

MINUTES

South Carolina Board of Barber Examiners

Board Meeting

1:30 PM, December 8, 2003

Synergy Business Park

110 Centerview Drive, Conference Room 108

Columbia, South Carolina

Ed Barnes, Chairman, of Lexington, called the regular meeting of the S.C. Board of Barber Service to order at 1:30 p.m. Other Board members present for the meeting included: Don Norris, of West Columbia and Paul Robinson, of Orangeburg.

Fred Evans, of Columbia was granted an excused absence.

Staff members participating at various times during the meeting included: Harlon Campbell, Inspector; Sharon Dantzler, Deputy General Counsel, LLR-Office of General Counsel; Sandra Dickert, Administrative Assistant; Lisa Hawsey, Program Assistant; Eddie Jones, Administrator; Raymond Lee, Inspector/Investigator; Glinda Legette, Administrative Specialist; Julie Lenger, Administrative Specialist, Administration - Human Resource Management; and Kathy Stephens, Inspector/Investigator.

Members of the public attending the meeting included: Desmond Bolton, Leonne Hayden, Wayne Scott, Keith Wade, Marlo Wicker, Eric Wright and Cecilia Yarborough.

Meeting Called to Order

Mr. Barnes announced that public notice of this meeting was properly posted at the S. C. Board of Barber Examiners office, Synergy Business Park, Kingstree Building, Room 108 and provided to all requesting persons, organizations, and news media in compliance with Section 30-4-80 of the South Carolina Freedom of Information Act. He noted that a quorum was present.

Pledge of Allegiance

All present recited the Pledge of Allegiance.

Approval of the October 13, 2003 Meeting Minutes

MOTION

Mr. Robinson moved the Board approve the minutes as presented. Mr. Norris seconded the motion, which carried unanimously.

Chairman's Remarks

Mr. Barnes had no remarks at this time.

Administrator's Remarks

Budget Report

The members were presented, for their information, a copy of the latest budget report.

This report included information from July 1, 2003 through December 8, 2003. (This report is herewith attached and becomes a permanent part of the record retained at the Board's office.)

Exam Results for October 2003 and November 2003

The members were presented, for their information, the exam results for October 2003 and November 2003.

Advisory Opinions, If Needed, Office of General Counsel

There were no advisory opinions given during the December 8, 2003 meeting.

Legislative Update, If Needed, Legislative Liaison Office

There was no legislative update given during the December 8, 2003 meeting.

Unfinished Business

There was no unfinished business to be discussed during the December 8, 2003 meeting.

New Business

1. Approval of Reciprocity Application

a. Cecilia Yarborough

Ms. Hawsey stated the Board has received an application for licensure by reciprocity from Cecilia Yarborough. Ms. Yarborough is a native of Bogata, South America and speaks English and Spanish. She has completed high school and has received three years of training in cosmetology and barbering, however, there is no licensure requirement in Bogata.

Cecilia Yarborough appeared before the Board at this time. Julie Lenger acted as interpreter for the Board.

Ms. Yarborough stated although there is no licensure requirement for barbers and cosmetologists in Bogata, however, individuals must still pass an examination prior to practicing. She went on to say that she has been trained as a cosmetologist and as a barber; however, the difference in Bogata is that cosmetologists are allowed to give massages and perform permanent makeup. She further stated she owned her own shop in Bogata for 25 years. She does not yet have a shop where she can work since she is not yet licensed.

Ms. Dantzler stated that Ms. Yarborough's letter of October 21, 2003 indicates she has been out of the business for the past four years. Ms. Yarborough replied she has not been in the practice of barbering for the past three years. Ms. Dantzler stated Ms. Yarborough's application would not come under the reciprocity provision, however, it may come under Section 40-7-230 which indicates a certificate of registration may be issued to an individual who is 17 years old, passed the physical examination, and has submitted proof of practice under the supervision of a barber, and has passed the written and practical examinations. She indicated the Board would require Ms. Yarborough take the written and practical examinations. Ms. Yarborough agreed to take both exams.

MOTION

Mr. Robinson made a motion, seconded by Mr. Norris and unanimously carried, that the Board accept Ms. Yarborough's qualifications from Bogata, South America to sit for the exams, written and practical (to be given in Spanish), for a Master Hair Care license.

2. Approval of Registered Barber Application

a. Wayne Dennis Scott

Wayne Dennis Scott has submitted an application to take the registered Barber Apprentice examination. Mr. Scott answered 'yes' to the question asking, 'Currently, or within the last five years, have you been arrested, indicted, convicted, pled guilty, or pled nolo contendere for violation of any federal, state or local law (other than a minor traffic violation)?' Mr. Scott was arrested and convicted for conspiracy to commit armed robbery in February 1996.

Wayne Dennis Scott appeared before the Board at this time.

Mr. Scott stated he had completed all of his hours and was arrested and convicted while waiting to sit for the exam. He indicated he had acted as a look out and did not participate in the actual robbery. He further stated he received a 15-year sentence, of which he served seven years. He continued to study and cut hair while he was incarcerated. He was released from prison three months ago and will be serving one and one-half years of probation. He indicated he had a minor charge (possession of marijuana) in Pennsylvania in 1993.

MOTION

Mr. Robinson made a motion, seconded by Mr. Norris and unanimously carried, the Board allow Wayne Scott to take the exam and upon successful completion grant a license with a one year probation, and that at the end of that year he provide the Board with a SLED criminal history report at his own expense.

3. Approval of Third Student Permit

a. Eric Wright

Eric Michael Wright appeared before the Board at this time.

Mr. Wright is requesting the Board's approval for a third student permit to continue training as a barber. His first permit was issued in October 2001 and he trained until July 2002 after which he took a leave of absence for financial reasons. His second permit was issued in June 2003 and he began attending a second barber school in September 2003. Mr. Wright stated the first barber school would not provide him with a transcript until he had paid the tuition in full. He further stated he has to obtain another 200 hours of training.

MOTION

Mr. Robinson made a motion, seconded by Mr. Norris and unanimously carried, that Mr. Wright given a third student permit.

b. Desmond Bolton

Desmond Bolton appeared before the Board at this time.

Mr. Bolton began his training at Wood's Barber College, which moved from Two Notch Road to Broad River Road. He further stated the school then closed the Broad River Road location and opened a shop in West Columbia without notice and took one month to open. He feels he is not receiving the assistance he needed and is losing time and money. He has completed 1,136 and will be going into OJT to complete his training. He indicated they informed him that since the school was now a barbershop he would need to complete 1,950 hours instead of the 1,500 hours. He continued by saying he is lacking 784 hours.

MOTION

Mr. Robinson moved Mr. Bolton receive a third student permit. The motion was seconded by Mr. Norris and unanimously carried.

4. Approval of Request for Oral Exam without Written Notice from Physician

a. Leone Hayden

Ms. Dantzler stated staff conducts oral examinations or an extension of time at the staff level when a professional has indicated this is a recommended avenue. She further stated Mr. Hayden has not provided staff with this documentation and is now appearing before the Board to give an oral presentation on why he should be granted this request.

Leone Hayden appeared before the Board at this time.

Mr. Hayden stated he has taken the exam on three occasions and has not yet passed it. He indicated he made a 64 on the last attempt, which is approximately seven points higher than the previous attempt. He further stated that someone had suggested he attempt to obtain the documentation to take an oral examination. He continued by saying he visited a physician (Gardens Health Center) on December 4, 2003 who indicated she was not equipped to complete the form. He then contacted a representative with Vocational Rehabilitation who indicated the agency could not assist him without a claim. He said he has scheduled an appointment with a physician at 4:30 p.m. today. He indicated he completed high school.

Ms. Dantzler stated if Mr. Hayden can read and comprehend with no problems, he would not be able to find a professional who will certify he needs special accommodations to take the exam.

Mr. Robinson suggested Mr. Hayden obtain extra assistance from his OJT instructor.

MOTION

Mr. Robinson moved the Board deny Mr. Hayden the privilege of taking the oral exam. Mr. Norris seconded the motion, which carried unanimously.

Discussion Items

1. Board Policy on Examination Cheating Policy

This item was not discussed during the December 8, 2003 meeting.

Public Comments

Keith Carter Wade stated he would like to open a barber school with a barbershop connected to the school. Mr. Barnes stated he had spoken with Mr. Wade earlier and informed him at that time that the facility would need to be inspected prior to the Board taking any action.

Executive Session

The Board entered executive session to discuss disciplinary actions.

Return to Public Session to Report on Executive Session

The Board returned to public session.

Mr. Barnes noted for the record that no motions were made and no votes were taken during the time the Board was in executive session.

Four-Hour Disciplinary Curriculum

MOTION

Mr. Norris made a motion, seconded by Mr. Robinson and unanimously carried; the Board approve the four-hour disciplinary curriculum recommended by Mr. Lee.

DRC Report

MOTION

Mr. Robinson moved the Board approve the DRC report as presented. Mr. Norris seconded the motion, which carried unanimously.

Mr. Robinson stated that at the last meeting he had suggested the Board communicate clearly with the examination applicants. He further stated he has been verbally going through the exam with the applicants, which seems to be working better.

Adjournment

There being no further business to be discussed at this time, Mr. Robinson moved the meeting be adjourned. Mr. Norris seconded the motion, which carried unanimously.

The December 8, 2003 meeting adjourned at 2:45 p.m.