

MINUTES
South Carolina Board of Barber Examiners
Board Meeting
9:00 AM, April 14, 2008
Synergy Business Park, Kingstree Building
110 Centerview Drive, Conference Room 108
Columbia, South Carolina

Meeting Called to Order

Edwin Barnes, chairman, of Lexington, called the regularly scheduled meeting to order at 9:00 a.m. Other members present for the meeting included: Paul Robinson, vice chairman; of Orangeburg; Frederick Evans, of Columbia; and Renee Patton of Inman.

Staff members participating in the meeting included: Ronnie Blackmon, Inspector; Sharon Dantzler, Deputy General Counsel, Office of General Counsel; Sandra Dickert, Administrative Assistant; George Barr, Inspector; Lisa Hawsey, Assistant Administrator; Eddie Jones, Administrator; and Glinda Legette, Administrative Specialist.

Members of the public attending the meeting included: Kalim Al-Wajid, Patricia Durkin, Vadis Greene, Tyrone Hutchinson, LaTonya LaGroom, Jodie McCord, Seniqua McPherson, Jeffrey Rivers, Sherry Rivers, Shaun Singleton, Rebecca Pinkney-Thomas, Jermaine Thomas and John Ware.

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 recited the Pledge of Allegiance

Approval of Excused Absences

Marion Tew, of Taylors, was not present for the meeting.

Approval of the February 11, 2008 Meeting Minutes

MOTION

Dr. Evans made a motion, seconded by Mr. Robinson and unanimously carried, that the Board approve the minutes of the February 11, 2008 meeting as presented.

Chairman's Remarks - Edwin Barnes

Mr. Barnes stated he attended a meeting sponsored by the national board in February 2008. He further stated the national board will hold its annual meeting in September 2008 in Washington, DC. He went on to say the national board is working toward having Congress approve a postage stamp honoring barbers.

Administrator's Remarks, For Information – Eddie Jones

Advisory Opinions, If Needed, Office of General Counsel

There were no advisory opinions given during this meeting.

Legislative Update, If Needed, Legislative Liaison Office

Mr. Barnes stated he and Mr. Jones have been working to amend a bill working its way through the State Legislature that would allow barbers to work in salons with cosmetologists. He further stated legislation passed within the past few years that allows cosmetologists to work in barber shops.

Mr. Jones stated the amendment to Bill H.4022 will be heard by the full committee in a meeting scheduled for 2:00 p.m., Tuesday, April 15, 2008.

Inspection Report

Mr. George Barr stated staff conducted 143 inspections on barber shops in February 2008 and during March 2008 staff conducted 119 inspections on barber shops. He noted staff has conducted 1,038 inspections since July 2008.

Unfinished Business

1. Approval of School Application
J & J Barber Academy

The Board reviewed and discussed a barber school application in regard to J & J Barber Academy during the February 11, 2008 meeting. Ms. Patton contacted staff prior to this meeting and stated she had question in regard to this matter and asked that application be placed on this agenda. Staff had also discovered that the Board did not take action in this matter during the February 2008 meeting.

Seniqua McPherson and John Ware appeared before the Board at this time.

Ms. Patton stated she had conducted an inspection on the school and had concerns on a door connecting the school to the barber shop.

Ms. McPherson stated an inspection was conducted on the school. She went on to say she received notification to appear before the Board during this meeting; however, she was not informed of what would be addressed during this meeting.

Mr. Ware stated the door between the barber shop and the school has been removed and the wall has been resurfaced. He further stated the inspector has been back to the school and was satisfied with the changes. He noted he believes that was the only issue. He went on to say there is only one instructor for the school. He said there are no longer any OJT students in the barber shop and that the school's name has been resolved.

Ms. Patton stated she could conduct an inspection on the school following today's meeting.

Mr. Robinson stated the more pressing issue was the instructor of record. He went on to say the individual listed as the main instructor for the school was also listed as the OJT instructor for the barber shop. He went on to say Mr. Ware could not be the school instructor as well as the OJT instructor.

Ms. McPherson noted the number of chairs listed on the application included an extra chair to have on hand should a chair break.

MOTION

Dr. Evans moved the Board approve the school application pending final inspection by the Board. Ms. Patton seconded the motion, which carried unanimously.

2. Approval of Application for Examination and Licensure

Vadis Greene

Mr. Vadis Greene initially appeared during August 2007 meeting during which time the Board questioned the hours listed on his transcript. In subsequent meeting either Mr. Greene or Mr. Al-Wajid could not appear before the Board. His application for the examination was initially brought to the Board for approval due to a criminal background report; however, the Board has taken issue with the transcripts submitted by Mr. Al-Wajid.

Vadis Greene and Kalim Al-Wajid appeared before the Board at this time and offered the following testimony.

Mr. Al-Wajid is the owner and OJT instructor at Makins New Creations in Laurens. He made a mistake on Mr. Greene's initial transcript as he was completing work for Harley's Barber College. He corrected the transcript after which his wife notarized the document. Mr. Greene was then involved in a serious accident and could not attend the December 2007 meeting. Mr. Al-Wajid has a corrected transcript which has not been notarized as Mr. Greene has not been in his presence.

Mr. Robinson stated the issue with Mr. Greene's application has been the transcript. The transcripts reflect that Maxine Al-Wajid signed the transcripts as being Mr. Greene's instructor.

Mr. Al-Wajid does not attempt to push the students to complete the paperwork. He gives the students extra time to complete the paperwork if it is needed. The OJT students receive approximately 40 to 48 hours of practical experience in the barber shop; however, he is not really giving them theory lessons. He allows approximately one hour of class room instruction per day. He has a transcript for Mr. Greene with a total of 1920 hours to present to the Board; however, the transcript has not been notarized as Mr. Greene has not been in his presence.

The Board advised Mr. Al-Wajid to submit a completed transcript, which includes the signature of a notary public. Dr. Evans suggested the Board table this matter to executive session to discuss this matter. He further stated this would allow Mr. Al-Wajid time to have the transcript notarized.

New Business

1. Approval of DRC Report – February 11, 2008

Mr. Barr briefed the Board on the February 11, 2008 DRC Report.

MOTION

Dr. Evans moved the Board approve the DRC Report and the Inspection Report. Ms. Patton seconded the motion, which carried unanimously.

2. Approval of IRC Report – March 20, 2008

Mrs. Dantzler reviewed the March 20, 2008 IRC Report with the Board.

MOTION

Dr. Evans moved the Board approve the IRC Report as presented. Mr. Robinson seconded the motion, which carried unanimously.

3. Approval of Third Student Permit(s)

Jordan Bailey

John A. Cook, II
Exzavia Giles
Marcus Hammond

These individuals had requested in writing to appear before the Board to ask for a third student permit. Staff properly notified these individuals in writing that the Board would hear their requests during this meeting; however, none of these individuals appeared.

LaTonya LaGroom

The Board received a request from LaTonya LaGroom seeking the Board's approval of a third student permit. Staff notified Ms. LaGroom in writing by letter dated March 28, 2008 that the Board would review her request during this meeting and inviting her to attend the meeting to answer any questions the Board members may have regarding her request.

LaTonya LaGroom appeared before the Board at this time and offered the following testimony.

Ms. LaGroom has 1356 hours of OJT training. She attended training at #1 Cuts; however, they were traveling to different schools to train students. She hopes to attend NABS and train under Mary Neal. She last attended OJT classes in April 2006.

Ms. Hawsey stated Ms. LaGroom attended #1 Cuts, the barber school owned by Gregory Fields. She further stated after Mr. Fields' school closed Ms. LaGroom trained at his barber shop; however, she now wishes to return to school.

MOTION

Dr. Evans made a motion the Board grant Ms. LaGroom a third student permit. Ms. Patton seconded the motion, which carried unanimously.

4. **Approval of Application for Examination and Licensure**

Tyrone J. Hutchinson

On February 22, 2008 the Board received a registered barber application for examination and licensure from Tyrone J. Hutchinson. Mr. Hutchinson answered 'yes' to the question asking if he had ever been charged, arrested, indicted, or convicted, pled guilty of, or pled nolo contendere for a violation of any federal, state, or local law (other than a minor traffic violation). His criminal history report reflects misdemeanor charges as well as felony charges of burglary and grand larceny. He was convicted of both charges, however, the burglary was suspended on service and he received five year probation. He was sentenced to five years in jail for the grand larceny charge. Staff notified Mr. Hutchinson by letter dated February 29, 2008 that the Board would review his application during this meeting and that he attend the meeting to answer any questions the Board members may have regarding his application.

Tyrone Hutchinson appeared before the Board at this time and offered the following testimony.

Mr. Hutchinson was living recklessly and was not thinking about his future when he was arrested on the drug charges. He served approximately 18 months in jail and served time on parole. He turned his life around after he got off of parole in 2004 and attended barber school in order to provide a living for his family. He is no longer on probation or parole. None of the incidents for which he was arrested happened in or near a barber shop.

MOTION

Mr. Robinson made a motion, seconded by Dr. Evans and unanimously carried, that the Board grant Mr. Hutchinson the opportunity to take the examination and, upon successful completion,

be granted licensure, that his license be placed on probation for one year, and during his probation that he be required to provide a SLED report to the Board at his own expense.

Jeffrey G. Rivers

On February 29, 2008 the Board received a registered barber reinstatement application from Jeffrey G. Rivers. Mr. Rivers answered 'yes' to the question asking if he had ever been charged, arrested, indicted, or convicted, pled guilty of, or pled nolo contendere for a violation of any federal, state, or local law (other than a minor traffic violation). His criminal history report reflects felony arrests and convictions involving the selling of illegal drugs. Staff notified Mr. Rivers by letter dated March 14, 2008 that the Board would review his application during this meeting and that he attend the meeting to answer any questions the Board members may have regarding his application.

Jeffrey G. Rivers appeared before the Board at this time and offered the following testimony.

He was released from prison in 2007 and will serve under the federal supervised release program until 2012. He became involved in the wrong crowd after high school, which is what led to the arrests. He attended barber college and obtained licensure and continued to cut hair while he was serving his sentence. He plans to live in the North Charleston area. His parole officer assisted him in being able to attend the Board meeting and will continue his supervised release program in North Charleston. None of the arrests took place in or near a barber shop.

MOTION

Mr. Robinson moved the Board grant Mr. Rivers licensure, that his license be placed on a five year probation period during which time he is to provide a criminal history report to the Board, at his own expense, each year he is on probation.

Shaun Singleton

On April 7, 2008 the Board received a barber assistant application from Shaun Singleton. Mr. Singleton answered 'yes' to the question asking if he had been arrested, indicted, convicted, pled guilty, or pled nolo contendere to violations of any federal, state or local law (other than a minor traffic violation). His criminal history report reflects a felony possession of a stolen vehicle for which he was convicted with time suspended to thirty months of probation. His record also reflects a felony charge of threatening the life of a family member for which he was also convicted. He was also charged and convicted of possession of a pistol by a felon and possession with intent to distribute drug paraphernalia. Staff notified Mr. Singleton by letter dated April 7, 2008 that the Board would review his application during this meeting and that he attend the meeting to answer any questions the Board members may have regarding his application.

Shaun Singleton appeared before the Board at this time and offered the following testimony.

Mr. Singleton is applying for a shampoo assistant license to allow him to work while he is attending barber school. He has realized his mistakes and wants to become a productive member of society. He is currently enrolled in school in Johnsonville. He is not on parole or probation. None of the offenses occurred in or near a barber shop.

MOTION

Mr. Robinson moved the Board allow Mr. Singleton to take the exam and, upon successful passage, that he be granted licensure with one year probation during which time he is to provide

the Board with a criminal history report at his own expense. Dr. Evans seconded the motion, which carried unanimously.

Jermaine Thomas

The Board has received a registered barber reinstatement application from Jermaine Thomas. Mr. Thomas answered 'yes' to the question asking if he had been arrested, indicted, convicted, pled guilty, or pled nolo contendere to violations of any federal, state or local law (other than a minor traffic violation). His criminal history report reflects charges and convictions including illegal possession of a firearm, assault of a high and aggravated nature, criminal domestic violence, and simple assault. Staff notified Mr. Singleton by letter dated April 7, 2008 that the Board would review his application during this meeting and that he attend the meeting to answer any questions the Board members may have regarding his application.

Jermaine Thomas appeared before the Board at this time and offered the following testimony.

Mr. Thomas wants to provide for his family and to be with his children. He made mistakes in the past and is now on probation through 2009. He first became licensed in 1997 or 1998. He has a job. None of the arrests or charges occurred in or near a barber shop.

MOTION

Mr. Robinson made a motion, seconded by Dr. Evans and unanimously carried, that the Board allow Mr. Thomas to take the examination, and after successful passage, that he be granted licensure with three years probation during which time he is to provide a criminal history report each year at his own expense.

5. Approval of Barber School Application
 - a. *Heyward Career and Technology Center*
 - b. *C. A. Johnson Preparatory Academy*

On March 10, 2008 the Board received a barber school application from Heyward Career and Technology Center. The school was notified in writing by letter dated March 14, 2008 that the Board would review the application during this meeting.

Sherry Rivers and Rebecca Pinkney-Thomas appeared before the Board at this time.

Mr. Robinson stated it is his understanding that the school has a cosmetology program and is now seeking approval for a barber program and a hair braiding curriculum. Ms. Pinkney-Thomas stated the hair braiding curriculum would be offered at C. A. Johnson High School. She went on to say the cosmetology program is offered at Heyward Career and Technology Center.

Mr. Robinson stated he has no problem with the barber program at Heyward Career and Technology Center.

On April 10, 2008 the Board received a barber school application from C. A. Johnson Preparatory Academy. The application included a schematic as well as the curriculum to be used for hair braiding classes as well as master hair care classes.

Kathy Greer, C. A. Johnson High School Principal, appeared before the Board at this time and offered the following testimony.

Ms. Greer stated the instructor C. A. Johnson High School has chosen to hire to teach the braiding curriculum is a licensed cosmetologist as well as a master hair care specialist. She went on to say the school has slated a classroom as well as a lab.

Mr. Robinson stated the hair braiding curriculum has been approved under the auspices of the Barber Board. He further stated the hair braiding curriculum he has reviewed is well beyond the scope of the statute that governs braiders and barbers. He went on to say the curriculum is a cosmetology program and believes the school would have no problem having the curriculum approved by the Cosmetology Board. He noted the hair braiders governed by the Barber Board deal with natural hair only and cannot handle hair extensions. He informed Ms. Greer that the Board cannot approve the curriculum as comprehensive as it is and that the statute was not designed to teach students how to braid hair. He said the school could teach a one-day course as pursuant to the statute.

MOTION

Dr. Evans made a motion, seconded by Mr. Robinson and unanimously carried, that the Board approve this application pending inspection by a Board member and a staff inspector.

Discussion Topic

1. Master Hair Care Statute in Regard to Performing Skin Care and Use of Mechanical Devices – Patricia Durkin, Seven Doors. . .A City Salon

On February 20, 2008 the Board received a letter from Patricia Durkin seeking to discuss with the Board the statutes pertaining to performing skin care and the use of mechanical devices under the auspices of master hair care specialist. On March 27, 200 Ms. Hawsey received an electronic mail (e-mail) from Patricia Durkin asking the Board for clarification on practicing and teaching facials, as a master hair care specialist, (including the use of mechanical appliances, facial shaving, haircuts, hair color, permanent waving, natural manicures, facial waxing, cosmetic and makeup application, facial tinting and trimming, straightening and relaxing the hair, extension and hair replacement. She also asks who can perform pedicures. Staff notified Ms. Durkin by letter dated March 31, 2008 that the Board would be discussing this matter during this meeting and invited her to attend the meeting.

Patricia Durkin and Jodie McCord appeared before the Board at this time.

Ms. Durkin and Ms. McCord stated they are seeking clarification on Section 40-7-20, which states the definition of barbering. They are specifically interested in clarification on 'giving facial or scalp massages or treatments with oils, creams, lotions, or other preparations, either by hand or mechanical appliances' as defined in Section 40-7-20.

Mr. Barnes stated master hair specialists cannot perform anything other than rolling cream massages or use a vibrator to massage the face after a shave. He further stated microdermabrasion can only be performed by licensed estheticians and cannot be performed by a master hair care specialist.

Mrs. Dantzler stated Barber Board does not have authority over the scope of practice of estheticians. She further stated the scope of practice of estheticians is of some discussion by the Medical Board and the Board of Cosmetology.

Mr. Robinson noted that microdermabrasion was developed after the barber statutes were written.

Discussion ensued regarding rewriting the statute to include the use of mechanical devices and to increase the curriculum to include the use of mechanical devices.

Public Comments

There were no public comments made during the April 14, 2008 meeting.

Executive Session

MOTION

Dr. Evans moved the Board enter executive to seek legal advice. Mr. Robinson seconded the motion, which carried unanimously.

Return to Public Session

Mr. Barnes noted for the record that no official action was taken during executive session.

Vadis Greene

MOTION

Mr. Robinson made a motion, seconded by Mr. Evans and unanimously carried, that the Board allow Mr. Greene to take the exam and, upon successful completion, that he be granted a license which is to be placed on five years probation during which time he is to provide the Board with a SLED Report each year at his own expense.

Kalim Al-Wajid

MOTION

Mr. Evans moved the Board place Mr. Al Wajid's OJT instructor's license on probation for one year during which time he cannot teach OJT students, that he maintain proper record keeping once he resumes teaching, and that he not certify any document that is not correct. Mr. Robinson seconded the motion, which carried unanimously.

Election of Officers

MOTION

Mr. Evans made a motion, seconded by Mr. Robinson and unanimously carried, that the Board postpone the election of officers to the June 2008 Board meeting.

Adjournment

MOTION

There being no further business to be discussed at this time Mr. Evans made a motion, seconded by Mr. Robinson and unanimously carried, that the meeting be adjourned.

The April 14, 2008 meeting of the SC Board of Barber Examiners meeting adjourned at 11:40 a.m.