive license, she is current now. Investigator Amber Moore testified to four unlicensed individuals, Barber working without proper Barber establishment license, licensee working with an inactive license, not posting out for services not regulated by the Board, personal license not posted, restroom storage, no tuberculocidal disinfectant, soiled implements, double dipping, no first aid kit, no blood spill kit and the establishment license was delinquent.

MOTION by Karla Clodfelter to move that for case nos. 89645 & 89782 all alleged violations cited in the complaint summary have been shown. MOTION SECONDED by Joe Verdugo. MOTION CARRIED.

SUBSTANTIATED VIOLATIONS

- A.R.S. § 32-574 (A)(1)(2)(4) Unlicensed Individuals
- A.R.S. § 32-518 (D) Inactive Personal License
- A.R.S. § 32-541 (B)/A.A.C. R4-10-112 (A)(6)(B)(D)(E)(7)(L)(S)(4)(5)(T)(1) Infection Control/Safety Standards
- A.R.S. § 32-544/A.A.C. R4-10-107 (B) Delinquent Establishment License
- A.A.C. R4-10-111 (F) Posting out Sign for Non-Regulated Services
- A.R.S. § 32-543.2/A.A.C. R4-10-113 (A)(1) Required Personal License Display
- A.R.S. § 32-574 (A) (9) Unlawful Acts; Violations; Classifications

STAFF REPORTED NO HISTORY

MOTION by Karla Clodfelter to move that for case nos. 89645 & 89782, we should impose the following discipline and to issue a Consent Agreement with the following new terms of \$1,000.00 civil penalty and cost with 1-year to pay and for Owner Abraham Bustamante to attend the Infection Protection/Law Review class within 60-days. MOTION SECONDED by Joe Verdugo. MOTION CARRIED.

28. 89647/89648 Cali Nails LLC #~~5~~ SNT17143 & SAES17648 **10:15 a.m.**
Cali Nails LLC, Owner
Trina Do #~~5~~ 50600214 & 30600766, Member

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Kim Hoa T Do #~~ç~~ 50600224 & 30600799, Member
NEGOTIATED \$250/6-MONTH PROBATION/1st Payment Submitted

29. 89658 Super Cuts #SCOS19034 **10:15 a.m.**
Terrace Management LLC, Owner
Mike Hanson, Member
NEGOTIATED \$250/PAID
30. 89660/89661 Delicate Nails #~~ç~~ SNT16379 & SAES16626 **10:15 a.m.**
Delicate Nails LLC, Owner
Jennifer Denh Ho #50401308, Member/Manager
NEGOTIATED \$250/PAID
31. 89662 Modern Addictions LLC #SCOS24881 **10:15 a.m.**
Modern Addictions LLC, Owner
Erica Flies #10332366, Member/Manager
NEGOTIATED \$250/PAID
32. 89691 Studio KB Hair and Nail Salon #SCOS19120 **10:15 a.m.**
Kimberly Storgaard #19501177, Owner/Manager
No Show; to formal hearing
33. 89693/89694 L@mour Nail 2 #~~ç~~ SNT16657 & SAES17155 **10:15 a.m.**
Cuc Thi Kim Le #~~ç~~ 50601395 & 30900598, Owner
NEGOTIATED \$250/PAID
34. 89697 NV Hair Studio #SCOS19148 **10:15 a.m.**
Berta Maksumova, Owner
Zhanna Nektalove #10800573, Manager
No Show; to formal hearing
35. 89698/89699 Andy~~ç~~ Nails #~~ç~~ SNT17187 & SAES17714 **10:15 a.m.**
Chau Thi Huynh #~~ç~~ 50100735 & 31100645, Owner/Manager
No Show; to formal hearing
36. 88778 Gerardo Bracamonte Jr. #11200822 **10:15 a.m.**
Continued from July~~ç~~ Board Meeting

Gerardo Bracamonte appeared was sworn in and stated the day the inspector came in the salon was closed and the disinfectant was not set up, he has drawers that are designated for clean and soiled and he has not serviced anyone for the last 2-months as he has been in and out of town. Mr. Bracamonte stated he had not filed for an establishment license and though his cosmetology license would work and that everything is being taking care of. Investigator Amber Moore testified to the unlicensed establishment and the sanitation violations.

MOTION by Karla Clodfelter to move that for case no. 88778 all alleged violations cited in the Investigation Report have been shown. MOTION SECONDED by Joe Verdugo. MOTION CARRIED.

SUBSTANTIATED VIOLATIONS

A.R.S. § 32-574 (A)(5) & (8) Practice or attempt to practice cosmetology, aesthetics or nail technology in any place other than in a salon licensed & operate a salon or school without being licensed

A.R.S. § 32-541 (B)/A.A.C. R4-10-112 (A)(4. a)(B)(1)(2)(C)(1)(2)(E)(7) Infection Control/Safety Standards

A.A.C. R4-10-111 (A) Display of Exterior Sign

A.R.S. § 32-574 (A) (9) Unlawful Acts; Violations; Classifications

STAFF REPORTED NO HISTORY

MOTION by Karla Clodfelter to move that for case no. 88778 to impose the following discipline and to issue a Consent Agreement with the following new terms of \$500.00 civil penalty and Board costs with 6-months to pay and for Owner Gerardo Bracamonte to attend the Infection Protection/Law Review class held by the Board within 60- days. MOTION SECONDED by Joe Verdugo. MOTION CARRIED.

STEP 3: HEARINGS

A. Denial Appeals

None

B. Motion to Deem Allegations Admitted

88473 Santa Fe Hair Co. #C16458 **9:45 a.m.**
Jody M. Sharp #10123271, Owner
Assistant Attorney General, Bridget Harrington, appeared representing the State.
Solicitor General, Christopher Munns, was available by telephone. Licensee did not appear.

MOTION by Joe Verdugo to grant the State's MOTION TO DEEM ALLEGATIONS ADMITTED. MOTION SECONDED by Jessica Rainbow. MOTION CARRIED.

MOTION by Joe Verdugo to adopt the factual allegations in the Complaint and Notice of Hearing as Findings of Fact and the alleged violations in the Complaint and Notice of Hearing as Conclusions of Law. MOTION SECONDED by Jessica Rainbow. MOTION CARRIED.

MOTION by Joe Verdugo to issue an Order of discipline to revoke salon and to impose civil penalties and costs of \$250.00 and that the agency recovers its total costs incurred for this case in an amount to be determined later by the agency. MOTION SECONDED by Jessica Rainbow. MOTION CARRIED.

C. Hearing Officer Recommendations

None

D. Request for Reinstatement

None

E. Appeal Board Orders

None

F. Discussion, Consideration and Possible Action on Revision of Proposed Consent Agreement Terms and Letter of Concern Cases.

None

STATUS AND ADDITIONS TO AGENDA

For Board Information Only:

ADJOURN

MOTION by Karla Clodfelter to adjourn the meeting at 12:30 p.m. MOTION SECONDED by Martha Ramsey. MOTION CARRIED.

In accordance with Title III of the Americans with Disabilities Act, the Cosmetology Board does not discriminate on the basis of disabilities in its programs, services or activities. Individuals who need reasonable accommodation to participate or who need information in an alternative format may contact the ADA Coordinator at (480) 784.4539.