

**South Carolina Board of Barber Examiners
Board Meeting
9:00 a.m., August 12, 2019
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

Chairperson Paul Robinson called the meeting of the S.C. Board of Barber Examiners to order at 9:03 a.m. Other Board members participating in the meeting included:

- ❖ Renee Patton
- ❖ Christopher Jarvis (via telephone)

Other persons in attendance included: Theresa Brown, Administrator; Mary League, Advice Counsel; Shannon Beaudry, Staff; Eric Thompson, Office of Investigations and Enforcement (OIE); Charles S. Gwynne, Jr., Office of Disciplinary Counsel (ODC); Rodney Pigford, Office of Investigations and Enforcement (OIE); Robin Dunn, Court Reporter

3. Approval of Excused Absences

Ms. Renee Patton made a motion to excuse the absence of Dr. Frederick Evans and it was seconded by Chairperson Paul Robinson. The motion carried.

4. Approval of Agenda

Ms. Patton made a motion to approve the agenda for the meeting and it was seconded by Chairperson Robinson. The motion carried.

5. Chairperson's Remarks – Paul E. Robinson – Chairperson Robinson had no remarks for this meeting.

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

- a. **Budget/Drawdowns** – For Information – The budget was for information purposes only. It was noted that the budget deficit has been significantly reduced after the license renewal period.
- b. **OIE Report** – For Information – Rodney Pigford - The OIE report is for cases from January 1, 2019-July 30, 2019. Since January, 17 cases have been closed. There are currently twenty (20) active investigations, eleven (11) complaints referred to the Inspection Unit, seven (7) cases marked as Do Not Open, one (1) case pending board action, and one (1) case pending IRC.
- c. **IRC Report** – For Approval – Rodney Pigford – The IRC report is dated July 31, 2019. There was one (1) case dismissed due to insufficient evidence. Ms. Patton made a motion to approve the IRC report and it was seconded by Mr. Jarvis. The motion carried.
- d. **ODC Report** – For Information – Charles S. Gwynne, Jr. – Currently, there are 9 open cases.
 - 3 (pending actions)
 - 3 (pending consent agreement/memorandum of agreement)
 - 3 (ready for hearings)

Since the last ODC report, three (3) cases have been closed.

- e. **Inspection Report** – For Information – Eric Thompson - In June, there were 118 barber shops inspected. In July, there were 214 barber shops inspected. So far for the calendar year, there have been 935 barber shops inspected.

The IRC Inspection Report was presented to the Board for approval. There were eight (8) cases marked for Cease and Desist for unlicensed practice and three (3) cases were presented to the IRC for recommendation of Consent Agreement.

Ms. Patton made a motion to accept the IRC Inspection Report. The motion was seconded by Mr. Jarvis and it carried.

- f. **Legislative Updates**

There are no legislative updates. The new legislative session will begin in January.

7. **Old Business**

At the last meeting, board members were asked to provide recommendations for alternates for the Disciplinary Council. Ms. Theresa Brown stated that she has received some names but asked that additional recommendations be provided before the October board meeting.

8. **New Business**

- a. **Consideration of Student Permit**

- i. **Geno Curtis White**

Mr. White was seeking approval for a second Barber Student Permit with a criminal background. The first time he held a student permit, the question regarding criminal history was not on the application but is now. Mr. White has been on probation since September 2018 with no issues and will be on probation until 2021.

He is a student at Howard's Barber and Styling College and currently has 1226 hours. His instructor, Kenyatta Grimage, spoke in support of Mr. White's application.

Ms. Patton made a motion to grant Geno Curtis White a second Barber Student Permit. While Mr. White is on probation, his student permit will be on probation and the Board should receive a yearly SLED report while he is on probation. The motion was seconded by Mr. Jarvis and it carried.

- ii. **Ticobie Cathcart**

Mr. Cathcart was seeking approval for a third On-the-Job Training (OJT) Student Permit with a criminal background. Mr. Cathcart is currently on probation and has 553 training hours on file with the Board.

Jabora Lyles, owner of Clean Cutz in Spartanburg, appeared before the Board in support of Mr. Cathcart's application.

Ms. Patton made a motion to grant Ticobie Cathcart a third Student Permit and it was seconded by Mr. Jarvis. The motion carried.

- iii. **Michael Rashawn Holmes**

Mr. Holmes was seeking approval to obtain a third On-the-Job Training (OJT) Student Permit. He held two previous student permits, one of which was cancelled by the student, the second of which was cancelled by the instructor.

Chairman Robinson expressed concern about the brevity of the previous training hours (332 hours total). Mr. Holmes stated that he is in a more stable situation and that he would like to go back to one of his previous trainers. Mr. Jarvis emphasized that because Mr. Holmes has so many hours left that he would need to do OJT fulltime to complete his hours before his permit expires.

Ms. Patton made a motion to approve Michael Rashawn Holmes to receive his third Student Permit and it was seconded by Mr. Jarvis. The motion carried.

iv. Christopher Haynes

Mr. Christopher Haynes was seeking approval to obtain a second Barber Student Permit with a criminal background. Mr. Haynes has been on probation since August 10, 2017.

Dr. Robinson recused himself due to a student/teacher relationship with the applicant. The recusal resulted in failure to meet a quorum. After discussion with the applicant and the Board, it was decided that Mr. Haynes's application will be handled with staff.

b. Consideration of a New Barber College

i. Heyward Career and Technology Center

Heyward Career and Technology Center applied to relocate their classroom from a portable classroom to a brick and mortar classroom. No representative from Heyward Career and Technology appeared. The Board was given all of the application materials and considered the application in their absence.

The instructors on record are Tony Holloman and Jessica Veerapen. The new classroom will also be where examinations are held.

Ms. Patton made a motion to approve Heyward Career and Technology Center to relocate from a portable classroom to a permanent classroom upon inspection from the Board. Mr. Jarvis seconded the motion. The motion carried.

c. Hearings – Charles S. Gwynne, Jr.

i. 2018-115

This case was in the matter of Charles Maxwell who was not present at the hearing. Mr. Maxwell was properly noticed and the Board proceeded with the case in his absence. Mr. Maxwell was the owner and manager of CJ's Barber & Styling in Charleston. In September 2018, a routine inspection revealed several sanitation issues. Two follow-up inspections were done after that and conditions had improved.

Ms. Patton made a motion to go into an executive session to garner legal advice on this case and it was seconded by Mr. Jarvis. The motion carried.

Ms. Patton made a motion to come out of executive session and it was seconded by Mr. Jarvis. The motion carried. There were no motions made or votes taken

during the executive session.

Ms. Patton made a motion that the State has proven their case in this matter in regards to all violations and that Charles Maxwell (BRB. 945) should receive the following sanctions: a \$500 fine and issuance of a public reprimand. The motion was seconded by Mr. Jarvis and it carried.

d. Discussion Regarding Questionable Testing Practices

Zoraida Harley appeared before the Board to present concerns that she and other instructors have about the testing provider. She asked that the Board consider selecting a different testing provider and provided examples of issues she has had with Professional Credential Services (PCS). These include: PCS never giving a confirmed testing date after students were approved to test, questionable customer service practices, and being told by PCS that barbers were examining master haircare specialists.

Other instructors who spoke to the Board about their issues with the testing provider included:

Marwin McKnight stated that he has had students fail and PCS did not provide sufficient proof of why they failed. He also stated that he has seen a marked increase in failure rates.

Elana Boyd Pea stated that she had an outside cosmetology instructor evaluate her students' readiness; that instructor felt that the students were ready for the exam, but a lot of the students still failed. Another issue was that one student was given three different exam scores with no explanation.

Kenyatta Grimage expressed concern about the integrity and reputation of their school based on the failure rate of their students and would like to know what action the Board is taking to address the instructors' concerns.

Mary Neal shared one incident where an examiner incorrectly told one of her students to throw away a comb. Ms. Neal emailed PCS about the situation and was told that the examiner was in fact incorrect and now Ms. Neal wonders what other points her students have incorrectly lost.

Dinah Shaw shared one incident where her student took a model with her to her exam but because the model did not sign in, the student did not pass.

The question was raised of whether rubrics could be provided to instructors and whether exam sessions could be recorded.

Chairperson Robinson thanked everyone for coming forward to share their concerns. He acknowledged that the Board is aware of the reduction in pass rates and that these concerns are being taken seriously. Finally, he stated that the Board will work with the provider on these issues and encouraged instructors to attend overviews.

Theresa Brown asked that whenever an instructor contacts PCS to copy her on these communications so that she can forward concerns to LLR leadership.

9. Board Member Reports

The National Association of Barber Boards of America (NABBA) conference will be on September 14-19, 2019 in Reno, Nevada. The labs at this conference will focus on instructors and businesses. Chairperson Robinson, Ms. Patton, and Ms. Brown will be attending.

The Task Force Meeting to look at the statutes will occur immediately after the board meeting.

10. Discussion

There was no discussion.

11. Public Comments

A question was raised as to when applicants granted their permits at the board meeting would receive their permits. Ms. Brown stated that they could work with staff that day to get them.

Catherine Kelley asked what is required of barbers after they have retired. Ms. Brown stated that retirees would continue to pay for their renewals if they want to keep their licenses active.

12. Adjournment

A motion was made by Ms. Patton to adjourn the meeting and it was seconded by Mr. Javis. The motion carried. The meeting adjourned at 11:09 a.m.

The next meeting of the S.C. Board of Barber Examiners is scheduled for October 14, 2019.
