

**AMENDED AGENDA**  
**South Carolina Board of Barber Examiners**  
**Board Meeting**  
**9:00 a.m., June 11, 2018**  
**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. Other Board members participating in the meeting included:

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

Other persons in attendance included: Theresa Brown, Administrator; Mary League, Advice Counsel; Shalon Genwright, Staff; Jennifer Stillwell, Office of Investigations and Enforcement (OIE); Eric Thompson, Office of Investigations and Enforcement (OIE); Kyle Tennis, Office of Disciplinary Counsel (ODC); Sharon Wolfe, Office of Investigations and Enforcement (OIE); Kathryn Lindler, Court Reporter

**3. Approval of Excused Absences**

There were no excused absences.

**4. Approval of Agenda**

Dr. Frederick Evans made a motion to approve the meeting's agenda. The motion was seconded by Ms. Renee Patton and it carried.

**5. Approval of Meeting Minutes**

April 9, 2018

Dr. Evans made a motion to approve the board meeting minutes from April 9, 2018. The motion was seconded by Ms. Patton and it carried.

**6. Chairperson's Remarks – Paul E. Robinson** - Chairperson Robinson thanked those who reached out to him in regards to the passing of his father.

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

- a. **Budget/Drawdowns** – For Information - The travel budget has been raised to \$9,000 and sent to the agency director for approval.
- b. **OIE Report** – For Information - Sharon Wolfe – From January 1, 2018, through June 4, 2018, there have been 71 cases opened for investigation. Of those, there are eight (8) cases still active. Since January, fourteen (14) cases have been closed.
- c. **IRC Report** – For Approval - Sharon Wolfe - Cases have issues and they determine whether the issues have validity. If valid, they may come before the Board. A complaint analyst reviews all complaints that come in to determine whether it would be a violation of the Practice Act. Dr. Evans made a motion to approve the IRC report and it was seconded by Ms. Patton. The motion carried.
- d. **ODC Report** – For Information – Kyle Tennis – Currently, there are 29 open cases.
  - 22 (pending action agreement)
  - 3 (pending consent agreement/memorandum of agreement)
  - 4 (pending Board hearings)
  - 5 (closed since April of this year)
- e. **Inspection Report** – For Information – Eric Thompson - Mr. Thompson gave his condolences to the chairman. In April, there were 121 barbershop inspections and in May, there were 73 barbershop inspections. There are currently two inspectors out on medical leave and a third inspector on a condensed schedule, pending their retirement. There has also been in an increase of inspections for other boards as well. There are currently

1,435 active barbershops. In six months, 447 barbershops have been inspected, so they are on track to inspect each barbershop by December. In April, ten (10) barber colleges were inspected. In May, three (3) barber colleges were inspected. Mr. Barnes mentioned beer signs being seen at barbershops recently. It was discussed that the beer may be given away, but it cannot be sold at a barbershop. Inspectors may only inspect within their scope of practice, whereas anything else would be outside of their jurisdiction.

## **8. Old Business**

### **a. Consideration of Early Testing**

This topic was previously discussed two board meetings ago. Students enrolled in barber colleges, along with OJT students will be able to test early. Students enrolled in barber colleges will be able to test at 1,350 hours and OJT students will be able to test at 1,728 hours. The consideration is to close the gap for knowledge retention, in order to hopefully increase the passing rates of barber students.

Dr. Evans inquired about current success rates with barber training.

It was clarified that the agenda should have reflected the consideration of the early application of testing, not actually taking the examination. The students will still have to obtain the full requirement of hours prior to taking the examinations, but they will now be able to apply for the examinations early. This consideration stemmed from a task force recommendation. The Board needs to vote on the implementation of barber students applying for the examinations early. The implementation will take place within the next 30 days.

A motion was made by Dr. Evans for the approval of the early application of testing. The motion was seconded by Mr. Barnes and it carried.

## **9. New Business**

### **a. Executive Session**

#### **i. Discussion Regarding Examination Contract**

Dr. Evans made a motion to go into an executive session for discussion regarding the examination contract. This session was to garner legal advice. The motion was seconded by Ms. Patton and it carried.

A motion was made by Mr. Edwin Barnes to come out of the executive session and it was seconded by Ms. Patton. The motion carried. There were no motions made or votes taken during the executive session.

### **b. Application Hearings**

#### **i. Joseph Tolbert**

Mr. Joseph Tolbert was requested to come before the board as a criminal background report accompanied his examination application to become a Registered Barber Apprentice.

He is currently on probation for five years and that probation began in 2016. In six to eight months, he will be recommended for early termination of probation. His last charge was in 2007.

Dr. Evans made a motion for the approval of Mr. Joseph Tolbert to gain his Registered Barber Apprentice license. This approval includes a five year probationary period where a SLED report is due at the end of each year at Mr. Tolbert's own expense. The SLED report should show no additional infractions. The motion was seconded by Ms. Patton and the motion carried.

#### **ii. Corey Davis**

Mr. Davis came before the Board requesting a second student permit. He currently has a barber student permit with B-Unique Beauty & Barber Academy.

Mr. Davis stated that there was an altercation between a student and an instructor and that the school was very unprofessional, which is why he wants to transfer to another school. He had a leave of absence that he canceled and he then withdrew from the school. That leave was due to end in July of 2018. He has received all of his documents, which includes his training affidavit.

The school did not object to the transfer within the allotted timeframe and did not want to cooperate

with staff to obtain the proper documentation. Mr. Davis has a total of 112.83 hours.

Ms. Patton made a motion to grant Mr. Corey Davis a second student permit and it was seconded by Dr. Evans. The motion carried.

**c. Consideration of Third Student Permit**

**i. Jason Stroud**

Mr. Jason Stroud came before the Board for the approval of a third student permit. His Barber Instructor, Mr. Adreal Gaston, accompanied him, along with his aunt, Ms. Patricia Stroud.

Mr. Stroud initially left school because of the financial burden, but this is his passion, so he wants to complete the rest of his hours. He currently has 385.83 hours. He was made aware that becoming an OJT student increases the number of hours needed to 1,920 hours. He will be a full-time student. Mr. Stroud needs to ensure that he receives a copy of his monthly student hours in his hand each month.

The third permit is the final permit. The Board does not issue fourth permits.

Ms. Patton made a motion to approve the third student permit for Mr. Jason Stroud and it was seconded by Dr. Evans. The motion carried.

**ii. Duran Woodruff**

Mr. Woodruff was not present at the meeting, so this item has been tabled until the next Board meeting that Mr. Woodruff may attend.

**d. Consideration of a New Barber College**

**i. Top of the Line Barber College**

Mr. Anthony Gibson represented Top of the Line Barber College as they were seeking approval for a location change. They have outgrown the former facility. The new facility has 4,900 square feet.

Ms. Patton made a motion to approve the location change for Top of the Line Barber College, pending an inspection by a Board member. The motion was seconded by Mr. Barnes and it carried.

**ii. Your Professional Image School of Barbering**

Mr. Tony Taylor represented Your Professional Image School of Barbering and was seeking approval of a location change for spacing purposes. They currently have ten (10) students enrolled in the program. He is not ready for an inspection at this time, but has a planned opening date of July 9<sup>th</sup>.

Ms. Patton made a motion to approve the location change, pending an inspection by a Board member. The motion was seconded by Dr. Evans and it carried.

**e. Consideration of Update to Student Permit Application**

As an addition to the application, there may be a criminal conviction inquiry as the second question.

Ms. Patton made a motion to add the criminal conviction question to the student permit application. The motion was seconded by Dr. Evans and it carried.

**f. Consideration of Updates to the Barber School Inspection Form**

A copy of the updated form was placed in the barber board meeting materials for review and consideration. A signature will be taken from a representative present during the inspection. That person will be notated on the inspection form.

Citation authority requires a statutory change.

Dr. Evans made a motion to approve the updates made to the Barber College Inspection form. The motion was seconded by Ms. Patton and it carried.

**g. Barbershop Scope of Practice**

**i. Calvin Mack**

Mr. Mack came before the Board to speak about mobile barbershops. A state representative plans on putting out a bill in 2019, but he came to the Board meeting to try to help fast track the process. He went over statistics of other states that offered the mobile services and spoke about how it was an expanding business and his efforts in getting the bill passed.

This issue has come up for the past 5 years and has not been passed.

The issues of concern regarding mobile barbering involves unlicensed practice amongst other things. It is outside of the Board's authority to approve or make any recommendations. There are already major issues with brick and mortar barbershops.

The Board appreciated the presentation, and his approach with legislation is the appropriate route to go, but mobile barbershops are not allowed in the state of South Carolina as it is not a part of the statute currently.

**h. Discussion**

**i. SC CHE Compliance for GI Bill Barbering Colleges/Schools**

Mr. Frank Myers, Jr., Program Manager for the South Carolina Commission on Higher Education, came before the Board to give out information on the GI Bill for barbering colleges/schools. They are the veteran education and training approval authority and they manage the GI Bill for the Department of Veteran Affairs. Packets were given out and Mr. Myers thanked the veterans for their service. The Department of Veteran Affairs will pay a public school up to \$22,805.34 a year for a student with up to three (3) years of eligibility. He went over issues that have come about with cosmetology and barbering schools. If a school wants to be approved, they must send in the information from the packets. He has also requested that inspection reports be shared with him from the schools. They have recently shut down two (2) schools for illegal actions being conducted. If you apply for the GI Bill, you must be correct in doing the right thing to get the money. This bill may not be available for OJT students.

Dr. Evans recommends for Mr. Myers to reach out to LLR to request the inspection reports since it is public information. The request should suffice.

**10. Hearings – Kyle Tennis**

**i. 2017-86**

A consent agreement had been completed.

**ii. 2017-101**

This matter was in the case of Mr. Robert Bligen III. He was not present for the meeting, but was properly noticed. Monthly student hours were not turned in on time for six (6) students for June of 2017. A \$500 fine was paid on June 22, 2017 for a previous infraction.

Ms. Theresa Brown was called as a witness for the state.

Dr. Evans inquired about knowing about prior infractions.

A motion was made by Dr. Evans to go into an executive session to garner legal advice on the hearing. The motion was seconded by Ms. Patton and the motion carried.

Dr. Evans made a motion to come out of the executive session and it was seconded by Mr. Barnes. The motion carried. There were no motions made or votes taken during the executive session.

Dr. Evans made a motion that in the case of 2017-101, a public reprimand will be given, as well as a \$500 fine on Mr. Robert Bligen III's Barber Instructor license. The motion was seconded by Mr. Barnes and it carried.

iii. 2018-35

This matter was in the case of Ragin Barber Career Institute. There was no representative present, but they were properly noticed. An inspection was completed in November of 2017, where various issues were found. Ms. Jennifer Stillwell and Mr. Eric Thompson served as witnesses for the state. Ms. Stillwell was accompanied by Mr. Steven Gordon and Mr. Eric Thompson during the inspection. Ms. Ragin was not present and a student contacted her. During a previous inspection, Ms. Ragin was told that the apprentice in her school needed to be working in a barbershop. There were students working in the school with expired student permits. Prior cease and desist letters have been issued and Ms. Ragin has previously been cited for not having supervision at her school where a consent agreement was given. A former student was also present receiving tutoring. Money was also seen being given from the customer to those that were providing services.

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

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

A motion was made by Dr. Evans that the state proved its case in number one, number four, and partially number three of the formal complaint. A \$150 fine was given, to be paid within thirty (30) days. The motion was seconded by Mr. Barnes and it carried.

Student permits are not needed to tutor prior students and there was no way to prove that the money exchanged was for compensation or a tip.

iv. 2018-46

This case was in the matter of Cuts Barber College. There was no representative present, but they were properly noticed. During an inspection in March of 2018, there were various serious issues found. Ms. Stillwell served as a witness for the state. There was no instructor present and there were two persons present at the school during the inspection. One person was in the process of receiving a permit and it was stated aloud that it was a working barbershop when questioned. The owner of the school is Mr. Robert Bligen. The inspectors waited for an hour for him to come to the school. In the front of the school, there was an advertisement for a braider. Services were being offered in the back of the school. That person had a lapsed hair braider license and was in the process of applying for a barber student permit. Photos were taken and handed out.

Mr. Barnes left the meeting at 12:45 p.m.

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

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

Ms. Patton made a motion that the state proved its case on each issue. The school license will be revoked immediately, along with a \$2,500 fine to be paid within six (6) months. There will also be a public reprimand and it was recommended that an inspector goes to school to follow up with them as well. The motion was seconded by Ms. Patton and it carried.

## 11. NABBA Annual Conference

This conference will be held September 15<sup>th</sup> through 20<sup>th</sup>.

Dr. Evans made a motion to approve the Board Administrator, Ms. Renee Patton, and Mr. Paul Robinson to attend the NABBA annual conference. The motion was seconded by Ms. Patton and it carried.

## 12. Approval of Board Meeting Dates for 2019

The following dates below were given for the meetings in 2019.

- February 11, 2019

- April 8, 2019
- June 10, 2019
- August 12, 2019
- October 14, 2019
- December 9, 2019

Ms. Patton made a motion to approve the Board meeting dates for 2019 and it was seconded by Dr. Evans. The motion carried.

### **13. Board Member Reports**

An updated report from the task force will be given at the next Board meeting.

### **14. Discussion**

Ms. Patton thanked Mr. Tennis and the inspectors for their work. She also thanked Ms. Genia O'Bryant for bringing her students to the board meetings.

### **15. Public Comments**

Mr. Scott Bills wants to be a part of the task force as the pass rates for examinations are criminal to him. Schools have a 70% pass rate and they send over 200 students a year to take the examinations.

### **16. Adjournment**

Dr. Evans made a motion to adjourn the meeting at 1:14 p.m. and the motion was seconded by Ms. Patton. The motion carried.

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**The next meeting of the S.C. Board of Barber Examiners is scheduled for August 13, 2018.**

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