

South Carolina Board of Barber Examiners
Board Meeting
Agenda
9:00 a.m., December 14, 2020
Via Teleconference

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. In accordance with the Governor's directives regarding social distancing, the meeting will be held via teleconference. Due to technical constraints, members of the public who wish to attend may do so by telephone.
- b. Rules of the Meeting

2. Introduction of Board Members

Chairperson Paul Robinson called the meeting of the S.C. Board of Barber Examiners to order at 9:10 a.m. Other Board members participating were:

- ❖ Christopher Javis
- ❖ Renee Patton

Staff participating included: Theresa Brown, Administrator; Mary League, Advice Counsel; Shannon Beaudry, Staff; Patrice Deas, Staff; Shayla Hayes, Office of Disciplinary Counsel (ODC); Rodney Pigford, Office of Investigations and Enforcement (OIE); Jennifer Stillwell, Office of Investigations and Enforcement (OIE); and Tina Behles, Court Reporter

3. Approval of Excused Absences

Ms. Patton made a motion to approve the absence of Dr. Frederick Evans. Mr. Javis seconded the motion and it carried.

4. Approval of Agenda

Ms. Patton made a motion to approve the agenda for the December 14, 2020 meeting. Mr. Javis seconded the motion and the motion carried.

5. Approval of Meeting Minutes

October 12, 2020

Ms. Patton made a motion to approve the minutes for the October 12, 2020 board meeting. Mr. Javis seconded the motion and it carried.

October 12, 2020 task force

Mr. Javis made a motion to approve the minutes for the October 12, 2020 task force meeting. Ms. Patton seconded the motion and it carried.

6. Chairperson's Remarks – Paul E. Robinson

There were no remarks for this meeting.

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

- a. **Budget/Drawdowns** – For Information – The budget was presented for information. Mr. Robinson stated that the budget continues to operate in the positive.
- b. **OIE Report** – For Information – Rodney Pigford – The OIE report indicated the number of yearly complaints since 2017. In 2017, there were 123 complaints; in 2018, there were 134 complaints; and in 2019, there were 125 complaints. Since January 2020, there have been 154 complaints, 9 of which are still active.
- c. **IRC Report** – For Approval – Rodney Pigford – The first IRC report is dated November 19, 2020. There were 6 cases for Dismissal, 7 cases for Dismissal – Cease and Desist, 4 cases for Letter of Caution, 8 cases for Consent Agreement, and 1 Case for Reconsideration of Dismissal, for a total of 26 cases.

Ms. Patton made a motion to approve the IRC report dated November 19, 2020. Mr. Javis seconded the motion and it carried.

The second IRC report is dated December 3, 2020. There was 1 Case for Dismissal for Investigations, 7 Cases for Dismissal – Cease and Desist, 2 Cases for Letter of Caution, and 7 Cases for Consent Agreement, for a total of 17 cases.

Ms. Patton made a motion to approve the IRC report dated for December 3, 2020. Mr. Javis seconded the motion and it carried.

d. ODC Report – For Information – Shayla Hayes – As of December 14, 2020, there are 12 open cases:

- 6 (Pending Actions)
- 1 (Pending IRC)
- 3 (Pending Consent Agreement/Memorandum of Agreement)
- 2 (Pending Final Order Hearings/Board Actions)

There have been 7 cases closed since the last report.

e. Inspection Report – For Information – Rodney Pigford – From October until December 2020, there have been 457 inspections completed. The total inspections completed for 2020 is 1,062.

8. Old Business

a. Consideration of Distance Learning During Public Health Emergency

Ms. Brown requested that the Board consider extending their approval of distance learning until the end of June, to be reconsidered at the June board meeting. The same requirements/protocols would be upheld: 100% of theory hours could be done via distance learning and 50% of practical hours could be done via distance learning except for chemical services.

Ms. Patton made a motion to extend the approval of distance learning with the same requirements and protocols until June 30th; this would be reconsidered at the June board meeting. Mr. Jarvis seconded the motion and it carried.

9. New Business

a. Consideration of Student Permit

i. Dennie Duane Anderson

Ms. Patton made a motion to go into closed session for this item. Mr. Jarvis seconded the motion and it carried.

Ms. Patton made a motion to come out of closed session. Mr. Jarvis seconded the motion and it carried.

ii. Kevin T. Tomlin

Ms. Brown stated that this issue has been resolved on the staff level.

iii. Reginald Tyehsaun Brisbon

Mr. Reginald Tyehsaun Brisbon appeared before the Board in regard to his request for a third student permit with a criminal background. He waived his right to an attorney but had his instructor, Mr. Anthony Gibson, appear with him.

Mr. Brisbon currently has approximately 600 hours on file. Mr. Brisbon shared why he had not finished his hours yet. He and Mr. Gibson answered questions from the board.

Mr. Jarvis made a motion to grant Mr. Reginald Tyehsaun Brisbon a third student permit. Ms. Patton seconded the motion and it carried.

iv. Timotheaus S. Washington

Ms. Patton made a motion to go into closed session for this item. Mr. Jarvis seconded the motion and it carried.

Mr. Jarvis made a motion to come out of closed session. Ms. Patton seconded the motion and it carried.

b. Consideration of Licensure

i. Carl Anderson

Mr. Carl Anderson appeared before the Board in regard to his request to be licensed as a Master Haircare Specialist via reciprocity. Mr. Anderson is currently licensed in Virginia but has not worked for some years; as such, he was unable to provide the required affidavits stating he has worked for the past calendar year. This is a requirement for reciprocity according to statute.

Mr. Anderson provided an explanation of why he has not worked in recent years and answered questions from the board.

Per Ms. League, if Mr. Anderson meets the requirements for initial licensure, including the NIC exams, then he can be licensed via initial licensure instead of reciprocity.

Mr. Jarvis made a motion to grant Mr. Carl Anderson his BMH license in SC via initial licensure. Ms. Patton seconded the motion and it carried.

c. Consideration of a New Barber School

i. Baptist Hill High School

Mr. William Harrington and Mr. Michael Dejong appeared before the Board representing Baptist Hill High School in regard to their request to change locations and update their name from Baptist Hill Middle/High School.

Mr. Harrington answered the board's questions about the new location. The location is in the same building but will be in a different part of the building.

Ms. Patton made a motion to approve the location change and name change for Baptist Hill High School. Mr. Jarvis seconded the motion and it carried.

10. Board Officer Elections

Ms. Patton made a motion to nominate Mr. Paul Robinson as board chair. Mr. Jarvis seconded the motion and it carried.

Mr. Robinson made a motion to nominate Ms. Renee Patton as board vice chair. Mr. Jarvis seconded the motion and it carried.

11. Board Member Reports

Ms. Patton stated that NABBA will meet and decide soon whether the mid-Winter conference will be virtual.

Mr. Jarvis stated that he inspected the Heyward Center and Icon Cuts University and both facilities looked good.

Mr. Robinson stated that the OJT overview meetings have been well-attended and well-received. He hopes that they will be able to see the impact of those meetings in the exam pass reports soon. He requested a score report from PSI since PSI took over the exam administration. Ms. Brown stated she will work on getting that report for the board. He also asked if the exam application could be fillable online, and Ms. Brown stated she will work on that.

Mr. Jarvis asked whether board members could reach out to individuals about joining the board. Ms. League stated that board members can direct interested individuals to the governor's office.

12. Discussion

Ms. Brown asked the Board what their thoughts are on allowing animals in barber shops. She stated that the Cosmetology Board has in their regulations that only service animals are allowed in salons. All board members present stated they agree that only service animals should be allowed in a shop.

Ms. League stated she will need to look more into this from a legal standpoint prior to making a statement on the subject. She did state that inspectors are not allowed under the ADA to require individuals to produce documentation for a service animal.

Ms. League will do research, and this topic will be discussed at the next board meeting.

13. Adjournment

Ms. Patton made a motion to adjourn the meeting. The motion was seconded by Mr. Jarvis and it carried. The meeting adjourned at 11:23 a.m.

The next meeting of the S.C. Board of Barber Examiners is scheduled for February 8, 2021.
