

**South Carolina Board of Barber Examiners
Board Meeting Minutes
9:00am, February 13, 2023
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. Due to technical constraints, members of the public who wish to attend may do so by telephone. For meeting access information, please email boardinfo@lir.sc.gov.
- b. Rules of the Meeting

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 at 9:02 a.m. Other Board members participating in the meeting included:

- Christopher Jarvis
- Melissa Jones Horton

Staff members present included: Theresa Brown, Administrator; Mary League, Advice Counsel; Robynn Devine; Lakin Raulerson; Holly Beeson, James Kemfort, (OIE); Jennifer Stillwell, (OIE); Shelia Hawkins (OIE) and Sara Morris, (ODC).

All other persons in attendance: Dwight Brandon, Kathleen Farnsworth, Terrance Booker, Deshaun West and Leonard Pelzer.

3. Approval of Excused Absences

Mr. Christopher Jarvis made a motion to approve the absence of Ms. Renee Patton. Ms. Melissa Jones Horton seconded the motion and it carried.

4. Approval of Agenda

Mr. Christopher Jarvis made a motion to approve the agenda. Ms. Melissa Jones Horton seconded the motion and it carried.

5. Approval of Meeting Minutes

Mr. Christopher Jarvis made a motion to approve the Barber Board meeting minutes for December 12, 2022. Ms. Melissa Jones Horton seconded the motion and it carried.

Mr. Christopher Jarvis made a motion to approve the OJT Overview meeting minutes for December 19, 2022. Ms. Melissa Jones Horton seconded the motion and it carried.

Mr. Christopher Jarvis made a motion to approve the OJT Overview meeting minutes for January 30, 2023. Ms. Melissa Jones Horton seconded the motion and it carried.

6. Chairperson's Remarks – Paul E. Robinson

Mr. Paul Robinson stated that the Mid-Year NABBA conference is coming up in Memphis, Tennessee on the upcoming weekend.

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

Ms. Theresa Brown reminded the Board members that they are required to turn in their Statement of Economic Interest reports to the State Ethics Commission. Ms. Brown stated that the travel information has been emailed to the Board members from Ms. Robynn Devine and the deadline to turn it in is by the end of March.

a. Budget/Drawdowns – For information

- b. OIE Report – For Information – James Kemfort --** Mr. James Kemfort gave the report and stated that this is for information purposes. As of February 2, 2023, they received a total of 14 total complaints, 2 active cases, and 3 closed cases.

Mr. Paul Robinson asked what are the approximate age of the cases and Mr. Kemfort stated that approximate age of the cases is 4 days.

- c. IRC Report – For Approval – James Kemfort-**The IRC met on January 31, 2023. The IRC members reviewed a total of 10 cases and recommended 5 cases for dismissal, 2 letter of cautions, and 3 cases for formal complaint.

Mr. Christopher Jarvis made a motion to approve the IRC report. Ms. Melissa Jones Horton seconded the motion and it carried.

- d. ODC Report – For Information – Sara Morris –** Ms. Sara Morris stated there are currently 35 open cases, 21 pending hearings or agreements, 9 cases have been closed since December 12, 2022 and 20 cases were closed for the calendar year of 2022.

- e. Inspection Report – For Approval – Jennifer Stillwell-** For the month of December, there were a total of 129 inspections conducted, 107 of those were physically inspected, 2 were permanently closed, 10 were not open at the time of inspection, and that included 2 school. For the year 2022, a total of 1,997 inspections were conducted. For the month of January, a total of 232 inspections, 181 were physically inspected, 6 were permanently closed, 44 were closed at the time of the inspection, and 1 of those were schools.

Mr. Christopher Jarvis made a motion to approve the Inspection report. Ms. Melissa Jones Horton second the motion and it carried.

f. Legislate Updates – Holly Beeson

Ms. Holly Beeson stated that the legislation is in the first year of a 2 year legislative session. Ms. Beeson stated a significant number of bills that could pass this year or could be considered will stay on the calendar through next year. Ms. Beeson stated for Barbers, there is a minor clean up from last year for Regulation 17-3, which entails barber instructors in school settings. Ms. Beeson stated the members last year asked that the Board clarify the language to ensure that when the regulation states that instructors cannot provide services to clients during school hours, it is meant that only while instructors were in a school setting and they weren't working with students if they were not in a school setting.

Ms. Beeson stated that legislators had a full year last year and they were able to do a significant amount of work with the board regulations and they are in great shape right

now. As far as the Bills are concerned, there aren't any that directly impact the barber board with exception of one that references hair braiders but it hasn't picked up any traction at this point. Ms. Beeson stated there are several Bills that fall in the category of general licensure reform and anytime they have been asked by members to provide information regarding licensure reform, they have done so.

Ms. Beeson stated at this point, members in the Senate and members in the House are looking at making it simpler to become licensed in this state. The members aren't looking at removing regulations or delicensing boards with the exception of a Bill that is not getting any traction. Ms. Beeson stated they are trying to do a more global approach to look at things that apply to boards generally such as criminal convictions. The members are wanting to change the language regarding how a board would consider someone's prior criminal conviction in determining whether or not to license the individual. Ms. Beeson stated it is not a significant issue for the Barber Board and any of the other Boards because anytime an applicant cannot be approved at staff level, they have an opportunity to appear before the board and explain their prior criminal conviction. They have a one on one with the board to analyze that specific situation. However, some of the members felt the language in some of the general statutes may serve as a deterrent. Ms. Beeson stated people may not understand some of the language because some of the language is older and they don't always know what some phrases mean and the way the language is phrased. Ms. Beeson stated the members might want to look at what other States have done and use different language to ensure that the people don't feel there is not a chance for them to apply for a license because they have a criminal conviction their background.

Ms. Beeson stated there is a bill progressing, House Bill 3605, and it would slightly modify the language regarding criminal convictions. On the Senate side, there is a bill regarding apprenticeships and of course the Barber Board already has an apprenticeship program in the statutes. The apprenticeship Bill has been around for years and it may move forward this year. Ms. Beeson stated the Senate is pairing it up with the United States Department of Labor's Apprenticeship program. Even though the Bill is still broadly written, there is a good chance that it will be narrowed down because most of the bills are aimed at construction related trades and not necessarily for Barbers, cosmetology, or any of those type of professions. The members are looking at these professions and occupations where they can do on the job training and get as good or better education than they would in a traditional educational setting. Ms. Beeson stated the members are looking at putting these apprenticeships in place. It has been mentioned that the Barber Board is among the ones that already have an apprenticeship program and they don't want the language to interfere with what the Board already have in their statutes. Ideally it will create another pathway to licensure and keep the State apprenticeship programs in place as well. Ms. Beeson then opened the floor to the Board members for any questions and comments and then discussion ensued.

8. New Business

a. Consideration for Licensure-

i. James Harrison

Mr. James Harrison represented himself and requested to meet with the Board in reference to consideration for background history that accompanied his application to be approved by the Board so he can complete his training in a Barber school. Mr. Harrison was sworn in by the court reporter, gave background information about his set of circumstances, and answered the board's questions.

Ms. Melissa Jones Horton made a motion to approve Mr. James Harrison for barber training. Mr. Christopher Jarvis seconded the motion and it carried.

ii. Octavia Bowers

Ms. Octavia Bowers represented herself and requested to meet with the Board in reference to consideration for background history that accompanied her application to be approved by the Board so she can complete her training in a Barber school. Ms. Bowers was sworn in by the court reporter, gave background information about her set of circumstances, and answered the board's questions.

Mr. Christopher Jarvis made a motion to approve Ms. Octavia Bowers for a student permit. Ms. Melissa Jones Horton seconded the motion and it carried.

iii. James Bloodworth

Mr. James Bloodworth II represented himself and requested to meet with the Board in reference to consideration for background history that accompanied his application to be approved by the Board so he can complete his Barber school training. Mr. Bloodworth was sworn in by the court reporter, gave background information about his set of circumstances, and answered the board's questions.

Mr. Christopher Jarvis made a motion to approve Mr. James Bloodworth II for a student permit. Ms. Melissa Jones Horton seconded the motion and it carried.

iv. Joi Jackson (4th Permit)

Ms. Joi Jackson represented herself and requested to meet with the Board in reference to consideration for a fourth student permit. According to records, Ms. Jackson was issued 3 student permits for Neechie's College of Barbering. Ms. Jackson was sworn in by the court reporter, gave background information about her set of circumstances, and answered the board's questions.

Ms. Ms. Melissa Jones Horton made a motion to approve Ms. Joi Jackson a 4th student permit. Mr. Christopher Jarvis seconded the motion and it carried.

Mr. Paul Robinson informed Ms. Joi Jackson that it has not been the Board's practice to issue a 4th permit, so Ms. Jackson was encouraged to make the most of this opportunity.

v. Shanice Huger (4th Permit)

Mr. Paul Robinson recused himself because Shanice Huger is a student at the school he works at and Mr. Christopher Jarvis conducted the hearing. Ms. Renee Patton was able to attend this portion of the meeting via phone so that the Board can have a quorum.

Ms. Shanice Huger represented herself and requested to meet with the Board in reference to consideration for a fourth student permit. Ms. Huger was sworn in by the court reporter, gave background information about her set of circumstances, and answered the board's questions.

Ms. Melissa Jones Horton made a motion to approve Ms. Shanice Huger for a 4th student permit. Ms. Renee Patton seconded the motion and it carried.

Mr. Christopher Jarvis informed Ms. Shanice Huger that this is not a habit for the Board to issue a 4th permit, so Ms. Huger was encouraged to make the most of this opportunity.

b. Consideration of New Schools

i. Transitions Academy of Barbering

Ms. Nicola Cann appeared before the board representing Transitions Academy of Barbering. Ms. Cann was then sworn in by the court reporter. Ms. Cann explained her reasoning for wanting to open a barber school then discussion ensued.

Mr. Christopher Jarvis made a motion to approve Transitions Academy of Barbering pending inspections by a Board member and LLR inspector as well as make necessary changes to their catalog. Ms. Melissa Jones Horton seconded the motion and it carried.

c. Final Order Hearings

i. 2021-175

This case is in the matter of Starlyn Navarro. Mr. Navarro appeared before the board representing himself and was sworn in by the court reporter. Ms. Sara Morris presented the findings of the case.

Mr. Christopher Jarvis made a motion to go into Executive Session for legal advice. Ms. Melissa Jones Horton seconded the motion and it carried.

Ms. Melisa Jones Horton made a motion to come out of Executive Session. Mr. Christopher Jarvis seconded the motion and it carried. No votes were taken during the executive session.

Mr. Christopher Jarvis made a motion to accept the MOA as well as the public reprimand and the fine of \$500. Ms. Melissa Jones Horton seconded the motion and it carried.

Ms. Mary League informed Mr. Starlyn Navarro that he will receive a written order from the Board regarding this matter. Mr. Navarro has the right to appeal the order to the Administrative Law Court and if he wishes to appeal, he will need to do so within 30 days of receiving the order.

ii. 2022-82

This case is in the matter of Christian Matthew Williams. Mr. Williams appeared before the board representing himself and was sworn in by the court reporter. Ms. Sara Morris presented the findings of the case.

Ms. Melissa Jones Horton made a motion to go into executive session for legal advice. Mr. Christopher Jarvis seconded the motion and it carried.

Mr. Christopher Jarvis made a motion to come out of Executive Session. Ms. Melissa Jones Horton seconded the motion and it carried. No votes were taken during the executive session.

Ms. Melissa Jones Horton made a motion to accept the MOA and a \$250 fine with no public reprimand. Mr. Christopher Jarvis seconded the motion and it carried.

The Board recognizes this is Mr. Christian Matthew Williams' first offense.

Ms. Sara Morris informed Mr. Christian Matthew Williams that he will receive a written order from the Board regarding this matter. Mr. Williams has the right to appeal the order to the Administrative Law Court and if he wishes to appeal, he will need to do so within 30 days of receiving the order.

iii. 2021-65, -171, -186, 2022-121

This case is in the matter of Galdino Veracruz, Jr. Mr. Veracruz appeared before the board representing himself and was sworn in by the court reporter. Ms. Sara Morris presented the findings of the case.

Mr. Christopher Jarvis made a motion to go into Executive Session for legal advice. Ms. Melissa Jones Horton seconded the motion and it carried.

Ms. Melisa Jones Horton made a motion to come out of Executive Session. Mr. Christopher Jarvis seconded the motion and it carried. No votes were taken during the executive session.

Mr. Christopher Jarvis made a motion to accept the MOA as well as issue a public reprimand, \$500 fine per violation totaling \$1500 to be paid within 60 days from the date of receiving the final order. Ms. Melissa Jones Horton seconded the motion and it carried.

Mr. Paul Robinson informed Mr. Galdino Veracruz Jr. that with the OJT Instructor license, he is only allowed to have 2 students at one location. Permits are not transferrable and they cannot not be moved to the other locations.

Ms. Mary League informed Mr. Galdino Veracruz Jr. that he will receive a written order from the Board regarding this matter signed by the Board chair. Mr. Veracruz has the right to appeal the order to the Administrative Law Court and if he wishes to appeal, he will need to do so within 30 days of receiving the order.

9. Concerns Regarding Current Examination Provider

Ms. Melissa Jones Horton stated that she was attending a meeting as a public school teacher and a few concerns came to her attention about the testing provider, PSI. Ms. Jones Horton stated that teachers have not had support of asking questions and concerns about the students. Also, when professionals apply for the instructor exams, they have not received their topics either a day or two before the exam. Ms. Jones Horton stated another concern was that individuals do not have an understanding of how they failed the exam. According to PSI website, the passing score is 70, however, some individuals who scored a 75, are being told by office staff that they needed a 77 to pass. Ms. Jones Horton stated that there has been a lot of confusion and poor communication around testing. Teachers are not getting information about testing until a month prior to students taking the exam. Ms. Jones Horton stated that she wants to try to see how they can assist the public with the issues arising with examination. Ms. Jones Horton then asked when will the contract expire or be open for renewal with PSI so that they can look at other testing centers then discussion ensued.

10. Board Member Reports

Ms. Melissa Jones Horton visited the testing site for PSI, the Delta Hotel. The concerns she reported last year and the year before, were corrected. Ms. Jones Horton stated that one of the concerns she had was the drop cords being where students could trip and what they did instead of the horseshoe style setup, they changed it to conference style. They now have 12 tables and only one person per table. Ms. Jones Horton stated the hospitality was wonderful and she was given a tour. One concern that she has now is that they do not allow teachers to sit in the lobby of the hotel.

Ms. Melissa Jones Horton asked if she was approved to go to the NABBA Conference for travel. Ms. Theresa Brown informed her that the two Board members, the administrator and the inspector were approved then discussion ensued.

11. Public Comments

There were no public comments.

12. Adjournment

Ms. Melissa Jones Horton made a motion to adjourn the meeting at 11:42 a.m. Mr. Christopher Jarvis seconded the motion and it carried.