

**South Carolina Board of Barber Examiners
Board Meeting
9:00 a.m., October 9, 2017
Synergy Business Park
Kingstree Building
110 Centerview Drive, Conference Room 108
Columbia, South Carolina 29210**

1. Meeting Called to Order

- a. Public notice of this meeting was properly posted at the S. C. Board of Barber Examiners office, Synergy Business Park, Kingstree Building 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.
- b. Rules of the Meeting
- c. Pledge of Allegiance

2. Introduction of Board Members and All Other Persons Attending

Chairman Paul E. Robinson called the meeting of the S.C. Board of Barber Examiners to order. Other Board members participating in the meeting included:

- ❖ Renee Patton
- ❖ Dr. Frederick Evans
- ❖ Edwin Barnes

Other persons in attendance included:

Theresa Brown, Administrator; Mary League, Advice Counsel; Shalon Genwright, Staff; Eric Thompson, Office of Investigations and Enforcement (OIE); Sharon Wolfe, Office of Investigations and Enforcement (OIE); Tracey Perlman, Office of Disciplinary Counsel (ODC); Jennifer Stillwell, Office of Investigations and Enforcement (OIE); Tina Behles, Court Reporter

3. Approval of Excused Absences

N/A

4. Approval of Agenda

Dr. Frederick Evans made a motion to approve the agenda and it was seconded by Mr. Edwin Barnes. The motion carried.

5. Approval of Meeting Minutes

August 14, 2017

A motion was made by Mr. Edwin Barnes to approve the meeting minutes from August 14, 2017, and it was seconded by Ms. Renee Patton. The motion carried.

6. Chairperson's Remarks – Paul E. Robinson – A moment of silence was given for the victims of the hurricanes of the Caribbean and the Las Vegas shooting.

Chairperson Robinson acknowledged the NABBA conference and the immediate past president, Ms. Renee Patton, who did a fantastic job. Each board member attended, as well as the Administrator. This has been the best conference they have had and very good responses were given from instructors. Mr. Robinson was elected to serve as the third president for the upcoming year. It is important to grow, support, and develop this organization nationwide with facing deregulation and the emphasis to undercut this profession.

Ms. Patton thanked everyone and stated that it is rare for three members from a state board to sit on a national board, which is a very good thing.

7. Administrator's Remarks, For Information – Theresa N. Brown

- a. **Budget** – For Information – Ms. Laura Pace, Finance Director, attended the meeting to answer any questions that the board members had. Dr. Evans inquired about the deficit the board currently has. When the state made the mandate to pull funds from all state agencies, a negative balance was seen in the board's budget. He asked if the board carried any liability for the budget, as it has been negative for

every board meeting. He is concerned about the negative balances and just wanted an overview or explanation of the budget. Ms. Pace stated that the board has run a deficit for several years that built up during the recession as legislation took funds away to balance the budget for the entire state. We are coming out of the deficit. The agency has gotten a new agency director and have reduced indirect costs for almost one million dollars for all of the boards on last year. The Board of Barber Examiners is running a positive as they are only \$30,000 in the deficit and are continuing to come out. The agency tries not to increase fees for the licensees. Mr. Barnes asked about fines/drawdowns. The fines go downtown to a fund that is held separately, but they can reduce legal fees and OIE charges to bring them in by working with the Comptroller General and treasurer's office. Last year, they were slow in approving them. It is only done once a year (drawdowns).

- b. **OIE Report** – For Information - Sharon Wolfe – The report is from January to September 29th. There have been a total of 106 complaints and 130 complaints have been closed so far. Unlicensed practice holds the largest number of complaints. Ms. Patton mentioned a barbershop that is still being run after the owner and/or manager has passed away. Ms. Theresa Brown, Administrator, let Ms. Patton know that she could file a complaint online. Dr. Evans asked about the “other/not classified” issues. Those consist of online complaints that have not been reviewed. When the numbers are run, those issues show up.
- c. **IRC Report** – For Approval - Sharon Wolfe - Ms. Patton made a motion to approve the IRC report and it was seconded by Dr. Evans. The motion carried.
- d. **ODC Report** – For Information – Tracey Perlman
 - 26 (Open cases)
 - 4 (Pending action)
 - 24 (Closed since August 10)

The majority of the hearings are on late reports. She has tried to explain to respondents that a reduction has only been seen once after several hearings, but they state that they are not paying a fine unless the board tells them to.

- e. **Inspection Report** – For Information – Eric Thompson – The inspection reports are for the month of August and September. In August, 133 inspections were conducted. 94 inspections were conducted in September. The working hours are placed on the application, but there are times the barbershop is closed when the inspectors arrive. The inspectors do not want to call the venue prior to the inspections, so they haven't had any luck in that area. Mr. Robinson asked about school inspections. Ms. Jennifer Stillwell responded stating that they do not schedule those inspections. It is a surprise when they walk in. A report that is comparable with the barbershop inspections has been asked for when it comes to school inspections. This is to be presented at the board meeting. There have been problems counting hours for OJT students and those enrolled in schools. They try to educate on the hours. Vocational schools are doing well. The instructors go above and beyond in some vocational schools by working on Saturdays. The opportunity is there, whether the students take the opportunity is up to them. There are 8 inspectors that currently inspect barbershops. They try to get to each school and barbershop at least once a year, unless a complaint is made. Dr. Evans inquired about compliance. Mr. Eric Thompson stated that once the license is issued, that barbershop should be in compliance. The inspectors have the discretion whether to educate them or bring the issue back to go before the board. For the most part, most of the barbershops are in compliance.

8. Old Business

There was no old business.

9. New Business

a. Consideration of Barber Instructor Examination Scores

A candidate information bulletin was seen in the board members' materials. A new barber instructor examination was implemented on October 1st, where the pass rate of 75 is recommended. The current pass rate is 70. The examination includes the practical and theory application of teaching methods. The board is also interested in a Methods of Teaching course as well, but that would be a statutory change. The intent is to increase the competence of the instructors. Ms. Patton suggests that this will cause the barbers to step up their game more. It gives them more incentive to be better and to create a better barber. Higher standards are needed. Dr. Evans commented that the increase may keep the field

smaller, eliminating competition. The statistics were not given on the pass rate.

Ms. Patton made a motion for the examination score to be 75 for the passing rate of Barber Instructors and it was seconded by Chairperson Robinson. Mr. Barnes abstained from voting, so this issue was deferred until later in the meeting.

Ms. Patton made a motion to defer the agenda item until later that morning and it was seconded by Mr. Barnes. The motion carried.

Ms. Patton made a motion to withdraw her motion and it was seconded by Mr. Barnes. The motion carried.

Upon coming back to this agenda item, Ms. League clarified that any board member can abstain and it will still count towards a quorum in the majority vote of the board in a non-disciplinary matter. By statute, the public member is not allowed to examine a candidate for licensure, but could vote in this matter.

Ms. Patton made a motion for the approval of the Barber Instructor's passing grade to be a minimum of 75. The motion was seconded by Chairperson Robinson and it carried.

Ms. Theresa Brown is to instruct NIC to give a pass/fail rate for the Barber Instructors examination, as well as the other examinations. A monthly report was needed on the OJT versus students enrolled in a school as far as their licensure and pass/fail rate.

b. Application Hearings

i. Taurus Phillips

Mr. Phillips is seeking approval to upgrade from Apprentice to Registered Barber licensure with a criminal background record. His probation ends in 2019. Mr. Phillips takes full responsibility of everything on his record and provided extensive information stemming from the Code of Laws, statistics, being a generational entrepreneur, and the work he has conducted within several communities. His intent is to work in Washington, D.C., but is home in South Carolina often where he wants to be able to work when in South Carolina. His passion is to make an economic difference.

Dr. Evans made a motion to approve Mr. Taurus Phillips's upgrade and for it to run concurrent with his probation. He is to submit a SLED report to the board upon the renewal of his license. The motion was seconded by Mr. Barnes and it carried.

ii. Tamaara J. Werts

Ms. Werts is seeking approval to reinstate her Hair Braider license with a criminal background record. She made a mistake and has paid her debt to society. Mr. Barnes inquired about one charge. She was also made aware that she was not able to do hair at home.

A motion was made by Mr. Barnes to go into an executive session for legal advice and it was seconded by Ms. Patton. The motion carried.

Mr. Barnes made a motion to come out of executive session and it was seconded by Ms. Patton. The motion carried.

Ms. Patton made a motion for the approval of reinstatement of licensure for Ms. Werts, so that she may do things the right way. Dr. Evans seconded the motion and it carried.

iii. Cornelius Summers, Sr.

Mr. Summers is seeking approval to gain his Master Hair Care Apprentice license with a criminal background record. He has already passed the practical and theory examinations. Mr. Summers was in the military for over 14 years and lost his career and ability to continue serving his country.

He has received rehabilitative services and has written a book and on his way to attaining his Bachelor's degree. This profession is near and dear to his heart.

A motion was made by Ms. Patton go into an executive session to garner legal advice. The motion was seconded by Mr. Barnes and it carried.

Ms. Patton made a motion to come out of executive session and it was seconded by Dr. Evans. The motion carried.

Dr. Evans made a motion that Mr. Summers's application be deferred pending the receipt of a copy of his SLED criminal report at his own expense from the time in which his probation ended with the United States (December 2015) military up to the present date. This motion was seconded by Ms. Patton and it carried.

Mr. Summers will be on the next agenda.

iv. Sergio Mealing

Mr. Mealing is seeking approval to renew his Registered Barber license with a criminal background record and board order. He was at the wrong place at the wrong time and has spent a lot of unnecessary time and money fighting this charge. Mr. Mealing is refusing probation as he has nothing to do with the charge.

Dr. Evans made a motion to defer the approval of renewal of licensure for Mr. Sergio Mealing, pending the outcome of the Georgia charge. This motion was seconded by Ms. Patton and it carried. A SLED report must also be obtained for that board meeting as well.

As soon as that charge is settled, Mr. Mealing may get back on the agenda.

v. Ryan L. Pyle

Mr. Pyle is seeking approval to reinstate his Registered Barber license with a criminal background record, along with a board order. All pending charges has been disposed of and dealt with. All documentation has been provided. He has kept himself out of trouble and is not on probation currently. Restitution has been paid, which caused him to be off of probation immediately. Documentation from the Department of Probation, Parole, and Pardon Services were given. Mr. Pyle stated that he should have nothing on record with any South Carolina agency. He cannot have any direct contact with the victims. He explained the "PTUP" means "Probation Terminated Upon Payment" and that the handwriting was that of the Clerk of Court.

Ms. Patton made a motion for Mr. Ryan Pyle's license to be reinstated. The motion was seconded by Dr. Evans and it carried.

c. Consideration of New Barber College

i. Millers Barber Academy

Mr. Elliot Miller represented Millers Barber Academy and is seeking permission to open a new barber school. He has invested everything in trying to open this school and has a genuine desire to teach. He no longer wants to see unlicensed barbers in his area. He is a Dudley product distributor and wants to teach and show people the proper way to take care of their hair. Mr. Curtis Ingram will also be an instructor at the school. His enrollment date is set for October 15th and has everything required. He will need new books, but has the essentials. The regulations were discussed as he wants to grant crossover hours as well. Prior to the school opening, Mr. Miller must correct his proposed curriculum as he will not offer a 375 hours program for cosmetologists to crossover to barbering. Clarification is needed that the 150 hours program that he wants to offer at the school is for cosmetologists with greater than two (2) years of experience. Dr. Evans stated that Mr. Miller must get with Mr. Ingram to get the curriculum cleaned up.

The inspector may visit the school on the 10th.

A motion was made by Ms. Patton to approve the licensure of Millers Barber Academy on the contingency of the verbiage being changed for the curriculum and pending the inspection of the school. The motion was seconded by Dr. Evans and it carried.

The board went back to agenda item, 9. a.

d. Consideration of Reciprocity

i. D'arcy Blankenship

Mr. Blankenship is seeking approval to become a Registered Barber in the state of South Carolina via reciprocity. His wife, Ms. Linda Blankenship, served as a witness.

Mr. Blankenship is coming from the state of Virginia and has been in the barbering field for 52 years. He has worked for himself for 37 years. This is a profession to him, not just a job, and he would love to keep on working. He relocated to South Carolina in April.

Ms. Patton made a motion for the approval of reciprocity for Mr. D'arcy Blankenship's licensure as a Registered Barber. The motion was seconded by Mr. Barnes and it carried.

10. Hearings – Tracey Perlman

i. 2017-2

This hearing was in the matter of Mr. Abdul Johnson, who was not present, but was duly served with the notice of the hearing. This stemmed from an appeal on a fine for late reports. September hours were received on November 1, 2016.

A five (5) minute break was given.

Ms. Perlman was expecting the respondent to be present and did not subpoena any staff members to attend the meeting. She asked that the matter be continued until the December meeting. There were no objections from the board members.

11. Discussion

In the area of deregulation, the state of Florida is having a hearing this morning, House Bill 15, that is aimed at reducing the required clock hours for barbering from 1,200 to 600 for a full barber license and from 1,200 to 325 for a restricted barber license (without doing chemical work). Louisiana, South Carolina, Mississippi, Georgia, Arkansas, and Washington, D.C. all require 1,500 hours. Alabama requires 1,000 hours. The CEO of NABBA is attending that hearing and it was requested that a letter be written on behalf of the Board of Barber Examiners in South Carolina recommending that they do not reduce the hours as it would impact public health and safety, as well as possibly impacting reciprocity and endorsement within states mentioned. The other states are responding in the same way.

A motion was made by Chairperson Robinson to go into executive session and it was seconded by Ms. Patton. The motion carried. This was advised by Ms. League.

Ms. Patton made a motion to come out of executive session and it was seconded by Mr. Barnes. The motion carried. Profound legal advice was received.

12. Board Member Reports

N/A

13. Public Comments

Chairperson Robinson stated that a schedule was needed to review the statutes. He and Ms. Patton will be on that task force committee. Some association members and stakeholders should be on the committee as well. Mr. Barnes stated that they need to ensure that the stakeholders were not only from Columbia and that they were aware that they would not get paid for their services.

Mr. Barnes made a motion to set a task force committee to review the statutes. The motion was seconded by Ms. Patton and it carried.

They are also in search of a new location for the practical examination. Recommendations will be taken for adequate facilities that hold sinks and chairs to make it easier for the live shave. They have agreed to rotate the examination across the state. PCS (testing agency) incurs the costs for the venues.

The next conference (regional) will be held in Savannah, Georgia. Ms. Brown needs the regional conference information, so that it may be voted on in December. It is usually during the third week in February. The next NABBA conference will be held in Kansas, Missouri.

The scheduling of a meeting with an NIC liaison was also discussed.

14. Adjournment

Dr. Evans made a motion to adjourn the meeting and it was seconded by Ms. Patton. The motion carried.

The meeting adjourned at approximately 12:45 p.m.

The next meeting of the S.C. Board of Barber Examiners is scheduled for December 11, 2017.