

## MINUTES

South Carolina Board of Barber Examiners

Board Meeting

1:30 PM, June 10, 2002

Synergy Business Park

110 Centerview Drive, Conference Room 108

Columbia, South Carolina

Edwin Barnes, Chairman, of Lexington, called the regular meeting of the S.C. Board of Barber Examiners to order at 1:30 p.m. Other board members participating in the meeting included: Don Norris, Vice Chairman, of West Columbia; Fred Evans, of Columbia; Napoleon Rogers, of Hartsville; and Betty Thompson, of Greer.

Staff members participating in the meeting included: Sharon Dantzler, Deputy General Counsel, LLR-Office of General Counsel; Lisa Maseng, Legislative Liaison; Janet Scott, Administrative Coordinator; Lisa Hawsey, Assistant Administrator; Shonda Johnson, Administrative Specialist; Eddie Jones, Administrator; and Kathy Stephens, Investigator.

Mr. Barnes announced the meeting was being held in accordance with Section 30-4-80 of the Freedom of Information Act by notice mailed to The State Newspaper, Associated Press, WIS-TV and all other requesting persons, organizations, or news media. In addition, notice was posted on the bulletin boards at the two main entrances of the Kingstree Building.

### Prayer

All present recited the Lord's Prayer.

Mr. Barnes stated Ms. Dantzler could not be present for the entire meeting and asked that all business requiring her presence be taken up first.

### New Business

#### 1. Wendell S. Byrd

Mr. Byrd obtained his first permit to attend the Professional Hair Design Academy in Greenville. The School closed and Mr. Byrd subsequently began OJT at D's Cuts barbershop under Mr. Robert Downs. His second permit expired December 11, 2001.

Mr. Wendell Scott Byrd appeared before the board to request a third student barber's permit. Mr. Byrd stated that the reason for the length of time appearing before the board since his license expired in December 2001 was that he was just notified by the board to appear.

### MOTION

Following discussion regarding the number of hours Mr. Byrd would be working each

week to obtain all the necessary hours for a license, Mr. Norris moved to grant a third student permit. Mr. Rogers seconded the motion, which carried unanimously. Mr. Evans recommended that Mr. Byrd look for an alternative instructor to obtain all the necessary hours to qualify for a license.

## 2. Larry D. Irby

Mr. Irby was issued a permit while he was at Heath barbershop, where he completed one year and six months (1½ years) of OJT. He left because his instructor moved out of this barbershop. His second permit was issued for him to complete OJT at Pauling barbershop. He was at Pauling barbershop for two months and left because he thought he had enough hours to obtain his license. When he realized he did not have enough hours he attempted to return to Pauling barbershop; however, another individual had filled his vacancy. Mr. Irby is requesting a third barber permit.

## MOTION

Mr. Rogers moved to grant a third student permit. Mr. Norris seconded the motion, which carried unanimously.

## 3. Carlos Breaker did not appear.

## 4. James E. Watley, Jr.

Mr. Watley is applying for a Master Hair Care Apprentice License. Early in 2000, an incident took place in which Mr. Watley was charged on December 29, 2000, with assault with intent to commit criminal sexual conduct. Mr. Watley stated he was only convicted of assault and battery against an individual, Ms. Williams, who he was dating at the time of the incident. On March 9, 2001, he was sentenced to five years probation. Mr. Tollison, in Laurens County is his probation officer. Mr. Watley stated he had never been in trouble before and expects to be released from probation upon completing school and paying court costs. He further stated that this incident did not take place in a barbershop. This charge took place in Greenwood County. Mr. Watley is requesting to take the state board exam.

## MOTION

Ms. Thompson moved to grant Mr. Watley's request to take the exam. Mr. Rogers seconded the motion, which carried unanimously.

## 5. Harley's Barber College

On April 8th Harley's Barber College appeared before the DRC and received a one-year probation. Harley's Barber College contends they satisfied all of the hours prior to the hearing and indicated that Mrs. Harley will ensure all hours are accurate and sent to the board on time. They are applying for accreditation this year and feel that the one-year probation would hinder students from receiving financial aid. The board approved the probation during its April 8, 2002 meeting. The college is now requesting the board reduce the probation. Cecilia and Douglas Harley appeared before the board. Ms. Harley stated that during 1997, 1998 and 1999, they were sending in monthly student hours,

but during a Barber Board meeting for the schools in 1999, there was a misunderstanding on their part and the school discontinued sending in monthly hours. However, the college continued to maintain the hourly records at the school. The school was also advising the board of the student's total hours, and notified students of their hours. Upon learning of the requirement, the college began sending in monthly hours retroactive to the present time and before the DRC hearing at the board. Ms. Harley stated that there were some students who were starting school without permits but their applications had been received at the office.

#### MOTION

Mr. Evans moved this matter be discussed in executive session. Ms. Thompson seconded the motion, which carried unanimously.

#### 6. Styletrends Barber College

Styletrends Barber College appeared before the DRC on April 8th at which time they were fined \$1,500.00 and were placed on a one-year probation. This action is a result of a routine school inspection by Investigator Raymond Lee on December 6, 2001. During the inspection Mr. Lee noted that three individuals were working on the public without student permits and without an instructor present. The board approved the fine and probation during its April 8, 2002 meeting. The school is requesting that the board reconsider the fine and probation. Ms. Alice Mangum appeared before the board. She stated that as a result staffing problems, mistakes were made and the school corrected the problem as outlined in a letter from the school dated April 22, 2002. The school is apply for accreditation and feels reducing the fine and probation period would benefit their efforts to obtain accreditation. Investigator Raymond Lee stated that the school was one of the best schools in South Carolina. However, when he arrived at the school, there was no instructor available. Students were on the floor cutting hair, and no applications had been sent in for their licensure. Also, upon checking the clock and records, the students had been receiving hours for time on the floor. The permit applications were prepared 30 days prior to Mr. Lee's visit by Ms. Charlene McLeod but she had not mailed them to the board prior to going on leave of absence and did not advise anyone of this matter. Ms. Mangum stated that this was an oversight and procedures were set up to make sure this did not happen again and the applications were mailed in.

#### MOTION

Mr. Evans moved that this matter be discussed in executive session. Ms. Thompson seconded the motion which, carried unanimously.

#### 7. Christian A. Dubois

On July 28, 2000, Mr. Dubois was cited for allowing unlicensed practice in his shop, Butta Cutz Beauty Shop. On September 11, 2000, the DRC fined him \$1,800.00 and agreed to allow him to pay the fine within 90 days. Mr. Dubois' shop license was renewed on September 6, 2000 along with student permits and his license; however, Mr. Dubois has not paid the fine. Staff mailed a suspension letter, along with a cease and desist order on March 15, 2001 (through certified mail). The letter and order were signed for on March 21, 2001. Mr. Dubois has been serving a two-year sentence for possession of marijuana

and has been approved for work release. Mr. Dubois submitted a statement in lieu of his appearance before the board. Mr. Dubois is currently incarcerated in Coastal Pre-Release in North Charleston, SC. The board tabled this matter until Mr. Dubois could personally appear before the board. Additionally, he will be required to submit a current SLED report.

#### 8. Betty's College of Barbering & Technology of Beauty

Betty Daniels appeared before the board for clarification of the Barbering Law.

Ms. Lisa Maseng, Legislative Liaison with LLR, met with the board. She discussed working with the board developing or enhancing the barber practice act. She also advised that she would be meeting with legislators during the summer to discuss legislative matters that will be forthcoming in the upcoming legislative session that may affect the board. Ms. Maseng worked for 21 years at the Commerce Department, in communication and legislative issues. She stated that she is looking forward to working with the Barber Board.

#### Executive Session

The Board entered executive session to discuss disciplinary actions.

#### Return to Public Session to Report on Executive Session

Mr. Barnes noted for the record that no action was taken during the time the board was in executive session.

#### Disciplinary Reports

##### MOTION

Mr. Rogers moved that the Disciplinary Reports dated May 13, 2002 (Case numbers 66-2266 - 66-2387) and the Disciplinary Report dated June 10, 2002 (Case numbers 66-2349 - 66-2420) be accepted as submitted. Mr. Evans seconded the motion, which carried unanimously.

#### Complaints Approval Report

##### MOTION

Mr. Evans moved that the Complaints Approval Report dated June 10, 2002 be accepted as submitted. Mr. Rogers seconded the motion, which carried unanimously.

#### Harley's Barber College

##### MOTION

Mr. Evans moved to drop the probation period to 90-days and the fine will stand. Mr. Rogers seconded the motion, which carried unanimously.

#### Styletrends Barber Academy, Inc.

##### MOTION

Mr. Evans moved to drop the probation period to 90-days and the fine will stand. Mr. Rogers seconded the motion, which carried unanimously.

Christian A. Dubois

MOTION

Mr. Evans moved that Mr. Dubois submit a SLED arrest record to the board for further discussion. Mr. Norris seconded the motion, which carried unanimously.

Approval of the April 8, 2002 Meeting Minutes

Mr. Norris moved the minutes of the April 8, 2002 meeting be approved. Mr. Evans seconded the motion, which carried unanimously.

Carlos Breaker - Approval of hours from Tolliver's Beauty College

MOTION

Mr. Evans moved that Carlos Breaker's 1502 hours obtained at Tollivers Beauty College be approved. Mr. Norris seconded the motion, which carried unanimously.

9. Thomas H. Starnes, Jr. - Reissuance of Barber Temporary Work Permit

Mr. Starnes appeared before the board to request an additional barber temporary work permit. Mr. Starnes's barber license expired in 1997, when he changed professions and started working in the video poker industry. He stated that he was issued a 90-day temporary work permit that was due to expire, but needed an additional work permit so that he could work until he could take the practical exam July 8, 2002.

MOTION

Mr. Evans moved that Mr. Starnes be granted a 60-day temporary work permit so that he could take the practical exam. Mr. Rogers seconded the motion, which carried unanimously.

Chairman's Remarks

Mr. Barnes stated that he appeared at a Senate hearing regarding House Bill 4545, and the bill was tabled. He further stated that the bill would more than likely be brought before the legislature again next year.

Chairman Barnes requested a financial statement regarding the Barber Board budget and revenue for the next board meeting. He would like to know why with the previous license fee increases, was the board low on funds for board member travel.

Unfinished Business

1. Instructors Exam

Mr. Jones discussed a letter and sample instructor exam questions submitted by Experior testing service. Mr. Barnes questioned the board's ability to assess the exam without seeing the actual exam and asking questions regarding the development of an exam for South Carolina. He asked that the administrators of the testing group and NIC meet with the board or a member of the board at the next meeting to provide more information regarding the exam. He further suggested the board could sign a confidentiality statement that the exam questions would remain under tight security.

Mr. Jones informed the board about problems at the Margaret E. Miller exam site, which included poor lighting, electrical outlets, air conditioning in the front area, furniture placement, roach problems and no paper in restrooms. Mr. Jones indicated that it is time to renew the lease and asked if the board members would like to look for another facility. The board requested that Mr. Jones work with Margaret E. Miller to resolve the building problems before renewing the next lease.

#### Action Item

##### Ratification of Mail Ballots

##### a. Approval of Rodney Coleman's SLED Report (Approved)

#### MOTION

Mr. Evans moved to ratify the mail ballots for Rodney Coleman. Mr. Rogers seconded the motion, which carried unanimously.

#### 10. New Shop Applications

The board discussed returning shop applications if the inspector has gone to inspect the shop and it was not ready 30 days from the date they indicated was their desired opening date. At that time, they would be required to submit another application and \$125.00 fee.

#### MOTION

Mr. Evans moved to table discussion on this matter until the next meeting. Mr. Norris seconded the motion, which carried unanimously.

#### 11. The board discussed the possibility of biennial licensure.

#### MOTION

Mr. Evans moved to table discussion of this matter until the next meeting. Mr. Norris seconded the motion, which carried unanimously.

#### Adjournment

There being no further business to be brought before the board at this time, Ms. Thompson moved the meeting be adjourned. Mr. Norris seconded the motion, which carried unanimously. The June 10, 2002 meeting of the S.C. Board of Barber Service adjourned at 4:15 p.m.

The next meeting of the S.C. Board of Barber Service is scheduled for August 12, 2002.