

MINUTES

South Carolina Board of Barber Examiners

Board Meeting

9:00 a.m., October 17, 2005

Synergy Business Park, Kingstree Building

110 Centerview Drive, Conference Room 108

Columbia, South Carolina

Edwin Barnes, chairman, of Lexington, called the regular meeting of the SC Board of Barber Examiners to order at 9:12 a.m. Other Board members attending the meeting included: Frederick Evans, of Columbia and Paul Robinson, of Orangeburg.

Staff members participating in the meeting included: Sharon Dantzler, LLR - Office of General Counsel; Ronnie Blackmon, Inspector; George Barr, Inspector; Mark Sanders, Inspector; Eddie Jones, Administrator; Lisa Hawsey, Program Assistant; Connie Huffstetler, Administrative Assistant; and Glinda Legette, Administrative Specialist.

Members of the public attending the meeting included: Melvin Dewese; Julius E. Thompson II; Shelley Williams; Julius E. Thompson I; Shawnta Shuler and Thomas Johnson, Hair It Iz Beauty/Barber Shop; Quentin Smith; Chris Shell; Ja'ki Bennon; Al Houston and Rubin Robertson, the Brother's Barber Shop; Patricia Stephens, Backwoods Braids Beauty Salon; Pat Ford, CHCI; Ann Brown, CHCI; Devin Harris, Harley's Barber College; Luz Tobon; Patricia Fladger; Betty Daniels, Betty's College of Barbering; Cecilia Harley, Harley's Barber College; Douglas Harley; Shemeka Cusak; Frances Archer; and Charmaine Green.

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.

Pledge of Allegiance

All present cited the pledge of allegiance.

Approval of the August 8, 2005 Meeting Minutes

MOTION

Mr. Robinson made a motion to approve the minutes of the August 8, 2005 meeting. Mr. Evans seconded the motion, which carried.

Chairman's Remarks

Mr. Barnes noted that the meeting in Myrtle Beach was very successful and he felt that much useful information was shared among the attendees. He has received very positive feedback from those attending.

Mr. Evans added that he found the focus groups at the conference to be of great interest. He stated that all of the states represented had similar issues and concerns, such as reciprocity and OJT programs.

Mr. Robinson remarked that he was pleased to have been in attendance at the conference. He noted that one item the Board will need to address in the near future is the issue of including the complete shave in the exam.

Mr. Robinson apologized for the conflict in his schedule, which led to the October meeting date being changed. Mr. Barnes noted that the Board has vacant seats due to the fact that appointments have not been made by the Governor's Office, and that the absence of any of the three current members would mean that a quorum would not be present to conduct business.

Administrator's Remarks Exam Results for August and September 2005

The members received, for their information, the exam results for August and September 2005.

Mr. Jones introduced Mark Sanders, a new inspector for the Barber and Cosmetology Programs.

Mr. Jones noted that the first Hair Braiding class and examination was held on September 28, 2005 at the Fire Academy. It was well attended and the staff did an excellent job in coordinating the class. He said there were some concerns about the way the law was written concerning hair braiding, and he referred the participants to their legislators to have the issues addressed.

Mr. Barnes expressed some concern with the exam results, noting that although they were somewhat improved over past scores, there were still more failures than he would like to see. He emphasized the need to prepare and study before taking the test.

Mr. Evans noted, for the record, that Mr. Barnes was credited in the textbook for his research and work in developing the book. He commended Mr. Barnes for his efforts.

Advisory Opinions, Office of General Counsel

There were no advisory opinions given during the October 17, 2005 meeting.

Legislative Update, Legislative Liaison Office

There were no legislative updates given during the October 17, 2005 meeting

Unfinished Business

Professional Credentialing Services (PCS)

Mr. Barnes asked the status of transitioning to PCS to administer the Barber exam. Mr.

Jones stated that he believed the cost analysis was being done by LLR finance staff. Mr. Evans noted that although he had expressed some concern regarding access to data, he did not wish for those concerns to hinder the transition for the test, but simply mentioned them for consideration.

Lewis Rice

Mr. Barnes noted that Mr. Rice had appeared at the last meeting and would like the staff to research to see if it could be documented as to how long Mr. Rice had been a barber. Mr. Barnes has spoken with a reporter who would like to do a story but wants specific information as to how long he has been practicing. Mr. Jones noted that the records only go back so far and it would be difficult unless the individual himself has such records. Mr. Jones said that staff would contact Mr. Rice's family to see what documentation they might have.

Exam Questions

Mr. Evans noted that he had received by mail the proposed exam questions, although as a public member of the Board, he is not privy to such information. He stated, for the record, that he had immediately destroyed the questions without reviewing them.

New Business

Requests for Third Student Permit

Marwin McKnight, Beaufort-Jasper A.C.E., on behalf of Kendra Drake, Carl Jones, Deidrick Anthony and Morgan Mitchell

Mr. McKnight was unable to attend the meeting. Mr. Robinson recommended that the matter be deferred to executive session.

Christopher M. Shell

Mr. Shell needs a third permit to complete an additional 800 hours instruction. He has studied under two previous instructors and will have a different instructor for the third permit. Mr. Barnes reminded Mr. Shell that the Board does not as a rule issue a fourth student permit. Mr. Robinson asked Mr. Shell the name of the instructor who will be training him. Mr. Shell introduced Mr. Alphonso Houston, who will be his instructor.

MOTION

Mr. Robinson moved to approve a third student permit for Mr. Shell. Mr. Evans seconded the motion, which carried.

Julius E. Thompson II

Mr. Thompson asked the Board for a third student permit to complete his instruction. He has approximately 1500 hours. Mr. Thompson was a student at Denmark Tech, but was removed from school after having a pocketknife in his possession. He wants to continue his training under and OJT instructor.

MOTION

Mr. Evans moved to approve a third student permit for Mr. Thompson. Mr. Robinson seconded the motion, which carried.

Devin Harris

Mr. Harris requested a third student permit to complete his instruction. He needs approximately 100 additional hours.

MOTION

Mr. Evans moved to approve a third student permit for Mr. Harris. Mr. Robinson seconded the motion, which carried.

Request for Fourth Student Permit

Ja'ki Bennon

Mr. Bennon appeared before the Board to request a fourth student permit.

MOTION

Mr. Evans moved to hear Mr. Bennon's request in Executive Session. Mr. Robinson seconded the motion, which carried.

Approval of Eligibility for Licensure

Antwan J. Brown

Mr. Brown appeared before the Board to answer questions regarding his criminal background. He served eleven months for accessory to strong-arm robbery. Mr. Evans asked if the crime occurred in or near a barbershop. Mr. Brown answered that it did not.

MOTION

Mr. Robinson moved to allow Mr. Brown to take the practical exam. Mr. Evans seconded the motion and it carried.

Walter P. Suber

Mr. Suber was to appear before the Board with his parole officer on October 10, 2005, but was unable to attend when the meeting was rescheduled.

Quentin Jermaine Smith

Mr. Smith appeared before the Board to answer questions regarding his criminal background. He was convicted of DUI in 2001. Mr. Evans asked Mr. Smith to allow the Board to proceed with next applicant while Ms. Hawsey secured copies of his SLED report.

Luz Ensid Tobon

Ms. Tobon appeared before the Board with her niece, who accompanied her as an interpreter. Mr. Barnes noted that a family member could not serve as an interpreter and requested staff to locate someone within the agency to assist.

Ms. Tobon is seeking reciprocity from Colombia, South America, where she worked as a barber for five years. She completed high school (twelfth grade) in 1986, and graduated from barber school in 1995.

Mr. Barnes explained that the matter would be deferred while an interpreter was located.

Jarvis Edward Brooks

Mr. Brooks was not present at the October 17, 2005 meeting.

School Applications

B-Unique Barber Academy

Mr. Evans stated that he had completed an inspection of the school, as did LLR Inspector, Raymond Lee, and found everything to be in order.

MOTION

Mr. Evans moved to approve the school application for B-Unique Barber Academy. Mr. Robinson seconded the motion, which carried.

Harley's Beauty and Barber Career Institute

Mr. Evans advised the members that he had received the packet for the school and would schedule an inspection in the near future. Mr. and Mrs. Harley appeared at the meeting to request approval for the school. The members reviewed plans for the school, which would provide both barber and cosmetology instruction. Mr. Barnes noted that under the current proviso allowing barbers and cosmetologist to work side by side, the school can be approved, but if the proviso should lapse, the law requiring complete separation of the schools would be in effect. The Harleys stated that they understood they would have to make changes if the proviso was no longer in effect.

MOTION

Mr. Evans moved to approve the school application, pending a satisfactory inspection, and with the understanding that that changes would be required if the law changes. Mr. Robinson seconded the motion and it carried.

Quentin Jermaine Smith

The members reviewed Mr. Smith's SLED report and found that the DUI charge was indeed the only item the report.

MOTION

Mr. Robinson moved to allow Mr. Smith to take the exam. Mr. Evans seconded the motion, which carried.

Luz Ensid Tobon

Ms. Dantzler advised the Board that an LLR attorney had reviewed the documents provided by Ms. Tobon, which were written in Spanish, and found them to be in order. He confirmed that she is a high school graduate, completed 1200 hours of barber schooling and has five years experience.

MOTION

Mr. Robinson moved to allow Ms. Tobon to take the exam. Mr. Evans seconded the motion, which carried.

Mr. Barnes explained to Ms. Tobon that she would need to pass the written exam, before taking the practical exam. She will also need a translator for the practical exam who is not related to her.

The members explained to Ms. Tobon that she would need to take the written test

Recess

Mr. Barnes called for a brief recess at this time.

Julius E. Thompson II

Mr. Barnes noted that it had been brought to the attention of the Board that Mr. Thompson was appealing his removal from school at Denmark Tech. If he wins the appeal, his desire would be to continue his schooling at Denmark Tech. If he loses the appeal, Mr. Thompson would then want to train under an OJT instructor. After discussing Mr. Thompson's options, the members agreed to reconsider Mr. Thompson's request for a third permit at a later time, after the outcome of his appeal is known.

MOTION

Mr. Evans moved to rescind the motion to grant Mr. Thompson a third student permit. Mr. Robinson seconded the motion to rescind. The motion to rescind carried.

Patricia Ford, Contemporary Hair Care Institute

Ms. Ford asked the Board why a cosmetology instructor couldn't teach at a barber school. Mr. Barnes referred the question to Ms. Dantzler, who researched the statute to provide an answer for Ms. Ford.

In the interim, Ms. Ford asked Mr. Barnes to explain why a master hair care specialist must wait one year before owning a shop. Mr. Barnes answered that it was a requirement of the law, and could not be changed by the Board.

Ms. Ford expressed concern about students who come to her school after working under OJT instructors who do not provide proper instruction. Mr. Barnes agreed that there are sometime problems with OJT instruction and in his class he advises students to make sure they receive proper instruction. He noted that in the past, the Board had tracked the failure rate of OJT students versus those who attend barber school.

In answer to Ms. Ford's question regarding a cosmetology instructor is not allowed to teach in a barber school, Ms. Dantzler referred to SC Statute 40-7-350, which states that teachers at a barber college must have three years experience as practicing barbers. Therefore, if a cosmetology instructor has three years experience as a practicing barber, they might qualify.

Concerns Regarding Hair Braiding Legislation

Ms. Daniels addressed the Board regarding the legislation passed to allow hair braiders registration, noting that at first it was going to be under the Cosmetology Board then moved to the Barber Board. She stated that she submitted a curriculum for a six-hour hair braiding class. Ms. Daniels expressed concern that the Board allowed a class to be taught outside of a school setting.

Ms. Dantzler noted that the General Assembly passed legislation in May 2005, which created the hair braiding registration. In SC, one can do extensions under a cosmetology of barber license. If one does not hold either license, one may perform braiding of natural

hair with a hair braiding registration.

Ms. Daniels provided the members with copies of the curriculum she submitted to Mr. Bryant in March. She understood at that time that she could offer the class, but later received a Cease and Desist Order. She is now submitting it to the Board for approval.

Requests for Approval of Hair Braiding Class

The members reviewed the curricula submitted to teach the six-hour class for hair braiding registration. Mr. Barnes asked Ms. Dantzler if she felt the curricula met the criteria set forth in the statute. Ms. Dantzler answered that it appeared to meet the criteria.

Charmaine Green, Shemeka Cusak, Danielle Brown and Dianh Shaw

Mr. Robinson asked Ms. Green what questions would be used at the end of the class. Ms. Green answered that she would use the questions approved by LLR

Mr. Evans asked Ms. Green to clarify whom she was submitting as instructors for the class. Ms. Green stated that she was asking approval for herself and three other licensed instructors to teach the class.

MOTION

Mr. Robinson moved to accept the curriculum submitted by Charmaine Green, Shemeka Cusak, Danielle Brown and Dianh Shaw, and to allow them to teach the six-hour braiding class. Mr. Evans seconded the motion, which carried.

Patricia Fladger

MOTION

Mr. Robinson moved to accept the curriculum submitted by Ms. Fladger and allow her to teach the six-hour hair-braiding course. Mr. Evans seconded the motion, which carried.

Patricia Stephens

MOTION

Mr. Robinson moved to accept the curriculum submitted by Ms. Stephens and allow her to teach the six-hour hair-braiding course. Mr. Evans seconded the motion, which carried.

Betty Daniels

MOTION

Mr. Evans moved to accept the curriculum submitted by Betty Daniels and allow her to teach the six-hour hair braiding class. Mr. Robinson seconded the request, which carried.

Health Insurance for Barbers

Mr. Barnes shared with the members that All-State now offers health insurance for barbers. Information can be obtained via the Internet.

Melvin Dewese

Mr. Dewese appeared before the Board to request that he be allowed to take the barber

exam. He has a criminal background, which includes a conviction for involuntary manslaughter. Mr. Barnes asked Mr. Dewese to explain the circumstances of the incident. Mr. Dewese stated that he was involved in an altercation in which an individual lost his life. He served his term and is now on parole.

Ms. Dantzler asked Mr. Dewese if he had completed the period of intensive supervision required of him. He responded that he was taken off of intensive supervision and electronic monitoring one month after he was released.

Mr. Evans asked Mr. Dewese if the incident for which he was charged occurred in a barbershop or the parking lot of a barbershop. He answered that it did not.

MOTION

Mr. Robinson moved to approve Mr. Dewese to sit for the exam and, upon passing the exam, allow him to be licensed for a five year probationary period, during which time he submit to the Board, at his expense, an annual SLED report.

Public Comments

Alphonso Houston asked if the student application includes the question regarding the criminal background. Ms. Dantzler answered that it is on the application and an applicant would be notified by staff to appear before the Board in such circumstances.

Executive Session

The Board entered into Executive Session at this time. T

Return to Public Session

The Board returned to Public Session. No motions were made and no votes were taken in Executive Session.

October 2005 DRC Report

Mr. Blackmon presented to the Board the DRC Report for October 2005 and the Inspection Report for August and September 2005.

MOTION

Mr. Evans made a motion, seconded by Mr. Robinson, to approve the DRC Report and Inspection Report presented by Mr. Blackmon. The motion carried.

Ja'ki Bennon

MOTION

Mr. Evans moved to allow Mr. Bennon to complete 65 hours of instruction by letter amending his student permit. Mr. Robinson seconded the motion, which carried.

Marwin McKnight, Beaufort-Jasper A.C.E

MOTION

Mr. Evans moved to grant third student permits to Kendrick Drake, Carl Jones, Deidrik Anthony and Morgan Mitchell. Mr. Robinson seconded the motion and it carried.

Adjournment

MOTION

There being no further business, Mr. Evans moved to adjourn the meeting. Mr. Robinson seconded the motion, which carried.