

From: Veldran, Katherine <KatherineVeldran@gov.sc.gov>
To: Grant GillespieGrant.Gillespie@llr.sc.gov
Date: 3/20/2015 12:28:16 PM
Subject: Re: LLR/Work Visa Licensure
Attachments: image001.jpg

Please follow up with Alexis Sargo to explain the situation. Please keep me me posted.
Thank you for your help.
KV

On Mar 20, 2015, at 11:19 AM, Grant Gillespie <Grant.Gillespie@llr.sc.gov> wrote:

Veldran: Think I still owe this to you. You can forward this on and they are welcome to contact me directly. The below does shine some light on when these changes were made and why. But ultimately, it does look like a legislative change would be required for SC to opt out of these restrictions to issue a credentials.

Thanks.

Grant Gillespie
Director of Business and Government Affairs
SC Department of Labor, Licensing & Regulation,
110 Centerview Drive; Columbia, SC 29210
Office: 803.896.4440
Cell: 803.528.6129
Fax: 803.896.4393
Email: gillespieg@llr.sc.gov
Website: www.llr.state.sc.us

From: Theresa Richardson
Sent: Tuesday, March 10, 2015 1:29 PM
To: Grant Gillespie
Subject: RE: LLR/Work Visa Licensure

Deferred Action for Childhood Arrivals...the schools should have been aware after the AG's opinion came out in March 2014, but in this case I do not think any of the cosmetology schools (private or secondary) became aware of anything until August/September 2014 when we started sending out letters of denial. The applicants have the right to appeal to the full board, but according to the law we cannot issue a license or permit. We started getting calls from many of the schools and we referred them to the AG's opinion and encouraged them to seek their legal counsel for the best approach for those in this type of situation who want to gain cosmetology education from SC approved schools.

Individuals with a DACA status cannot be denied an education, but they cannot be granted a license either.

Attached is the AG's opinion.

Theresa N. Richardson, M.B.A.
Administrator
SC Board of Barber Examiners
SC Board of Cosmetology
SC Massage/Bodywork Advisory Panel

S.C. Department of Labor, Licensing & Regulation, 110 Centerview Drive, Columbia, SC 29210 or P O Box 11329, Columbia, SC 29211
Telephone: 803-896-4588
Fax: 803-896-4484
Email: Theresa.Richardson@LLR.SC.GOV
Website: www.llr.state.sc.us

Please complete the Customer Service Satisfaction Survey. It only takes a minute to complete and will let my supervisor know if you were satisfied or dissatisfied with the service you received from me. Thank you very much.

<http://www.llr.state.sc.us/dev/polsurvey/index.asp>

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From: Grant Gillespie
Sent: Tuesday, March 10, 2015 1:12 PM
To: Theresa Richardson
Subject: RE: LLR/Work Visa Licensure

Thanks. What is DACA? Is this something the school should have notified her about prior to taking the test or the testing center?

Grant Gillespie
Director of Business and Government Affairs
SC Department of Labor, Licensing & Regulation,
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Fax: 803.896.4393
Email: gillespieg@llr.sc.gov
Website: www.llr.state.sc.us

From: Theresa Richardson
Sent: Tuesday, March 10, 2015 9:37 AM
To: Grant Gillespie
Subject: RE: LLR/Work Visa Licensure

She has a DACA status and we cannot issue her a license. The schools know about DACA and we placed the AG's opinion on the web site. There isn't anything we can do for the applicant until her status changes (like to a permanent resident or US citizen or some other status that will allow us to license).

Theresa N. Richardson, M.B.A.

Administrator
SC Board of Barber Examiners
SC Board of Cosmetology
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From: Grant Gillespie
Sent: Wednesday, March 04, 2015 9:19 PM
To: Theresa Richardson
Subject: FW: LLR/Work Visa Licensure

Do you mind looking into the below when you get a chance? Thanks.

Grant Gillespie
Director of Business and Government Affairs
SC Department of Labor, Licensing & Regulation,
110 Centerview Drive, Columbia, SC 29210
Office: 803.896.4440
Cell: 803.528.6129
Fax: 803.896.4393
Email: gillespieg@llr.sc.gov
Website: www.llr.state.sc.us

From: Veldran, Katherine [KatherineVeldran@gov.sc.gov]
Sent: Wednesday, March 04, 2015 1:29 PM
To: Grant Gillespie
Subject: FW: LLR/Work Visa Licensure

Grant,
Can you shed some light on this constituent issue below?
Please advise.
Thank you,
Katherine

From: Alexis Sargo [<mailto:alexis@faceslashstudio.com>]
Sent: Tuesday, February 17, 2015 9:28 AM

To: Veldran, Katherine
Subject: LLR/Work Visa Licensure

Good Morning Katherine,

Just following up on our conversation on Saturday. I hope you had a nice long weekend. This is in response to an employee we have named, Mitsy Nidiyare Lugos-Aguilar.

Mitsy Lugos started esthetics school at the International Spa Institute in Bluffton, SC on November 2nd, 2013. She was never informed that she would not receive a license from the State of South Carolina, based on her Work Visa Status. When did the rules in South Carolina change? Or have they always remained the same?

Mitsy Lugos finished esthetics school in May 2014. She sent all of her completed paperwork into Credential Services, as requested by LLR. She received approval that she could take the practical and written exams required by the state to receive an Esthetics License. Why was she granted approval, if her Work Visa would permit her from being granted a license?

Mitsy Lugos passed both required exams and was never told at either LLR testing location that she would never receive a license, why?

Mitsy Lugos appealed their decision to grant her license and was denied again because of the information on her Affidavit of Eligibility being verified though the federal Systematic Alien Verification of Entitlement. Federal law currently prohibits a state from issuing professional or commercial license to aliens, unless the state has opted out of those federal restrictions. Which this letter says, South Carolina has not opted out. I have attached a photo of the letter that I am quoting below.

<image001.jpg>

Is there anything that we can do as her employer to help her achieve an esthetics license through the State of South Carolina?

I really appreciate you looking over this email. If you need anymore information, I have all of her information that I can pass along to you.

Thanks again and I look forward to hear from you.

Alexis Sargo
Studio Manager
FACES Lash Studio
Village at Wexford
Hilton Head Island SC 29928
843-785-LASH
www.faceslashstudio.com
alexis@faceslashstudio.com

<Attorney General opinion DACA status-professional licensure.pdf>